

PENNSYLVANIA BULLETIN

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Pages 2471—2636

See Part II page 2551
for the State Ethics Commission's
Gaming Act List

Part I

Agencies in this issue

The General Assembly
The Courts
Department of Education
Department of Environmental Protection
Department of Transportation
Environmental Hearing Board
Historical and Museum Commission
Independent Regulatory Review Commission
Insurance Department
Liquor Control Board
Patient Safety Authority
Pennsylvania Public Utility Commission
State Ethics Commission
Susquehanna River Basin Commission
Thaddeus Stevens College of Technology

Detailed list of contents appears inside.



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

No. 402, May 2008

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CONTENTS

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meetings scheduled 2479

THE COURTS

APPELLATE PROCEDURE

Proposed amendment to rule 311 2480

PHILADELPHIA RULES

Residential Mortgage Foreclosure Diversion Pilot Program June 3, 2008, and July 1, 2008, sheriff sales; president judge general court regulation no. 2008-01 2481

LOCAL COURT RULES

Columbia and Montour Counties

Amendment to local court rule 117; no. AD-4-2008 2483

Dauphin County

Promulgation of local rule; no. 1793 S 1989 2484

EXECUTIVE AGENCIES

DEPARTMENT OF EDUCATION

Rules and Regulations

Vocational education 2485

Notices

Application of Commonwealth Medical Education Corporation for approval of change to degree-granting status, name change to 'The Commonwealth Medical College,' and amendment and restatement of its articles of incorporation 2498
 Availability of 2008-2009 career and technical education Federal Tech Prep Grants 2498

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 2499
 Availability of technical guidance 2535
 Bid opportunity 2535
 City of Philadelphia's Ambient Air Monitoring Network Plan available for public comment 2535

DEPARTMENT OF TRANSPORTATION

Notices

Addendum and revision of the listing of approved speed-timing devices and appointment of maintenance and calibration stations 2536
 Meetings scheduled 2536

ENVIRONMENTAL HEARING BOARD

Notices

Christopher C. Kinsella, Jr. v. DEP and Posh Properties, permittee; EHB doc. no. 2008-147-C 2536

HISTORICAL AND MUSEUM COMMISSION

Notices

National Register nominations to be reviewed by the Historic Preservation Board 2537

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 2537
 Notice of filing of final rulemakings 2540

INSURANCE DEPARTMENT

Notices

Commerce and Industry Insurance Company; prehearing 2540
 Marvin Loev, M. D.; prehearing 2540
 Review procedure hearings; cancellation or refusal of insurance 2541

LIQUOR CONTROL BOARD

Notices

Expiration of leases 2541

PATIENT SAFETY AUTHORITY

Notices

Public meeting 2542
 Reporting requirements for nursing homes under The Health Care-Associated Infection and Prevention Control Act 2542

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Service of notice of motor carrier applications 2545

STATE ETHICS COMMISSION

Notices

Gaming Act List 2551

SUSQUEHANNA RIVER BASIN COMMISSION

Notices

Public hearing and meeting 2546

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Notices

Request for bids 2547

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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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51 435, 1253
 53 435, 1253
 55 435, 1253
 57 435, 1253
 59 435, 1253
 61 435
 63 435
 65 435, 1253

52 Pa. Code (Public Utilities)

Adopted Rules
 63 488

Proposed Rules

54 776, 1843
 62 776, 1843
 63 758, 2056
 76 776, 1843

55 Pa. Code (Public Welfare)

Adopted Rules
 3270 2437
 3280 2437
 3290 2437
 3300 2437

Proposed Rules

2380 1937
 2390 1937
 6400 1937
 6500 1937

Statements of Policy

3270 2469
 3280 2469
 3290 2469

58 Pa. Code (Recreation)

Adopted Rules
 53 1584
 63 1584
 65 1468
 91 1725
 111 1468
 141 1471, 1472
 143 1469, 1470
 147 1472, 1473
 405a 1474
 421a 1585, 1965
 423a 1585
 437a 2251
 461a 1474

Proposed Rules

29 2155
 65 1588
 69 1589
 137 1484
 139 1591, 1597
 141 1482, 1590
 143 1477, 1482
 147 1477, 1483
 401a 1151, 2053
 405a 2054
 421a 2054
 433a 2054
 435a 1151, 2054
 439a 1151
 441a 1039, 1041, 1151, 2269
 461a 343, 1151
 461b 1151

463a 1151
 465a 1151

Statements of Policy

57 1965
 421b 977
 436b 2279
 461b 354

61 Pa. Code (Revenue)

Adopted Rules
 32 1148
 113 1476

Statements of Policy

60 977

201 Pa. Code (Judicial Administration)

Adopted Rules
 2 220
 7 220

Proposed Rules

30 1924

204 Pa. Code (Judicial System General Provisions)

Adopted Rules
 83 1701
 85 1812
 87 1812
 91 1812
 93 1812

Proposed Rules

213 1438
 303 9

207 Pa. Code (Judicial Conduct)

Adopted Rules
 33 1445
 61 1445

Proposed Rules

61 865, 1037

210 Pa. Code (Judicial Conduct)

Adopted Rules
 15 2359
 17 2359

Proposed Rules

3 2480
 17 1445
 21 1446

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules
 200 1349
 1915 1815

Proposed Rules

200 337
 1000 1701
 1910 1447
 4000 1814

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules
 1 745

Proposed Rules

1 61, 865
 6 1816

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 2360
 2 2360
 11 2360
 13 2360
 100 1142
 150 1146
 300 1142
 600 1146
 800 1142

Proposed Rules

1 1349
 5 63
 11 477, 1349
 13 477
 18 477

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

1000 2040

Proposed Rules

200 1817, 2046, 2151

249 Pa. Code (Philadelphia Rules)

Unclassified 223, 868, 1241, 2046, 2049, 2481

252 Pa. Code (Allegheny Rules)

Unclassified 64

255 Pa. Code (Local Court Rules)

Unclassified 72, 223, 225, 338, 481, 482, 596, 748,
 975, 1037, 1241, 1354, 1449, 1458, 1466, 1583, 1702,
 1704, 1819, 1931, 2050, 2152, 2240, 2242, 2363, 2364,
 2483, 2484

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meetings Scheduled

The Commission on Sentencing announces the following public meetings to be held at The Harrisburg Hilton and Towers Hotel, One North Second Street, Harrisburg, PA 17101:

Wednesday, June 18, 2008	Dinner/Policy Committee Meeting	6:30/7:30 p.m.
Thursday, June 19, 2008	Quarterly Commission Meeting	9 a.m.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 08-1013. Filed for public inspection May 30, 2008, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 3]

Proposed Amendment to Rule 311

The Appellate Court Procedural Rules Committee proposes to amend Pennsylvania Rule of Appellate Procedure 311(a)(4). The amendment is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court.

Proposed new material is bold while deleted material is bold and bracketed.

All communications in reference to the proposed amendment should be sent no later than July 1, 2008 to:

Dean R. Phillips, Chief Counsel
D. Alicia Hickok, Deputy Counsel
Scot Withers, Deputy Counsel
Appellate Court Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

or Fax to
717-795-2116

or E-Mail to
appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court
Procedural Rules Committee*

HONORABLE JANE CUTLER GREENSPAN,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN

INTERLOCUTORY APPEALS

Rule 311. Interlocutory Appeals as of Right.

(a) *General Rule.* An appeal may be taken as of right and without reference to Pa.R.A.P. 341(c) from:

* * * * *

(4) *Injunctions.* An order of a court granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions, except for [injunctions] an order entered pursuant to:

(i) [Sections] Section 3323(f) [and] or 3505(a) of the Divorce Code, 23 Pa.C.S. §§ 3323(f), [and] 3505(a) [.]; or

[A decree nisi granting or denying an injunction is not appealable as of right under this rule, unless the decree nisi (i) grants an injunction effective upon the entry of a decree nisi or (ii) dissolves a previously granted preliminary injunction effective upon the entry of a decree nisi.]

(ii) Pa.R.C.P. 1038 that is not immediately effective upon its entry.

* * * * *

Official Note: Authority—This rule implements 42 Pa.C.S. § 5105(c) (interlocutory appeals), which provides:

* * * * *

The 1996 amendment to paragraph (a)(4) reconciled two conflicting lines of cases by adopting the position that generally an appeal may not be taken from a decree nisi granting or denying a permanent injunction. [*Humphreys v. Cain*, 84 Pa. Cmwlth. 222, 474 A.2d 353 (1984). To the extent that *Agra Enterprises, Inc. v. Brunozzi*, 302 Pa. Super. 166, 170, 448 A.2d 579, 581 (1982); *Martin Industrial Supply Corp. v. Riffert*, 366 Pa. Super. 89, 91, 530 A.2d 906, 907 (1987); *Bolus v. Ryder Truck Rental, Inc.*, 258 Pa. Super. 387, 388, 517 A.2d 995, 996 (1986); *Commonwealth ex. rel. Lewis v. Allowill Realty Corp.*, 330 Pa. Super. 32, 35, 478 A.2d 1334, 1336 (1984); and *Neshaminy Constructors, Inc. v. Philadelphia, Pennsylvania Building and Construction Trades Council, AFL-CIO*, 303 Pa. Super. 420, 422 n.1, 449 A.2d 1389, 1390 n.1 (1982) permit an immediate appeal from a decree nisi granting or denying prospective injunctive relief, they are overruled.

The 1996 amendment to paragraph (a)(4) simultaneously recognized two exceptions to the non-appealability of a decree nisi; these exceptions, identified as phrases (a)(4)(i) and (ii), permit an appeal from a decree nisi if the order has the immediate effect of changing the status quo. Thus, if the decree nisi grants or denies permanent injunctive relief to become effective when the decree nisi is made final, no appeal is possible. If, however, the decree nisi provides for permanent injunctive relief upon entry of the decree nisi, or strikes a previously granted preliminary injunction upon entry of the decree nisi, the decree nisi is appealable pursuant to phrase (a)(4)(1) or (ii).]

The 2008 amendment to the rule conformed the rule to the 2003 amendments to the Pennsylvania Rules of Civil Procedure abolishing actions in equity and thus eliminating the *decree nisi*. Because *decrees nisi* were in general not appealable to the extent they were not effective immediately upon entry, this principle has been expressly incorporated into the body of the rule as applicable to any injunction.

The word “court” has been inserted to clarify that orders or decisions that grant, modify, or deny injunctive relief but are issued by Commonwealth administrative agencies are not immediately appealable under this rule. See *Columbia Gas of Pennsylvania, Inc. v. Pennsylvania Public Utilities Commission*, 104 Pa. Commw. 142, 521 A.2d 105 (1987), petition for allowance of appeal denied, 517 Pa. 628, 538 A.2d 880 (1988); *Pittsburgh Bd. of Pub.*

***Educ. v. Pa. Human Rels. Comm'n*, 820 A.2d 838 (Pa. Commw. 2003); *Green Mt. Energy Co. v. Pennsylvania Public Utilities Commission*, 812 A.2d 740 (Pa. Commw. 2002).** Where such an agency has issued an interlocutory order that is not immediately appealable under Rule 311 or otherwise and there is no adequate remedy at law, a petition for review in the nature of a complaint in equity addressed to the original jurisdiction of the Commonwealth Court is available.

* * * * *

Note on Second Publication, May 2008

Proposed revisions to Rule 311(a)(4) were originally published for comment in the summer of 2006. The primary change in the proposed rule was to remove references to decrees nisi. The proposal also conformed the rule to case law by specifying that only orders of courts could be appealed immediately under Rule 311(a)(4). Based upon comments received from the Bar, the Committee formed a special Subcommittee to examine whether it is possible to interpret Rule 311(a)(4) or to craft an equivalent rule to provide relief during the course of an administrative action. Members of the Subcommittee consulted with Commonwealth administrative agencies as well. Ultimately, the Subcommittee concluded that the Commonwealth Court did not have the same supervisory jurisdiction over agencies that the Superior Court exercises over the courts of common pleas, and that it was a necessarily accurate statement of the law to say that only an order of a court is immediately appealable under Rule 311(a)(4).

If a person is aggrieved by an order of a Commonwealth administrative agency that is not immediately appealable and otherwise qualifies for equitable relief, however, that person can initiate an action in equity in the original jurisdiction of the Commonwealth Court. While this has always been the case, the Subcommittee considered it important to draw the attention of the Bar to that fact, given the response to the proposed rule change as originally published. Accordingly, the new proposed recommendation includes additional material in the Note.

Because the case law has clarified the circumstances under which post-trial motions are required, it was not considered necessary to state that none are needed under Rule 311(a)(4), and that reference was removed. Otherwise, the proposed rule change conforms to the prior recommendation.

[Pa.B. Doc. No. 08-1014. Filed for public inspection May 30, 2008, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Residential Mortgage Foreclosure Diversion Pilot Program June 3, 2008, and July 1, 2008, Sheriff Sales; President Judge General Court Regulation No. 2008-01

Order

And Now, this 15th day of May, 2008, in order to further permit the implementation of the Residential

Mortgage Foreclosure Diversion Pilot Program adopted by President Judge General Court Regulation 2008-01, the sale of all owner occupied residential premises originally scheduled to be exposed to judicial sale on June 3, 2008 to enforce a residential mortgage, as well as the sale of all owner occupied residential premises which were originally scheduled to be exposed to judicial sale to enforce a residential mortgage at the Sheriff Sale on July 1, 2008 are, subject to further order of this court, postponed until the Sheriff Sale scheduled for September 9, 2008 and until the Sheriff Sale scheduled for October 7, 2008, respectively, in order that the Conciliation Conference required by President Judge General Court Regulation No. 2008-01 can be held.

It is further *Ordered, Adjudged* and *Decreed* that:

(a) unless the sales are otherwise individually stayed or postponed, the Sheriff of Philadelphia shall proceed to sell on June 3, 2008, and July 1, 2008, as scheduled and advertised, all premises which are not owner occupied, which are not residential, or which are not exposed to judicial sale to enforce a residential mortgage, (these properties shall hereinafter be collectively referred to as "Non Owner Occupied Non Residential Properties").

(b) because of the difficulty involved in determining whether or not a Writ of Execution comes within the scope of this Order, all real estate scheduled for sale by the Sheriff of the City of Philadelphia on June 3, 2008, or on July 1, 2008, shall be postponed to the Sheriff Sale scheduled for September 9, 2008, and October 7, 2008, respectively unless:

(1) counsel for the Plaintiff on the Writ of Execution, on or before May 21, 2008, for the properties scheduled for sale on June 3, 2008, and on or before June 6, 2008, for properties scheduled for sale July 1, 2008, files, with the Prothonotary, and serves on the defendant (as provided in subsection 3) a copy of this Order and a Certificate, substantially in the format attached hereto as Exhibit "A", certifying whether the property on the Sheriff Sale list is or is not an Owner Occupied Residential Premises Exposed to Judicial Sale to Enforce a Residential Mortgage within the meaning of this Order;

(2) if Counsel for the Plaintiff certifies that a specific property is not a residential property within the meaning of this Order, is not owner occupied as of this date, is not exposed to judicial sale to enforce a residential mortgage, or is vacant, counsel shall mail to defendant(s) a copy of the Certificate, and the Important Notice substantially in the format attached hereto as Exhibit "B" and **Defendant's Objection to Plaintiff's Certification And Request For Postponement Of Sale** substantially in the format attached hereto as Exhibit "C" and properly completed by Plaintiff's attorney to reflect the correct dates for the respective sheriff sales;

(3) a copy of the Certificate and other documentation, as appropriate, shall be served on the Defendant by regular mail to the last known address of the Defendant(s) and to the address of the premises scheduled for sale;

(4) an Affidavit of Service, substantially in the format attached hereto as Exhibit "D" shall be filed with the Prothonotary along with a copy of the documents served upon the defendants;

(5) any Defendant who disagrees with the Certification filed by the Plaintiff which stated that the premises are not residential, or are not owner occupied, or are not exposed to judicial sale to enforce a residential mortgage must file an Objection, substantially in the format attached hereto as Exhibit "C," on or before May 29, 2008, for the properties listed for sale on June 3, 2008, and on or before June 23, 2008, for the properties listed for sale July 1, 2008; and

(6) based upon the information requested in item (1), this Court shall issue an order no later than May 30, 2008 identifying which owner occupied residential premises subject to this Order are postponed to the September 9, 2008, Sheriff Sale, with respect to the June sales and shall issue an order before the July 1, 2008, Sheriff Sale identifying which owner occupied residential premises subject to this Order are postponed to the October 7, 2008, Sheriff Sale;

(c) the term "Residential Premises" means real property located within the City and County of Philadelphia containing not more than four residential units and shall include a residential condominium unit or a residential co-op unit;

(d) as authorized by Pa.R.C.P. 3129.3(a), any writ of execution which scheduled premises for judicial sale on June 3, 2008, or July 1, 2008, which is being postponed as required by this Order, shall be permitted to proceed to judicial sale on September 9, 2008, or October 7, 2008, respectively, or thereafter, without further posting, notice, advertisement or affidavit pursuant to Pa.R.Civ.P. 3129.1 to 3129.3. Moreover, the postponement provided in this Order shall not affect the Plaintiffs right to postpone the sale twice further up to 130 days as permitted by Pa.R.C.P. 3129.3(b).

(e) This Order shall be published in the *Pennsylvania Bulletin* and *The Legal Intelligencer*; and shall be posted on the website of the First Judicial District of Pennsylvania at courts.phila.gov.

(f) The Sheriff shall advertise the entry of this Order (without Exhibits) on May 19, 2008, May 26, 2008, June 2, 2008, and June 30, 2008 in the *Philadelphia Inquirer*.

(g) The Sheriff shall announce the Postponements at the time and place scheduled for the June and July sales.

(h) Notwithstanding the foregoing, Sheriff's Sales postponed from April 1, 2008 and May 6, 2008, until July 1, 2008 by Order dated April 16, 2008 shall proceed to sale absent the entry of individual orders addressing and further postponing the same, as warranted by their particular circumstances.

By the Court,

HONORABLE C. DARNELL JONES, II,
President Judge, Court of Common Pleas

HONORABLE D. WEBSTER KEOGH,
*Administrative Judge, Trial Division
Court of Common Pleas*

EXHIBIT A

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

_____ : _____ TERM, 200 ____
Plaintiff, :
: NO. _____
v. :
: **Book No.** _____
Defendant : **Writ No.** _____
: **Sale Date:** _____

Certification Regarding Status of Foreclosed Premises as Residential and Owner Occupied

Pursuant to the Order dated _____ issued by President Judge C. Darnell Jones II and entered in connection with the President Judge General Court Regulation No. 2008-01, I hereby certify that the premises at issue in this action known and numbered as:

Premises Address: _____
Philadelphia, PA _____ Ward: _____
BRT Number: _____

(CHECK APPLICABLE BOX OR BOXES)

PROTHY CODE

- CEROC** is an owner occupied Residential Premises exposed to judicial sale to enforce a residential mortgage;
- CERNO** is not a Residential Premises within the meaning of the aforementioned order;
- CERNO** is not owner occupied as of this date;
- CERNO** is not exposed to judicial sale to enforce a residential mortgage;
- CERNO** is vacant.

The undersigned verifies that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Signature of Plaintiff
or Counsel for Plaintiff

EXHIBIT B

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

_____ : _____ TERM, 200 ____
Plaintiff, :
: NO. _____
v. :
: **Book No.** _____
Defendant : **Writ No.** _____
: **Sale Date:** _____

IMPORTANT NOTICE

YOUR PROPERTY HAS BEEN LISTED FOR SHERIFF SALE ON (JUNE 3, 2008) or (July 1, 2008) (select one) (A SALE WHICH MAY HAVE BEEN POSTPONED FROM AN EARLIER DATE). IF YOU OWN AND LIVE IN THE PROPERTY LISTED FOR SALE AND IT HAS FOUR OR FEWER RESIDENTIAL UNITS, YOU CAN HAVE THE

SHERIFF SALE OF YOUR PROPERTY POSTPONED FROM (June 3, 2008 to September 9, 2008) (July 1, 2008 to October 7, 2008), SO YOU CAN PARTICIPATE IN A CONFERENCE THAT MAY ENABLE YOU TO SAVE YOUR HOME. YOU CAN INSURE YOUR ABILITY TO PARTICIPATE IN THE CONFERENCE BY FILING THE OBJECTION TO PLAINTIFF'S CERTIFICATION, ATTACHED TO THIS NOTICE, IN ROOM 278 CITY HALL, PHILADELPHIA, PA 19107 ON OR BEFORE 2:00 PM, (May 29, 3008) (June 23, 2008). YOU MUST MAIL A COPY TO THE PLAINTIFF'S ATTORNEY AT THE FOLLOWING ADDRESS:

[Attorney name and address]

UNLESS THE OBJECTION TO PLAINTIFF'S CERTIFICATION IS RECEIVED BY THE PROTHONOTARY, IN ROOM 278 CITY HALL, PHILADELPHIA, PA 19107 ON OR BEFORE 2:00 PM, (May 29, 2008) (June 23, 2008) THE PREMISES MAY BE SOLD ON (June 3, 2008) (July 1, 2008).

YOU HAVE THE RIGHT TO BE REPRESENTED BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO THE LAWYER. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ASSISTANCE.

Philadelphia Bar Association
Lawyer Referral and Information Service
One Reading Center
Philadelphia, PA 19107
Telephone: 215-238-1701

SAVE YOUR HOME PHILLY HOTLINE
(215) 334-HOME

EXHIBIT C

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA
COUNTY CIVIL TRIAL DIVISION

Plaintiff, : _____ TERM, 200 ____
:
: NO. _____
v. :
: Book No. _____
Defendant : Writ No. _____
: Sale Date: _____

DEFENDANT'S OBJECTION TO PLAINTIFF'S CERTIFICATION AND REQUEST FOR POSTPONEMENT OF SALE

I, the undersigned, object to Plaintiff's Certification and in support thereof I certify that:

- 1. I am the owner or an owner or an heir to a deceased owner of the property identified above;
2. That I live in the property described above;
3. That the property is my principal residential property;
4. That the judgment entered against me in the case described above was entered against me to collect a mortgage debt on my home; and

I request that the Sheriff Sale of the above premises be postponed so that I can take part in the conciliatory conference required for owner occupied residential premises.

I verify that the statements made herein are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Signature of Defendant
Address:
Philadelphia, PA _____
Phone Number:
Fax Number:
Email Address:

EXHIBIT D

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

Plaintiff, : _____ TERM, 200 ____
:
: NO. _____
v. :
: Book No. _____
Defendant : Writ No. _____
: Sale Date: _____

CERTIFICATE OF SERVICE

The undersigned verifies, subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities, that the attached [Certification was] or [Certification, Important Notice, and Defendant's Objection To Plaintiff's Certification And Request For Postponement of Sale form were] mailed to the defendant(s) at their last known address and, if different, to the address of the premises subject to sale and to counsel of record, if any, and to the owners of the noted premises via first class mail, as noted below.

NAME(S) ADDRESS(ES)
Date: _____
Counsel for Plaintiff
[Pa.B. Doc. No. 08-1015. Filed for public inspection May 30, 2008, 9:00 a.m.]

Title 255—LOCAL COURT RULES

COLUMBIA AND MONTOUR COUNTIES
Amendment to Local Court Rule 117; No. AD-4-2008

Rule 117—Magisterial District Judge Coverage for Issuing Warrants; Preliminary Arraignments and Setting and Accepting Bail

Order

And Now, this 13th, day of May 2008, Local Rule 117(2)(a), 26th Judicial District, Columbia County Branch, is hereby amended as follows:

Accepting Bail:

Between the hours of 5 p.m. and 8 a.m., Monday through Friday, and on weekends and county legal holidays, the Warden of the Columbia County Prison, or his designee, shall be authorized to accept bail pursuant to, and subject to the limitations of the Pennsylvania Rules of Criminal Procedure. The Warden's authority is limited to accepting the bail deposit, delivering the bail to the issuing authority or the Columbia County Clerk of Courts and, under the Pennsylvania Rules of Criminal Procedure 525, releasing the defendant upon execution of the bail bond.

It is further Ordered that the Columbia County Court Administrator shall:

- (a) File seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts;
- (b) Distribute two (2) certified copies of this Order and a computer diskette to the Legislative Reference Bureau for Publication in the *Pennsylvania Bulletin*;
- (c) File one (1) certified copy with the Criminal Rules Committee.

This Order (Amended Local Rule) shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

SCOTT W. NAUS,
President Judge

[Pa.B. Doc. No. 08-1016. Filed for public inspection May 30, 2008, 9:00 a.m.]

DAUPHIN COUNTY**Promulgation of Local Rule; No. 1793 S 1989****Order**

And Now, this 15th day of May, 2008, Dauphin County Local Rule 215.3(3) is amended as follows:

- (3) The Administrative Application for Status Conference shall be in paragraph form and shall set forth the complete [**and**] factual **and** procedural history of the case and the reasons necessitating the conference. A copy of the Application shall be served on all opposing counsel and pro se parties and no response shall be required. An original and one copy of the Application shall be filed with the Prothonotary. The Prothonotary shall forward the original to the Court Administrator's Office for assignment to a judge and shall retain the copy in the file. The Court Administrator's Office, under the direction and supervision of the Civil Calendar Judge, shall promptly assign the Application for Status Conference to a judge who has had prior significant involvement with the case or if no judge has had prior significant involvement, to a judge on a rotating basis.

This amendment shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

NOTE: This change is made to correct a syntax error overlooked during proofreading.

By The Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 08-1017. Filed for public inspection May 30, 2008, 9:00 a.m.]

RULES AND REGULATIONS

Title 22—EDUCATION

DEPARTMENT OF EDUCATION

[22 PA. CODE CH. 339]

Vocational Education

The Secretary of Education (Secretary) has amended Chapter 339 (relating to vocational education) to read as set forth in Annex A.

Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

The Department of Education (Department) is amending Chapter 339 to read as set forth in Annex A. This final-form rulemaking is made under the authority of 22 Pa. Code § 4.32(a) (relating to standards and reports), Article XVIII of the Public School Code of 1949 (Public School Code) (24 P. S. §§ 18-1801—18-1855), section 2603-B of the Public School Code (24 P. S. § 26-2603-B), regarding powers and duties of the Board, the act of May 29, 1931 (P. L. 210, No. 126) (24 P. S. §§ 1224—1231) and The Administrative Code of 1929 (71 P. S. §§ 745.1—745.15).

The final-form rulemaking was prepared by the Department and received approval of both the State Board of Education (State Board) and the State Board for Vocational Education (Board) in accordance with sections 1841, 2502.8, 2603-B(k) and 2606-B of the School Code.

Background and Purpose

Chapter 339 establishes regulations to define school entities eligible to receive payments on the account of pupils enrolled in vocational curriculums. This final-form rulemaking reflects current State and Federal statutory requirements and Department policies and practices.

Fiscal Impact and Paperwork Requirements

The amendments to existing regulations will impose no adverse fiscal impact or paperwork requirements on the Commonwealth, political subdivisions or the private sector.

Affected Parties

The amendments affect school districts and career and technical centers (CTCs) in this Commonwealth.

Sunset Date

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

Summary of Public Comments and Responses to Proposed Rulemaking

The proposed rulemaking was published at 36 Pa.B. 560 (February 4, 2006). The Department accepted formal written comments within a 30-day public comment period after publication of the proposed rulemaking.

Throughout proposed rulemaking, IRRC and other commentators made technical suggestions to promote clarity. In response, the Department either made the requested revision or removed the language at issue to eliminate the concern. Following is a summary of the substantive comments and the Department's response to those comments.

Statutory Authority

A major question raised was whether the Department has statutory authority to amend Chapter 339. In preparing the proposed amendments to Chapter 339, the Department followed the procedure set forth by the General Assembly in Articles XVIII, XXV and XXVI of the Public School Code. Specifically, the Department exercised its duty to prepare rules that govern technical institutes and area vocational technical schools. See 24 P. S. §§ 18-1841 and 25-2502.8; see also section 1303 of The Administrative Code of 1929 (71 P. S. § 353). The Department then submitted the proposed amendments to both the State Board and the Board for review and approval, as required in Articles XVIII and XXVI of the Public School Code. See 24 P. S. §§ 18-1841, 26-2603-B(k) and 26-2606-B. Both Boards approved the proposed amendments prior to publication and have also approved the final amendments. Thus, the Department has satisfied the law's requirements.

§ 339.1a. Definitions.

A commentator recommended that the regulation define the term "employment" to include "supported employment" for students with disabilities. The statutory definition of "vocational education" is "to fit an individual to pursue effectively a recognized profitable employment." See 24 P. S. § 18-1801. Because the phrase "profitable employment" includes supported employment, no change in the regulation is needed.

§ 339.2. Operation.

Another commentator requested clarification that vocational programs must admit students with disabilities and provide these students with support and modification as appropriate. While students with disabilities must be provided a free and appropriate education and appropriate accommodations and services, this requirement is addressed in other applicable laws and regulations and need not be repeated here.

§ 339.4. Program approval.

A commentator questioned the need for the Pennsylvania Skills Certificate. Under the Public School Code, the purpose of vocational education is to fit an individual to pursue effectively a recognized profitable employment. See 24 P. S. § 18-1801(2). Further, current regulations provide that "[v]ocational-technical education courses shall include content based upon occupational analysis, clearly stated performance objectives deemed critical to successful employment and assessment of student competencies based upon performance standards." See 22 Pa. Code § 4.31(d) (relating to vocational-technical education). The Pennsylvania Skills Certificate is a means to assess whether a secondary school student is fit to pursue profitable employment and provides the student with recognition for having met the standard of "job ready."

The need for dual enrollment as a standard was questioned. The Department has retained this language but changed the term "and" to "or" to reflect that dual enrollment is an option, not a requirement.

Based upon concerns regarding special education students, the Department redrafted language in this section to ensure students are not excluded from vocational education based on academic abilities, to ensure the student's Individualized Education Program (IEP) team is involved in the student's placement, and to ensure that

the sending school and area vocational-technical school (AVTS) will plan together to meet the needs of special needs students. It was also recommended that the Department add language identifying the alternative achievement standards and assessments for students with severe disabilities. In response, the section was revised to reflect an alternative academic assessment. The Department will not set alternative achievement standards and assessments for occupational testing, however. Accommodations have been identified in the occupational assessment handbook located on the Department's web site, www.pde.state.pa.us.

IRRC made two recommendations: (1) that the Department specify how long records should be kept after a compliance review is complete; and (2) that the Department specify a time frame for completion of duties imposed on the Department and noncomplying schools. The Department incorporated these recommendations into the final-form rulemaking.

§ 339.13. Local advisory committee.

A recommendation to include the special education director from each sending school district on the local advisory committee was rejected. It would be unrealistic and impractical in an AVTS serving numerous districts to include special education directors from all districts in addition to the other required representatives.

§ 339.21. Admissions.

In response to a comment, language setting forth what constitutes success for a student with a disability was added. The phrase "or is attending" was not added because this section addresses admissions, not attendance.

§ 339.22. Program content.

The phrase "commensurate with the student's ability" was not added to subsection (a) because students are protected through the provisions in their IEPs and the laws related to special education.

One commentator questioned why the classification of instructional programs (CIP) is used in the regulations. The Department, as well as all State education agencies providing vocational education, has adopted the CIP classification system to determine if a vocational education program is adequate. The CIP is a taxonomic coding scheme that facilitates reporting of program completion data. All programs that fall under the CIP "must consist of more than one isolated course or learning experience and must not be a haphazard collection of unrelated courses or experiences." See ncs.ed.gov. The course of study that fits a CIP must include a combination of courses and experiences which prepares students for advanced study and provides students with qualifications for an occupation.

IRRC noted that § 339.22(c)(i)(A) duplicates § 339.22(a)(2). The language in both sections is the same. However, the sections pertain to different types of career and technical education, that is, occupational and nonoccupational. Both types of career and technical education are expected to integrate academic standards into career and technical education content.

§ 339.22(10). Minimum time requirements.

Chapter 339 was revised to emphasize the accountability standards required of secondary approved career and technical education (CTE) programs and to expand vocational training opportunities for adults. Although mini-

um hour requirements already exist as part of current Chapter 339, the amendments would strengthen those requirements.

Several entities and individuals commented on the proposed minimum time requirement. Although one commentator supported the minimum time requirement, the other commentators asked the Department to reconsider the proposal. For example, it was noted that the 9th grade is used as exploratory and a 2 hour per day requirement defeats the purpose of career exploration. Another commentator asserted that Tech Prep programs should not be included in the requirement that vocational students spend 360 instructional hours in career and technical education. Tech Prep allows students to explore careers while taking rigorous academics for postsecondary success. It was suggested that Tech Prep programs operate and be approved as 240 hour programs.

The existing minimum instructional hour requirement has not been reduced. The Public School Code defines vocational education as education "to fit an individual to pursue effectively a recognized profitable employment." See 24 P. S. § 18-1801. The Department recognizes the value of Tech Prep in this Commonwealth and provides over \$3 million in support of these programs. The related rigorous academic preparation is supported by the Basic Education subsidy, which assists school districts with the instructional costs associated with academic courses. The vocational subsidy assists school districts and CTCs (operated by a group of districts) with instructional costs associated with career and technical courses. The Department also recognizes the importance of career exploration. However, the Department must remain true to the intent of vocational education as set forth by the General Assembly in the Public School Code. Schools can establish and offer career exploration programs, but these programs are not subject to the vocational subsidy.

Rather than reduce the existing minimum instructional hour requirement, the Department has introduced language that provides school entities with the discretion to determine the percentage of the minimum total hours offered in each year of a program, so long as the resulting sequence meets the minimum total hour requirement.

Hour requirements are valid quality standards, the precedent for which was established by higher education and basic education. Higher education institutions undergo accreditation processes to ensure the educational system and the programs are of quality. To be accredited means an institution of higher education must meet standards, which include hours and program content. Postsecondary vocational institutions also must meet minimum eligibility requirements, which include an occupation preparedness exit point, instructional hour requirement and program content. Postsecondary vocational institutions must prepare students for gainful employment in a specific recognized occupation and provide at least 600 clock hours of instruction.

Basic education and CTE are no different from higher education in this aspect of requiring instructional hours as part of program standards. An instructional hour requirement establishes a minimal expectation for course content and results in a quality educational experience that leads to students graduating prepared for further education and employment.

The hour requirement provided in the proposed amendments serves two purposes: (1) to ensure adequate time for training and education; and (2) to serve as a basis for funding CTE programs. The Public School Code requires

that approved CTE programs have established courses of study that lead to "profitable employment." See 24 P. S. § 18-1801(2). The State law governing CTE follows Federal law in that CTE consists of a sequence of courses that prepare students for further education and careers, and the courses must be competency-based and include specific technical and occupational skills training. Brustein & Mahler, 1998.

For CTE, the determination of an adequate course of study is based on the CIP. All programs that fall under the CIP "must consist of more than one isolated course or learning experience and must not be a haphazard collection of unrelated courses or experiences." See ncs.ed.gov. Thus, the course of study that fits a CIP must include a combination of courses and experiences that prepares students for advanced study and provides students with qualifications for an occupation.

The Department has adopted the CIP classification system for approved CTE programs. For example, the Department publishes minimum program content for 47.0604 Auto Technician and instructional certification requirements. This description is based on the Nationally developed description, but has been adapted to address Pennsylvania workforce needs. In Department-approved Auto Technology programs, the course of study must include:

... instruction in the diagnosis and testing, including computer analysis, of malfunctions in and repair of engines, fuel, electrical, cooling and brake systems and drive train and suspension systems. Instruction is also given in the adjustment and repair of individual components and systems such as cooling systems, drive trains, fuel system components and air conditioning and includes the use of technical repair information and the state inspection procedures.

See www.pde.state.pa.us, keyword search "CIP codes." This listing serves as the minimum standard for all Department approved Auto Technology programs, and is based on the Nationally developed CIP.

To receive Department program approval, the school must meet the required course of study identified in the CIP. In addition, the school must complete an occupational analysis of each program for which the school is seeking program approval. The occupational analysis at the school level will evidence specific industry identified and validated knowledge and skills standards that students will attain while enrolled in the approved program. There are different methods of occupational analysis, but the most commonly used method is the Developing a Curriculum (DACUM).

In this Commonwealth, an hour standard for CTC originally was established at 540 instructional hours and was later decreased to the current standard of 360 instructional hours to accommodate increased academic requirements. The hour requirement was established to ensure that adequate time has been allotted to school districts and CTCs to address the minimum program content standards outlined in the CIPs. Under the Job Ready initiative, the Department has accepted the direction to ensure all CTE programs are aligned with National industry standards that lead to certifications. To accomplish this, the Department needs to ensure adequate time exists for the school districts and CTCs to adequately address applicable National industry standards.

The need for a given number of instructional hours for technical education is recognized by National accrediting

and certifying agencies, which have established minimum program content standards and instructional hours. To derive the required instructional hours, the certifying agency has conducted an occupational analysis, which examines each performance task associated with a given occupation and the amount of time on task, then connects that information to instructional time. The requirement in this regulation is consistent with the minimums.

An hour requirement both assists in defining minimum program standards and serves as a means of establishing a basis for reimbursement. For postsecondary institutions to be eligible to administer Federal student aid (FSA) funds, programs must be accredited. The accreditation standards address hours and program content. For example, at the National level, students applying for FSA can only receive aid if an institution and program have met eligibility requirements. The eligibility requirements include occupational preparation, number of hours and program content.

At the State level, a similar framework exists for secondary schools. Basic education subsidy is a complicated formula with numerous components. At times, part of the formula can address a time factor such as when districts are reimbursed for students attending other districts as required under section 2562 of the Public School Code (24 P. S. § 25-2562), where "the sending district shall pay the vocational or other extension tuition charge per pupil hour of instruction for each hour of attendance of each such pupil."

Several commentators asserted that the minimum instructional hour requirement contradicts the General Assembly's goal of encouraging young people, including college preparatory students, to pursue agriculture as a career. They contend that the end result of the minimum hour requirement will be a closure of Agriculture Education programs in this Commonwealth.

Although the Department agrees that college preparatory students should be encouraged to participate in CTE, the Department must remain true to the intent of vocational education as set forth by the General Assembly, that is, to prepare an individual to pursue effectively a recognized profitable employment. See 24 P. S. § 18-1801. Approved vocational education programs must have: (a) planned instruction; (b) a series of courses based on occupational analysis; (c) employment related performance standards; (d) administration of occupational assessment; (e) student prepared educational and occupational objectives based on occupational performance; (f) advisory committees; (g) safety education; and (h) admissions policies. College preparatory students have the opportunity to take one of the planned courses or to take a selection of the planned courses offered in an approved program. The required admissions policies cannot prohibit any student from enrolling in one, some or all of the courses. Therefore, students seeking to pursue agriculture as a career can enroll in one or more agriculture courses associated with an approved agriculture program. The concern expressed by some commentators that an hour requirement will lead to the closure of approved agriculture programs is not valid. Rather, to encourage students to study agriculture, schools should offer a sequence of career and technical courses that meets the requirements and also schedule those courses in a manner that will allow students to take them in addition to their academic courses.

Other commentators addressed what courses and activities should be included in the required 360 instructional hours. For example, one commentator observed that the

360 hours should include time spent in academic courses, and that school district-approved career and technical education programs should be 240 hours in length and receive partial funding. Another recommended that the time requirement include early college or dual enrollment courses, experiential learning opportunities, and any science and math courses that are directly related to the student's career goal. It was also recommended that science courses be eligible for the vocational subsidy because many school district agriculture education programs are comprised predominantly of science courses.

It is the program of study that determines if a school district and CTC (operated by a number of school districts) can apply for the vocational subsidy. The Department, in consultation with the regulated community, has identified academic courses that are integral to the Agriculture Education programs of study. The vocational subsidy is based on average daily membership of students enrolled in the approved Agriculture Education programs of study. If these approved programs include the identified academic courses, these courses are considered to be CTE courses and are eligible for the vocational subsidy.

Another suggestion was that the Department modify the reimbursement formula to reflect a sliding scale. The Department does not have authority to modify the subsidy formula used for payments on account of pupils enrolled in vocational curriculums. See 24 P. S. § 25-2502.8. Therefore, this modification was not made.

Several commentators stated that the use of supervised occupational experiences and cooperative and clinical experiences for vocational education credits, which is permitted under the current regulations, would be removed under the amendments. It was noted that, because of the diversity of agriculture, the instruction cannot be limited to classroom time alone. In addition, some commentators asserted that the proposed amendments to Chapter 339 would not permit time documented in the Supervised Agricultural Experience (SAE) system to count toward meeting minimum time requirements.

The current language of Chapter 339 allows vocational education credits to be given for hours spent in supervised occupational experience and cooperative and clinical experiences. The Department is retaining this language, which allows the local entities to determine if they want to provide vocational credits to students participating in SAE projects, and has redrafted this section to reference corresponding Public School Code provisions. The Department is limited by Article XV of the Public School Code and Chapter 11 (relating to student attendance), which state that instruction must occur within the school day. See 24 P. S. § 15-1504; and § 11.2 (relating to school day). Therefore, even under the current regulations, time spent in activities occurring after the school day cannot count toward meeting minimum time requirements. Because the school districts determine the school day, however, SAE experience may count toward the minimum time requirements as long as SAE occurs within the school day as determined by the school district.

§ 339.32. Services.

A commentator recommended that the Department add language to ensure students with disabilities make appropriate vocational choices and receive the support they need to succeed. The Department has incorporated this suggestion.

§ 339.51. Learning environment.

IRRC recommended that the Department list all boards, providers and certification standards with which

shop laboratories must comply. The Department has not done so, because such a list will become outdated. New career opportunities and associated certifying agencies will arise as the workplace changes.

§ 339.53. Contemporary equipment.

IRRC recommended that the Department identify all industry standards that will be applied and replace the term "comparable," which is vague and unenforceable. The Department has redrafted the language in question. It would not be feasible for the Department to include in the regulation a list of standards that will become outdated over time.

§ 339.61. Evaluation.

Finally, it was recommended that language be added to enable the Department to collect data on vocational students with disabilities. The Department has not adopted this language. The intent of subsection (d) is to ensure schools are in compliance with Chapter 339 vocational standards. However, the recommended language exceeds the scope of these regulations. Further, the Department's Bureau of Special Education collects data on students with disabilities.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 4, 2006, the Department submitted a copy of the notice of proposed rulemaking, published at 36 Pa.B. 560, to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Education Committees (Committees) for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Education Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the Committees and the public.

IRRC met on April 17, 2008, and approved the final-form rulemaking. The final-form rulemaking was deemed approved by the Committees on April 16, 2008.

Contact Person

Further information can be obtained by contacting Lee Burket, Director, Bureau of Career and Technical Education, 333 Market Street, Harrisburg, PA 17126-0333, lburket@state.pa.us.

Findings

The Department finds that:

- (1) Public notice of intention to adopt the amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided as required by law and all comments were considered.
- (3) The adoption of the amendments in the manner provided by this order is necessary and appropriate for administration of the authorizing statute.

Order

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

- (1) The regulations of the Department, 22 Pa. Code Chapter 339, are amended by amending §§ 339.1, 339.1a,

339.2—339.4, 339.13, 339.14, 339.21—339.23, 339.29—339.32, 339.41, 339.51, 339.53, 339.61 and 339.62; and by adding §§ 339.54—339.58 to read as set forth in Annex A.

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

(3) This order is effective upon publication in the *Pennsylvania Bulletin*.

GERALD L. ZAHORCHAK, D.Ed.,
Secretary

(Editor's Note: the addition of § 339.15 included in the proposal at 36 Pa.B. 560 (February 4, 2006) has been withdrawn by the Department.)

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 38 Pa.B. 2132 (May 3, 2008).)

Fiscal Note: 6-298. (1) General Fund; (2) Implementing Year 2007-08 is \$0; (3) 1st Succeeding Year 2008-09 is \$0; 2nd Succeeding Year 2009-10 is \$548,559; 3rd Succeeding Year 2010-11 is \$914,265; 4th Succeeding Year 2011-12 is \$1,300,000; 5th Succeeding Year 2012-13 is \$1,600,000; (4) 2006-07 Program—\$61,127,000; 2005-06 Program—\$59,636,000; 2004-05 Program—\$58,181,000; (7) Career and Technical Education; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART XVI. STANDARDS

CHAPTER 339. VOCATIONAL EDUCATION

VOCATIONAL EDUCATION STANDARDS

§ 339.1. Scope of applications.

This chapter applies to school entities that provide vocational education programs under Article XVIII of the School Code (24 P. S. §§ 18-1801—18-1855). These programs may receive:

(1) Payments on account of pupils enrolled in vocational curriculums. (See section 2502.8 of the School Code (24 P. S. § 25-2502.8).)

(2) Payments on account of students enrolled in technical institutes. (See section 2504.3 of the School Code (24 P. S. § 25-2504.3).)

(3) Payments on account of approved adult programs. (See section 2506.1 of the School Code (24 P. S. § 25-2506.1).)

(4) Payments on account of approved vocational extension classes and preemployment training. (See section 2507 of the School Code (24 P. S. § 25-2507).)

(5) Payments on account of equipment purchased by area AVTs and TIs. (See section 2508.1 of the School Code (24 P. S. § 25-2508.1).)

(6) Payments for vocational training of recipients of public assistance and unemployment compensation. (See section 2508.3 of the School Code (24 P. S. § 25-2508.3).)

(7) Payments on account of improvements and additions in vocational-technical curriculums. (See section 2508.4 of the School Code (24 P. S. § 25-2508.4).)

(8) Payments under the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C.A. §§ 2301—2471).

§ 339.1a. Definitions.

(a) The definitions in § 4.3 (relating to definitions) apply to this chapter.

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

Articulation—A planned process of curriculum development, instructional strategies and administrative procedures, which link educational agencies with other education agencies or with industries. The linkage helps students make a transition from a school entity to another school entity, college or university or a business/industry without experiencing delays in or duplication of learning.

Attendance area—A geographical area of school districts and pupils to be served by an AVTS or TI which has been approved by the State Board for Vocational Education. (See section 1840.1 of the School Code (24 P. S. § 18-1840.1).)

CIP Codes—Classification of Instructional Programs—A numerical coding of instructional programs developed by the United States Department of Education used to identify vocational programs.

CTSOs—Career and Technical Student Organizations—In-school organizations that provide personal and leadership development related to a career and technical program area as recognized by the United States Department of Education. (See § 339.30 (relating to student organizations).)

Concentrator—A student who is at least 14 years of age and is enrolled full time in an approved career and technical education program that meets the requirements of this chapter.

Diversified occupations program—A planned vocational program, which may be offered at either the AVTS or a comprehensive high school. The program prepares students from more than one vocational education area of instruction for gainful employment. The program is a partnership between a local business and industry and the school entity. A full range of career competencies are developed at the job training station site. The school, in a classroom setting, provides related academic and technical instruction, including safety.

High-priority occupation—An occupation as defined by the Center for Workforce Information and Analysis within the Department of Labor and Industry, or another occupation determined to meet regional workforce needs as documented through collaboration between the school entity or TI and one or more employers and approved by the Department.

IEP—Individualized Education Program under Chapter 14 (relating to special education services and programs).

Industry standards—Standards established by State or National trade or professional organizations or State or Federal regulatory bodies accepted by the Department that describe what learners should know and be able to do and describe how well learners should know or be able to perform a task in a specific occupation.

Local plan—A plan submitted by a school entity and approved by the Department in accordance with the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. §§ 2301—2471), or its successor.

Out-of-school youth—Persons 16 years of age or older who have left full-time school without receiving a secondary school diploma or its recognized equivalent.

Pennsylvania skills certificate—A certificate provided by the Department to recognize vocational and technical education students who have achieved a score of advanced on occupational end-of-program assessments in their chosen technical area.

Program accrediting authority—A regional or National industry-recognized agency or organization that certifies that a program meets education or training standards specific to the industry.

Registered apprenticeship—A training plan registered with the Apprenticeship and Training Council of the Commonwealth (Council) and evidenced by a Certificate of Registration or other appropriate document as meeting the apprenticeship standards of the Council.

State plan—A plan submitted by the Department and approved by the Federal Government in accordance with the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. §§ 2301—2471), or its successor.

TI—Technical institute—An institute established, maintained, conducted and operated for the purpose of offering nondegree-granting post high school programs and courses of not more than 2 years' duration, which prepare out-of-school youth and adults for technical areas leading to technical certificates. (See section 1841 of the School Code (24 P.S. § 18-1841 regarding establishment of schools).)

TI Board—An existing area vocational-technical board, or several area vocational-technical boards, that agree to provide for, establish, maintain, conduct and operate a TI.

§ 339.2. Operation.

A board of school directors, acting individually or in conjunction with other boards of school directors, may establish, operate, maintain and conduct vocational or technical education programs, or both, which includes academic preparation consistent with Chapter 4 (relating to academic standards and assessment), under the approved strategic plans.

§ 339.3. Satellite program.

A satellite vocational education program is a program established, maintained and administered by an area vocational-technical board in a participating school district facility as an integral part of the AVTS. The requirements for satellite programs are:

(1) *AVTS requirements.* In school districts having approved satellite programs, the area vocational-technical board shall be required to:

- (i) Maintain school/industry articulation.
- (ii) Supervise vocational student organization activities.
- (iii) Conduct vocational advisory committee activities.
- (iv) Periodically review vocational education program needs in the attendance area and develop recommendations for continued growth and expansion of a coordinated vocational education system.

(v) Develop recommendations that assist students in meeting their career needs without regard to sex, race or disability.

(vi) Ensure that a program of safety is incorporated into the curriculum.

(2) *School district requirements.* School districts receiving coordination services for approved satellite vocational educational programs shall:

(i) Maintain budgetary control over supplies and equipment, insurance, utilities and routine upkeep.

(ii) Maintain responsibility for assignment of students in the classes.

(iii) Provide supporting services, such as student guidance, disciplinary control, custodial services, health services and library services.

(3) *Agreements.* Satellites shall be operated in conformity with a memorandum of understanding which identifies the requirements of this section. The memorandum of understanding shall be jointly adopted by the board of school directors and constituent school districts. An area vocational-technical board may also arrange with its constituent school districts to provide coordination services for vocational education classes conducted for adults and postsecondary students.

(4) *Employment.* Instructional staff members employed to provide these educational services in the satellite area may be employed by the school district or by the area vocational-technical board.

§ 339.4. Program approval.

(a) *General rule.* New, expanded or revised programs will be approved by the Secretary prior to operation. A program will not receive vocational education payments until it has been approved by the Secretary under this chapter. Vocational education programs will be subject to approval and reapproval as follows:

(1) *New, expanded or revised programs.* New, expanded or revised programs will be reviewed for approval by the Secretary for compliance with this chapter prior to operation. For funding purposes, new, expanded or revised programs shall be submitted to the Bureau of Career and Technical Education prior to August 1 to receive full-year reimbursement.

(2) *Reapproval.* Previously approved vocational education programs will be reviewed for approval by the Secretary for compliance with this chapter. Every program shall be reviewed for reapproval at intervals of no more than 5 years. The Department has the right to review programs at any time.

(b) *Application for approval or reapproval.* Programs shall be reviewed for compliance with this section. New, expanded, revised and existing programs shall submit evidence of compliance with this chapter. Application shall be made on forms supplied by the Department, which must include:

(1) A description of the program and evidencing how a standards-based philosophy has been incorporated as required by § 339.22 (relating to program content). Evidence includes the school entity's strategic plan and program standards.

(2) Evidence that the program prepares students for employment in high priority occupations and is supported by local employers. Evidence includes documentation that the program is aligned with one or more high priority occupations and documentation that membership of the occupational advisory committee includes representation of local or regional employers from related industries. Evidence for reapproval must also include attainment of targets pursuant to the standards under subsection (d).

(3) Evidence that the instructional equipment is comparable to industry needs as recommended by the occupational advisory committee. Evidence includes the minutes of the occupational advisory committee meetings.

(4) Evidence that the length of time students will be scheduled into a program meets the requirements of § 339.22(a)(9)(i). Evidence includes student schedules.

(5) Evidence that each secondary vocational education teacher will hold a valid certificate for the teacher's assigned position as required by Chapter 49 (relating to certification of professional personnel).

(6) Evidence that adequate resource material will be available to support the instructional program plan as required by program accrediting authorities, if applicable, or recommended by the occupational advisory committee. Evidence includes a list of resource materials required by a program accrediting authority or recommended by the occupational advisory committee, and the list of resource material available in the program.

(7) Evidence that supports that services and accommodations will be available to disadvantaged, disabled or limited English-speaking students enrolled in vocational and technical programs and supported by the district of residence in accordance with applicable law, service agreements and student IEPs. Evidence includes student IEPs and service agreements.

(8) Evidence that school entities will provide students adequate supports to meet academic standards as determined by Chapter 4 and, when applicable, consistent with the student's IEP, and that instruction in these academic areas at all school entities where the student is enrolled is appropriate to the chosen area of occupational training. Evidence includes transcripts, course sequences, student IEPs, support plans and operating agreements.

(9) Evidence that articulation exists between secondary and postsecondary institutions within a service area and that a system exists promoting seamless transition to ensure the maximum opportunity for student placement including opportunities for concurrent enrollment under Article XVI-B of the School Code (24 P. S. §§ 16-1601—16-1613) or dual enrollment or other strategies that promote acquisition of postsecondary credit while still in high school. Evidence includes articulation agreements and concurrent or dual enrollment agreements.

(10) Evidence of program sponsorship or involvement, or both, in CTSOs. Evidence includes student rosters from the CTSO or charter agreements between the school entity and the CTSO.

(11) Evidence, if a program submitted for reapproval is reduced in hours, that the reduction in hours will not result in a less effective education program being offered. Evidence includes demonstration that the requirements of this chapter will be met.

(12) Evidence that joint planning occurs between the AVTs and district of residence around the academic and other needs of attending students. Evidence includes agendas and minutes of joint operating committee meetings and of administrative committees.

(13) Evidence that students are following an educational plan and have an occupational objective. Evidence includes a completed "Educational and Occupational Objectives For a Student Enrolled in a Department-approved Career and Technical Education (CTE) Program" Form as specified by the Department for each student.

(c) *Documentation.* Documentation supporting compliance with each item on the application for approval or reapproval-subsection (b)—shall be maintained at the school entity and shall be available for Department review. Documentation submitted to the Department shall

be maintained by the school entity for 3 years after a compliance review has been completed.

(d) *Retain approval.*

(1) To maintain program approval granted under subsection (a)(1) or (2), it shall be necessary for the school entity to meet the following standards, which will be subject to review by the Department.

(i) Skill attainment targets as set forth in the school entity's local plan, if applicable, or State plan, which may include industry assessment, industry credentials, certification or State assessment.

(ii) Student performance targets on achieving academic standards as set forth in the school entity's local plan, if applicable, or State plan, which includes the PSSA or another Department-approved assessment which measures student performance on academic standards.

(iii) Secondary school completion and student graduation targets as set forth in the school entity's local plan, if applicable, or State Plan, which includes student attainment of a secondary school diploma or its recognized equivalent or a proficiency credential in conjunction with a secondary school diploma.

(iv) Student placement targets as set forth in the school entity's local plan, if applicable, or State Plan, which includes placement in, retention in and completion of postsecondary education or advanced training (including registered apprenticeships), placement in military service, or placement and retention in employment.

(v) Nontraditional participation and completion targets as set forth in the school entity's local plan, if applicable, or State Plan, which includes nontraditional student.

(2) The Department will notify, in writing, each school entity that does not meet the standards under paragraph (1), and will require the school entity to submit a compliance plan within 90 days to the Bureau of Career and Technical Education. Each noncomplying school entity shall develop a compliance plan and document the corrective actions taken pursuant to it. Upon its approval of the plan, the Department will continue to review the program and provide technical assistance.

(e) *Terminations.*

(1) Programs will be terminated for the following reasons:

(i) The program fails within a 3-year period to successfully meet the accountability standards under this section and may be terminated in accordance with § 339.62 (relating to noncompliance: appeal process).

(ii) School entities request termination. Before program termination, the local administrator shall secure board approval and forward a copy of the board's minutes with a letter of explanation to the Department. If the Department does not respond to the school entity's submission within 60 days, the termination shall be considered approved.

(iii) The program reports no student enrollment for 3 consecutive school years and may be terminated in accordance with § 339.62.

(f) *Report.* School entities shall report annually to the Department on the accomplishment of standards as outlined in the State Plan or local plan, if applicable.

(g) *Private school contracts.* Contractual arrangements may be made by public schools with approved private institutions to provide secondary or postsecondary vocational-technical instruction only in occupational fields

for which public school programs are unavailable. The private institutions shall meet program certification and other mandates regarding vocational education programs contained in the School Code and this title.

PLANNING

§ 339.13. Local advisory committee.

The local advisory committee as set forth in § 4.33(a) (relating to advisory committees) shall also include representatives authorized by the workforce investment board, civic organizations and higher education institutions.

§ 339.14. Occupational advisory committee.

The occupational advisory committee as set forth in § 4.33(c) (relating to advisory committees) shall also include representatives authorized by the workforce investment board, civic organizations and higher education institutions.

CURRICULUM

§ 339.21. Admissions.

An admissions policy developed by the local education agency regarding entrance to a vocational education program must state whether enrollment is unlimited or limited. If enrollment is limited, an admissions policy must include nondiscriminatory eligibility requirements for the purpose of predicting a student's success in a given program. For a student with a disability, success shall be predicted by the student's IEP team on the basis of the student's ability to benefit from the program. When the number of students predicted to be successful in a given program is less than the number of openings available in that given program, the openings may be available to adults or students at another school district, which are predicted to be successful in that program. When the number of students predicted to be successful in a given program exceeds the number of openings available, an admissions policy must include a nondiscriminatory selection procedure, as required by current Federal and State statutes, regulations and guidelines.

(1) If a selection procedure is necessary to select and reject qualified applicants, as judged by established and publicized eligibility requirements, the procedure shall be nondiscriminatory under the Federal and State statutes and regulations and guidelines.

(2) If a school develops a recruitment program, announcements concerning vocational education must exemplify freedom from occupational stereotypes and to the extent possible the philosophy of equal access.

(3) Guidance personnel shall provide to students the information necessary to make informed decisions regarding the selection of appropriate vocational technical education programs and discuss the importance of high school academic achievement and postsecondary education and training to career success.

(4) Denial of admission may be appealed to the board or joint operating board of the school making the decision. If the board refuses admission, the student may appeal its decision to the State Board of Vocational Education.

(5) With regard to the placement of students with IEPs or service agreements in vocational programming, faculty from the vocational programs in which students are recommended for placement will participate as members of the IEP and service agreement teams.

(6) IEP and service agreement team meetings, when scheduled by the school district, must give timely notice to the vocational and technical education representative

assigned and shall be attended by the vocational and technical education representative.

§ 339.22. Program content.

(a) *Occupational program requirements.* The primary objectives of an occupational program are to prepare students for employment in high priority occupations supported by local employers, and for successful employment and lifelong learning through acquisition of high-level academic, technical and career development skills, efficient work habits and attitudes about the personal, social and economic significance of work. Occupational programs include vocational agriculture, vocational business education, vocational health occupations, vocational marketing and distributive education, vocational occupational family and consumer sciences, and vocational trade, industrial and technical education. Occupational programs must be standards-based, prepare students for attainment of licensure or industry skill certification or Pennsylvania Skills Certificate, as required, provide extended classroom experience, and meet minimum time requirements. The specific requirements of the foregoing elements are as follows:

(1) *Standards-based.* Programs must have standards-based plans. A standards-based plan is an instructional system that is planned and managed by the teacher, based upon occupational analysis and clearly stated performance objectives that are deemed critical to successful employment as recommended by occupational advisory committees. Occupational tasks recommended by an Occupational Advisory Committee must provide the basis for instruction. The instructional process must derive its content from the task performed in each occupation and job and provide for the assessment of student performance on the basis of preset performance standards. Standards-based plans must include:

(i) *Performance objectives.* A vocational education program must identify performance objectives in accordance with criteria developed by the school entity in cooperation with the Occupational Advisory Committee. The performance objectives consist of the following three parts:

(A) The conditions under which the task will be performed—the materials and supplies provided.

(B) A description of the task.

(C) The standard for how well the task shall be performed.

(ii) *Program plans.* Vocational education program content must be designed in accordance with one of the following standards-based plans:

(A) *Regular occupations.* A plan designed to provide instruction in preparing students for gainful employment in occupations requiring skills learned in one of the vocational education program areas. The development of leadership competencies and positive attitudes towards fulfilling occupational, civic, social and community responsibilities shall be an integral part of this program plan.

(B) *Cluster occupations.* A plan designed to provide basic information and skills for a number of closely related occupations and to develop basic competencies in a variety of jobs within an occupational field. Vocational education planned courses from more than one vocational education field may be offered in order to meet the minimum time requirements. The development of leadership competencies and positive attitudes towards fulfilling occupational, civic, social and community responsibilities shall be an integral part of this program plan.

(2) *Pennsylvania academic standards.* Pennsylvania academic standards under Chapter 4 (relating to academic standards and assessment) shall be integrated within the technical curriculum and instruction.

(3) *CIP Code.* Programs will be identified by CIP code.

(4) *Planned instruction.* Planned instruction must include the integration of academic, career development and technical curricula at the secondary level.

(5) *Occupational analysis.* The occupational analysis conducted by the school entity under § 339.4(a) (relating to program approval) must lead to clearly stated performance objectives deemed critical to successful employment, and assessment of student competencies based upon performance standards.

(6) *Industry standards.* Programs must prepare students to meet industry-defined standards, certifications, regulations or licensing agreements demonstrated through industry assessment, industry credentials, industry certification, license or State assessment.

(7) *License requirements.* Programs designed to provide students with the background to meet certification and licensure requirements must meet the standards of the licensing agency and be supervised or administered according to the certifying or licensing agency, Parts I and II (relating to State Board of Education; and standards). Information on legal requirements or limitations relating to the occupations for which they are preparing shall be given to all students in writing.

(8) *Extended classroom and work-based learning.* The program must provide students an opportunity to acquire experience in appropriate work situations related to their vocational program of study. When the traditional shop or laboratory cannot simulate the work situation, the classroom may be extended to a cooperating agency or business as long as the educational objectives are being met. Health occupations curriculum preparing individuals for direct patient care must provide clinical experience as an integral part of the curriculum.

(9) *Minimum time requirements.*

(i) The school entity may develop vocational education programs for any time length as long as they do not go below the minimums listed in this subsection. Vocational programs may range in duration from 1 year to 4 years, and the following represents the minimum total hours required for a program sequence:

(A) *One year sequence.* A vocational technical education program existing in the 12th grade when students have met their academic graduation requirements but require technical courses only, and lasting 1 year in duration must provide a minimum total of 720 hours of vocational program instruction by the end of the program year.

(B) *Two year sequence.* A vocational technical education program consisting of 2 sequential years must provide a minimum total of 720 hours of vocational program instruction by the end of the program sequence.

(C) *Three year sequence.* A vocational technical education program consisting of 3 sequential years must provide a minimum total of 1,080 hours of vocational program instruction by the end of the program sequence.

(D) *Four year sequence.* A vocational technical education program consisting of 4 sequential years must provide a minimum total of 1,320 hours of vocational program instruction by the end of the program sequence.

(ii) The following requirements shall be considered in planning vocational education programs based on the minimum time requirements listed in subparagraph (i):

(A) Vocational education credits may be given for hours spent in supervised agricultural experience, cooperative clinical experiences and other supervised occupational experience occurring during or after the school day as defined in the Public School Code.

(B) A minimum of two planned courses shall be operated per year. These two planned courses shall be skilled courses.

(C) Sequences shall be offered in consecutive years and the last year of the program will conclude in the twelfth grade.

(D) This section includes the minimum requirements for a program to be eligible for vocational reimbursement. It is recognized that selected vocational programs may require more than the minimum hours to offer an effective education program.

(b) *Exceptional programs requirements.* Exceptional programs could include any of the occupational areas defined in this section. See subsection (a). An exceptional program will be approved to address special needs documented by the school entity. The program content shall be designed in accordance with one of the following standards-based plans:

(1) *Special vocational.* A plan designed to meet the vocational education requirements of special needs students in accordance with a least restrictive environment and their IEPs.

(2) *Experimental.* Special pilot, experimental, exemplary or innovative programs, which do not fit within the structure of any of the plans, may be approved on an annual basis after review by the Secretary.

(c) *Diversified occupations program requirements.* Diversified occupations programs may include any of the occupational areas defined in subsection (a) or other occupational areas not offered at the comprehensive high schools or AVTS. The diversified occupations program shall be available as a 1-year or 2-year program. This program is for 11th and 12th grade students who are unable to gain admission to a vocational program due to excessive numbers of applicants, inability to meet entrance requirements for other existing vocational programs, or lack of specific vocational areas offered at the comprehensive high school or participating AVTS. When diversified occupations programs are provided, they shall be planned in accordance with the student's stated career objective and include:

(1) Work-based learning experiences held at a school-approved worksite.

(2) A training plan and a training agreement shall be developed with the employer and available on file with both the school and the employer. The training agreement and training plan must be signed by the student, parent/guardian, school officials and cooperating employer.

(3) School-based, academic and career-specific instruction.

(4) One planned course—equal to one unit of credit—of general related theory or technical related content, or both, per year. To meet this requirement, the school district operated diversified occupations student shall meet with his teacher-coordinator for at least one 40 to 45 minute period per day or a minimum of 3 hours per week. To meet this requirement at a career and technical center

operated program, the diversified occupations student shall meet with his teacher-coordinator for at least one 40 to 45 minute period per week.

(5) Payment of the existing legal wage.

(6) Provision for administration, supervision and monitoring by a certified teacher in cooperation with the employer.

(7) Provision of work site supervision by an experienced person, and the student has had an opportunity to perform a variety of work assignments.

(8) A certified teacher to manage the program.

(9) Provision for coordination of work site activities of at least 1/2 hour per week per student, including work site visits and observations, as well as preparation for the related in-school instruction.

(10) Students shall be legally employed a minimum of 15 hours a week during the school year. Graduation credits can be awarded for hours worked outside of school hours.

(11) Students shall be legally employed a minimum of 150 school days to be eligible for the Department reimbursement.

(12) Recognition and high school credit for the student's participation in the cooperative education diversified occupations program.

(13) Compliance with Federal and State statutes.

(14) Insurance protection for both the school and students.

(d) *Nonoccupational program requirements.*

(1) *Family and consumer sciences education programs.* The family and consumer sciences education programs must operate in a comprehensive high school.

(2) *Primary objectives.* The primary objectives of family and consumer sciences education programs are to:

(i) Integrate within the technical curriculum instruction aligned with Pennsylvania academic standards under Chapter 4.

(ii) Prepare both males and females with knowledge and skills required to meet the approved Family and Consumer Sciences Academic Standards.

(iii) Provide knowledge and skills that are interrelated and necessary for the optimum quality of life for individuals and families.

(e) *Postsecondary education and training.* Articulation of the secondary program of studies with postsecondary institutions, technical institutes and industry partners who offer registered apprenticeship, certificate or degree programs shall occur.

§ 339.23. Vocational education safety.

Vocational education shall be provided consistent with safety standards in the following areas:

(1) Safety instruction shall be practiced in the laboratory and classroom.

(2) Equipment guards and personal safety devices shall be in place and used.

(3) Class enrollment shall be safe relative to classroom or laboratory size and number of workstations.

(4) Workstations shall be barrier-free, assuring accessibility and safety under section 504 of the Rehabilitation Act of 1973 (29 U.S.C.A. § 794) and 34 CFR 104.22(a)

(relating to existing facilities) and the Americans With Disabilities Act of 1990 (42 U.S.C.A. §§ 12101—12213).

(5) Provisions shall be made for safe practices to meet individual educational needs of handicapped persons under section 504 of the Rehabilitation Act of 1973, 34 CFR 104.33(b) (relating to free appropriate public education), OCR Guidelines, Title VI of the Civil Rights Act of 1964 (42 U.S.C.A. §§ 2000d—2000d-4a) and 45 CFR Part 80 (relating to nondiscrimination under programs receiving Federal assistance through the Department of Health and Human Services effectuation of Title VI of the Civil Rights Act of 1964).

(6) Storage of materials and supplies must meet 34 Pa. Code Part I (relating to Department of Labor and Industry).

(7) Safety practices must meet State and Federal regulations.

§ 339.29. Cooperative vocational education.

If cooperative vocational education is provided, it shall be planned in accordance with the stated career or occupational objectives of the student and include:

(1) Related learning experiences held at a school-approved work station.

(2) A training plan and a training agreement developed with the employer and available on file with both the school entity and the employer. The training agreement and training plan must be signed by the student, parent/guardian, school officials and cooperating employer.

(3) Payment of the existing legal wage when applicable under section 206 of the Fair Labor Standards Act of 1938 (29 U.S.C.A. § 206) and The Minimum Wage Act of 1968 (43 P. S. §§ 333.101—333.115).

(4) Provision for administration and supervision by school staff members in cooperation with the employer.

(5) A minimum of one onsite student evaluation by a certified teacher for on-the-job activities per month.

(6) At least 45 minutes per week, or 90 minutes every other week, for students to meet with their vocational instructor to discuss job problems and related information.

(7) Credit for cooperative vocational education work experience.

(8) A certified teacher coordinating the program.

(9) Compliance with Federal and State statutes.

(10) Insurance protection for both the school and students.

§ 339.30. Student organizations.

(a) CTSOs shall be an integral part of the respective vocational education program. Instruction must provide for the development of human relations skills; knowledge of occupations; leadership competencies and positive attitudes towards fulfilling occupational, civic, social and community responsibilities.

(b) CTSOs recognized in this Commonwealth are those recognized as CTSOs career and technical student organizations by the United States Department of Education.

(c) CTSOs in this Commonwealth include:

(1) Distributive Education Clubs of America (DECA).

(2) Future Business Leaders of America (FBLA).

(3) Family, Career and Community Leaders of America (FCCLA).

- (4) Health Occupations Students Organization (HOSA).
- (5) National FFA Organization (FFA).
- (6) National Young Farmer Educational Association (NYFEA).
- (7) SkillsUSA (formerly Vocational Industrial Clubs of America).
- (8) Technology Student Association (TSA).
- (9) Other organizations that are approved by the United States Department of Education in the future.
- (d) Members of CTSOs shall be under the direct supervision of certified professional education personnel as assigned by the joint operating committee or school board.
- (e) CTSOs must hold a charter between their National organization and the Department.

GUIDANCE

§ 339.31. Plan.

There shall be a written plan on file, approved by the local board of school directors, for the development and implementation of a comprehensive, sequential program of guidance services for kindergarten through 12th grade. The plan must include procedures to provide for guidance services to AVTSs. Upon request, the plan shall be submitted to the Secretary.

§ 339.32. Services.

The plan shall be designed to promote equal opportunity and include the following guidance service areas:

- (1) Assistance to students in selecting vocational curricula that meet their needs and address their interests. School entity counseling services must ensure that counselors do not direct or urge any student to enroll in a particular career or program, or measure or predict a student's prospects for success in any career or program based upon the student's race, color, national origin, sex or disabilities. School entities cannot counsel students with disabilities toward more restrictive career objectives than students without disabilities and with similar abilities and interests.
- (2) Assistance for all vocational students in making educational career plans including high school academic and technical preparation and postsecondary education and training, and adjustments through the use of individual and group counseling and appropriate student assessment procedures.
- (3) Provision of occupational and educational information needed for realistic career planning in an organized, systematic fashion for students, parents and teachers.
- (4) Maintenance of cumulative records and the use, exchange and release of student information in accordance with §§ 12.31 and 12.32 (relating to general requirements; and elements of the plan).
- (5) Adequate orientation procedures for vocationally oriented pupils.
- (6) Support of a placement service that is developmental and makes provisions for the transition from school to the world of work.
- (7) Formal and informal consultation with teachers, administrators and other school staff.
- (8) A school-initiated system of parental involvement.
- (9) Liaison activities with community agencies.
- (10) Assistance in the conduct of follow-up studies to determine the effectiveness of the curriculum.

PERSONNEL

§ 339.41. Certification.

Certification requirements include:

(1) *Professional employees.* Professional staff shall meet standards as defined in Chapters 49 and 354 (relating to certification of professional personnel; and preparation of professional educators) as well as certification and professional standards and requirements for teachers under Article XVII of the School Code (24 P. S. §§ 12-1201—12-1215) and the Professional Educator Discipline Act (24 P. S. §§ 2070.1—2070.18).

(2) *In-service plan.* Local education agencies shall have a plan on file that ensures professional personnel will keep up with the technology and remain current with practices and standards of their professional areas.

(3) *Temporary certification.* The Secretary may issue a temporary letter of certification for a resource specialist to provide supplemental vocational instruction under the supervision of a certified teacher. The services must be part-time and may not exceed 300 clock hours during a school year.

(4) *Chief administrator of the area school.* The School Code provides that area vocational-technical boards shall designate the executive director of the intermediate unit or a chief school administrator of one of the participating school districts to serve in the capacity of the chief administrator of the area school.

(5) *Vocational supervision.* A vocational supervisory certificate or vocational director certificate is mandated when 50% or more of an assignment is related to supervising vocational education programs.

FACILITIES

§ 339.51. Learning environment.

The requirements for the learning environment are as follows:

(1) *Size of laboratory.* Shop laboratory size must be adequate as required by State licensing boards, accreditation providers and industry certification standards and take into consideration the recommendations of the occupational advisory committee.

(2) *Type of equipment.* Refer to § 339.4(b)(5) (relating to program approval) for requirements related to equipment.

(3) *Number of workstations.* Students assigned may not be greater than the number of workstations available.

(4) *Safety of students.* Refer to § 339.23 (relating to vocational education safety) for safety of students requirements.

§ 339.53. Contemporary equipment.

The equipment and facilities must meet industry standards based on occupational advisory committee recommendations. Equipment will be deemed to meet industry standards if it is compatible, insofar as practical, to that used in occupations for which vocational-technical education is provided.

STATE VOCATIONAL FUNDING

§ 339.54. Subsidy on behalf of secondary vocational students.

Only students who meet the definition of concentrators shall be included in the calculation of vocational average daily membership under the School Code.

§ 339.55. Payment on behalf of TIs.

The Commonwealth will pay every school district having out-of-school youth or adults enrolled in a TI program approved by the Department under § 339.57 (relating to application for establishment; program approval and reapproval; termination), for each student in average daily membership, 1/3 of current expense per student as provided in the approved budget, or the per student cost for current expense, whichever is less. Reimbursement will be made in the subsequent State fiscal year and based upon data supplied to the Department by the TI. The remainder of the cost of total current expense shall be borne by the district of residence, or by the district of residence and the student. The student will not bear more than 1/3 of the current expense per student.

TIs**§ 339.56. Authority.**

(a) Article XVIII of the School Code (24 P. S. §§ 18-1801—18-1855) authorizes school boards to establish and operate TIs for the purpose of offering post-high school programs to prepare out of school youths and adults for occupations requiring technical training.

(b) TIs shall be regulated by Article XVIII of the School Code, this chapter and by procedural guidelines prepared by the Department and adopted by the State Board for Vocational Education.

(c) Section 1841 of the School Code (24 P. S. § 18-1841) authorizes the establishment of a TI by a majority vote in convention or by mail called for by:

(1) Boards of public education.

(2) Intermediate units' board of directors through a certified vote. (See section 1844(a) and (d) of the School Code (24 P. S. § 18-1844 (a) and (d)) regarding establishment of schools and institutes. State Vocational Board approval is required prior to the establishment of a TI.

(d) Participating school districts shall have authority to enter into written agreements establishing their rights and obligations. This agreement may not be changed without the consent of each participating school district's board of directors as determined by a majority vote, in accordance with section 1850.1(a) of the School Code (24 P. S. § 18-1850.1(a)) regarding organization and operation of schools and institutes.

(e) TIs have the authority to offer technical certificates. TIs may not grant degrees, but shall develop articulation agreements with degree-granting institutions to facilitate transfer of student credit.

(f) This section and §§ 339.57 and 339.58 (relating to TIs) apply only to the establishment of TIs as authorized by section 18-1855 of the School Code (24 P. S. § 18-1855).

§ 339.57. Application for establishment; program approval and reapproval; Termination.

(a) *Establishment.* To be eligible for funding and establishment as a TI under this chapter, an applicant must obtain approval from the Department. Application shall be made on forms approved by the Department which includes:

(1) A statement of philosophy documenting how the mission fulfills the educational needs of this Commonwealth.

(2) Strategic plans, including needs assessment; action plans; coordination and articulation plans among secondary, postsecondary, adult and apprenticeship programs;

professional staff development plan; written plan for job placement; and a plan for repair, replacement and addition of instructional equipment. Action plans must include formal strategies and accountability plans for ensuring that all students are equipped with the academic and occupational skills they need for career success and lifelong learning.

(3) Evidence of a local advisory committee, which has the function of advising the administration of the institute concerning the needs of the institute and the needs of business and industry as they relate to strategic planning, educational planning and recruitment of personnel. Evidence must be given that the local advisory committee will hold at least one meeting each year. This is evidenced by agendas and minutes of local advisory committee meetings.

(4) Evidence that nondiscriminatory written admissions policies exist, are publicized and are effective. This is evidenced in the school entity's policy manual and publications such as the admissions handbook; course announcements, materials, brochures, and similar materials that convey the philosophy of equal access to students considering enrollment. Once established, a TI shall demonstrate effectiveness of admissions policies through disaggregated student enrollment data.

(5) Evidence that information related to guidance counseling, placement and financial aid information shall be available to all students.

(b) *Program approval and reapproval.* New, expanded or revised programs shall be approved by the Secretary prior to operation. A program will not receive vocational education payments under § 339.55 (relating to payment on behalf of TIs) until it has been approved by the Secretary under this chapter. A TI shall apply for program approval or reapproval in the same manner as provided under § 339.4 (relating to program approval).

(c) *Licensure and certification.* Instructional programs shall be designed to meet licensure, certifications or examinations administered by State or Federal regulatory bodies, trade associations or professional organizations.

(d) *Strategic plan.* Each TI shall submit to the Department for review and approval a strategic plan no fewer than every 5 years.

(e) *Program termination.* Programs may be terminated at any time by the TI board. Any student enrolled in the program being terminated shall be given a reasonable opportunity to complete it.

(f) *Documentation.* TIs shall retain documentation on file supporting each item in this section for 3 years and the documents shall be made available to the Department upon request.

§ 339.58. Operation.

(a) The TI board may delegate operation to:

(1) A joint committee elected by the participating boards in accordance with sections 1850.1—1850.3 of the School Code (24 P. S. §§ 18-1850.1—18-1850.3).

(2) An intermediate unit board of directors in accordance with section 1850.2 of the School Code (24 P. S. § 18-1850.2).

(b) The TI board has the following powers:

(1) Budgeting.

(2) Setting institute policies.

- (3) Employing supervisors and teachers.
- (4) Buying, building, or renting buildings and land.

EVALUATORS

§ 339.61. Evaluation.

(a) *General rule.* Approved vocational education curriculum shall be subject to review by the Secretary to determine compliance with Chapter 4 (relating to academic standards and assessment) and this chapter.

(b) *Team.* Evaluations shall be performed by vocational educators and other competent evaluators, as selected by the Department.

(c) *Report.* The Department evaluation team will file a report with the board of school directors and area AVTS board of directors within 30 calendar days after the onsite evaluation.

(d) *Content.* The report will identify areas that are not in compliance with Chapter 4 and this chapter and other applicable statutes, regulations and guidelines.

(f) *Noncompliance.* If an evaluation reveals noncompliance with this title, the school entity shall develop a

compliance plan in accordance with § 339.62 (relating to noncompliances; appeal process).

§ 339.62. Noncompliance; appeal process.

(a) *Plan.* If the evaluation report identifies areas of noncompliance, the board of school directors or area vocational-technical board of school directors shall file a plan for correcting the noncompliance identified in the report with the Department.

(b) *Reevaluation.* Following a submission of the plan required in subsection (a), the Department will conduct a reevaluation to determine whether to issue, conditionally withhold, or withhold approval that will terminate State and Federal funding to the program.

(c) *Hearing.* The decision to withhold approval and the subsidies related to that approval will be an adjudication under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) and notices, hearings and appeals will be conducted in accordance therewith.

[Pa.B. Doc. No. 08-1018. Filed for public inspection May 30, 2008, 9:00 a.m.]

NOTICES

DEPARTMENT OF EDUCATION

Application of Commonwealth Medical Education Corporation for Approval of Change to Degree-Granting Status, Name Change to 'The Commonwealth Medical College,' and Amendment and Restatement of its Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of the Commonwealth Medical Education Corporation for a Certificate of Authority approving the institution's change to degree-granting status with a corresponding change of name. The organization requests approval to operate a community-based medical college under the name The Commonwealth Medical College. The proposed degree programs are a program in Medicine leading to a Doctor of Medicine (MD) degree and a program in Biomedical Sciences leading to a Master of Biomedical Sciences (MBS) degree. Approval of authority to confer an honorary Doctor of Medical Arts degree is also requested. Additionally and in tandem, the Department will consider the organization's request to amend and restate its Articles of Incorporation.

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

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

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

GERALD L. ZAHORCHAK, D.Ed.,
Secretary

[Pa.B. Doc. No. 08-1019. Filed for public inspection May 30, 2008, 9:00 a.m.]

Availability of 2008-2009 Career and Technical Education Federal Tech Prep Grants

Applications for Federal Tech Prep grant funds are invited. The project period is July 1, 2008, to June 30, 2009.

Maximum Amounts per Tech Prep Region:

1. *Central Region*: Centre, Clinton, Columbia, Juniata, Lycoming, Mifflin, Montour Northumberland, Snyder and Union Counties—\$183,475
2. *Lehigh Valley Region*: Lehigh and Northampton Counties—\$193,460
3. *North Central Region*: Cameron, Clearfield, Elk, Jefferson, McKean and Potter Counties—\$90,659
4. *Northeast Region*: Carbon, Lackawanna, Luzerne, Monroe, Pike, Schuylkill and Wayne Counties—\$327,709
5. *Northern Tier Region*: Bradford, Sullivan, Susquehanna, Tioga and Wyoming Counties—\$75,878
6. *Northwest Region*: Clarion, Crawford, Erie, Forest, Lawrence, Mercer, Venango and Warren Counties—\$299,993
7. *Philadelphia Region*: Philadelphia County—\$1,037,547
8. *Pittsburgh Region*: Allegheny County—\$396,439
9. *South Central Region*: Adams, Cumberland, Dauphin, Franklin, Lebanon, Perry and York Counties—\$355,864
10. *Southeast Region*: Berks, Bucks, Chester, Delaware, Lancaster and Montgomery Counties—\$888,222
11. *Southern Alleghenies Region*: Bedford, Blair, Cambria, Fulton, Huntingdon and Somerset Counties—\$166,245
12. *Southwest Region*: Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland Counties—\$409,879

1. Eligibility Requirements

Funding is available on a competitive basis to career and technical education centers/area vocational-technical schools, school districts and charter schools with Department of Education approved programs; postsecondary institutions including proprietary schools; Intermediate Units; and Workforce Investment Boards that offer approved career and technical education programs. Funding preference is granted to an institution within a Tech Prep region/consortium that will ensure the establishment of regional Tech Prep activities to include all partners.

The Department of Education (Department) will give consideration to Tech Prep applications that:

- Establish a leadership committees to bring direction to implement the "Program of Study" to the region which will include representation from secondary, post-secondary, business, school administrators, teachers, community and others.
- Assist in the development and implementation of statewide "Programs of Study" by CIP, as recognized by the Department.
- Implement the approved statewide articulation agreement guidelines designed for all Department-approved Career and Technical Education "Programs of Study."
- Facilitate the alignment of academic and technical curriculum between secondary and postsecondary levels that meets academic and industry standards related to an approved "Program of Study."

- Facilitate the alignment of academic and technical curriculum between secondary and postsecondary levels to eliminate the need for remediation at the postsecondary level.

- Assess, plan, develop, organize and implement "Program of Study" activities within the state defined regions, as recognized by the Department.

- Maintain communication with all consortium schools that have Department-approved Career and Technical Education "Programs of Study."

- Assist all consortium schools in the identification and reporting of Tech Prep students within the Department-approved Career and Technical Education "Programs of Study."

2. *Application Deadline*

Applications are due June 30, 2008, by 5:30 p.m.

3. *How to apply*

The Department has implemented an internet-based E-Grant system that requires eligible applicants to apply for funding online. The grant guidelines will be available on the Department's web site at www.pde.state.pa.us/. On the left side click on: Pre K-12 Schools, Career and Technical Education, Grants and Funding and Funding Sources. This page provides a listing of the various funding guidelines. Click on Federal Tech Prep.

4. *Questions Concerning the Grant Application*

Questions concerning the grant application should be addressed to Susan Will, Tech Prep Coordinator, Department of Education, Bureau of Career and Technical Education, Professional Development and Support Services, 333 Market Street, 11th Floor, Harrisburg, PA 17126-0333, (717) 346-9735, swill@state.pa.us.

To all area career and technical education centers/area vocational-technical schools, school districts and charter schools with Department-approved programs; postsecondary institutions including proprietary schools; Intermediate Units; and Workforce Investment Boards. Funding preference is granted to an institution within a Tech Prep consortium that will ensure the establishment of regional Tech Prep activities to include all partners.

The current issue of the *Pennsylvania Bulletin* contains information on the following grant available through the

Bureau of Career and Technical Education: Federal Tech Prep. The E-Grant link for the Tech Prep grant is "Federal Tech Prep—(386)." The E-Grant link for equipment grants is "Federal Tech Prep—(386)."

The Federal Tech Prep grant is targeted to area career and technical education centers/area vocational-technical schools, school districts, and charter schools with Department-approved programs; postsecondary institutions including proprietary schools; Intermediate Units; and Workforce Investment Boards. Funding preference is granted to the institution within a Tech Prep consortium that will ensure the establishment of regional Tech Prep activities to include all partners.

The Federal Tech Prep grants are limited to the alignment of activities and funds towards the six Key Components of the 2008-2013 Tech Prep Guidelines.

1. Statewide Articulation Agreement and Programs of Study.

2. Alignment of Academic and Technical Curriculum between Secondary and Postsecondary Levels.

3. In-service Professional Development for Teachers/Faculty and Administrators and Professional Development Programs for Counselors.

4. Assist All Consortium Schools in the Identification and Reporting of Tech Prep Students within Department-approved Career and Technical Education "Programs of Study."

5. Special Populations.

6. Preparatory Services.

Funding preference is granted to an institution within a Tech Prep consortium that will ensure the establishment of regional Tech Prep activities to include all partners. The *Pennsylvania Bulletin* is available at www.pabulletin.com. Persons who have any questions on these grant opportunities, contact Susan Will at swill@state.pa.us.

GERALD L. ZAHORCHAK, D.Ed.,
Secretary

[Pa.B. Doc. No. 08-1020. Filed for public inspection May 30, 2008, 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

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>
PA0010227 (IW)	F. L. Smidth, Inc. 236 Cherry Street Manheim, PA 17545	Lancaster County Manheim Borough	Chickies Creek 7G	Y
PA0028347 (SEW)	Martinsburg Municipal Authority 133 East Allegheny Street P. O. Box 307 Martinsburg, PA 16662-0307	Blair County Martinsburg Borough	UNT Plum Creek 11-A	Y

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

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

PA#0027693, Sewage, **Minersville Sewer Authority**, 2 East Sunbury Street, Minersville, PA 17954. This existing facility is located in Minersville Borough and Branch Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES Permit to discharge up to 1.0 mgd of treated sewage.

The receiving stream, West Branch Schuylkill River, is in the State Water Plan Watershed 03 and is classified for: CWF. The nearest downstream public water supply intake for the Pottstown Borough Water Authority is located on the Schuylkill River approximately 60 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.0 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N (5-1 to 10-31) first 3 years of permit (11-1 to 4-30) last 2 years of permit	Monitor and Report 12		Monitor and Report 24
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a Geometric Mean 2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	0.96		2.2

The proposed effluent limits for Outfall 002 (stormwater) are as follows:

<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>
CBOD ₅				Report
Chemical Oxygen Demand				Report
Oil and Grease				Report
pH				Report
Total Suspended Solids (TSS)				Report
Total Kjeldahl Nitrogen (TKN)				Report
Total Phosphorus				Report
Iron (dissolved)				Report

Point sources 003—009 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department of Environmental Protection's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit.

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

1. Requirements applicable to stormwater outfalls along with identified best management practices.
2. Management and control of combined sewer overflows.
3. Whole Effluent Toxicity Testing.

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

Application No. PA 0081841, Sewage, **Thousand Trails, Inc.**, 493 South Mount Pleasant Road, Lebanon, PA 17042. This facility is located in Hershey Preserve STP, **Dauphin County**.

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

The receiving stream, UNT to Gingrich Run, is in Watershed 7-D, and classified for TSE, water supply, recreation and fish consumption. The nearest downstream public water supply intake for PA American Water Company is located on the Swatara Creek, approximately 18 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.04 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Total Suspended Solids	10	20
NH ₃ -N (5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Phosphorus	2.0	4.0
Total Residual Chlorine	0.12	0.38
Dissolved Oxygen	Minimum of 5.0 at all times	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Average	
(10-1 to 4-30)	2,000/100 ml as a Geometric Average	

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

Application No. PA 0260657, CAFO, **Hammer Creek Dairy Farm**, 260 Schaeffer Road, Newmanstown, PA 17073.

Lavern and Francis Martin have submitted an NPDES permit renewal application for Hammer Creek Dairy Farm, an existing dairy and poultry layer operation located in Heidelberg Township, **Lebanon County**. The CAFO is situated near Hammer Creek (Watershed 7-J), which is classified as a HQ-CWF. The CAFO has a target animal population of approximately 439.7 animal equivalent units consisting of 90,000 layers, 95 adult cows, and eight calves. A release or discharge to waters of the 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 the 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.

Persons may make an appointment to review the Department's files by calling the file review coordinator at (717) 705-4732.

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.

PA0206041, Industrial Waste, SIC 2821 and 3087, **Washington Penn Plastics Company, Inc.**, 450 Racetrack Road, P. O. Box 236, Washington, PA 15301-0236. This application is for renewal of an NPDES permit to discharge untreated stormwater from the Arden Division in South Strabane 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 Municipal Authority, located on the Ohio River, 50 miles below the discharge point.

Outfall 001: existing discharge of stormwater.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron, Total					Monitor and Report
Aluminum, Total					Monitor and Report
Manganese, Total					Monitor and Report
Total Suspended Solids					Monitor and Report
Fecal Coliform					Monitor and Report
pH					Monitor and Report

Other Conditions: Part C conditions concerning floating materials, stormwater and a Stormwater Pollution Prevention Plan.

The EPA waiver is in effect.

PA0024490, Sewage, **Rockwood Borough**, 358 Market Street, Rockwood, PA 15557. This application is for renewal of an NPDES permit to discharge treated sewage from Rockwood Borough STP in Black Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Casselman 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 Ohiopyle Municipal Water Works.

Outfall 001: existing discharge, design flow of 0.3 mgd.

Parameter	Concentration (mg/l)		
	Average Monthly	Average Weekly	Maximum Daily
CBOD ₅	25	38	50
Suspended Solids	30	45	60
Fecal Coliform	200/100 ml as a Geometric Mean		
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean		
(10-1 to 4-30)	1.0		
Total Residual Chlorine	3.3		
pH	not less than 6.0 nor greater than 9.0		

Other Conditions: Outfalls 002, 004 and 005 will serve as Combined Sewer Overflows.

The EPA waiver is in effect.

PA0028011, Sewage, **HMSHost**, P. O. Box 8, Middletown, PA 17057. This application is for renewal of an NPDES permit to discharge treated sewage from Zelenople Service Station Plaza Sewage Treatment Plant in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Brush Creek, 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 Beaver Falls Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.05 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	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	6.0			12.0
Phosphorus	1			2
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	1.4			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0094064, Sewage, **Keystone Restaurant and Truck Stop**, P. O. Box 277, Ebensburg, PA 15931. This application is for renewal of an NPDES permit to discharge treated sewage from Keystone Restaurant and Truck Stop STP in Munster Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Noels Creek, which are classified as a HQ-CWF 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 Municipal Authority of Buffalo Township.

Outfall 001: existing discharge, design flow of 0.0072 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	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	4.0			8.0
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	0.1			0.2
Dissolved Oxygen	not less than 7.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0253731, Sewage, **Richard Holland**, 943 Blackhawk Road, Beaver Falls, PA 15010. This application is for issuance of an NPDES permit to discharge treated sewage from Holland Single Residence STP in South Beaver Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT to Brush Creek, which are classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Beaver Falls Municipal Authority.

Outfall 001: new discharge, design flow of 0.0004 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	10			20
Suspended Solids	20			40
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15			30
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			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0253758, Sewage, **Mark Sirochman**, 187 Gardners Road, Cross Junction, VA 22625. This application is for issuance of an NPDES permit to discharge treated sewage from Sirochman SRSTP in Allegheny Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT to Raystown Branch Juniata River, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfall 001: new discharge, design flow of 0.0005 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform	200/100 ml as a Geometric Mean			
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean			
(10-1 to 4-30)				
Total Residual Chlorine	1.4			3.3
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.

PA0238724, Sewage, **Gary E. and Cindy E. Freligh**, Co-owners, **Freligh's Whispering Pines Mobile Home Park**, 26330 Hickernell Road, P. O. Box 342, Springboro, PA 16435. This existing facility is located in Girard Township, **Erie County**.

Description of Proposed Activity: A new NPDES Permit for an existing discharge of treated sewage from a non-POTW serving the Freligh's Whispering Pines Mobile Home Park.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing downstream potable water supply considered during the evaluation is Erie Water Works, located in Lake Erie, approximately 16 miles below the point of discharge.

The receiving stream, a UNT to Elk Creek, is in Watershed 15-EC and classified for: CWF, MF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.010 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	Monitor and Report		
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"	1.0		
Dissolved Oxygen	minimum of 6.0 mg/l at all times		
Total Residual Chlorine	0.27		0.63
Fecal Coliform	200/100 ml as a Geometric Average		
(5-1 to 9-30)	2,000/100 ml as a Geometric Average		
(10-1 to 4-30)	6.0 to 9.0 Standard Units at all times		
pH			

The EPA waiver is in effect.

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

PA0025739-Amendment No. 1, Sewage. Borough of Port Allegany, 45 West Maple Street, Port Allegany, PA 16743-1318. This proposed facility is located in Port Allegany Borough, **McKean County**.

Description of Proposed Activity: Expansion of 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 PA/NY State line, approximately 25 miles below the point of discharge.

The receiving stream, the Allegheny River, is in Watershed 16-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 0.9 mgd.

Interim Limits

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
CBOD ₅	188	300	25	40	50
Total Suspended Solids	225	338	30	45	60
NH ₃ -N (5-1 to 10-31)	101		13.5		27
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a Geometric Average 16,000/100 ml as a Geometric Average		
Total Residual Chlorine			0.66		2.2
pH			6.0 to 9.0 Standard Units at all times		

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 mgd.

Final Limits

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
CBOD ₅	313	500	25	40	50
Total Suspended Solids	375	563	30	45	60
NH ₃ -N (5-1 to 10-31)	119		9.5		19
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a Geometric Average 2,000/100 ml as a Geometric Average		
Total Residual Chlorine			0.47		1.56
pH			6.0 to 9.0 Standard Units at all times		

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

PA0101192, Industrial Waste. Falls Creek Borough WTP, 79 6th Street, Falls Creek, PA 15842. This proposed facility is located in Falls Creek Borough, **Jefferson County**.

Description of Proposed Activity: an existing discharge of treated industrial waste.

The receiving water is Falls Creek. The receiving stream is in State Water Plan 17-C and is classified for the following uses: CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, the Hawthorn Water Company, is located on Redbank Creek and is approximately 46 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.022 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
Total Suspended Solids	30	60	75
Iron	2	4	5
Manganese	1	2	2.5

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Aluminum	4	8	10
Total Residual Chlorine	0.5		1.6
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report on DMRs.

The EPA waiver is in effect.

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

PA0238686, Sewage. **Brandy One, LLC**, P. O. Box 449, Mars, PA 16046. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Activity: 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 Borough Water Company intake is located on the Little Connoquenessing Creek and is approximately 10 miles below point of discharge.

The receiving stream, the UNT to Little Connoquenessing Creek, is in Watershed 20-C and classified for: CWF, aquatic life, water supply and recreation.

Interim Limits

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0239 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow (mgd)	XX				
CBOD ₅			25		50
TSS			30		60
NH ₃ -N					
(5-1 to 10-31)			3		6
(11-1 to 4-30)			9		18
Fecal Coliform			200/100 ml as a Geometric Average		
(5-1 to 9-30)			2,000/100 ml as a Geometric Average		
(10-1 to 4-30)			0.5		1.2
Total Residual Chlorine					
Dissolved Oxygen	4				
Phosphorus as "P"			2		4
pH	6.0 to 9.0 Standard Units at all times				

Final Limits

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03853 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow (mgd)	XX				
CBOD ₅			25		50
TSS			30		60
NH ₃ -N					
(5-1 to 10-31)			3.5		7
(11-1 to 4-30)			10.5		21
Fecal Coliform			200/100 ml as a Geometric Average		
(5-1 to 9-30)			2,000/100 ml as a Geometric Average		
(10-1 to 4-30)			0.39		0.9
Total Residual Chlorine					
Dissolved Oxygen	5				
Phosphorus as "P"			2		4
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)

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

WQM Permit No. 0208202, Industrial Waste, **Allegheny County Airport Authority, PGH International Airport, Landside Terminal**, 4th Floor Mezzanine, P. O. Box 12370, Pittsburgh, PA 15231-0370. This proposed facility is located in Moon and Findlay Townships, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a deicing stormwater treatment plant.

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

V. Applications for NPDES Wavier 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>
PAS10-G444-RA-1	West Vincent Associates, LTD 707 Eagleview Boulevard Exton, PA 19341-1159	Chester	West Vincent Township	Birch Run EV
PAI01 1508032	Brandywine Ridge, Inc. 901 Glenbrook Avenue Bryn Mawr, PA 19010	Chester	Willistown Township	Ridley Creek HQ
PAI01 1508033	Troy and Teri Stacey P. O. Box 615 Honey Brook, PA 19344	Chester	West Branch Brandywine Creek HQ	West Branch Brandywine Creek HQ

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

Lehigh County Conservation District: Lehigh Agriculture Center, Suite 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023908004	Cecilia Birdsell East Penn School District 800 Pine Street Emmaus, PA 18049	Lehigh	Lower Macungie Township	Little Lehigh 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

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

Application No. 5808501, Public Water Supply.

Applicant	Pennsylvania American Water Harmony Township Susquehanna County
Responsible Official	David R. Kaufmann Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	James P. Connor, P. E. Pennsylvania American Water 100 North Pennsylvania Avenue Wilkes-Barre, PA 18701
Application Received Date	April 23, 2008
Description of Action	Applicant proposes the addition of a polymer feed system to aid in the water coagulation process at the Susquehanna WTP.

Application No. 4008503, Public Water Supply.

Applicant	Valley Gorge Mobile Home Park White Haven Borough Luzerne County
Responsible Official	Paul Swerdon Valley Gorge Mobile Home Park 316 Susquehanna Street White Haven, PA 18661
Type of Facility	PWS
Consulting Engineer	Paul Swerdon, P. E. 316 Susquehanna Street White Haven, PA 18661
Application Received Date	May 8, 2008
Description of Action	Applicant proposes the addition of a new source of supply (Well No. 3) as an alternate or back-up source for the mobile home park.

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

Application No. 1408502—Construction, Public Water Supply.

Applicant	Gregg Township Water Authority
Township or Borough	Gregg Township
County	Centre

Responsible Official	Thomas Stitzer, Chairperson Gregg Township Water Authority P. O. Box 165 Spring Mills, PA 16875
Type of Facility	Public Water Supply—Construction
Consulting Engineer	Eric S. Lundy, P. E. Nittany Engineering & Associates, LLC 2836 Earlstown Road Suite 1 Centre Hall, PA 16828
Application Received	May 19, 2008
Description of Action	Construction of a well to be primary source of water for the new filtration plant while using the existing spring source as an emergency supply.

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.

tion 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:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Phoenix Steel Foundry Building, Phoenixville Borough, **Chester County**. Stephen Brower, Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of Michael Kimble, Hankin Phoenix Foundry Partners, LP, 1707 Eagleview Boulevard, Exton, PA 19341 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of chlorinated solvents. It is anticipated that the property will be used for nonresidential purpose. A summary of the Notice of Intent to Remediate was reported to have been published in the *Phoenix* on April 24, 2008.

Valley View Danboro MHP, Plumstead Township, **Bucks County**. Thomas Reinstadtler, R. J. Walsh Associates, Inc., P. O. Box 119, Allentown, NJ 08501 on behalf of Matry Mancini, American Residential Community, 1081 Easton Road, Danboro, PA 18916 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 2 fuel oil. The future use of the site will remain the same.

Willard Elementary School, City of Philadelphia, **Philadelphia County**. Gloria Hunsberger, Kleinfelder East, Inc., 800 East Washington Street, Philadelphia, PA 19380 on behalf of Francine Locke, School District of Philadelphia Environmental, 440 North Broad Street, 3rd Floor, Room 3053, Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of inorganics. The site will be developed as the New Willard Elementary School. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Weekly* on November 11, 2007.

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

Former Woodwright Pallet Company, York Township, **York County**. Earth Engineering, Inc., 115 West Germantown Pike, East Norriton, PA 19401, on behalf of Joseph Allison, Gaptex, Inc., 180 South Orchard Street, York, PA 17313, submitted a Notice of Intent to Remediate site soils contaminated with VOCs and chlorinated solvents. This commercial property will be remediated to the Statewide Health Standard.

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

Mallery Lumber Wolf Run Project, Jones Township, **Elk County**. Mountain Research, LLC, 825 25th Street,

Altoona, PA 16601 on behalf of Mert Holdings, LLC, 214 West Fourth Street, Emporium, PA 15834 has submitted a Notice of Intent to Remediate. The site was formerly utilized for lumbering operations and has been found to be contaminated with arsenic in site soils. The proposed future use of the property is expected to be residential and/or undeveloped. The Notice of Intent to Remediate was published in *The Johnsonburg Press* on November 17, 2007.

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

Former EMI/Gunite Site, City of Erie, **Erie County**. MACTEC Engineering and Consulting, Inc., Carnegie Office Park, Building 4, 700 North Bell, Suite 200, Pittsburgh, PA 15106 on behalf of Cathedral Preparatory School, 225 West 9th Street, Erie, PA 16501 has submitted a Notice of Intent to Remediate. The site operated as an iron foundry from the late 1880's until October 2006. Records indicate various chemicals, solvents and oils (some containing PCBs) were utilized throughout the facility. Laboratory results indicated a few exceedances of the Residential Direct Contact MSCs for arsenic, benzo(a)anthracene and dibenzo(a,h)anthracene. An athletic complex will be constructed on the site. The Notice of Intent to Remediate was published in the *Erie-Times News* on December 28, 2007.

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.

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

Permit Application No. 301355. Eagle Environmental II, LP, 345 Alexander Spring Road, Suite 3, Carlisle, PA 17015. The application for the proposed Harmony Residual Waste Landfill, located on Township Road 409 in Chest Township, **Clearfield County**, was submitted to the Williamsport Regional Office on May 2, 2008. A Local Municipal Involvement Process meeting will be scheduled sometime in June 2008.

Comments concerning the application should be directed to David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West 3rd Street, Suite 101, Williamsport, PA 17701. Person interested in obtaining more information about the general permit application may contact the Williamsport Regional Office at (570) 327-3740. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay Service, (800) 654-5984.

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 (act) and regulations adopted under the act.

PLAN APPROVALS

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

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

66-399-006: Procter & Gamble Paper Products Co. (P. O. Box 32, Mehoopany, PA 18629-0032) for modification of their existing diaper operation at their facility in Washington Township, **Wyoming County**.

35-320-010: PA Hutchinson Co. (400 Penn Avenue, Mayfield, PA 18433) for installation of a 2-color webfed heatset lithographic printing press at their site in Mayfield Borough, **Lackawanna County**.

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

36-05001G: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) for adding a mat stacker after the boardmill in East Donegal Township, **Lancaster County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, M. Gorog and B. Hatch, Environmental Engineer Managers, (412) 442-4163/5226.

26-00574A: Stone Materials, LLC (P. O. Box 423, Reedsville, WV 26547) for installation of limestone quarry in Georges Township, **Fayette County**.

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

24-012H: C/G Electrodes, LLC—St. Mary's Plant (800 Theresia Street, St. Mary's, PA 15857-1898) for the exhausting an existing source (metallurgical coke screening operations venting through a dust collector indoors) to the outdoors in St. Marys City, **Elk County**. This is a Title V facility.

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

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

54-313-087: First Quality Nonwovens, Inc. (101 Green Mountain Road, Hazleton, PA 18202) for construction of a polypropylene extrusion operation to be designated as Line No. 7 and operation of existing polypropylene extrusion lines designated as Line No. 2—Line No. 6 at the facility in East Union Township, **Schuylkill County**. Presently, the company manufactures polypropylene nonwoven fabrics at their facility. Expected PM emission rate will be less than 0.02 grain/dscf from each extruder stack. Potential VOC emissions from the facility will be less than 50 tpy based on 12-month rolling sum. The company will operate the facility and maintain the sources in accordance with the good engineering practices to assure proper operation of the sources. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

35-320-010: PA Hutchinson Co. (400 Penn Avenue, Mayfield, PA 18433) for installation of a 2-color webfed heatset lithographic printing press at their site in Mayfield Borough, **Lackawanna County**. VOC emissions from the plant will remain under the 50 tpy threshold. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

06-05037G: McConway & Torley, LLC (109 Forty-Eighth Street, Pittsburgh, PA 15021-2755) for installation of ladle metallurgy furnace operations and vacuum degassing operations in their steel making facility at 230 Railroad Street in Kutztown Borough, **Berks County**. The equipment changes, with controls, will increase facil-

ity emissions by 10 tpy of CO, 7 tpy of NOx and 3 tpy of PM. The plan approval will include monitoring requirements, recordkeeping requirements, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

25-124C: Mayer Bros. Construction Co. (1902 Cherry Street, Erie, PA 16502) for conversion of an existing hot mix asphalt plant to burn No. 5 fuel oil as an alternate fuel in the City of Erie, **Erie County**, as described in the applicant's application of March 18, 2008.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), that the Department of Environmental Protection (Department) intends to issue a Plan Approval for their facility in the City of Erie, Erie County. This plan approval will authorize. This proposed modification was previously permitted under Plan Approval 25-124B, issued August 8, 2006. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

This modification will result in a potential net increase in emissions of 4.75 tons of NOx and 1.39 tons of VOCs per year over the facility's current potential emissions burning natural gas. The plan approval includes emissions restrictions for PM, CO, NOx and VOCs, and restrictions on sulfur content and other specifications for the No. 5 fuel oil. The permittee will be restricted to a maximum annual throughput of 100,000 tons of hot mix asphalt. The plan approval will also include appropriate testing, monitoring, recordkeeping, reporting and work practice requirements as needed to demonstrate compliance with applicable air quality requirements.

Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the address shown. To make an appointment, contact Records Management at (814) 332-6340, for an appointment.

Anyone wishing to provide the Department with additional information they believe should be considered may submit the information to the address shown. Comments must be received, by the Department, within 30 days of the last day of publication. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval No. 25-124C.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager,

Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6940.

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.

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

AR-03-00027: Reliant Energy Northeast Management Co.—Keystone Power Plant (121 Champion Way, Suite 200, Canonsburg, PA 15317-5817) for operation of two coal-fired boilers in Plumcreek Township, **Armstrong County**. This is a renewal of the Title IV (Acid Rain) operating permit.

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, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00035: SmithKline Beecham Corp., d/b/a Glaxo SmithKline (709 Swedeland Road, King of Prussia, PA 19406) for renewal of their Title V Operating Permit in Upper Merion Township, **Montgomery County**. The facility is primarily involved in pharmaceutical research and development. SmithKline Beecham Corp., d/b/a Glaxo SmithKline operates boilers, generators, incinerators and other lab equipment. The renewal incorporates plan approval 46-0035D for the installation of a scrubber system and fabric filter. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The operation is subject to Compliance Assurance Monitoring under 40 CFR Part 64 and NSPS regulations.

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

35-00020: Master Halco, Inc. (1000 North South Road, Scranton, PA 18504) for operation of galvanizing and wire drawing processes at their facility in the City of Scranton, **Lackawanna County**. This facility is currently operating under Operating Permit 35-318-092. All permit requirements shall be included in the State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

21-05030: Ahlstrom Filtration, LLC (122 West Butler Street, Mount Holly Springs, PA 17065) for operation of their specialty paper manufacturing plant in Mount Holly Springs, **Cumberland County**. This action reflects an ownership change and all existing permit conditions will remain in effect.

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

61-00122: Seneca Hardwood Lumber Co., Inc. (212 Seneca Hardwood Road, Cranberry, PA 16319) intends to issue a Natural Minor Operating Permit is for the operation of their facility's air contamination source consisting of: a 10.3 mmBtu/hr wood-fired boiler, a 8.4 mmBtu/hr wood/natural gas-fired boiler, wood working operations, one cold cleaning machine and six wood-drying kilns in the Rockland Township, **Venango County**.

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 applica-

tion within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

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

Coal Applications Received

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The 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.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, (724) 925-5500.

03940110 and NPDES Permit No. PA0200999. Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701) Application received for transfer of permit currently issued to Seven Sisters Mining Company, Inc., for

continued operation and reclamation of a bituminous surface mining site located in Wayne Township, **Armstrong County**, affecting 55.5 acres. Receiving streams: UNTs "A" and "B" to North Branch of South Fork Pine Creek to Pine Creek to the Allegheny River, classified for the following uses: HQ-CWF (South Fork Pine Creek), and WWF (Allegheny River). There are no public water supplies within 10 miles from the point of discharge. Transfer application received May 5, 2008.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

16020102 and NPDES Permit No. PA0242128. Ancient Sun, Inc. (P. O. Box 129, Shippenville, PA 16254) Renewal of an existing bituminous surface strip operation in Toby Township, **Clarion County** affecting 27.9 acres.

Receiving streams: UNT to Little Licking Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received May 13, 2008.

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

54-305-008GP12. Ginther Coal Company (P. O. Box 989, Pottsville, PA 17901) 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 Surface Mining Permit No. 54743208 in East Norwegian Township, **Schuylkill County**. Application received May 6, 2008.

Noncoal Applications Received

Effluent Limits—The following noncoal 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>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

Permit No. 05080801. Stuart M. Shaffer, 3794 Hyndman Road, Hyndman, PA 15545, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Londonderry Township, **Bedford County**, affecting 2 acres. Receiving streams: UNT to Wills Creek. Application received April 22, 2008.

Permit No. 11080801. Kevin E. Hite, 516 Eckenrode Mill Road, Patton, PA 16668, commencement, operation and restoration of a small noncoal (industrial minerals) operation in East Carroll Township, **Cambria County**, affecting 5.0 acres. Receiving streams: Laurel Lick Run to Chest Creek. Application received May 13, 2008.

Permit No. 32080802. Russell J. Bonarrigo II, 2134 Route 22, P. O. Box 97, Blairsville, PA 15717, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Blairsville Borough, **Indiana County**, affecting 5.0 acres, receiving streams: UNT to the Conemaugh River. Permit received May 14, 2008.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

20800301. Conneaut Lake Sand and Gravel, Inc. (P. O. Box 233, West Middlesex, PA 16159) Renewal of NPDES Permit No. PA0211851, Vernon Township, **Crawford County**. Receiving streams: UNT to Watson Run and Watson Run; UNT of Mud Run to Mud Run classified for the following use: WWF. There are not potable surface water supply intakes within 10 miles downstream. NPDES renewal application received May 12, 2008.

37080303 and NPDES Permit No. PA0258598. Three Rivers Aggregates (P. O. Box 6090, Falmouth, VA 22403) Commencement, operation and restoration of a sand and gravel operation in Scott and Plain Grove Townships, **Lawrence County** affecting 71.0 acres. Receiving streams: UNT No. 1 to Taylor Run and Taylor Run, classified for the following use: CWF. There are no

potable surface water supply intakes within 10 miles downstream. Application to include a request to change a portion of the premining land use of forestland to a postmining land use of pastureland or land occasionally cut for hay. Application received May 13, 2008.

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 Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E54-335. Wayne Township Municipal Authority/Attention: Ralph Fiddler, P. O. Box 97, Friedensburg, PA 17933, in Wayne Township, **Schuylkill County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain 39,100 linear feet of 8-inch diameter PVC main sewer line and 3,700 linear feet of 6-inch diameter PVC lateral service sewer lines with 25 crossings under Long Run (CWF) a tributary to the Schuylkill River (WWF, MF). The project begins 0.04 mile west of the intersection of Stone Mountain Road in SR 0443 and ends 0.05 mile south and west of the intersection of SR 0443 in Bensing Road in Wayne Township, Schuylkill County (Friedensburg, PA Quadrangle N: 18.51/20.93 inches; W: 16.81/11.26 inches).

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

E67-839: Faire Wynd Associates, LP, 4400 Deer Path Road, Harrisburg, PA 17110, Bupp-McNaughton, Dover Township, **York County**, United States Army Corps of Engineers, Baltimore District.

To install and maintain: 1) a 2.50-foot high by 10.0-foot wide by 98.50-foot long concrete box culvert in a UNT to Fox Run (TSF) permanently impacting 98.5 linear feet of stream channel; 2) an 18.0-inch diameter by 60.0-foot long SLPP in a UNT to Fox Run (TSF) permanently impacting 60.0 linear feet of stream channel; 3) a 2.50-foot high by 10.0-foot wide by 87.0-foot long concrete box culvert in a UNT to Fox Run permanently impacting 87.0 linear feet of stream channel; and 4) a rip-rap apron permanently impacting 40.0 linear feet of a UNT to Fox Run (TSF). The project is located along Roosevelt Avenue/Bull Road, just south of Canal Road (Dover, PA Quadrangle N: 1.75 inches; W: 9.75 inches, Latitude: 40° 0' 51"; Longitude: 76° 48' 52") in Dover Township, York County. The project will impact a total of 450.0 linear feet of stream channel. The applicant proposes no impacts to wetlands.

E36-831: Veolia ES Lancaster/Lancaster Landfill, Michael C. Carlini, 2487 Cloverleaf Road, Elizabethtown, PA 17022-0347, Mount Joy Township, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 27.6 acre expansion to an existing landfill facility impacting 4.29 acres of PEM/PFO/POW wetlands, and 553.0 linear feet of a UNT to Little Chickes Creek (TSF) and a utility line crossing of dual 6.0 inch HDPE leachate conveyance pipes affecting 10.0 linear feet of a UNT to Little Chickies Creek (TSF) (Elizabethtown, PA Quadrangle N: 8.0"; W: 4.0", Latitude: 40° 10' 12"; Longitude: 76° 31' 39") in Mount Joy Township, Lancaster County. The applicant proposes a minimum of 8.58 acres of replacement wetlands.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following application has been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.

SSIP

<i>Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
08004	Nittany Oil Company, Inc. 321 North Front Street Philipsburg, PA 16866 Attn: Sam Sleek	Mifflin	Granville Township	Two ASTs storing ethanol	40,000 gallons total

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>
PAS802208 (Stormwater)	Swallow Associates Nestle Transportation Corp. 3003 Turner Street Allentown, PA 18104	Upper Macungie Township Lehigh County	Cedar Creek 02C	Y
PA0036463 (Industrial Waste)	OMNOVA Solutions, Inc. 95 Hickory Drive Auburn, PA 17922-0429	West Brunswick Township Schuylkill County	UNTs to Schuylkill River	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>
PA0034363 (SEW)	Stuart Hess Pine View Acres MHP 116-B Blantz Road Lititz, PA 17543	Lancaster County Penn Township	UNT Chickies Creek 7-G	Y
PA0081949 (SEW)	West Earl Sewer Authority Brownstown Wastewater Treatment Plant P. O. Box 725 Brownstown, PA 17508	Lancaster County West Earl Township	Conestoga River 7-J	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>
PA0247111 (CAFO)	Robert Barley Star Rock Farms 37 Chestnut Grove Road Conestoga, PA 17516	Lancaster County Manor Township	Little Conestoga Creek 7-J	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>
PA0219479 Sewage	Carl E. Nicolaus, III 180 Pollock Run Road Belle Vernon, PA 15012-3102	Westmoreland County Rostraver Township	UNT of Pollock Run	Y
PA0216071 Sewage	Univar USA, Inc. P. O. Box 303 Bunola, PA 15020-0303	Allegheny County Forward Township	Monongahela River	Y
PA0032069 Sewage	Saint Francis University P. O. Box 600 Loretto, PA 15940-0600	Cambria County Loretto Borough	UNT of Clearfield Creek	Y
PA0219258 Sewage	Mechling-Shakley Veterans Center 1413 SR 268 Cowansville, PA 16218-9530	Armstrong County Sugarcreek Township	Drainage Swale Tributary to UNT of Patterson Creek	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>
PA0030295	Commodore Perry School District 3002 Perry Highway Hadley, PA 16130	Perry Township Mercer County	Millner Run 20-A	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. PA0261092, Sewage, **Graham and Carla Snyder**, 1144 Picketown Road, Harrisburg, PA 17112. This proposed facility is located in West Hanover Township, **Dauphin County**.

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

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

PA0238724, Sewage, **Gary E. and Cindy E. Freligh**, Co-owners, **Freligh's Whispering Pines Mobile Home Park**, 26330 Hickernell Road, P. O. Box 342, Springboro, PA 16435. This existing facility is located in Girard Township, **Erie County**.

Description of Proposed Activity: A new NPDES Permit for an existing discharge of treated sewage from a non-POTW serving the Freligh's Whispering Pines Mobile Home Park.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing downstream potable water supply considered during the evaluation is Erie Water Works, located in Lake Erie, approximately 16 miles below the point of discharge.

The receiving stream, a UNT to Elk Creek, is in Watershed 15-EC and classified for: CWF, MF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.010 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	Monitor and Report		
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"	1.0		
Dissolved Oxygen	Minimum of 6.0 mg/l at all times		

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.27		0.63
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a Geometric Average 2,000/100 ml as a Geometric Average	
pH		6.0 to 9.0 Standard Units at all times	

The EPA waiver is in effect.

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

PA0025739-Amendment No. 1, Sewage. **Borough of Port Allegany**, 45 West Maple Street, Port Allegany, PA 16743-1318. This proposed facility is located in Port Allegany Borough, **McKean County**.

Description of Proposed Activity: Expansion of 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 PA/NY state line, approximately 25 miles below the point of discharge.

The receiving stream, the Allegheny River, is in Watershed 16-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 0.9 mgd.

Interim Limits

<i>Parameters</i>	<i>Loadings</i>			<i>Concentrations</i>	
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
CBOD ₅	188	300	25	40	50
Total Suspended Solids	225	338	30	45	60
NH ₃ -N (5-1 to 10-31)	101		13.5		27
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a Geometric Average 16,000/100 ml as a Geometric Average		
Total Residual Chlorine			0.66		2.2
pH			6.0 to 9.0 Standard Units at all times		

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 mgd.

Final Limits

<i>Parameters</i>	<i>Loadings</i>			<i>Concentrations</i>	
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
CBOD ₅	313	500	25	40	50
Total Suspended Solids	375	563	30	45	60
NH ₃ -N (5-1 to 10-31)	119		9.5		19
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a Geometric Average 2,000/100 ml as a Geometric Average		
Total Residual Chlorine			0.47		1.56
pH			6.0 to 9.0 Standard Units at all times		

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

PA0101192, Industrial Waste. **Falls Creek Borough WTP**, 79 6th Street, Falls Creek, PA 15842. This proposed facility is located in Falls Creek Borough, **Jefferson County**.

Description of Proposed Activity: an existing discharge of treated industrial waste.

The receiving water is Falls Creek. The receiving stream is in State Water Plan 17-C and is classified for the following uses: CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, the Hawthorn Water Company, is located on Redbank Creek and is approximately 46 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.022 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
Total Suspended Solids	30	60	75
Iron	2	4	5
Manganese	1	2	2.5
Aluminum	4	8	10
Total Residual Chlorine	0.5		1.6
pH	6.0 to 9.0 standard units at all times		

XX—Monitor and report on DMRs.

The EPA waiver is in effect.

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

PA0238686, Sewage. **Brandy One, LLC**, P. O. Box 449, Mars, PA 16046. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Activity: 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 Borough Water Company intake is located on the Little Connoquenessing Creek and is approximately 10 miles below point of discharge.

The receiving stream, the UNT to Little Connoquenessing Creek, is in Watershed 20-C and classified for: CWF, aquatic life, water supply and recreation.

Interim Limits

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0239 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow (mgd)	XX				
CBOD ₅			25		50
TSS			30		60
NH ₃ -N					
(5-1 to 10-31)			3		6
(11-1 to 4-30)			9		18
Fecal Coliform					
(5-1 to 9-30)		200/100 ml as a Geometric Average			
(10-1 to 4-30)		2,000/100ml as a Geometric Average			
Total Residual Chlorine			0.5		1.2
Dissolved Oxygen	4				
Phosphorus as "P"			2		4
pH	6.0 to 9.0 Standard Units at all times				

Final Limits

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03853 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow (mgd)	XX				
CBOD ₅			25		50
TSS			30		60
NH ₃ -N					
(5-1 to 10-31)			3.5		7
(11-1 to 4-30)			10.5		21
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			0.39		0.9
Dissolved Oxygen	5				
Phosphorus as "P"			2		4
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 Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

WQM Permit No. 4507405, Sewerage, **Utilities, Inc., d/b/a Penn Estates Utilities, Inc.**, P. O. Box 379, Dunkirk, MD 20754-0379. This proposed facility is located in Stroud Township, **Monroe County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the addition of a denitrification filter with a capacity of 0.200 mgd in parallel to existing units at the Penn Estates Wastewater Treatment Plant.

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

WQM Permit No. 2208404, Sewerage, **William Weaver, Lower Paxton Township Authority**, 425 Prince Street, Harrisburg, PA 17109. This proposed facility is located in Lower Paxton Township, **Dauphin County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of: replacement of force main from Linglestown Road Pump Station to MH 821 in Balthaser Road with 900' of 4" force main and 1,109' of 6" force main increasing station capacity.

WQM Permit No. 2207405, Sewerage, **Graham and Carla Snyder**, 1144 Piketown Road, Harrisburg, PA 17112. This proposed facility is located in West Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Approval for the construction/operation of a small flow sewage treatment plant to serve their single-family residence.

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

WQM Permit No. WQG018619, Sewerage, **Barbara and David A. Winner**, 4689 SE 92nd Street, Starke, FL 32091. This proposed facility is located in Pittsfield Township, **Warren County**.

Description of Proposed Action/Activity: A single Residence Sewage Treatment Plant.

WQM Permit No. WQG018616, Sewerage, **Pamela L. Miller**, R. R. 1, Box 188, Pleasantville, PA 16341-9323. This proposed facility is located in Harmony Township, **Forest County**.

Description of Proposed Action/Activity: A single Residence Sewage Treatment Plant.

WQM Permit No. WQG018621, Sewerage, **Cole M. and Maria C. Schultz**, 1160 Pleasant Road, Warren, PA 16365-9701. This proposed facility is located in Pleasant Township, **Warren County**.

Description of Proposed Action/Activity: A single Residence Sewage Treatment Plant.

WQM Permit No. 3708402, Sewerage, **Mahoning Township**, 4538 West State Street, Hillsville, PA 16132. This proposed facility is located in Mahoning Township, **Lawrence County**.

Description of Proposed Action/Activity: The proposed new sewerage system will service approximately 600 existing residential homes and businesses and future horse racetrack and casino. The new sewage treatment-plant will have a design capacity of 360,000 gpd. The treatment-plant is being designed/situated to allow for possible future expansion with additional treatment capacity.

WQM Permit No. 3708401, Sewerage, **Mahoning Township**, 4538 West State Street, Hillsville, PA 16132. This proposed facility is located in Mahoning Township, **Lawrence County**.

Description of Proposed Action/Activity: The new treatment plant will serve portions of Mahoning Township and the proposed Valley View Downs and Casino. Flows from the Mahoning Township service areas will be conveyed to a new centralized wastewater treatment plant. The new treatment plant will be constructed just west of Route 224 and southeast of the Mahoning River. The new treatment plant will discharge to the Mahoning River, approximately 3,300 feet upstream of the existing bridge of Route 224.

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>
PAI01 0907010	Prime Properties, Inc. 1630 Meetinghouse Road Hartsville, PA 18974	Bucks	Springfield Township	Unami Creek HQ-TSF
PAI01 0907025	Bensalem Redevelopment, LP 2310 Terwood Drive Huntingdon Valley, PA 19006	Bucks	Bensalem Township	Delaware River WWF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1507023	The Kilgore Company 489 Devon Park Drive Suite 300A Wayne, PA 19087	Chester	Willistown Township	Valley Creek EV

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>
PAI023508002	Lackawanna County Performing Arts Authority Attn: James McDonough 200 Adams Avenue Scranton, PA 18503	Lackawanna	Scranton City	Spring Brook 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>
PAI041408006	Weaver's Store Irvin Weaver 1352 Hilltop Road Narvon, PA 17555	Centre	Penn Township	Elk Creek EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063708001	Mahoning Township 4538 West State Street P. O. Box 99 Hillsville, PA 16132	Lawrence	Mahoning Township	Mahoning River and UNT WWF UNT Shenango River WWF

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 Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of 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	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

NOTICES

2521

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>
Buckingham Township Bucks County	PAR10-D658-R	Heritage Steeplechase, LP 3326 Old York Road Furlong, PA 18925	UNT Neshaminy Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Britain Township Bucks County	PAG200 0907129-1	Danielle Matarese 114 Krista Court Chalfont, PA 18914	West Branch Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Doylestown Township Bucks County	PAG200 0908036	Chalfont-New Britain Joint Sewage Authority 1645 Upper State Road Doylestown, PA 18901	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plumstead Township Bucks County	PAG200 0905093-1	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	North Branch Neshaminy Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG200 4608008	Berg Builders, Inc. 408 East Fourth Street Suite 301 Bridgeport, PA 19405	Mill Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG200 4608035	Janie Budzius 1601 Spring Mill Road Gladwyne, PA 19035	Sawmill Run and Schukill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Howe Township Perry County	PAG2035008004	Newport Developers, LLP George Junkin 238 B Main Street Reisterstown, MD 21136	UNT to Juniata River WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 (717) 582-5119
West Hanover Dauphin County	PAG2002208018	Gary C. Wesner GCW Properties 2550 Kingston Road Suite 221 York, PA 17402	Manada Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Richmond and Maiden creek Townships Berks County	PAG2000608014	Thomas J. Golinsky Director of Facilities Fleetwood School District 801 North Richmond Street Fleetwood, PA 19522	Willow Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Antrim Township Franklin County	PAG2002808012	Kell & Woodring Subdivision Dwayne Woodring 13141 Gearhart Road Greencastle, PA 17225	Marsh Run WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5

<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>
Washington and Quincy Townships Quincy Township Franklin County	PAG2002808016	Paul and Diane Gunder 9932 Mentzer Gap Road Waynesboro, PA 17268	Bisected Run CWF-MF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Antrim Township Franklin County	PAG2002808005	Antrim Commons Business Park Marchetti Associates 1710 Underpass Way Suite 200 Hagerstown, MD 21740	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Guilford Township Franklin County	PAG2002808013	Pathway Full Gospel Church Christy Stouffer 5238 Guitner Road Chambersburg, PA 17202	Conococheague Creek CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Greene Township Franklin County	PAG002808024	Susan Naugle 2324 Smoketown Road Fayetteville, PA 17222	UNT to Conococheague Creek WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Centre County Patton Township	PAG2001408004	Patton Town Center Ben Heim Tri Core Development 444 East College Avenue Suite 540 State College, PA 16801	UNT to Big Hollow CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Bellefonte Borough	PAG2001408006	Bellefonte Rite Aid Susan Waley Mid-Atlantic Realty, Inc. 571 McGlaughlin Road Gettysburg, PA 17325	Tributary to Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Lawrence Township	PAG2001708006	Leonard O. Swisher P. O. Box 1223 Clearfield, PA 16830	UNT to Woods Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Snyder County Penn Township	PAG2005507004	Penn Township Fred Ulrich 228 Clifford Road Selinsgrove, PA 17870	Penns Creek WWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5
Snyder County Franklin Township	PAG2005507005	Cole Properties Greg Cole 5 Enterprise Drive Danville, PA 17820	Middle Creek TSF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5
Snyder County Selinsgrove Borough	PAG2005507007	Icon Realty Kevin M. Hicks R. R. 1 Box 237 B Liverpool, PA 17041	Penns Creek WWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5

NOTICES

2523

<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>
Snyder County Jackson Township	PAG2005507008	Designer Homes Paul John 15 Industrial Road Mifflinburg, PA 17844	Penns Creek WWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5
Snyder County Selinsgrove Borough	PAG2005508001	Selinsgrove Area School District Fred Johnson 401 North 18th Street Selinsgrove, PA 17870-1665	Penns Creek WWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5
Snyder County Selinsgrove Borough	PAG2005508002	Susquehanna University David Henry 514 University Avenue Selinsgrove, PA 17870	UNT to Penns Creek WWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5
Tioga County Richmond Township	PAG2005908001	Doug Grossman Lowe's Companies, Inc. 250 Summerwind Lane Harleysville, PA 19438	Tioga River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3
Butler County Cranberry Township	PAG2001007014(1)	Trammell Crow Development & Investment, Inc. Westinghouse at Cranberry Woods 800 Cranberry Woods Drive Cranberry Township, PA 16066	UNT Brush Creek WWF	Butler County Conservation District (724) 284-5270
Erie County McKean Borough McKean Township	PAG2002508006	Erie Water Works McKean Waterline Phase 2 340 West Bayfront Parkway Erie, PA 16507	Lake Erie Water Shed Elk Creek, UNT to Elk Creek, Lamson Run WWF; MF; CWF	Erie County Conservation District (814) 825-6403
Erie County City of Erie	PAG2002508008	Mercyhurst College Mercyhurst Dormitory Project 501 East 38th Street Erie, PA 16546	Mill Creek WWF; MF	Erie County Conservation District (814) 825-6403
Lawrence County Mahoning Township	PAG2003708003	Valley View Downs 10 West Market Street Suite 200 Indianapolis, IN 46204	Marshal Run WWF UNT Shenango River WWF	Lawrence County Conservation District (724) 652-4512
McKean County Foster Township	PAR1041012R(1)	Bradford Office of Economic Development Lafferty Hollow Industrial Park Phase III	Kendall Creek WWF	McKean County Conservation District (814) 887-4001
Warren County Conewango Township	PAG2006203005R	North Warren Municipal Authority 4 Hospital Drive North Warren, PA 16365	UNT Conewango Creek WWF	Warren County Conservation District (814) 563-3117

General Permit Type—PAG-3

<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>
Hazleton City Luzerne County	PAR202250	Valmont Penn Summit—Heights Facility 101 Carleton Avenue Hazleton, PA 18202	Little Nescopeck Creek CWF	DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511

*Facility Location:
Municipality &
County*Franklin County
Antrim Township*Permit No.*

PAR213551

*Applicant Name &
Address*Eldorado Stone, LLC
9156 Molly Pitcher Highway
Greencastle, PA 17225-9712*Receiving
Water/Use*Muddy Run
WWF*Contact Office &
Phone No.*DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707*General Permit Type—PAG-4**Facility Location &
Municipality*Cumberland County
North Middleton
Township*Permit No.*

PAG043698

*Applicant Name &
Address*Timothy Brenneman
2260 Easy Road
Carlisle, PA 17013*Receiving
Water/Use*UNT Conodoguinet
Creek
WWF
7B*Contact Office &
Phone No.*DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707York County
East Manchester
Township*Permit No.*
(transfer)

PAG043601

Adam Hostetter
115 North Griffith Lane
Manchester, PA 17345Conewago Creek
7FDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Cumberland County
Lower Frankford
Township*Permit No.*

PAG043700

Shawn Snyder
399 Meadowbrook Road
Carlisle, PA 17015Drainage Swale to
Conodoguinet Creek
7-BDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Blair County
Antis Township*Permit No.*

PAG043873

Robert Kenner
Allison Kehoe
703 East 25th Avenue
Altoona, PA 16601Sugar Run
11-ADEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Buffington Township
Indiana County*Permit No.*

PAG046366

William Mardis
2615 Wehrum Road
Vintondale, PA 15961Drainage swale to
Blacklick CreekSouthwest Regional
Office Water
Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Pine Township
Allegheny County*Permit No.*

PAG046372

William Slebodnik
5535 North Montour Road
Gibsonia, PA 15044UNT Breakneck
CreekSouthwest Regional
Office Water
Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Sugar Grove
Township
Warren County*Permit No.*

PAG048564

Henry L. McQueen
R. R. 1
Box 220
Hazeltime Hollow Road
Youngsville, PA 16371-9522UNT to Matthews
Run
16-BDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942Pine Grove
Township
Warren County*Permit No.*

PAG049425

Cable Hollow Evangelical
Church
3157 Cable Hollow Road
Russell, PA 16345UNT to the North
Branch Akeley Run
16-BDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942Pittsfield Township
Warren County*Permit No.*

PAG049430

Barbara and David A.
Winner
4689 SE 92nd Street
Starke, FL 32091Gar Run
16-BDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Harmony Township Forest County	PAG049427	Pamela L. Miller R. R. 1 Box 188 Pleasantville, PA 16341-9323	Stewart Run 16-E	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
LeBoeuf Township Erie County	PAG048885	Mr. and Mrs. Gerald S. Zimmer 12625 Hill Road Waterford, PA 16441	UNT to little Conneauttee Creek 16-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Greene Township Erie County	PAG049420	Hedrick Road Association 4799 Hedrick Road Waterford, PA 16441	UNT to the East Branch of LeBoeuf Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pleasant Township Warren County	PAG049432	Cole M. and Maria C. Schultz 1160 Pleasant Road Warren, PA 16365-9701	Sill Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Union City Erie County	PAG058314	Country Fair 95 P. O. Box 780 Warren, PA 16365	UNT to South Branch of French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8 (SSN)

<i>Facility County/Municipality</i>	<i>Applicant Name & Address</i>	<i>Site Name</i>	<i>Contact Office & Phone No.</i>
North Versailles Township Allegheny County	Synagro 3239 Route 981 New Alexandria, PA 15670	Pitcairn Monroeville Sportsmen Club	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

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

Permit No. 3608504 MA, Minor Amendment, Public Water Supply.

Applicant	City of Lancaster
Municipality	West Lampeter Township
County	Lancaster
Type of Facility	Renovation, repair and repainting of the 1.88-million gallon Willow Street storage tank.
Consulting Engineer	Matthew D. Warfel The ARRO Group, Inc. 270 Granite Run Drive Lancaster, PA 17601-6804
Permit to Construct Issued	May 15, 2008

Operations Permit issued to **Pennsylvania-American Water**, 7210029, Hampden Township, **Cumberland County** on May 15, 2008, for the operation of facilities approved under Construction Permit No. 2105501 MA.

Operations Permit issued to **Borough of Fleetwood**, 3060029, Richmond Township, **Berks County** on May 12, 2008, for the operation of facilities approved under Construction Permit No. 0606509.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted under section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location: on the northwest side of Otterbein Church Road, 1,000 feet southwest of Paxton Run Road.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lurgan Township	8650 McClays Mill Road Newburg, PA 17240	Franklin County

Plan Description: The approved plan, in the name of Karlen Williams, provides for a Small Flow Treatment Facility to serve one residential dwelling with sewage flows of 500 gpd. The project is located on the northwest side of Otterbein Church Road, 1,000 feet southwest of Paxton Run Road. The Department of Environmental Protection'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 owner.

Plan Location: at the intersection of Amberson Church Road and Panoramic Lane.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Fannett Township	P. O. Box 40 Dry Run, PA 17220	Franklin County

Plan Description: The approved plan, in the name of Robert Stewart, provides for two Small Flow Treatment Facilities to serve two residential dwellings with sewage flows of 800 gpd. The project is located at the intersection of Amberson Road and Panoramic Lane. The Department of Environmental Protection'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 owner.

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.

Wyeth Lab, Borough of West Chester, **Chester County**. Daniel Sheehan Malcon, Pirnie, Inc., 824 Market Street, Suite 820, Wilmington, DE 19801 on behalf of Robert H. Taggart, Wyeth, 5 Giralda Farms, Madison, NJ 07940 has submitted a Remedial Investigation/Cleanup

Plan concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

New Holland Manufacturing Facility/Franklin Street Parcel, New Holland Borough, **Lancaster County**. Aquaeter, Inc., 7340 East Caley Avenue, Suite 200, Centennial, CO 80111 and CNH America, Inc., 700 State Street, Racine, WI 53404 has submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the Nonresidential Statewide Health Standard.

Raymark-Manheim Lower Mill Facility, Manheim Borough, **Lancaster County**. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, 19406, on behalf of Manheim Economic Development Corporation, 15 East High Street, Manheim, PA 17545, submitted a combined remedial investigation report and Final Report concerning remediation of site soils contaminated with lead, arsenic, petroleum hydrocarbons and phenols. The report is intended to document remediation of the site to the Nonresidential Statewide Health and Site-Specific Standards.

Former Getty Highspire Terminal, Lower Swatara Township, **Dauphin County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Getty Properties Corporation, 125 Jericho Turnpike, Suite 102, Jericho, NY 11753 and Petroleum Products Corporation, P. O. Box 2621, Harrisburg, PA 17105, submitted a remedial investigation report and cleanup plan concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons and MTBE. The site is being remediated to a combination of Statewide Health and Site-Specific Standards.

Huntingdon Former MGP Site, Huntingdon Borough, **Huntingdon County**. Haley & Aldrich, 340 Granite Street, 3rd Floor, Manchester, NH 03102 on behalf of PPL Gas Utilities Corporation, 2 North Ninth Street (GENTW17), Allentown, PA 18101-1179, submitted a remedial investigation report and risk assessment report concerning remediation of site soils and groundwater contaminated with coal tar, PAHs and VOCs. The site is being remediated to Site-Specific Standards.

Former Gene Latta Ford, Hanover Borough, **York County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Gene Latta Ford/Buick, Inc., 1565 Carlisle Pike, Hanover, PA 17331 and You're The Man, LLC, 1830 Carlisle Pike, Hanover, PA 17331, submitted a remedial investigation report, risk assessment and cleanup plan concerning remediation of site groundwater contaminated with PCE and MTBE. The applicant is seeking to remediate to the Site-Specific Standard.

CR Property Group, LLC/106 Fallsview Avenue, York Haven Borough, **York County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110 on behalf of CR Property Group, LLC, 1561 East Market Street, York, PA 17403, submitted a Final Report concerning remediation of site soils contaminated with kerosene. The report was submitted within 90 days of the release and is intended to document remediation of the site to the Statewide Health Standard. This is and will continue to be a residential property.

Columbia Gas of Pennsylvania Service Center, Gettysburg Borough, **Adams County**. ENSR, 2 Technology Park Drive, Westford, MA 01866-3140, on behalf of Columbia Gas of Pennsylvania, 1020 North Hartley Street, York, PA 17404 and NiSource Corporate Services Company, 300 Frieberg Parkway, Westborough, MA 01581-3900, submitted a combined remedial investigation and Final Report concerning remediation of site soils and groundwater contaminated with coal tar and PAHs. The report is intended to document remediation of the site to 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:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

510 North Broad Street, City of Philadelphia **Philadelphia County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Joseph P. Boganksy, Amerimar Networks Management Co., Inc., 1500 Spring Garden Street, Suite 105, Philadelphia, PA 19130 has submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline and lead. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 12, 2008.

Thorton Stable Property, City of Philadelphia, **Philadelphia County**. Richard Burns, Conestoga-Rovers & Associates, 410 Eagleview Boulevard, Exton, PA 19341 on behalf of Bryan Cullen, Westrum BT2, LP, 370 Commerce Drive, Fort Washington, PA 19034 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 12, 2008.

Windram Residence, New London Township, **Chester County**. Robert Kleinschmidt, Miller Environmental, Inc., 514 Hartman Run Road, Morgantown, WV 26505 on behalf of Robert Garza, Miller Environmental, Inc., 640 West Race Street, Martinsburg, WV 25401 has submitted 90-day Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 6, 2008.

Tompson Residence, Bristol Borough, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Anthony and Carla Tompson, 232 Franklin Street, PA 19007 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 5, 2008.

Harmon Residence, North Coventry Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Paul Harmon, 1271 Dimity Court, Pottstown, PA 19465 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 7, 2008.

Slanga Residence, City of Philadelphia, **Philadelphia County**. Staci Cottone, J&J Spill Service and Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of Caroline Slanga, 172 Shurs Lane, Philadelphia, PA 19127 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 6, 2008.

Schmidts Brewery, City of Philadelphia, **Philadelphia County**. Rick Weaver, Kleeman Associates, Inc.,

3650 Concord Parkway, Suite 100, Chantilly, VA 20151 on behalf of Tina Roberts, Northern Liberties Development Associates, LP, One Reed Street, Philadelphia, PA 19147 has submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with petroleum hydrocarbons, pcbs, PAH, metals and other organics. The Remedial Investigation/Cleanup Plan was approved by the Department of Environmental Protection on May 6, 2008.

Barclay Road, New Britain Township, **Bucks County**. Mark Fortna, DelVal Soil Environmental Consultants, Inc., Sky Run II, 4050 Skyron Drive, Suite A-1, Doylestown, PA 18902 on behalf of Clay Heckler, Real Pro Enterprises, LT, 2312 North Broad Street, Colmar, PA 18915 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was placed on hold by the Department of Environmental Protection on May 2, 2008.

Anchor Glass Site, Royersford Borough, **Montgomery County**. Craig Herr, RT Environmental, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Joseph Price, Granor Price Homes Royersford Corporation, 721 Dresher Road, Horsham, PA 19044 has submitted a Final Report concerning the remediation of site soil contaminated with arsenic, chromium, selenium, lead and benzene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 14, 2008.

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Bethlehem Commerce Center—Lot 52 (Eastern Engineered Wood Products Parcel), City of Bethlehem, **Northampton County**. Kenneth G. Robbins, HDR Engineering, Inc., 609 West Hamilton Street, Allentown, PA 18101 submitted a Final Report (on behalf of his client, Lehigh Valley Industrial Park, 1805 East Fourth Street, Bethlehem, PA), concerning the remediation of site soil found to have been impacted by inorganics as a result of historic manufacturing operations. The report documented attainment of the Site-Specific Standard for soils and was approved on May 7, 2008.

POSTCLOSURE CARE OF A HAZARDOUS WASTE DISPOSAL FACILITY UNDER THE TERMS OF A CONSENT ORDER AND AGREEMENT

Consent Order and Agreement under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706.

PAD003026903. Consent Order and Agreement—General Electric Company, Lancaster Facility—Upper Quarry and Lower Lagoon Areas, Pleasure Road, Lancaster, PA, City of Lancaster, **Lancaster County**. In response to a request from General Electric Company—Lancaster Facility to conduct Postclosure Care activities under the terms of a Consent Order and Agreement (COA), received by the Department of Environmental Protection (Department) on June 13, 2007, a COA was executed between General Electric Company and the Department on May 30, 2008.

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.

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

13-301-014GP14: Mountain Crest Crematory, Inc. (10 East Kline Road, McAdoo Industrial Park, McAdoo, PA 18237) on May 8, 2008, to install and operate a human remains crematory at their site in Banks Township, **Carbon County**.

40-310-075GP3: Haines & Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on May 8, 2008, to construct and operate a Portable Crushing Operation with watersprays at their site in Plains Township, **Luzerne County**.

40-329-006GP9: Haines & Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on May 8, 2008, to install and operate a Diesel I/C Engine at their site in Plains Township, **Luzerne County**.

35-310-048GP3: Haines and Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on May 7, 2008, to construct and operate a Portable Crushing Operation with watersprays at their site in Dunmore Borough, **Lackawanna County**.

35-329-003GP9: Haines and Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on May 7, 2008, to install and operate a Diesel I/C Engine at their site in Dunmore Borough, **Lackawanna County**.

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

GP3-06-03110C: Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on May 13, 2008, for Portable Nonmetallic Mineral Processing Plants under GP3 in Douglass Township, **Berks County**.

GP3-22-03069A: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889) on May 13, 2008, for Portable Nonmetallic Mineral Processing Plant under GP3 in Washington Township, **Dauphin County**.

GP9-22-03077: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889) on May 13, 2008, for Diesel or No. 2 fuel-fired Internal Combustion Engines under GP9 in Washington Township, **Dauphin County**.

GP14-36-03038A: Evans Eagle Burial Vaults, Inc. (15 Graybill Road, Leola, PA 17540) on May 13, 2008, for Human or Animal Crematories under GP14 in Upper Leacock Township, **Lancaster County**.

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

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

15-0029D: Dopaco, Inc. (241 Woodbine Road, Downingtown, PA 19335-3082) on May 9, 2008, for the changing of 3.1 tons of VOC ERCs from internal netting to banking/trading at their facility in Downingtown Borough, **Chester County**. These ERCs have been previously approved and have an expiration date of June 12, 2013.

23-0111: Centocor Research & Development, Inc. (145 King of Prussia Road, Radnor, PA 19087) on May 16, 2008, to install a Diesel or No. 2 Fuel-Fired Internal Combustion Engine that powers 2,250 kW Peak Shaving Electric Generator (diesel electric generator) at their Centocor pharmaceutical research and development/manufacturing/biotechnological facility at 145 King of Prussia Road, Radnor Township, **Delaware County**. The installation of the diesel electric generator may result in the emissions of: 2.38 tpy of NO_x; 0.26 tpy of CO; 0.22 tpy of VOCs; 0.27 tpy of SO_x; 0.15 tpy of PM₁₀; 0.01 tpy of HAPs and 0.006 tpy of formaldehyde. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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.

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

17-302-024: Clearfield Area School District (438 River Road, Clearfield, PA 16830) on May 15, 2008, to extend the authorization to operate a 10 mmBtu/hr wood-fired boiler on a temporary basis to September 12, 2008, in Lawrence Township, **Clearfield County**. The plan approval has been extended.

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

16-132B: Clarion Boards, Inc. (1 Fiberboard Avenue, Shippensburg, PA 16245) on May 13, 2008, to modify their fiberboard plant in Paint Township, **Clarion County**.

16-132C: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254) on November 30, 2007, to install dryers, venturi and cyclonic separator in Paint Township, **Clarion County**.

25-1006A: Lake Erie Biofuels, LLC (1001 State Street, Erie, PA 16501-1814) on May 31, 2008, to construct a biodiesel production plant in City of Erie, **Erie County**. This is a State-only facility.

25-1006B: Lake Erie Biofuels, LLC (1540 East Lake Road, Erie, PA 16511) on May 31, 2008, to allow various fuels to be fired in the Process Boilers installed under GP-1 in Erie City, **Erie County**.

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

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

22-05011L: PPL Martins Creek, LLC (2 North 9th Street, Allentown, PA 18101-1139) on May 14, 2008, to

operate of a combustion turbine site in the City of Harrisburg, **Dauphin County**. This is a renewal of the Title V operating permit.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

23-00088: Southco, Inc. (210 North Brinton Lake Road, Concordville, PA 19331) on May 14, 2008, for a State-only, Natural Minor Operating Permit Renewal in Concord Township, **Delaware County**. Southco is in the business of manufacturing and finishing of industrial fasteners. The facility operates a variety of sources that burn natural gas including boilers, a burn off oven, heaters, evaporators and a generator. The facility also operates a diesel fired emergency generator and several cold degreasers. The facility does not have the potential to exceed any Title V thresholds. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

39-00072: Hamilton TEK Partners (9999 Hamilton Boulevard, Breinigsville, PA 18031-9359) on May 13, 2008, to issue a State-only (Synthetic Minor) Operating Permit for operation of three boilers at their facility in Upper Macungie Township, **Lehigh County**.

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

31-05012: Department of Corrections—Smithfield SCI (1120 Pike Street, Huntingdon, PA 16652-1117) on May 14, 2008, for three Nebraska Model No. CFB-AO-2323 under feed stoker, bituminous coal fired boilers in Smithfield Township, **Huntingdon County**. This is a renewal of the State-only operating permit.

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

04-00693: Littell Steel (P. O. Box 298, New Brighton, PA 15066) on May 13, 2008, to operate a shot blast operation, surface coating, steel cutting, fabrication, sand blasting and associated control device equipment (baghouses) in Bridgewater Borough, **Beaver County**. Emissions from this facility shall not exceed 100 tons of SO₂, 100 tons of NO_x, 100 tons of PM₁₀, 50 tons of VOCs, 100 tons of CO, 10 tons of a single HAP and/or 25 tons of all HAPs combined.

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

10-00337: Celco Partnership—d/b/a Verizon Wireless (700 Cranberry Woods Drive, Cranberry Township, PA 16066) on May 14, 2008, for the issuance of a Natural Minor Operating Permit to operate a Verizon Wireless Call Center. This operation is in Cranberry Township, **Butler County**. The facility's primary emission source is a diesel fueled emergency generator.

24-00124: PIHT, LLC (118 Access Road, St. Marys, PA 15857-3370) on May 13, 2008, for re-issuance of a Natural

Minor Permit to operate a metal heat-treating facility. Emissions sources associated with this facility include 11 draw furnaces, eight heat treating furnaces and 14 control devices (smog hog electrostatic precipitators). This facility is natural minor because the emission of pollutants from all sources is less than Title V emission threshold.

24-00162: Rebco, Inc. (650 Brandy Camp Road, Kersey, PA 15846-1904) on May 14, 2008, for the issuance of a Natural Minor Operating Permit to operate a facility that manufactures powdered metal components and performs specialty machining. This operation is located in Fox Township, **Elk County**. The facility's primary emission sources include a dip tank, dip operations and parts washers.

42-00147: W. R. Case & Sons Cutlery Co. (Owens Way, Bradford, PA 16701) on May 12, 2008, the Department re-issued the Natural Minor Operating Permit for the operation of the facility's air contamination sources consisting of five space heaters, four dust collection systems, a 30 Kw emergency generator and three parts washers located in Bradford Township, **McKean County**.

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

S07-004: North Philadelphia Health System—St. Joseph's Hospital (1601 West Girard Avenue, Philadelphia, PA 19130) on May 16, 2008, to operate a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 565 Kw emergency generator, three 200 Hp Boilers and one 25 Hp Boiler.

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.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00224: Harleysville Mutual Insurance Co. (355 Maple Avenue, Harleysville, PA 19438-2222) on May 14, 2008, for a minor modification of State-only (Synthetic Minor) Operating Permit No. 46-00224 for their facility in Lower Salford Township, **Montgomery County**. The minor modification alters the usage of the facility's two emergency generators for use during emergency events declared by the PJM Emergency Load Response Program. The modified SOOP includes monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Minor modification of SOOP No. 46-00224 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

15-00103: Christiana Cabinetry (504 Rosemont Avenue, Atglen, PA 19310-9449) on May 15, 2008, an Administrative Amendment to incorporate the conditions of Plan approval 15-00103 for six spray booths in Atglen Township, **Chester County**. VOCs are the main emissions from this facility and these emissions are limited to 17.58 tpy from all six of the spray booths combined. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

09-00134: Reed Minerals (905 Steel Road South, Fairless Hills, PA 19030) on May 14, 2008, The Natural

Minor Operating Permit No. 09-00134 has been amended to incorporate conditions from Plan Approval No. 09-0134C, which allow for the modification of a coal slag roofing granules plant for a non-Title V facility in Falls Township, **Bucks County**. Modifications include: (1) The replacement of the facility's RFFC-12 (Dryer) Baghouse (Source ID: C01) with a Sly Dust Collector (Source ID: C03), to control emissions of PM from the facility's rotary dryer, as well as the PM emissions from the dryer feed conveyor; and (2) The increase in production of the coal slag roofing granules plant, from 35 tons/hr to 50 tons/hr. All revisions to Natural Minor Operating Permit 09-00134 were made under 25 Pa. Code § 127.450.

15-00009: AGC Chemicals Americas, Inc. (255 South Bailey Road, Downingtown, PA 19335) on May 15, 2008, for an Administrative Amendment to incorporate the conditions of Plan Approval 15-0009B for free flow process and fluid bed dryer/ovens in Caln Township, **Chester County**. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

23-00026: Glasgow, Inc.—Freeborn Asphalt Plant (531 Eagle Road, Springfield, PA) on May 14, 2008, for an administrative amendment to the issued State-only Operating Permit (Synthetic Minor) 23-00026 in Springfield Township, **Delaware County**. The facility operates a 6,000-lb batch plant consisting of a dryer, knock-out box, baghouse, exhaust fan and stack. The issued State-only Operating Permit has been amended to correct an error to the amended permit issued on April 19, 2006. This permit was issued as a Title V Operating Permit. The amended permit has been subsequently issued as a State-only Operating Permit. Comments will only be taken on the changes covered in this notice.

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

40-00083: Reynolds Packaging Kama, Inc. (600 Dietrich Avenue, Hazelton, PA 18201-7754) on May 9, 2008, to administratively amend the operating permit to change ownership from Alcoa Kama, Inc. for their plastic film/sheet manufacturing facility in Hazelton City, **Luzerne County**.

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

17-00005: Glen-Gery Corp. (P. O. Box 338, SR 970, Bigler, PA 16825) on May 14, 2008, in accordance with the administrative amendment requirements of 25 Pa. Code § 127.450, to incorporate conditions from Plan Approval 17-00005A issued on December 4, 2007, for the construction of a clay/shale crusher in Bradford Township, **Clearfield 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.

32030101 and NPDES No. PA0249378. P & N Coal Company, Inc., P. O. Box 332, Punxsutawney, PA 15767, permit renewal for a bituminous surface mine in Montgomery Township, **Indiana County**, affecting 182.2 acres. Receiving streams: Cush Creek and UNT to Cush Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 10, 2008. Permit issued May 16, 2008.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, (724) 925-5500.

03830116 and NPDES Permit No. PA0599727. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215) Transfer of permit formerly issued to Walter L. Houser Coal Co., Inc., for continued operation and reclamation of a bituminous surface/auger mine, coal preparation and processing facility located in Kittanning Township, **Armstrong County**, affecting 812.0 acres. Receiving streams: UNTs of Mill Run to Cowanshannock Creek to the Allegheny River. Application received July 25, 2007. Transfer permit issued May 9, 2008.

65960108 and NPDES Permit No. PA0201669. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Permit renewal issued for continued reclamation only of a bituminous surface mine located in Unity and Ligonier Townships, **Westmoreland County**, affecting 105.8 acres. Receiving streams: UNT to Fourmile Run. Application received April 1, 2008. Renewal issued May 12, 2008.

03050103 and NPDES Permit No. 0250961. Mountain Coal Co., Inc. (11931 SR 84, Kittanning, PA 16201) Permit revised for additional acres to an existing bituminous surface mine located in Madison Township, **Armstrong County**, affecting 140.8 acres. Receiving streams: UNTs to Allegheny River. Revision application received March 24, 2008. Permit issued May 16, 2008.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

33070108. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Commencement, operation and restoration of a bituminous strip operation in McCalmont Township, **Jefferson County** affecting 40.0 acres. Receiving streams: Six UNTs to Little Sandy Creek. Application received October 30, 2007. Permit issued May 13, 2008.

Noncoal Permits Actions

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

56070801. Shaffer Brothers Coal Company, Inc., 1 Jay Street, Windber, PA 15963, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Paint Township, **Somerset County**, affect-

ing 5.0 acres, receiving streams: UNT to Seese Run. Application received July 25, 2007. Permit issued May 12, 2008.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

37990302. Cemex, Inc. (840 Gessner, Suite 1400, Houston, TX 77024) Revision to an existing industrial mineral limestone operation to incorporate 70.0 acres of underground mining in Shenango and Wayne Townships, **Lawrence County**. Receiving streams: UNTs to Snake Run and UNTs to Beaver River. Application received November 9, 2007. Permit issued May 8, 2008.

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

58060864. Joseph M. Cicon, (R. R. 2, Box 140D, 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 September 12, 2006. Permit issued May 13, 2008.

54950302C12. Pennsy Supply, Inc., (1001 Paxton Street, Harrisburg, PA 17104), correction to an existing quarry operation to update permitted acres, update E & S controls and update reclamation schedule in Wayne Township, **Schuylkill County** affecting 152.32 acres, receiving stream: Bear Creek. Application received February 13, 2008. Correction issued May 13, 2008.

64070820. Star Pond, LLC (315 Old Route 10, Deposit, NY 13754), commencement, operation and restoration of a quarry operation in Scott Township, **Wayne County** affecting 2.0 acres, receiving stream: none. Application received September 21, 2007. Permit issued May 15, 2008.

6276SM4C5 and NPDES Permit No. PA0613143. Martin Limestone, Inc., (P. O. Box 550, Blue Ball, PA 17506), correction to an existing quarry operation and NPDES Permit for discharge of treated mine drainage in Honey Brook and Caernarvon Townships, **Chester and Lancaster Counties** affecting 150.2 acres, receiving stream: East Branch Brandywine Creek. Application received December 6, 2007. Correction issued May 16, 2008.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P. S. §§ 151–161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

21084126. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for residential development in Upper Allen Township, **Cumberland County**. Blasting activity permit end date is April 25, 2009. Permit issued May 5, 2008.

21084128. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is May 5, 2009. Permit issued May 6, 2008.

21084127. John W. Gleim, Jr., Inc., 625 Hamilton Street, Carlisle, PA 17013-1925, blasting activity permit issued for warehouse development in Penn Township, **Cumberland County**. Blasting activity permit end date is December 15, 2008. Permit issued May 6, 2008.

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

15084107. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Gateway Community Church in Sadbury Township, **Chester County** with an expiration date of May 31, 2009. Permit issued May 12, 2008.

22084105. Dyno-Nobel, Inc., (567 Main Street, Tremont, PA 17981), construction blasting for Stone Ridge Commerce Parking Lot II in Lower Swatara Township, **Dauphin County** with an expiration date of December 30, 2008. Permit issued May 12, 2008.

38084109. Keystone Blasting Service, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Strathford Meadows in South Lebanon Township, **Lebanon County** with an expiration date of December 30, 2009. Permit issued May 13, 2008.

45084121. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Skytop Lodge in Barrett Township, **Monroe County** with an expiration date of May 31, 2009. Permit issued May 13, 2008.

52084108. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Tanglewood Lakes in Palmyra Township, **Pike County** with an expiration date of May 7, 2009. Permit issued May 13, 2008.

64084104. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Paupackan Lake Estates in Paupack and Lake Townships, **Wayne County** with an expiration date of May 31, 2009. Permit issued May 13, 2008.

23084103. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Weber Residence in Radnor Township, **Delaware County** with an expiration date of May 30, 2009. Permit issued May 14, 2008.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501–508 and 701–704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483.

TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

Northeast Regional Office, Watershed Management Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E39-480. John Grogan and Jenny Vogt, 4600 Mill Road, Coopersburg, PA 18036-1525. Coopersburg Borough, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct, operate and maintain a 6-inch diameter ductile iron sanitary sewer beneath a UNT to Saucon Creek, locally known as Mill Run and associated wetlands for the connection to public sewage collection and treatment. The sanitary sewer line beneath Mill Run shall be 15-feet in length with a maximum wetland impact of 0.01 acre. Construction of the sanitary sewer line shall be performed in dry work conditions by dam and pumping, fluming stream flow around the work area or boring beneath stream and wetlands. Since the project is adjacent to bog turtle habitat, sanitary sewer construction and future repair work shall be conducted in or along the stream channel and wetland between November 1 and March 31. If work must be done outside these dates, a qualified bog turtle surveyer shall conduct a preconstruction survey immediately prior to the work activities. If turtles are found, work must not be initiated and the US Fish & Wildlife Service and the Fish and Boat Commission must be contacted. Construction of the sanitary sewer permanently impacts 0.01-acre of wetland, which the Department of Environmental Protection has deemed as de minimis and replacement wetland for mitigating the impacts will not be required (Allentown East, PA Quadrangle Latitude: 40° 30' 58.36"; Longitude: 75° 24' 9.00").

E40-683. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512. Wyoming Borough and Jenkins Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To place fill in a de minimis area of wetlands equal to 0.05 acre; to remove the existing structure; and to construct and maintain a 10-span, prestressed concrete bridge, having a total span of 1,315 feet with a maximum underclearance of 22.5 feet, across the Susquehanna River (WWF). The project also includes temporary wetland impacts equal to 0.22 acre associated with the temporary installation of access roads and riprap causeways to be constructed in separate phases to facilitate the construction of the new bridge and demolition of the existing structure. The project is known as the Eighth Street Bridge Replacement Project and is located on SR 1021, Section 370 over the Susquehanna River.

E45-509. Brodhead Creek Regional Authority, 410 Stokes Avenue, East Stroudsburg, PA 18301. SR 0611 Scot Run Waterline Relocation Project, Pocono Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District (Mt. Pocono, PA Quadrangle Latitude: 40° 03' 52.09"; Longitude: 75° 19' 05.25" and Latitude: 40° 04' 10.48"; Longitude: 75° 19' 25.15").

The permittee shall relocate, operate and maintain a 12-inch diameter public drinking water supply line beneath Scot Run, a UNT to Scot Run and exceptional value wetlands associated to both streams. The waterline crossing beneath Scot Run shall be 60-feet in length with maximum temporary wetland impact of 0.07-acre. The waterline crossing the UNT shall be 16-feet in length with a maximum temporary wetland impact of 0.02 acre. Relocation of the waterline shall be performed during stream low flow and dry work conditions by dam and pumping, fluming stream flow around the work area or boring beneath stream and wetlands. Since Scot Run is a WTF, no waterline construction or future repair work shall be conducted in or along the stream channels between October 1 and December 31 without prior written approval from the Fish and Boat Commission. The southern most waterline crossing is located along the western right-of-way of SR 0611 approximately 2,785-feet north of the SR 0800 and SR 0611 Exchange. Wetland impacts incurred by the waterline relocation shall solely be temporary and as such no mitigation through replacement wetlands will be required.

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

E60-189. Mifflinburg Borough, 333 Chestnut Street, Mifflinburg, PA 17844. Mifflinburg Wastewater Treatment Plant, in Mifflinburg Borough, **Union County**, United States Army Corps of Engineers, Baltimore District (Mifflinburg, PA Quadrangle N: 9.07 inches; W: 5.90 inches).

To place and maintain 56,070 cubic feet of clean earthen fill, stabilized with vegetation to prevent erosion, to provide an elevated surface 1.5 feet above the 100-year flood elevation in the 100-year flood fringe for a wastewater storage tank located 20 feet north of the sequencing batch reactor No. 2 of the Mifflinburg Wastewater Treatment Plant. This permit was issued under Section 105.13(e) "Small Projects."

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335.

E20-560, Department of Transportation, Engineering District 1-0, 255 Elm Street, Oil City, PA 16301. SR 0079, Section A06 Roadway Reconstruction and widening over Van Horne Creek in Vernon Township, **Crawford County**, United States Army Corps of Engineers, Pittsburgh District (Geneva, PA Quadrangle N: 41° 37' 21"; W: 80° 10' 25").

To: (1) construct and maintain a 19' and 24' culvert extension up and downstream respectively to the existing 26' wide by 8' high by 179.31' Long reinforced concrete box culvert located a N: 41° 37' 20" and W: 80° 10' 54"

carrying SR 0006 over Van Horn Creek (WWF); (2) construct and maintain seven 18" diameter outfall pipes and one 18" diameter outfall pipe extension to Van Horn Creek; (3) to repair and maintain the existing wing walls on the reinforced concrete box culverts located at N: 41° 37' 04" and W: 80° 10' 25" Northbound and N: 41° 37' 32" and W: 80° 11' 09" Southbound on I-79 carrying Van Horn Creek; and (4) to place and maintain fill within 0.034 acre of PEM/PFO wetlands all for the roadway reconstruction project at the I-79 and SR 0006 interchange.

SPECIAL NOTICES

Notice of Planning Grant Awards under Section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) hereby announces the following grants to counties under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101 and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

KATHLEEN A. MCGINTY,
Secretary

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Southeast				
Northeast				
Southcentral	Bedford	Bedford County	Plan Revision	\$48,987
Northcentral	Northumberland Centre	Northumberland County Centre County	Plan Revision Plan Revision	\$67,260 \$200,000
Southwest				
Northwest	Crawford	Crawford County	Plan Revision	\$64,438

Noncoal (Industrial Minerals) Bond Release Issued

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

Permit No. 56910801. William V. Miller, Jr., 748 National Highway, LaVale, MD 21502, bond release on a small noncoal (industrial minerals) operation in Southampton Township, **Somerset County**, affecting 9.0 acres. Receiving stream: Laurel Run. Application received January 3, 2008. Final bond released May 13, 2008.

[Pa.B. Doc. No. 08-1021. Filed for public inspection May 30, 2008, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site 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 2008.

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—Substantive Revision:

DEP ID: 257-3120-001. Title: Evaluation of Underground Storage Tank Liners. Description: Both State and Federal regulations require that internally-lined underground storage tanks with no other means of corrosion protection be inspected 10 years after the lining installation and re-evaluated every 5 years thereafter. This guidance addresses regulatory requirements and industry procedures for documenting each lining evaluation, certifying evaluation results or findings, recordkeeping and reporting. Substantive revisions were proposed to the guidance, which were advertised for public comment at 38 Pa.B. 1546 (March 29, 2008). The Department did not receive comments on the draft technical guidance during the public comment period. Contact: Questions regarding the final technical guidance document should be directed to Walter Nagel or Raymond Powers, Department of Environmental Protection, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8763, Harrisburg, PA 17105-8763, (717) 772-5551; wnagel@state.pa.us; rapowers@state.pa.us. Effective Date: May 31, 2008.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 08-1022. Filed for public inspection May 30, 2008, 9:00 a.m.]

Bid Opportunity

BOGM 08-4, Cleaning Out and Plugging Nine Orphan and Abandoned Oil Wells, Francis Benedict, Vicky Johnson, Mr. and Mrs. John Eakin, and Mr. and Mrs. Robert Eakin Properties), Lewis Run Borough and Lafayette Township, McKean County.

The principal items of work include cleaning out and plugging nine orphan and abandoned oil wells, estimated to be 2,500 feet each in depth, to Department of Environmental Protection's specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on May 30, 2008, and bids will be opened on July 1, 2008, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 08-1023. Filed for public inspection May 30, 2008, 9:00 a.m.]

City of Philadelphia's Ambient Air Monitoring Network Plan Available for Public Comment

Under 40 CFR Part 58 (relating to ambient air quality surveillance) requires State and local air pollution control agencies to adopt and submit to the Environmental Protection Agency (EPA) Regional Administrator an Annual Monitoring Network Plan (AMNP) on July 1, 2008. The AMNP provides for the establishment and maintenance of an air quality surveillance system that consists of a network of monitoring stations. A proposed AMNP must be made available for public inspection for at least 30 days prior to submission to EPA. The EPA will also provide an opportunity for review and comment prior to approving or disapproving a Monitoring Network Plan submitted by a state and local air pollution control agency.

Air Management Services is the local air pollution control agency for the City of Philadelphia under the Department of Public Health. Philadelphia has an air monitoring network of 12 air monitoring stations that house instruments that measure ambient levels of air pollutants.

The proposed AMNP is available for public inspection on the City's web site at www.phila.gov/health/units/ams/index.html and at the office of Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104, during normal business hours. For further information, contact Henry Kim, Chief of Program Services at (215) 685-9437.

Written comments on the proposed AMNP should be sent to Henry Kim, Chief of Program Services, Air Management Services, 321 University Avenue, 2nd Floor, Philadelphia, PA 19104 or by e-mail to henry.kim@phila.gov. Only written comments will be accepted. Comments received by facsimile will not be accepted. Persons wishing to file comments on the proposed AMNP must submit comments by June 30, 2008.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 08-1024. Filed for public inspection May 30, 2008, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

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

[Addendum]

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368 (relating to speed timing devices), published at 38 Pa.B. 2123 (May 3, 2008) a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

Addendum

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

Appointed, under 75 Pa.C.S. § 3368(d), for nonradar devices, which measure elapsed time between measured road surface points by using two sensors, for stopwatch testing, and for nonradar devices which calculate average speed between any two points:

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91). The station numbers are EL21, EM21 and W64.

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

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 38 Pa.B. 2123 (May 3, 2008).

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 08-1025. Filed for public inspection May 30, 2008, 9:00 a.m.]

Meetings Scheduled

State Transportation Commission's Scheduled Meeting

The next quarterly business meeting of the State Transportation Commission (STC) will be held on August 7, 2008, in Towanda, PA. For more information, contact the Office of the STC at (717) 787-2913 or by means of email at nritchie@state.pa.us.

State Transportation Advisory Committee's Scheduled Meeting

The next scheduled meeting of the State Transportation Advisory Committee will be held on July 10, 2008, on the

8th Floor of the Commonwealth Keystone Building, Harrisburg, PA. For more information, contact the Office of the STC at (717) 787-2913 or by means of email at nritchie@state.pa.us.

Aviation Advisory Committee's Scheduled Meeting

The next scheduled meeting of the Aviation Advisory Committee (AAC) will be held on June 4, 2008, on the 8th Floor of the Commonwealth Keystone Building, Harrisburg, PA. For more information, contact the Executive Secretary of AAC at (717) 705-1494 or by means of email at sgulick@state.pa.us.

Pedalcycle and Pedestrian Advisory Committee's Scheduled Meeting

The next scheduled meeting of the Pedalcycle and Pedestrian Advisory Committee (PPAC) will be held on June 5, 2008, in Room 125C of the Commonwealth Keystone Building, Harrisburg, PA. For more information, contact Executive Secretary of PPAC at (717) 783-8444 or by means of email at dbachman@state.pa.us.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 08-1026. Filed for public inspection May 30, 2008, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Christopher C. Kinsella, Jr. v. DEP and Posh Properties, Permittee; EHB Doc. No. 2008-147-C

Christopher C. Kinsella, Jr. has appealed the issuance by the Department of Environmental Protection of the NPDES permit to Posh Properties for stormwater discharges associated with construction activities in Salisbury Township, Lehigh 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.

THOMAS W. RENWAND,
Acting Chairperson

[Pa.B. Doc. No. 08-1027. Filed for public inspection May 30, 2008, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on June 10, 2008, at 9:45 a.m. in Room 125C, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to participate should contact Helena Johnson at (717) 783-2698 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the agency can accommodate their needs. Persons with questions or comments should contact the Bureau for Historic Preservation at (717) 783-8946.

1. Woman's Medical College of Pennsylvania, 3300 Henry Avenue, Philadelphia, 054170.
2. Nakashima House & Studio, 1847—1858 Aquetong Road, Solebury Township, Bucks County, 144165.
3. Farrell Elementary School, 1020 Spearman Avenue, Farrell, Venango County, 110198.
4. General Wayne Hotel, 138 East Main Street, Menno Township, Mifflin County, 110198.
5. Hornby School, Station Road, Greenfield Township, Erie County, 094120.
6. Thomas Brothers Store, 4 South Main Street, Biglerville, Adams County, 143997.
7. Century Building, 130 7th Street, Pittsburgh, Allegheny County, 005083.

8. Amalgamated Center, 2101—2143 South Street, Philadelphia, Philadelphia County, 144039.

9. Keefe-Mumbower Mill, Upper Gwynedd Township, Montgomery County, 087190.

BARBARA FRANCO,
Executive Director

[Pa.B. Doc. No. 08-1028. Filed for public inspection May 30, 2008, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments 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. § 645.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
57-257	Pennsylvania Public Utility Commission Universal Services and Energy Conservation Reporting Requirements and Customer Assistance Programs 38 Pa.B. 776 (February 9, 2008)	4/18/08	5/19/08

Pennsylvania Public Utility Commission Regulation #57-257 (IRRC #2674)

Universal Services and Energy Conservation Reporting Requirements and Customer Assistance Programs

May 19, 2008

We submit for your consideration the following comments on the proposed rulemaking published in the February 9, 2008 *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 Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

1. General Issues—Fiscal impact; Consistency with statute and other administrative documents; Implementation procedures; Clarity.

The proposed regulation amends two existing chapters and creates a new chapter. This first portion of our

comments relates to general issues. Following this first portion, our comments will focus on specific provisions within the proposed regulation. Comments on two or more similar provisions from different chapters are combined under the same heading that identifies in bold type the specific sections of the proposed regulation that are being reviewed.

Residential customers, fiscal impact and cost recovery

Several provisions of the proposed regulation establish that the costs of universal service and energy conservation programs will be recovered by distribution companies from only their residential ratepayers. See §§ 54.71, 54.74(a)(5), 54.74(b)(4)(iv), 62.1, 62.4(a)(5), 62.4(b)(4)(iv), and 76.4(1). In particular, three subsections specifically state that the surcharge is “applicable only to residential customers” and “costs shall be recoverable only from residential customers.” See §§ 54.74(b)(4)(iv), 62.4(b)(4)(iv) and 76.4(1).

Although some commentators supported this new language in the proposed regulation, others questioned incorporating this policy into a regulation.

The Public Utility Code (Code) indicates that “programs for low-income assistance, energy conservation” are “public purpose costs” and adds:

... The public purpose is to be promoted by continuing universal service and energy conservation policies, protections and services, and full recovery of such costs is to be permitted through a nonbypassable rate mechanism.

66 Pa.C.S. § 2802(17). The question arises as to why non-residential customers will be allowed to “bypass” paying their share of the costs for this “public purpose.”

Another section of the Code states that these programs will be funded “by nonbypassable, *competitively neutral* cost-recovery mechanisms that fully recover the costs of universal service and energy conservation services.” (Emphasis added.) 66 Pa.C.S. § 2804(9). The PUC needs to explain how these mechanisms are “competitively neutral” if whole classes of ratepayers are exempt.

Commentators expressed concerns with the fiscal impact of the regulation on residential ratepayers. As energy costs continue to rise and rate caps for residential services expire, household energy costs will escalate substantially. At the same time, the costs of programs established by this regulation are rising. In its comments dated April 18, 2008, the Energy Association of Pennsylvania asserts that these costs increased by over 249 percent from 2000 to 2005.

The PUC needs to fully review the potential fiscal impact of these programs on residential ratepayers. If the final-form regulation places the program costs solely on residential ratepayers, the PUC will need to provide a thorough analysis and explanation of the fiscal impact of this policy, including: 1) the average cost per household; 2) the justifications for applying this cost to residential ratepayers only; 3) the impact of increasing energy and program costs on residential ratepayers’ ability to pay; and 4) the future ability of residential ratepayers to bear the costs of the program after rate caps expire.

Status of Statement of Policy

Several commentators have suggested that various provisions in the proposed regulation conflict with the PUC’s existing policy statement concerning this program. See 52 Pa. Code Chapter 69. The existence of two conflicting documents concerning the same subject matter can result in unnecessary confusion. In order to improve clarity, the PUC needs to address and eliminate conflicts between the policy statement and final-form regulation.

2. Sections 54.72, 62.2 and 76.2—Definitions.—Implementation procedures; Clarity.

Confirmed low income residential account

The definition for “confirmed low income residential account”, in Sections 54.72 and 62.2, indicates that one of the factors that can be used to designate a customer as “low-income” is “self-certification by the customer.” Several commentators expressed concern that this designation may be subject to fraud and is an unreliable means of verifying income. The final-form regulation should explain the need for this designation and establish methods for verification of income levels. If the term “self-certification” is retained in the final-form regulation, the criteria and procedures for “self-certification” and verification should be delineated in the substantive provisions of the regulation relating to eligibility.

Customer assistance program (CAP)

These sections provide a definition for “customer assistance program.” However, this term is already defined by statute. 66 Pa.C.S. § 1403. To improve clarity, the final-form regulation should include a cross-reference to this statutory provision rather than include a definition.

We note that the statutory definition does not include the phrase “payment troubled.” If the PUC intends to include “payment troubled” as a condition for CAP eligibility, then this requirement should be addressed in the substantive provisions of the regulation.

For example, Subsections 54.74(b)(1)(ix) and 62.4(b)(1)(ix) require plans to describe outreach and intake efforts for “low income customers with arrears.” In addition, Sections 54.74(b)(2)(i) and 62.4(b)(2)(i) require that tariff filings include rules for “program eligibility.” These subsections could be amended in the final-form regulation to address CAP eligibility for “payment troubled low income customers.” A list of “eligibility criteria” for CAP customers was published in a notice of proposed changes to the policy statement in the *Pennsylvania Bulletin* on November 10, 2007 (37 Pa.B. 6028). If the PUC intends these eligibility criteria to be binding on distribution companies and CAP customers, then the provisions should be incorporated into the final-form regulation.

EDC—Electric distribution company

Chapter 62 references the statutory definition for the term “NGDC—Natural gas distribution company.” Statutory references are also used for the definitions of “universal service and energy conservation” in both Chapters 54 and 62. Chapter 54 should reference the statutory definition for “electric distribution company” found in 66 Pa.C.S. § 2803.

Hardship funds

Commentators have suggested the addition of a definition for “hardship funds” in the regulation, as this term is used in Section 54.75(2)(ii)(D). The final-form regulation should define this term.

LIHEAP—Low Income Home Energy Assistance Program

Unlike the definition for “LIURP” (Low Income Usage Reduction Program), the definition for “LIHEAP” does not include a reference to the state regulations for this program. The final-form regulation should include in the definition a cross-reference to 55 Pa. Code Chapter 601.

LIHEAP grants

The term “LIHEAP grants” is used in the regulation, in Sections 54.74(b)(2)(iv) and 62.4(b)(2)(iv), but it is not defined. To improve clarity, the final-form regulation should define this term.

Substantive provisions

Some commentators encouraged the PUC to add substantive provisions to definitions in this section. If the PUC opts to add substantive provisions recommended by commentators, those substantive requirements should be placed in the appropriate sections of the body of the regulation, not in the definitions section.

3. Sections 54.74 and 62.4—Review of universal service and energy conservation plans, funding and cost recovery.—Implementation procedures.

These sections provide information concerning the submittal of universal service and energy conservation plans by distribution companies. However, the regulation does not provide deadlines for review by the PUC. The final-

form regulation should specify an amount of time for the PUC to review NGDCs and EDCs plans. In addition, the final-form regulation should include provisions that the public will be provided adequate notice of these tariff filings, similar to what is currently provided in Section 53.31 of the PUC's existing regulations.

Subsection (a)(4) states that an EDC or NGDC shall "consult with the BCS [PUC Bureau of Consumer Services] for advice regarding the design and implementation of its plan at least 30 days prior to submission of the plan to the Commission [PUC] for approval." It is our understanding that the intent of this provision is to give BCS an opportunity to review a distribution company's plan. If this is the case, then the provision should state that a distribution company must submit its plan to BCS for review. It could also state that the BCS will be given 30 days to review the plan. This clarification should be made in the final-form regulation.

Subsection (b) establishes requirements for the contents of tariff filings for a utility's universal service and energy conservation plans. The final-form regulation should also include public notice requirements concerning these tariff filings.

The language in Subsection (b)(1)(viii) is confusing. There are references to the "approved plan" and a comparison with its actual implementation. Is the PUC asking for information about the implementation of a previously approved plan? This needs to be explained or deleted from the final-form regulation.

4. Sections 54.75 and 62.5—Annual residential collection and universal service and energy conservation program reporting requirements.—Clarity.

The term "source of intake" in Subsection 54.75(2)(i)(D) is unclear. It should be explained or defined in the final-form regulation. In addition, the first paragraph of Section 62.5 is labeled as Subsection (a). This is unnecessary since there is no Subsection (b).

5. Sections 54.76 and 62.6—Evaluation reporting requirements.—Clarity.

Subsection (a) indicates that both EDCs and NGDCs shall conduct impact evaluations of their programs *after "conferring" with BCS*. (Emphasis added.) Based on the language in these sections, however, it is unclear what is involved with this process. The final-form regulation should clarify whether the PUC intends for BCS to approve the selection of the independent third-party to conduct an impact evaluation, or if it is the role of BCS simply to provide a list of evaluators that should receive a request for proposal.

6. Section 76.1. Purpose.—Clarity.

This section references "compliance with statutory requirements" but it does not list the statutory requirements. The final-form regulation should include a cross-reference to specific statutory provisions.

7. Section 76.3. Approval process.—Implementation procedures; Clarity.

Subsection (b) refers to an "immediate temporary modification" of an existing CAP plan. This term is vague and should be clarified in the final-form regulation.

8. Section 76.4. Recovery of costs of customer assistance programs.—Implementation procedures; Clarity.

Paragraph (2) indicates that: "the following CAP costs are eligible for recovery, if *prudently incurred* and reasonable in amount." (Emphasis added). The final-form regulation should specify how the determination is made that costs are "prudently incurred."

In addition, in Section 76.4(4), the final-form regulation should clarify how the PUC would determine the "timeliness of a distribution company's collection activities."

9. Section 76.5. Default provisions for failure to comply with program rules.—Implementation procedures.

Several commentators have expressed concern that dismissal from CAP is not an appropriate option for violations of the CAP program, including failure to pay. Has the PUC considered the feasibility of applying other alternatives before dismissing a customer from CAP?

In addition, several commentators have questioned why, as mentioned in subsection (a)(1), failure to apply for LIHEAP is a factor for consideration when determining lack of compliance with the CAP program. What happens when LIHEAP assistance is terminated due to lack of funding? The PUC should review the impact of including this factor in the final-form regulation.

In subsection (a)(5), what is the definition of "usage reduction services"? Could there be instances where a customer is prohibited from accepting usage reduction services due to lease restrictions?

10. Section 76.6. Restoration of service after termination for nonpayment of CAP bills.—Possible conflict with statute.

This section would apply 66 Pa.C.S. § 1407 and applicable PUC regulations and orders to restoration of service when a CAP customer's service is terminated. A commentator stated that this would be in direct conflict with 66 Pa.C.S. § 1405(c). The PUC should amend the final-form regulation to alleviate any conflict with the statute.

11. Miscellaneous Clarity.

In certain provisions of Chapters 54, 62 and 76, there is new language which indicates that conditions or situations will be governed by, or consistent with, "applicable Commission [PUC] regulations and orders" or "the code, applicable Commission [PUC] regulations, orders and other applicable law." See Sections 54.74(b)(1), (b)(2), and 62.4(b)(1), (b)(2), and 76.6. These provisions do not reference specific regulations or statutes.

In contrast, Sections 56.74(a)(3) and 62.4(a)(3) include this sentence: "The filing must conform to *applicable* regulations in Chapters 53 and 76. . . ." (Emphasis added.) This is helpful since the sentence references the applicable chapters. The other provisions that refer broadly to other applicable regulations or applicable laws should also reference specific titles, chapters or sections of existing regulations and statutes.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 08-1029. Filed for public inspection May 30, 2008, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 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, the Commission will provide a copy.

This schedule is tentative. Contact the Commission at (717) 783-5417 or check our web site at www.irrc.state.pa.us for updates.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Tolled</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
6-306	State Board of Education Special Education Services and Programs	5/15/08	5/15/08	6/5/08
<i>Reg. No.</i>	<i>Agency/Title</i>		<i>Received</i>	<i>Public Meeting</i>
125-81	Pennsylvania Gaming Control Board Slot Machine Licensing		5/15/08	6/19/08
7-414	Environmental Quality Board Coal Mines		5/15/08	6/19/08
7-410	Environmental Quality Board Stream Redesignations, Big Brook, and others		5/15/08	6/19/08
7-400	Environmental Quality Board Mine Opening Blasting		5/15/08	6/19/08
6-308	Department of Education Charter School and Cyber Charter School Services and Programs for Children with Disabilities		5/16/08	6/19/08

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 08-1030. Filed for public inspection May 30, 2008, 9:00 a.m.]

INSURANCE DEPARTMENT

Commerce and Industry Insurance Company; Prehearing

Appeal of Commerce and Industry Insurance Company under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM08-05-008

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before June 5, 2008, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's April 7, 2008, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 26, 2008, at 10:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 1, 2008. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 12, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before June 19, 2008.

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, contact Joel Cortes, Human Resources Analyst at (717) 783-2168.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-1031. Filed for public inspection May 30, 2008, 9:00 a.m.]

Marvin Loev, M. D.; Prehearing

Appeal of Marvin Loev, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-10-005

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to

General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before June 16, 2008, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A hearing shall occur on July 29, 2008, at 10 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

On or before July 15, 2008, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party's case. Contemporaneously with service of the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 27, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before July 7, 2008.

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, contact Joel Cortes, Human Resources Analyst at (717) 783-2168.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-1032. Filed for public inspection May 30, 2008, 9:00 a.m.]

Appeal of Joseph and Jennifer Grady; file no. 08-214-51574; Erie Insurance Exchange; doc. no. PH08-05-019; July 24, 2008, 10:30 a.m.

Appeal of Tyrone and Barbara Phillips; file no. 08-217-52070; Erie Insurance Exchange; doc. no. PH08-05-018; June 18, 2008, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joel Cortes, Human Resources Analyst at (717) 783-2168.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-1033. Filed for public inspection May 30, 2008, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Bucks County, Wine & Spirits Store #0924, Route 132, Street Road and Route 263, York Road, Warminster, PA.

Lease Expiration Date: April 30, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 8,000 net useable square feet of new or existing retail commercial space in a 1 mile radius of intersection of Route 132, Street Road and Route 263, York Road, Warminster, PA.

Proposals Due: June 13, 2008, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: Robert Jolly, (215) 482-9670
 PATRICK J. STAPLETON, III,
Chairperson

[Pa.B. Doc. No. 08-1034. Filed for public inspection May 30, 2008, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, announces a meeting of the Authority's Board on Tuesday, June 10, 2008, 10:30 a.m. to be held at the Wildwood Conference Center, Harrisburg Area Community College, One HAAC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,
Executive Director

[Pa.B. Doc. No. 08-1035. Filed for public inspection May 30, 2008, 9:00 a.m.]

Reporting Requirements for Nursing Homes under The Health Care-Associated Infection and Prevention Control Act

Purpose

The purpose of this announcement is to give nursing home facilities notice of their reporting requirements to the Patient Safety Authority (Authority) and the Department of Health (Department) under the Health Care-Associated Infection and Prevention Control Act (Act 52 of 2007). The reporting requirements presented in this notice were developed in consultation with the Department and the Authority's Health Care-Associated Infection (HAI) Advisory Panel.

Reporting Requirements for Nursing Homes

In addition to reporting under the Health Care Facilities Act 1979 (Pub. L. 130, No. 48), Act 52 requires that nursing homes electronically report patient-specific health care-associated infections to the Authority and the Department using nationally recognized standards based on Centers for Disease Control and Prevention (CDC) definitions.

Method of Reporting HAIs

The timelines and format for reporting HAIs is being established and will be published in a future notice. However, the Authority does not expect that Nursing Homes will begin reporting before the end of 2008. A list of reportable infections is presented at the end of this notice as Exhibit A. The criteria for determining HAIs

were developed utilizing the definitions for infection surveillance in long-term care by McGeer A, Campbell B, Emori TG, and others (McGeer Criteria) together with modified CDC definitions for long-term care. The criteria are presented at the end of this notice as Exhibit B.

Serious Event Reporting

The occurrence of an HAI in nursing homes, defined as per criteria in Exhibit B is deemed to constitute a Serious Event as defined by the MCARE Act (Act 13), § 302. If an infection meets the criteria for reporting, that infection shall be reported to the Authority as a Serious Event as required by Act 13 and Act 52, subject to the additional requirements as described in this notice.

Health care-associated infections reported to the Authority are subject to the same patient notification requirements set forth by Act 13 for all Serious Events. Under Act 13, all Serious Events require that the healthcare facility notify the patient or their legal representative in writing that a Serious Event has occurred; this written notification must occur within 7 calendar days. For purposes of meeting the 24-hour reporting requirement for Serious Events set forth by Act 13, nursing homes must submit reports of HAIs to the Authority within 24 hours of their confirmation (surveillance completed and infection confirmed according to the criteria by a staff member responsible for infection control). If confirmation of an HAI occurs over a weekend or State government holiday, reports must be submitted by 5 p.m. on the next work day.

Public Comment Period

For 30 calendar days from the date of this publication, the Authority is accepting public comment about the uniform reporting requirements established jointly by the Authority and the Department of Health under Chapter 4—HAI of the MCARE (40 P. S. § 1303.401 et. seq.), (2007).

Submit comments electronically by means of e-mail to the Patient Safety Authority at patientsafetyauthority@state.pa.us.

The Authority will review comments received and publish an additional Notice in the *Pennsylvania Bulletin*. This notice may include updates or changes, based on public comments, to the reporting requirements.

Persons with a disability who require an alternative format of this notice (for example large print, audio tape or Braille) should contact the PA-PSRS help desk at (866) 316-1070.

Exhibit A. List of Reportable HAIs

1. Symptomatic Urinary Tract Infection

- 1.1 Indwelling urinary catheter related
- 1.2 Nonurinary catheter related

2. Respiratory Tract Infection

- 2.1 Pneumonia
- 2.2 Influenza-like illness (ILI)
- 2.3 Sinusitis
- 2.4 Bronchitis/tracheobronchitis

3. Skin and Soft Tissue Infection

- 3.1 Cellulitis
- 3.2 Burns
- 3.3 Vascular and diabetic ulcer (chronic/non healing)
- 3.4 Device-associated soft tissue/wound infection for example:

- Tracheostomy site
- Peripheral/Central IV catheter site

- G-tube site
- Supra pubic catheter site
- In-dwelling drain

4. Decubitus ulcer (pressure related) Infection

5. Gastrointestinal Tract Infection

- 5.1 Bacterial (such as, *Campylobacter*, *Salmonella* species, *Shigella*)
- 5.2 Viral-like (such as, norovirus, rotavirus)
- 5.3 *Clostridium difficile* (*C.difficile*/*C.diff*)
- 5.4 Other nonviral/nonbacterial (such as, Amebiasis, Giardiasis, *Cryptococcus*)

6. Intra-abdominal infection

- 6.1 Peritonitis/deep abscess

7. Conjunctivitis

8. Mouth and perioral infection

9. Meningitis

10. Viral Hepatitis

11. Osteomyelitis

12. Primary Bloodstream Infection

Exhibit B. Criteria for Defining HAIs in Long-Term Care

The Centers for Disease Control and Prevention (CDC) definitions for health care-associated infections (HAIs) are generally not applicable to nursing homes.

In 1991, McGeer et al developed a set of definitions for determining HAIs in long-term care. The criteria were developed by modifying the CDC definitions and taking into consideration the difference in population, services and resources.

The criteria set forth below have been developed in accordance with the requirements of Act 52, using McGeer criteria and further modification of the CDC—based criteria.

Key Points in Defining Infections in the Elderly

- The CDC defines an HAI as a localized or systemic condition that was not present or incubating upon admission to a facility.
- All signs and symptoms of an infection must be acute, new or rapidly worsening.
- Noninfectious causes should always be considered before defining an infection.
- A change in mental or functional status is often indicative of a developing infection.
- Physician diagnosis plays a significant role in defining certain infections particularly where laboratory and radiology resources would be preferable but are limited.
- Antimicrobial treatment alone is not indicative of an HAI.
- In the elderly population, a fever is defined as: an oral or equivalent temperature* of 100.4° F (38° C) or an increase of 2° F (1.1° C) over baseline.

***Note:** Discussion concerning the definition of temperature readings by means of alternative monitoring routes (such as, tympanic and axillary) has ensued. As there is lack of standardization of readings for these alternative routes, we invite comments addressing this issue.

Symptomatic urinary tract infection

Resident with Urinary Catheter

Two or more of the following with no other recognized cause:

- Fever and/or chills with no other source.
- Flank or suprapubic pain or tenderness (self-described or identified upon examination).
- Gross hematuria or change in character of urine.
- Change in mental and/or functional status from daily baseline.

Resident without Urinary Catheter

Three or more of the following:

- Fever and/or chills.
- New burning pain on urinating (dysuria), frequency or urgency.
- Flank or suprapubic pain or tenderness (self described or identified upon examination).
- Gross hematuria or change in character of urine.
- Change in mental and/or functional (including incontinence) status from daily baseline.

Note: If an appropriately collected and processed urine culture was taken and the resident was not receiving antibiotics at the time, then the culture must be positive IN the presence of defined signs and symptoms.

Respiratory Tract Infection

Pneumonia

Interpretation by a physician of a chest x-ray as demonstrating pneumonia, or probable pneumonia in the presence of an infiltrate and/or consolidation.

and

Three or more of the following:

- Fever with no other cause.
- New or increased cough.
- New or increased sputum production.
- Pleuritic chest pain.
- Rhonchi, rales, wheezes and/or bronchial breathing.
- New and/or increased shortness of breath and/or tachypnea (normal respiratory rate = 16—25 breaths/min).
- Change in mental and/or functional status from baseline in the presence of symptoms.

Note: Congestive heart failure and other noninfectious causes of similar signs and symptoms should be ruled out.

Influenza-Like Illness (ILI)

Fever

and

Three or more of the following during Influenza season (October 1 to April 30):

- Chills.
- Headache or eye pain.
- Malaise or loss of appetite.
- Sore throat.

- Dry cough.
- Myalgias.

Sinusitis

Physician diagnosis of sinusitis

and

Two or more of the following:

- Fever with no other recognized cause.
- Pain or tenderness over the sinuses.
- Headache.
- Purulent exudate or nasal obstruction.

Bronchitis/Tracheobronchitis

Symptoms must be acute and either NO chest X-ray or X-ray does NOT meet the criteria for Pneumonia

Three or more of the following:

- Fever.
- New or increased cough.
- New or increased sputum production.
- Pleuritic chest pain.
- Rhonchi, rales, wheezes and/or bronchial breathing.
- New and/or increased shortness of breath.
- Tachypnea (> breaths/min—normal respiratory rate = 16–25 breaths/min).
- Change in mental and functional status from baseline in the presence of symptoms.

Skin and Soft Tissue Infection**Cellulitis, IV Site, Burns, Vascular/diabetic Ulcer, device associated**

Purulent drainage, pustules or vesicles at wound, skin, or soft tissue site

or

Four or more of the following signs and symptoms:

- Fever with no other recognized cause.
- Heat.
- Redness.
- Swelling.
- Pain or tenderness.
- Serous drainage.

Decubitus Ulcer (pressure related) Infection

Resident has at least two of the following signs and symptoms with no other recognized cause:

- Redness.
- Tenderness.
- Swelling of decubitus wound edges.

and

At least one of the following:

- Organisms cultured from properly collected fluid or tissue (see note to follow).
- Organisms cultured from blood (no other recognized cause).

Note: Purulent drainage alone is not sufficient evidence of an infection. Surface organisms cultured from the decubitus ulcer are not sufficient evidence of an

infection. Needle aspiration of fluid or a biopsy of the tissue from the ulcer margin is required.

Gastrointestinal Tract Infection

Symptoms for Viral and Bacterial Infections to include:

One or more of the following signs and symptoms

- Two or more loose or watery stools above what is normal for the resident in a 24 hour period
- Two or more episodes of vomiting within a 24 hour period
- Laboratory confirmed enteric pathogen from stool WITH a compatible clinical syndrome.
- Stool toxin assay (C.difficile).
- Single IgM or fourfold increase in IgG for pathogen in paired sera.

Note: These criteria must include NO evidence of a noninfectious cause: such as, DIARRHEA: laxatives, change in tube feeding or medication; VOMITING: change in medication, other G.I. diseases such as peptic ulcer disease.

CDC defines a C.difficile laboratory confirmed infection as health-care acquired if it presents > 3 days after admission (that is, on or after day 4).

Intra-abdominal Infection**Peritonitis/Deep Abscess**

Two or more of the following with no other recognized cause:

- Fever
- Nausea
- Vomiting
- Abdominal pain
- Jaundice

and

One of the following:

- Organism(s) cultured from drainage from surgically placed drain or tube.
- Radiographic evidence of infection.
- Physician diagnosis of an intra-abdominal infection.

Conjunctivitis

New pain, itching or redness of conjunctiva

and

Purulent exudate from one or both eyes for \geq 24 hours

Note: Allergies and foreign body trauma should be ruled out.

Mouth and Perioral Infection

Physician or Dentist diagnosis and treatment of infection

and

One or more of the following with no other recognized cause:

- Abscess
- Ulceration
- Raised white patches on inflamed mucosa
- Plaque on oral mucosa

Meningitis

Physician diagnosis of Meningitis

and

Three or more of the following with no other recognized cause:

- Fever
- Headache
- Stiff neck
- Meningeal signs as determined by a physician
- Cranial nerve signs as determined by a physician
- Irritability

Viral Hepatitis

Positive antigen or antibody test for Hepatitis A, B, C or delta antigen

and

Two or more of the following with no other recognized cause:

- Fever
- Anorexia
- Nausea
- Vomiting
- Abdominal pain
- Jaundice
- History of transfusion within the previous 3 months

Osteomyelitis

Two or more of the following with no other recognized cause:

- Fever
- Localized swelling
- Tenderness at suspected site of bone infection
- Heat at suspected site of bone infection
- Drainage at suspected site of bone infection

and

Either

• Organism cultured from blood with no other recognized cause

or

- Physician diagnosis of Osteomyelitis

Primary Bloodstream Infection

Two or more blood cultures drawn on separate occasions documented with a common skin contaminant (such as, diphtheroids, *Bacillus* sp., *Propionibacterium* sp., coagulase-negative staphylococci, or micrococci).

or

A single blood culture documented with a pathogenic organism (noncontaminant)

and

One of the following:

- Fever or new hypothermia
- Drop in systolic blood pressure of > 30 mm Hg over baseline
- Change in mental or functional status

Note: Organism in blood culture is not related to infection at another site (secondary bacteremia).

MICHAEL C. DOERING,
Executive Director

[Pa.B. Doc. No. 08-1036. Filed for public inspection May 30, 2008, 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 June 16, 2008. 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.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2008-2038712. Joseph Webb Young, t/a Young Transportation & Hauling (1427 Greenburr Gap Road, Loganton, Clinton County, PA 17747)—persons, in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Clinton, to points in Pennsylvania and return.

A-2008-2038716. Kent Development, Inc., t/a Racing Limos of Philadelphia (649 South Avenue, Suite 4, Secane, Delaware County, PA 19018), a corporation of the Commonwealth—persons, in limousine service, from points in the Counties of Delaware, Bucks, Montgomery, Chester and Lancaster, to points in Pennsylvania, and return; excluding service which is under the jurisdiction of the Philadelphia Parking Authority.

A-2008-2040849. John A. King (172 North New Holland Road, Gordonville, Lancaster County, PA 17529)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2008-2040868. Everette Silvester Grant, t/a Door to Door Cab Service (8838 Blackbird Drive, Tobyhanna, Monroe County, PA 18466)—persons, upon call or demand, in the County of Monroe.

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 each application.*

A-2008-2038788. Frontier Transit, Inc. (380 Red Lion Road, Suite 202A, Huntingdon Valley, Montgomery

County, PA 19006), a corporation of the Commonwealth—for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, which is to be a transfer of all of the operating rights under the certificate issued at A-00112108, F. 3, to C.A.T.S. Enterprises, Inc., subject to the same limitations and conditions. *Attorney:* David P. Temple, Esquire, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

Application of the following for approval to begin operating as contract carriers for transportation of persons as described under each application.

A-2008-2036035. North Connections Logistics, Inc. (4107-08 Sylon Boulevard, Hainesport, NJ 08036), a corporation of the State of Delaware—contract carrier—persons, for CSX Transportation, between points in Pennsylvania.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 08-1037. Filed for public inspection May 30, 2008, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) will hold a public hearing as part of its regular business meeting beginning at 8:30 a.m. on June 12, 2008, at the Holiday Inn Elmira-Riverview, 760 E. Water Street, Elmira, NY. At the public hearing, the Commission will consider: 1) approval of certain water resources projects, including one enforcement action; 2) consideration of a request to reopen Docket No. 20020819, Mountainview Thoroughbred Racing Association, Inc.; and 3) a request for a hearing on an administrative appeal regarding Docket No. 20080305, Mountainview Thoroughbred Racing Association, Inc. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, sxt. 306, fax (717) 238-2436, rcairo@srbc.net or Deborah J. Dickey, Secretary to the Commission, (717) 238-0423, ext. 301, fax (717) 238-2436, dddickey@srbc.net.

Supplementary Information

In addition to the public hearing and its related action items identified below, the business meeting also includes the following items on the agenda: 1) a special infrastructure presentation by Sandra Allen of the NY Department of Environmental Conservation; 2) a report on the present hydrologic conditions of the basin; 3) approval of a proposal to increase the Commission's consumptive use mitigation fee; 4) a recommendation to rescind certain Commission policies; 5) approval of an FY-10 Budget; 6) approval of various grants and contracts; and 7) election of a new Chairman and Vice-Chairman to serve in the next fiscal year. The Commission will also hear a Legal Counsel's report and an update on recent activities in our regulatory program.

Public Hearing—Projects Scheduled for Action

1. Project Sponsor and Facility: Fortuna Energy Inc. (Catatunk Creek), Town of Spencer, Tioga County, NY.

Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

2. Project Sponsor and Facility: East Resources, Inc. (Chemung River), Town of Big Flats, Chemung County, NY. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

3. Project Sponsor and Facility: Fortuna Energy, Inc. (Chemung River), Chemung Town, Chemung County, NY. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

4. Project Sponsor and Facility: East Resources, Inc. (Seely Creek), Town of Southport, Chemung County, NY. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

5. Project Sponsor and Facility: East Resources, Inc. (Tioga River; at Tioga Junction), Lawrence Township, Tioga County, PA. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

6. Project Sponsor and Facility: East Resources, Inc. (Crooked Creek; near Middlebury Center), Middlebury Township, Tioga County, PA. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

7. Project Sponsor and Facility: Fortuna Energy, Inc. (Susquehanna River), Sheshequin Township, Bradford County, PA. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

8. Project Sponsor and Facility: East Resources, Inc. (Tioga River; near Mansfield), Richmond Township, Tioga County, PA. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

9. Project Sponsor and Facility: Fortuna Energy, Inc. (Sugar Creek), West Burlington Township, Bradford County, PA. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

10. Project Sponsor and Facility: Fortuna Energy, Inc. (Towanda Creek), Franklin Township, Bradford County, PA. Applications for consumptive water use of up to 0.250 mgd and surface water withdrawal of up to 0.250 mgd.

11. Project Sponsor and Facility: Neptune Industries, Inc. (Lackawanna River), Borough of Archbald, Lackawanna County, PA. Application for surface water withdrawal of up to 0.499 mgd.

12. Project Sponsor and Facility: Keystone Landfill, Inc., Dunmore Borough, Lackawanna County, PA. Applications for consumptive water use of up to 0.100 mgd and groundwater withdrawal of 0.020 mgd from Well 1, 0.010 mgd from Well 2, and 0.020 mgd from Well 3, and settlement of an outstanding compliance matter.

13. Project Sponsor: United States Gypsum Company. Project Facility: Washingtonville Plant (Well W-A8), Derry Township, Montour County, PA. Application for groundwater withdrawal of 0.350 mgd.

14. Project Sponsor: Kratzer Run Development, LLC. Project Facility: Eagles Ridge Golf Club (formerly Grandview Golf Course/Susquehanna Recreation Corporation), Ferguson Township, Clearfield County, PA. Applications for consumptive water use of up to 0.099 mgd and surface water withdrawal of up to 0.099 mgd.

15. Project Sponsor and Facility: Commonwealth Environmental Systems, LP, Foster, Frailey and Reily Townships, Schuylkill County, PA. Modification of consumptive water use and groundwater approval (Docket No. 20070304).

16. Project Sponsor and Facility: Lykens Valley Golf Course (formerly Harrisburg North Golf Course), Upper Paxton Township, Dauphin County, PA. Applications for consumptive water use of up to 0.200 mgd and surface water withdrawal of up to 0.200 mgd.

17. Project Sponsor and Facility: Spring Creek Golf Course (Spring Creek), Derry Township, Dauphin County, PA. Applications for consumptive water use of up to 0.081 mgd and surface water withdrawal of up to 0.081 mgd.

18. Project Sponsor: Pennsy Supply, Inc. Project Facility: Hummelstown Quarry, South Hanover Township, Dauphin County, PA. Application for surface water withdrawal of up to 29.925 mgd.

19. Project Sponsor: Titanium Hearth Technologies, Inc. Project Facility: TIMET North American Operations, Caernarvon Township, Berks County, PA. Application for consumptive water use of up to 0.133 mgd, and settlement of an outstanding compliance matter.

20. Project Sponsor and Facility: Conestoga Country Club (Well 1), Manor and Lancaster Townships, Lancaster County, PA. Application for groundwater withdrawal of 0.281 mgd.

21. Project Sponsor and Facility: Rock Springs Generation Facility, Rising Sun, Cecil County, MD. Modification of surface water withdrawal, groundwater withdrawal, and consumptive water use approval (Docket No. 20001203).

Public Hearing—Project Scheduled for Enforcement Action

1. Project Sponsor and Facility: Standing Stone Golf Club (Docket No. 20020612), Oneida Township, Huntingdon County, PA.

Public Hearing—Petition to Reopen Docket

1. Petition of East Hanover Township, et. al., Dauphin County, PA, to reopen Docket No. 20020819, Mountainview Thoroughbred Racing Association, Inc.

Public Hearing—Request for Hearing on Administrative Appeal

1. Request of East Hanover Township, et. al., Dauphin County, PA, for hearing on administrative appeal of Docket No. 20080305, Mountainview Thoroughbred Racing Association, Inc.

Opportunity to Appear and Comment

Interested parties may appear at the previous hearing to offer written or oral comments to the Commission on any matter on the hearing agenda, or at the business meeting to offer written or oral comments on other matters scheduled for consideration at the business meeting. The chair of the Commission reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing and business meeting. Written comments may also be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391, or submitted electronically to Richard A. Cairo, General Counsel, rcairo@srbc.net or Deborah J. Dickey, Secretary to the Commission, ddickey@srbc.net. Comments mailed or electronically submitted must be received prior to June 12, 2008, to be considered.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808. Dated: May 19, 2008.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 08-1038. Filed for public inspection May 30, 2008, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for a variety of construction products such as lumber, insulation, stair stringers, wall plates, and the like—necessary for the construction of a residential home. Bid documents can be obtained from Nancy Froeschle, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787 or froeschle@stevenscollege.edu until June 11, 2008.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 08-1039. Filed for public inspection May 30, 2008, 9:00 a.m.]

NOTICES

STATE ETHICS COMMISSION

Gaming Act List

The following list of positions (hereinafter Gaming Act List) represents a portion of the complete list that is being compiled by the State Ethics Commission (Commission) under section 1512(a.5) of the Pennsylvania Race Horse Development and Gaming Act (Gaming Act) (4 Pa.C.S. § 1512(a.5)). Section 1512(a.5) of the Gaming Act requires the Commission to publish a list of all State, county, municipal and other government positions that meet the definitions of “executive-level public employee” or “public official” as set forth in section 1512(b) of the Gaming Act.

The Gaming Act List is a work-in-progress. At this time, the Gaming Act List should not be considered a complete listing of positions meeting the aforesaid definitions.

Additionally, even after the Gaming Act List has been substantially completed, it will continue to be subject to change as positions are created, modified, or eliminated.

Key definitions:

Section 1512(b) of the Gaming Act defines the terms “executive-level public employee” and “public official” as follows:

Executive-level public employee—The term shall include the following:

- (1) Deputy Secretaries of the Commonwealth and the Governor’s office executive staff.
- (2) An employee of the Executive Branch with discretionary power which may affect or influence the outcome of a State agency’s action or decision and who is involved in the development of regulations or policies relating to a licensed entity or who is involved in other matters under this part. The term shall include an employee with law enforcement authority.
- (3) An employee of a county or municipality with discretionary powers which may affect or influence the outcome of the county’s or municipality’s action or decision and who is involved in the development of law, regulation or policy relating to a licensed entity or who is involved in other matters under this part. The term shall include an employee with law enforcement authority.
- (4) An employee of a department, agency, board, commission, authority or other governmental body not in-

cluded in paragraphs (1)—(3) with discretionary power which may affect or influence the outcome of the governmental body’s action or decision and who is involved in the development of regulation or policy relating to a licensed entity or who is involved in other matters under this part. The term shall include an employee with law enforcement authority.

Public official—The term shall include the following:

- (1) The Governor, Lieutenant Governor, a member of the Governor’s cabinet, Treasurer, Auditor General and Attorney General of the Commonwealth.
- (2) A member of the Senate or House of Representatives of the Commonwealth.
- (3) An individual elected or appointed to any office of a county or municipality that directly receives a distribution of revenue under this part.
- (4) An individual elected or appointed to a department, agency, board, commission, authority or other governmental body not included in paragraphs (1)—(3) that directly receives a distribution of revenue under this part.
- (5) An individual elected or appointed to a department, agency, board, commission, authority, county, municipality or other governmental body not included in paragraphs (1)—(3) with discretionary power which may influence or affect the outcome of an action or decision and who is involved in the development of regulation or policy relating to a licensed entity or who is involved in other matters under this part.

The term does not include a member of a school board or an individual who held an uncompensated office with a governmental body prior to January 1, 2006, and who no longer holds the office as of January 1, 2006. The term includes a member of an advisory board or commission which makes recommendations relating to a licensed facility. (4 Pa.C.S. § 1512(b))

Status as an executive-level public employee or public official:

Status as an executive-level public employee or public official has significance under various provisions of the Gaming Act, including but not limited to section 1512.

A person who is an executive-level public employee or public official as defined by the Gaming Act, or who is a member of such a person’s immediate family (spouse, minor child or unemancipated child), is subject to significant restrictions and may be subject to penalties as set forth in sections 1512(a), (a.1), (a.2), (a.3), and (a.4) of the Gaming Act.

JOHN J. CONTINO, Esq.,
Executive Director Chairperson

HOUSE OF REPRESENTATIVES	
Public Officials	Executive Level Public Employees
<p><i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in <u>other matters</u> under the Gaming Law.</i></p>	<p><i>A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity; OR is involved in <u>other matters</u> under the Gaming Law (including law enforcement)</i></p>

STATE REPRESENTATIVES

Executive Director, Majority Gaming Oversight Committee

Research Analyst, Majority Gaming Oversight Committee

Legislative Assistant, Majority Gaming Oversight Committee

Counsel, Republican Legal Department

Research Analyst, Republican Gaming Oversight Committee

PA STATE SENATE	
Public Officials	Executive Level Public Employees
<p><i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in <u>other matters</u> under the Gaming Law.</i></p>	<p><i>A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity; OR is involved in <u>other matters</u> under the Gaming Law (including law enforcement)</i></p>

STATE SENATORS

Counsel (Majority) for Senate Community, Economic Development and Recreation Committee

Executive Director (Majority) of Senate Community, Economic Development and Recreation Committee

Executive Director (Minority) of Senate Community, Economic Development and Recreation Committee

Attorney General	Establish gaming unit within Attorney General's Office to investigate and prosecute violations of the Gaming Act				
Public Officials:	<i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law.</i>				
Position	Organizational Unit	Position Number	ID of Related Obj	Job ID	Job Code
ATTORNEY GENERAL	AT Ex Off	237618	141000	3092500	3092500

Executive Level Public Employees:	<i>A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity; OR is involved in other matters under the Gaming Law (including law enforcement)</i>				
The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing					
Position	Organizational Unit	Position Number	ID of Related Obj	Job ID	Job Code
Chief Deputy Attorney General	AT Legal Review Section	00001346	147613	00993500	99350
Deputy Attorney General 3	AT Bcp Pittsburgh	00267493	145231	00993200	99320
Ex Dep Atty Gen	AT Crml Law Div	50939	146000	3092900	3092900
Chf Dep Atty Gen	AT Organized Crm Sect Norristown	197624	147613	993500	993500
First Dep Atty Gen	AT Ex Off	237934	141000	3092600	3092600
Spc Aqt 6 Oaq	AT Crml Invstgns	50263707	146050	997302	997302
Spc Aqt 5 Oaq	AT Crml Invstgns	50265686	146050	997301	997301
Spc Aqt 5 Oaq	AT Bur of Crml Invstgn	50273550	146100	997301	997301
Spc Aqt 3 Oaq	AT Gaming Enf N Huntingdon	50331745	147934	997200	997200
Spc Aqt 2 Oaq	AT Gaming Enf N Huntingdon	50331746	147934	997100	997100
Spc Aqt 2 Oaq	AT Gaming Enf Nrstn	50331747	147913	997100	997100
Spc Aqt 2 Oaq	AT Gaming Enf Nrstn	50331748	147913	997100	997100

<p style="text-align: center;">Auditor General</p>	
<p style="text-align: center;">Public Officials</p>	<p style="text-align: center;">Executive Level Public Employees</p>
<p><i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in <u>other matters</u> under the Gaming Law.</i></p>	<p><i>A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity; OR is involved in <u>other matters</u> under the Gaming Law (including law enforcement)</i></p>
<p style="text-align: center;">AUDITOR GENERAL</p>	<p>The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing</p>

State Ethics Commission

Publish a list of all State, County, municipal and other government positions that meet the definitions of "public official" or "executive -level public employee"; Manage financial disclosure provisions of the Ethics Act; issue advisory opinions on certain Gaming related issues.

Public Officials

Executive Level Public Employees

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity; **OR** is involved in other matters under the Gaming Law (including law enforcement)*

Commissioners

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

- Executive Director
- Deputy Executive Director/Director of Investigations
- Chief Counsel
- Assistant Counsels
- Director for Administration

<p>Independent Regulatory Review Commission</p>	<p>Reviews and approves all regulations relating to Gaming</p>
<p>Public Officials</p>	<p>Executive Level Public Employees</p>
<p>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in <u>other matters</u> under the Gaming Law.</p>	<p>A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commissoin, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity; OR is involved in <u>other matters</u> under the Gaming Law (including law enforcement)</p>
	<p>The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing</p>

Commission Members

Executive Director

Chief Counsel

Executive Director is the COO of IRRC who reports directly to the appointed Commissioners & is responsible for managing IRRC's day-to-day operations and advising Commissioners regarding their statutory responsibilities

Chief Counsel - appointed by the Commissioners and is not subject to the supervision of the Att. Gen. or the Gov. Gen. Counsel. Serves as legal advisor to the Commission

Deputy Chief Counsel

- Dir. of Reg. Review
- Dir. of Admin./Comp.
- Dir. of Outreach
- Assist. Counsel
- Regulatory Analysts

TREASURY	Enter into agreements with PGCB to effectuate sale of State gaming receipts to a CWOPA authority; transfer gaming funds to other funds as directed by the Gaming Act
Public Officials	Executive Level Public Employees
<i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in <u>other matters</u> under the Gaming Law.</i>	<i>A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity; OR is involved in <u>other matters</u> under the Gaming Law (including law enforcement)</i>
State Treasurer	The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

- Assistant Counsel
- Chief Economist
- Comptroller
- Deputy Chief Counsels
- Deputy State Treasurer for Administration
- Deputy State Treasurer for Audits and Investigations
- Deputy State Treasurer for Fiscal Operations
- Deputy State Treasurer for Investments and Banking
- Deputy State Treasurer/Chief Counsel
- Director of Banking
- Director of Communications
- Director of Internal Audits
- Director of Legislative Affairs
- Director of TABS (Treasury Automated Bookkeeping System)
- Director of the Bureau of Audits
- Director of the Bureau of Human Resources and Training
- Director of the Bureau of Information Technology
- Director of the Bureau of Unclaimed Property
- Director of Trading
- Executive Deputy State Treasurer
- Regional Directors
- Secretary of the Board of Finance & Revenue

PA Gaming Control Board	
Public Officials	Executive Level Public Employees
<i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in <u>other matters</u> under the Gaming Law.</i>	<i>A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity; OR is involved in <u>other matters</u> under the Gaming Law (including law enforcement)</i>
The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing	

BOARD MEMBERS

- Assistant Chief Counsels (II, III)
- Bd. Secy./Legislative Liaison
- Casino Enforcement Agents
- Chief Counsel(s)
- Chief Financial Officer
- Clerk to the Office of Hearings and Appeals
- Compliance Manager
- Compliance Examiner(s)
- Deputy Chief Counsel(s)
- Deputy Director of Communications
- Deputy Director of Corporate Compliance and Internal Controls
- Deputy Director of Enforcements
- Deputy Director of Investigations
- Deputy Director of Regulatory Review
- Director for the Office of OPR
- Director of Communications
- Director of Compulsive Gambling
- Director of Corporate Compliance and Internal Controls
- Director of Gaming Laboratory Operations
- Director of Investigations and Enforcement
- Director Hearings and Appeals
- Director of Licensing
- Director Office of Legislative Affairs
- Director Race Track Gaming
- Director of Regulatory Review
- Electronics Engineer(s)
- Enforcement Counsel(s)
- Executive Director
- Field Inspection Manager(s)
- Gaming Enforcement Specialist
- Gaming Laboratory Manager
- Gaming Operations Liaison
- Hearing Officer(s)
- Investigative Analyst(s)
- Investigative Intake Manager(s)
- Investigative Supervisor(s)
- Investigator(s)
- Legislative Liaisons
- Licensing Analyst(s)
- Licensing Manager(s) of Investigations and Enforcement
- Regional Director Bureau of Investigations and Enforcement
- Senior Financial Investigator
- Senior Hearing Officer
- Statistician(s)

GOVERNOR'S OFFICE	The Governor's Cabinet comprises the directors of various state agencies. These directors - usually called Secretaries - are appointed by the Governor and are confirmed by the Senate. Each Secretary is responsible for the oversight of his or her agency. An equally important responsibility of all Cabinet members is advising the Governor on subjects related to their respective agencies.				
Public Officials	Executive Level Public Employees				
<i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law.</i>	<i>A Deputy Secretary of the Commonwealth An employee of a dept., agency, bd., commissoin, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity. OR is involved in other matters under the Gaming Law (including law enforcement)</i>		<i>The Governor's Office of Administration shall assist the State Ethics Commission in the development of a listing of government positions that meet the definitions of "public official" or "executive-level public employee"</i>		
GOVERNOR	Position Name	Organizational Unit	Position Number	Job ID	Job Code
Governor's Cabinet					
Lt. Governor	Assistant Deputy Legislative Affairs	GV Leg Aff	00279986	03010705	U1075
Adjutant General of Military and Veterans Affairs	Chief Of Staff	GV Gov Off	00302058	03012100	U1210
Director of Health Care Reform	Deputy Chief Of Staff	GV Gov Off	00215870	03010800	U1080
General Counsel	Deputy Chief Of Staff	GV Gov Off	00216363	03010800	U1080
Inspector General	Deputy Chief Of Staff	GV Gov Off	00280424	03010800	U1080
Insurance Commissioner	Deputy Chief Of Staff	GV Gov Off	00292009	03010800	U1080
Pennsylvania Emergency Management Agency Director	Deputy Director Office Of Public Liaison	GV Pub Lias	00302749	03011100	U1110
Secretary of Administration	Deputy Secretary Legislative Affairs	GV Leg Aff	00279178	03010605	U1065
Secretary of Aging	Deputy Secretary Legislative Affairs	GV Leg Aff	00302196	03010605	U1065
Secretary of Agriculture	Director Communications Governors Office	GV Cmncs	00302494	03011400	U1140
Secretary of Banking	Director Governors Erie Office	GV Gov Erie Off	00215873	03011804	U1184
Secretary of Community and Economic Development	Director Governors North East Office	GV Gov Northeast Off	00302582	03011805	U1185
Secretary of Conservation and Natural Resources	Director Governors Philadelphia Office	GV Southeastern Off	00215831	03011802	U1182
Secretary of Corrections	Director Governors Pittsburgh Office	GV Gov Pgh Off	00216339	03011803	U1183
Secretary of Education	Director Governors Scheduling Office	GV Schdlnq	00302065	03001108	U0118
Secretary of Environmental Protection	Director Off Public Liaison	GV Pub Lias	00302167	03012006	U1206
Secretary of General Services	Governor	GV Gov Off	00287401	03000100	U0010
Secretary of Health	Governors Press Secretary	GV Cmncs	00302168	03011500	U1150
Secretary of Labor and Industry	Governors Senior Advisor	GV Gov Off	00285855	03011709	U1179
Secretary of Legislative Affairs	Governors Senior Advisor	GV Gov Off	00303095	03011709	U1179
Secretary of Planning & Policy	Secretary Legislative Affairs	GV Leg Aff	00290240	03010700	U1070
Secretary of Public Welfare	Secretary of Policy and Planning	GV Plcy Off	00302075	03001900	U0190
Secretary of Revenue	Senior Policy Manager	GV Plcy Off	00280423	03001902	U0192
Secretary of the Budget	Senior Policy Manager	GV Plcy Off	00284595	03001902	U0192
Secretary of the Commonwealth	Senior Policy Manager	GV Plcy Off	00287996	03001902	U0192
Secretary of Transportation	Senior Policy Manager	GV Plcy Off	00296718	03001902	U0192
State Police Commissioner	Senior Policy Manager	GV Plcy Off	00302767	03001902	U0192
	Special Assistant To The Governor	GV Southeastern Off	00071180	03000105	U0015
	Special Assistant To The Governor	GV Gov Off	00296184	03000105	U0015
	Special Assistant To The Governor	GV Southeastern Off	00302060	03000105	U0015
	Special Assistant To The Governor	GV Gov Off	00302066	03000105	U0015
	Special Assistant To The Governor	GV Southeastern Off	00302648	03000105	U0015
	Special Assistant To The Governor	GV Gov Off	00302665	03000105	U0015
	Special Assistant To The Governor	GV Gov Pgh Off	00309314	03000105	U0015

<p>Office of Lieutenant Governor</p>	<p>The Governor's Cabinet comprises the directors of various state agencies. These directors - usually called Secretaries - are appointed by the Governor and are confirmed by the Senate. Each Secretary is responsible for the oversight of his or her agency. An equally important responsibility of all Cabinet members is advising the Governor on subjects related to their respective agencies.</p>	<p>The Governor's Office of Administration shall assist the State Ethics Commission in the development of a listing of government positions that meet the definitions of "public official" or "executive-level public employee"</p>
<p>Public Officials</p>	<p>Executive Level Public Employees</p>	

Lieutenant Governor

- Administrative Officer and Spec. Assist.
- Chief Administrative Officer
- Chief of Staff
- Deputy Chief of Staff
- Director of Correspondence
- Director of Scheduling
- Director of Special Projects
- Executive Personal Assistant

DEPARTMENT OF AGING

Public Officials

*A member of the Governor's Cabinet. An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law*

Member of the Governor's Cabinet
Secretary of Aging

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commissoin, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity; **OR** is involved in other matters under the Gaming Law (including law enforcement)*

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Deputy Secretary of Aging	Deputy Secretary of Aging	216137	30004300	U0430
Department Head	Office of the Secretary	108692	3000300	U0030

DEPARTMENT OF AGRICULTURE

State Horse Racing Commission and/or State Harness Racing Commission Oversees the use of funds set aside by licensees for the improvement and maintenance of racetrack structures

Public Officials
A member of the Governor's Cabinet. An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law.

Executive Level Public Employees
A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity, OR is involved in other matters under the Gaming Law (including law enforcement).

Member of the Governor's Cabinet
Secretary of Agriculture

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Field Investigator	AG Phila Prk	00000766	00700200	70020
Manager Race Track Commission Office	AG Phila Prk	00008580	00701901	70191
Executive Secretary Horse Racing Commission	AG Horse and Harn Comm	00014111	00709200	70920
Attorney 4 Non Supervisory Office of General Counsel	AG Lgl Off	00014120	00071501	07151
Field Investigator	AG Meadows	00018379	00700200	70020
Director Racing Enforcement	AG Horse and Harn Comm	00020848	00709100	70910
Executive Secretary Harness Racing Commission	AG Horse and Harn Comm	00020894	00709300	70930
Department Head	AG Off of Sec	00022853	03000300	U0030
Administrative Officer 2	AG Horse and Harn Comm	00023704	00086400	08640
Deputy Secretary Agriculture and Consumer Protection	AG Dep Sec Ag Consr Pro	00027234	03007200	U0720
Administrative Officer 1	AG Horse and Harn Comm	00029956	00086300	08630
Deputy Secretary for Marketing and Economic Development	AG Dep Sec for Mktg Ecnmc Dvpt	00033700	03007201	U0721
Field Investigator	AG Meadows	00035744	00700200	70020
Field Investigator	AG Pocono	00037378	00700200	70020
Executive Deputy Secretary Agriculture	AG Ex Dep Sec	00038605	03008700	U0870
Special Investigator 1	AG Pocono	00041705	00708100	70810
Special Investigator 1	AG Meadows	00047991	00708100	70810
Special Investigator 1	AG Penn Nat	00051080	00708100	70810
Special Investigator 1	AG Phila Prk	00060780	00708100	70810
Field Investigator	AG Pocono	00061776	00700200	70020
Manager Race Track Commission Office	AG Pocono	00061984	00701901	70191
Special Investigator 1	AG Meadows	00065657	00708100	70810
Special Investigator 1	AG Pocono	00065689	00708100	70810
Food Sanitarian	AG Fd Sf	00069082	00515109	51519
Food Sanitarian	AG Fd Sf	00081108	00515109	51519
Field Investigator	AG Penn Nat	00083746	00700200	70020
Field Investigator	AG Penn Nat	00085566	00700200	70020
Special Investigator 1	AG Phila Prk	00086341	00708100	70810
Manager Race Track Commission Office	AG Meadows	00096623	00701901	70191
Paralegal	AG Lgl Off	00099927	00070400	07040
Administrative Officer 3	AG Horse and Harn Comm	00100026	00086500	08650
Administrative Officer 1	AG Horse and Harn Comm	00100471	00086300	08630
Special Investigator 1	AG Penn Nat	00108571	00708100	70810
Chief Counsel Ogc	AG Lgl Off	00112790	03010207	U1027
Food Sanitarian	AG Fd Sf	00117641	00515109	51519
Administrative Officer 4	AG Horse and Harn Comm	00127951	00086600	08660
Manager Race Track Commission Office	AG Penn Nat	00144065	00701901	70191
Field Investigator	AG Phila Prk	00157561	00700200	70020
Administrative Officer 1	AG Horse and Harn Comm	00207829	00086300	08630
Food Sanitarian	AG Fd Sf	00243104	00515109	51519
Special Investigator 1	AG Horse and Harn Comm	50265420	00708100	70810
Attorney 4 Non Supervisory Office of General Counsel	AG Lgl Off	50266101	00071501	07151
Director Racing Enforcement	AG Horse and Harn Comm	50266900	00709100	70910
Administrative Officer 3	AG Horse and Harn Comm	50271483	00086500	08650
Manager Race Track Commission Office	AG Chester	50285511	00701901	70191
Field Investigator	AG Chester	50294975	00700200	70020
Field Investigator	AG Chester	50294976	00700200	70020
Special Investigator 1	AG Chester	50294977	00708100	70810
Special Investigator 1	AG Chester	50294979	00708100	70810
Field Investigator	AG Chester	50295659	00700200	70020
Field Investigator	AG Chester	50295660	00700200	70020
Special Investigator 1	AG Meadows	50297938	00708100	70810
Special Investigator 1	AG Pocono	50297940	00708100	70810
Special Deputy Secretary for Dog Law Enforcement	AG Spc Dep Sec for Dog Lw Enf	50299038	03007202	U0722
Special Investigator 1	AG Presque Isle Downs	50305422	00708100	70810

DEPARTMENT OF BANKING

Public Officials

An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law.

Member of the Governor's Cabinet

Secretary of Banking

Executive Level Public Employees

A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity. OR is involved in other matters under the Gaming Law (including law enforcement)

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Deputy Secretary for Financial Institutions	BG Dep Sec Fin Inst	00001333	03006200	U0620
Deputy Secretary for Administration Licenses and Consumer Services	BG Dep Sec Ad Lic and Consr Srvs	00048163	03006201	U0621
Department Head	BG Off of the Sec	00113084	03000300	U0030
Executive Deputy Secretary Banking	BG Off of the Sec	50278501	03004305	U0435

DEPARTMENT OF CORRECTIONS

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity; **OR** is involved in other matters under the Gaming Law (including law enforcement)*

Member of the Governor's Cabinet

Secretary of Corrections

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Department Head	CR Corr Insts Ad	00020980	03000300	U0030
Acting Deputy Secretary	CR Corr Insts Ad	00035123	03000401	U0041
Executive Deputy Secretary Corrections	CR Corr Insts Ad	00116618	03009601	U0961
Deputy Secretary Specialized Facilities & Programs	CR Corr Insts Ad	00118924	03009605	U0965
Deputy Secretary Western Region Corrections	CR Corr Insts Ad	00135619	03009603	U0963
Deputy Secretary Eastern Region Corrections	CR Corr Insts Ad	00151820	03009602	U0962
Executive Policy Manager 2	CR Corr Insts Ad	00221506	00168400	16840
Deputy Secretary Administrative Services Corr	CR Corr Insts Ad	00226372	03008002	U0802

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Receive gross revenue from licensed facilities, to be used exclusively for grants for projects within counties and municipalities containing licensed facilities; administer PA Gaming Economic Development Tourism Fund

Public Officials
 An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law

Executive Level Public Employees
 A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity. **OR** is involved in other matters under the Gaming Law (including law enforcement)

Member of the Governor's Cabinet
Secretary of DCED

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Administrative Officer 2	CE Bus Fncnq	00035288	00086400	08640
Administrative Officer 4	CE Bus Fncnq	00037174	00086600	08660
Attorney 3 Non Supervisory Office of General Counsel	CE Chf Cnsl	00075035	00071301	07131
Attorney 4 Supervisory Office of General Counsel	CE Chf Cnsl	00128972	00071502	07152
Chief Counsel Oac	CE Chf Cnsl	00004941	03010207	U1027
Clerk Typist 3	CE Bus Fncnq	00108776	00002300	00230
Community Development Regional Director	CE Cmty Dvpt Rqnl Off Pqh	00232206	00163100	16310
Community Development Regional Director	CE Cmty Rqnl Off Scrantn	50250866	00163100	16310
Department Head	CE Ex Off	00241542	03000300	U0030
Deputy Secretary Administration Dced	CE Dep Sec Ad	00216261	03008600	U0860
Deputy Secretary Business Assistance	CE Bus Fncnq	00002478	03008603	U0863
Deputy Secretary Tourism Film and Economic Development Marketing	CE Tourism Film and Econmc Dvpt Mrktg	00011960	03009009	U0909
Director Center For Business Financing	CE Bus Fncnq	00109491	00167700	16770
Economic Development Analyst 1	CE Bus Fncnq	00266834	00160000	16000
Economic Development Analyst 1	CE Bus Fncnq	50244461	00160000	16000
Economic Development Analyst 2	CE Bus Fncnq	00019096	00159800	15980
Economic Development Analyst 2	CE Bus Fncnq	00033337	00159800	15980
Economic Development Analyst 2	CE Bus Fncnq	00095249	00159800	15980
Economic Development Analyst 2	CE Cmty Rqnl Off Scrantn	00232203	00159800	15980
Economic Development Analyst 2	CE Bus Fncnq	50255009	00159800	15980
Ex Dir Governors Center Local Government Services	CE Ctr for Lcl Govt	00232262	00165406	16546
Executive Assistant	Dvpt	00087542	00082600	08260
Executive Assistant	CE Bus Fncnq	00221859	00082600	08260
Executive Deputy Secretary Dced	CE Ex Off	00232187	03008605	U0865
Executive Policy Manager 3	CE Picy and Tchlyq	00232199	00168500	16850
Executive Policy Specialist 2	CE Picy and Tchlyq	00238762	00168200	16820
Legislative Liaison 3	CE Lea Aff	00232228	00072403	07243
Local Government Policy Specialist	CE Ctr for Lcl Govt	00232180	00168600	16860
Local Government Policy Specialist	CE Ctr Lcl Govt Scranton	00232209	00168600	16860
Local Government Policy Specialist	CE Ctr for Lcl Govt	00274249	00168600	16860
Local Government Policy Specialist	CE Ctr for Lcl Govt	00286147	00168600	16860

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

Member of the Governor's Cabinet

Secretary of the Dept. of Conservation and Natural Resources

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity. **OR** is involved in other matters under the Gaming Law (including law enforcement).*

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Deputy Secretary Conservation Engineering Services	CN Dep Sec Cnsvn and Tech Srvs	00222477	03004409	U0449
Department Head	CN Off of The Sec	00225437	03000300	U0030
Deputy Secretary Administration Dcnr	CN Dep Sec for Ad	00233926	03004408	U0448
Deputy Secretary for Parks and Forestry	CN Dep Sec for Parks and Forestry	00247750	03004407	U0447

PA DEPARTMENT OF GENERAL SERVICES

Public Officials
An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law

Member of the Governor's Cabinet
Secretary of General Services

Executive Level Public Employees
A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development of regulations or policies relating to a licensed entity OR is involved in other matters under the Gaming Law (including law enforcement)

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Acting Deputy Secretary	GS Dep Sec Pub Wks	50327791	03000401	U0041
Administrative Officer 5	GS Bur of Fin and Mgmt Srvs	00062662	00086700	08670
Assistant Dir Engineering Architecture Dqs	GS Bur Engrg And Archr	00088058	00138901	13891
Capitol Police Force Deputy Superintendent	GS Capitol Plc Div	00077682	00748605	74865
Capitol Police Force Superintendent	GS Bur Plc and Sf	00079460	00748600	74860
Chief Procurement Officer	GS Bur of Prcmnt	00307050	00028700	02870
Commonwealth Media Services Manaqaer	GS Cmwl Mda Srvs	00005728	00960600	96060
Commonwealth Risk And Insurance Manager	GS Bur Risk and Ins Mgmt	00001407	00026800	02680
Department Head	GS Sec	00057119	03000300	U0030
Deputy Secretary Administration General Services	GS Dep Sen Ad	00037931	03008100	U0810
Deputy Secretary and Special Advisor to the Governor for Minority Wome	GS Dep Sec & Spc Advr to Gov			
	MWDBD	50285675	03008800	U0880
Deputy Secretary Procurement General Services	GS Dep Sec Prcmnt	00112890	03007300	U0730
Deputy Secretary Property Management Dqs	GS Dep Sec Prop Mgmt	00093904	03007500	U0750
Deputy Secretary Public Works General Services	GS Dep Sec Pub Wks	00098195	03007400	U0740
Director Bur Facilities Management, Dqs	GS Bur Fclts Mgmt	00039641	00110001	11001
Director Bur Professional Selections Adm Svcs Dqs	GS Prf Selctns and Admv Srvs	00060122	00107503	10753
Director Construction Dqs	GS Bur Cnstr	00069776	00111800	11180
Director Engineering And Architecture Dqs	GS Bur Engrg And Archr	00118419	00138900	13890
Director Minority and Women Business Opportunities Dqs	GS Bur of Mnrtly & Wmen Bus Optnly	00117667	00055705	05575
Fleet Maintenance Manager	GS Bur Vhcl Mgmt	00030531	00932000	93200
Publications Paperwork Management Director Dqs	GS Bur of Pubctns	00015564	00090600	09060
Real Estate Director	GS Bur Real Est	00111487	00094300	09430
Special Assistant to the Secretary of Dqs	GS Sec	50279336	03081700	U8170
Supplies Surplus Operations Director Dqs	GS Bur Spls and Srpls Op	00001085	00026000	02600

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Public Officials

An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND**, who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.

Member of the Governor's Cabinet

Adjutant General

Executive Level Public Employees

A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND**, who is involved in the development or regulations or policies relating to a licensed entity, **OR** is involved in other matters under the Gaming Law (including law enforcement)

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Department Head	MV Adjt Gen	00032490	03000300	U0030
Deputy Adjutant General Air	MV Air Ntl Grd	00054093	03005500	U0550
Deputy Adjutant General Veterans Affairs	MV Vets Aff	00097743	03005605	U0565

DEPARTMENT OF PUBLIC WELFARE

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law*

Member of the Governor's Cabinet

Secretary of Public Welfare

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity. **OR** is involved in other matters under the Gaming Law (including law enforcement)*

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Department Head	PW Sec of Pub Wlfare	00027320	03000300	U0030
Special Assistant Secretary Of Public Welfare	PW Sec of Pub Wlfare	00030060	00499001	49901
Chief Counsel Ogc	PW Lgl Cnsl	00041566	03010207	U1027
Special Assistant Secretary Of Public Welfare	PW Sec of Pub Wlfare	00078850	00499001	49901
Deputy Secretary Children Youth & Family Services	PW Dep Sec for C Y and F	00092514	03004100	U0410
Deputy Secretary Mental Retardation	PW Dep Sec M R	00111269	03003800	U0380
Deputy Secretary Medical Assistance	PW Dep Sec Med Astnc Prgms	00133965	03003900	U0390
Deputy Secretary Child Development	PW Dep Sec Child Dvlpmt	00150357	03004005	U0405
Special Assistant Secretary Of Public Welfare	PW Sec of Pub Wlfare	00166954	00499001	49901
Deputy Secretary Administration Dpw	PW Dep Sec for Ad	00213369	03008300	U0830
Deputy Secretary Income Maintenance	PW Dep Sec Inc Mntnc	00217278	03004000	U0400
Deputy Secretary for Long Term Living	PW Sec of Pub Wlfare	00217540	03004202	U0422
Deputy Secretary Mental Health and Substance Abuse Services	PW Dep Sec MH and Subs Abs	00221979	03003700	U0370
Fiscal Management Director Dpw	PW Off of Bdgt	00222515	00089500	08950
Chief Of Staff Secretary Of Public Welfare	PW Sec of Pub Wlfare	00236920	00499000	49900
Executive Dir Developmental Disabilities	PW Dvptl Dsblts Png Cncl	00238886	00087300	08730
Executive Policy Manager 3	PW Off Pcly Dvpt	00264555	00168500	16850
Special Assistant Secretary Of Public Welfare	PW Sec of Pub Wlfare	00298109	00499001	49901
Special Assistant Secretary Of Public Welfare	PW Sec of Pub Wlfare	00298208	00499001	49901
Acting Deputy Secretary	PW Sec of Pub Wlfare	50285570	03000401	U0041
Legislative Liaison 3	PW Off of Leg Aff	50308528	00072403	07243

DEPARTMENT OF EDUCATION

Public Officials

An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.

Member of the Governor's Cabinet
Secretary of the Dept. of Education

Executive Level Public Employees

A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity. **QR** is involved in other matters under the Gaming Law (including law enforcement)

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Acting Deputy Secretary	ED Off of Ad	00005521	03000401	U0041
Deputy Secretary Comr Postsecondary Higher Ed	Ed Postscdry Hqhr Ed	00022615	03005800	U0580
Deputy Secretary Comr For Elementary Second Ed	ED Elemn Scdry Ed	00048588	03005700	U0570
Commissioner For Libraries	ED Cmwl Lbrly	00117467	03005900	U0590
Department Head	ED Secs Off	00125403	03000300	U0030
Executive Deputy Secretary Education	ED Secs Off	00218944	03006100	U0610

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

Member of the Governor's Cabinet

Secretary of the Dept. of Environmental Protection

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development of regulations or policies relating to a licensed entity. **OR** is involved in other matters under the Gaming Law (including law enforcement)*

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Department Head	EP Off of The Sec	00000139	03000300	U0030
Deputy Secretary for Energy and Technology Deployment	EP Off Enrgy Tchlg Dplymt	00019634	03004700	U0470
Deputy Secretary Waste Air and Radiation Management	EP Off Wste Air Rdtm Mgmt	00041960	03004404	U0444
Deputy Secretary Field Operations Dep	EP FI Op	00061114	03004401	U0441
Deputy Secretary Mineral Resources Management Dep	EP Mnrl Res Mgmt	00072855	03004405	U0445
Deputy Secretary for Administration Dep	EP Off Ad	00090735	03008000	U0800
Deputy Secretary Water Management Dep	EP Wtr Mgmt	00090792	03004403	U0443
Chief Counsel Ogc	EP Off of Chf Cnsl	00215815	03010207	U1027
Executive Deputy Secretary Dep	EP Off Ex Dep Sec	00216055	03004406	U0446
Special Deputy Secretary Community Revitalization and Local Government	EP Off Cmty Rvltzn Lcl Govt Spt	00216176	03004402	U0442
Special Deputy Secretary Environmental Protection	EP Off of The Sec	00221907	03004500	U0450

Executive Board

Establish compensation of Gaming Control Board members

Public Officials

Executive Level Public Employees

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity; **OR** is involved in other matters under the Gaming Law (including law enforcement)*

Board Members

Executive Director

EXECUTIVE OFFICES - 081

The Governor's Office of Administration shall assist the State Ethics Commission in the development of a listing of government positions that meet the definitions of "public official" or "executive-level public employee"

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law*

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity; **OR** is involved in other matters under the Gaming Law (including law enforcement)*

Members of the Governor's Cabinet

**Secretary of Administration
Secretary of the Budget
General Counsel
Inspector General**

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Deputy Secretary Comptroller Operations	EX Compt Op Dep Sec	00058303	03000900	U0090
Deputy Secretary for Performance Improvement	EX Bdgt Sec	00063217	03001006	U0106
Deputy Secretary Human Resources Management	EX Dep Sec HR Mgmt	00018946	03000800	U0080
Deputy Secretary Information Technology	EX Dep Sec Info Tchlg	00038756	03004900	U0490
Executive Deputy Secretary of the Budget	EX Bdgt Sec	50256658	03001005	U0105

PA FISH & BOAT COMMISSION

The Governor's Office of Administration shall assist the State Ethics Commission in the development of a listing of government positions that meet the definitions of "public official" or "executive-level public employee"

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity; **OR** is involved in other matters under the Gaming Law (including law enforcement)*

Commission Members

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name

- Executive Director
- Chief Counsel
- Assistant Counsel
- Director of Policy and Planning
- Legislative Liaison
- Press Secretary

PA GAME COMMISSION

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity. **OR** is involved in other matters under the Gaming Law (including law enforcement)*

Commission Members

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Legislative Liaison 2	GC Leg Off	00032956	00072402	07242
Executive Director Game Commission	GC Ex Off	00033400	00648900	64890
	GC Mktg &			
Press Secretary 2	Merchndsnq Div	00076953	00059100	05910
Deputy Executive Dir Game Commission	GC Dep Ex	00122280	00648700	64870

HEALTH DEPARTMENT

Develop program guidelines for public education and training regarding compulsive/problem gambling; make grants for the purpose of providing treatment and prevention programs

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity; **OR** is involved in other matters under the Gaming Law (including law enforcement)*

Member of the Governor's Cabinet
Secretary of Health

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Deputy Secretary Administration Health	HL Dep Sec for Ad	00040893	03003100	U0310
Executive Policy Manager 2	HL Plcy Off	00094434	00168400	16840
Deputy Secretary Health Promotion Dse Prvntn	HL Dep Sec Hlth Pr and Dse Prvntn	00100118	03003000	U0300
Deputy Secretary Health Planning & Assessment	HL Dep Sec Hlth Plan	00100298	03003200	U0320
Director Bur Drug Alcohol Programs	HL Bur of Drq Alchl Prgms	00102509	00381600	38160
Deputy Secretary Quality Assurance	HL Dep Sec for Qlty Assur	00112674	03003300	U0330
Department Head	HL Off of the Sec	00202352	03000300	U0030
Acting Deputy Secretary	HL Dep Sec for Qlty Assur	00309092	03000401	U0041

INSURANCE DEPARTMENT

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law; an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND** who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law*

Member of the Governor's Cabinet

Insurance Commissioner

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND** who is involved in the development or regulations or policies relating to a licensed entity, **OR** is involved in other matters under the Gaming Law (including law enforcement)*

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
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Deputy Insurance Comr Rates Policy Req	IN Prod Req and Enf	00000398	03006600	U0660
Deputy Insurance Comr Consumr Svcs Enf Prq Svcs	IN Consr Svcs	00019609	03006700	U0670
Deputy Insurance Commissioner/Regulation Of Cpnys	IN Corp and Fin Req	00045378	03006400	U0640
Deputy Secretary Actinq Secretary	IN Comr Off	00056941	03000400	U0040
Deputy Insurance Commissioner Chip Adult Basic Cov	IN CHIP and Adlt Bas	00081236	03006900	U0690
Deputy Insurance Comr Lqdns Rehab Spec Fund	IN Spc Fnnds	00151156	03006500	U0650
Deputy Insurance Commissioner Office Of Mcre	IN MCre	00221276	03006300	U0630

DEPARTMENT OF LABOR AND INDUSTRY

Public Officials
 An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND**, who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.

Member of the Governor's Cabinet
 Secretary of Labor and Industry

Executive Level Public Employees
 A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND**, who is involved in the development or regulations or policies relating to a licensed entity, **OR** is involved in other matters under the Gaming Law (including law enforcement)

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Administrative Officer 3	LI Bois Ad Div	00120372	00086500	08650
Administrative Officer 4	LI SWIF Investgn. Stnds, Cont Div	00040640	00086600	08660
Commissioned Boiler Inspector Director	LI Bois Boiler Div	00116220	00711103	71113
Department Head	LI Dept Head Sec L and I	00004520	03000300	U0030
Deputy Secretary Administration Labor & Industry	LI Dep Sec Ad Spt	00021730	03008001	U0801
Deputy Secretary Compensation & Insurance L&I	LI Dep Sec Comp and Ins	00110848	03003409	U0349
Deputy Secretary for Safety and Labor Management Relations	LI Dep Sec Sf and Lbr Mgmt	00022622	03003603	U0363
Deputy Secretary for Workforce Development	LI Dep Sec Wrkfc Dvpt	00058548	03003600	U0360
Deputy Secretary Unem Compensation Programs, L&I	LI Dep Sec for Uc Prqms	00114465	03003500	U0350
Director Bur Employer Tax Operations	LI Oucts Dir Of	00023273	00068600	06860
Director Bureau Workforce Investment	LI Bur Wrkfc Dvpt Ptnrshp	00023487	00068700	06870
Director Occupational Industrial Safety	LI Bois Dirs Off	00092490	00714800	71480
Executive Director Human Resources Investment Cncl	LI Pa Wkfc Invstmnt Bd	00273873	03012205	U1225
Information Specialist Supervisor	LI L and I Press Off	00021654	00058300	05830
Member Board Or Commission	LI Indl Bd Mbr	00031184	03002700	U0270
Member Board Or Commission	LI Indl Bd Mbr	00061964	03002700	U0270
Member Board Or Commission	LI Indl Bd Mbr	00073990	03002700	U0270
Member Board Or Commission	LI Indl Bd Mbr	00088540	03002700	U0270
Member Board Or Commission	LI Indl Bd Mbr	00096143	03002700	U0270
Press Secretary 3	LI L and I Press Off	00047021	00059200	05920
Program Analyst 3	LI Bois Ucc Div	00307741	00080700	08070
State Workers Insurance Fund Claims Division Chf	LI SWIF Clms	00010268	00703807	70387
State Workers' Insurance Fund Director	LI SWIF Mgr Off	00008763	00704900	70490
State Workers Insurance Fund Underwriting Manager	LI SWIF Underwriting Div	00008815	00703808	70388
Ucc Building Field Operations Manager	LI Bois Ucc Inspn Div	00120381	00710801	71081
UCC Elevator Inspector Director	LI Bois Elevtr Div	00014659	00717109	71719
Vocational Rehab Executive Director	LI Ex Dir OVR	00112670	00454600	45460
Workers Compensation Director	LI BWC Dirs Off	00213624	00701600	70160

PA EMERGENCY MANAGEMENT AGENCY (PEMA)

Public Officials

*An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision **AND**, who is involved in the development of regulation or policy relating to a licensed entity **OR** is involved in other matters under the Gaming Law.*

Member of the Governor's Cabinet

Secretary of PEMA

Executive Level Public Employees

*A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action **AND**, who is involved in the development or regulations or policies relating to a licensed entity, **OR** is involved in other matters under the Gaming Law (including law enforcement)*

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Chief Counsel Ogc	EM Ex	00029408	03010207	U1027
Deputy Director for Operations Pema	EM Ex	00100292	00761802	76182
Director Emergency Management Agency	EM Ex	00116317	03001200	U0120
Deputy Director for Administration Pema	EM Ex	50278306	00761800	76180
Information Technology Policy Specialist 2	EM Ad	50326662	00019803	01983
Fire Commissioner				

PA LIQUOR CONTROL BOARD

Approve applications from slot machine licensees except for good cause shown; promulgate regulations with respect to sale and service of alcoholic beverages by licensees

Public Officials

An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law

Executive Level Public Employees

A Deputy Secretary of the Commonwealth. An employee of a dept., agency, bd., commission, auth. or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity. OR is involved in other matters under the Gaming Law (including law enforcement)

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Board Members

Position Name	Organizational Unit	Position Number	Job ID	Job Code
State Liquor Store Administrator 1	LC Str Op Pqh Rqn	00007525	00022000	02200
State Liquor Store Administrator 1	LC Str Op Str Ad Div	00036135	00022000	02200
State Liquor Store Administrator 1	LC Str Op Phila Rqn	00074656	00022000	02200
State Liquor Store Administrator 1	LC Str Op Hbq Rqn	00095643	00022000	02200
State Liquor Store Administrator 1	LC Str Op Str Ad Div	00104943	00022000	02200
State Liquor Store Administrator 1	LC Str Op Str Ad Div	00122438	00022000	02200
State Liquor Store Administrator 1	LC Str Op Str Ad Div	00142899	00022000	02200
State Liquor Store Administrator 2	LC Str Op Str Ad Div	00021500	00022100	02210
State Liquor Store Administrator 2	LC Str Op Hbq Rqn	00035844	00022100	02210
State Liquor Store Administrator 2	LC Str Op Str Ad Div	00079446	00022100	02210
State Liquor Store Administrator 2	LC Str Op Pqh Rqn	00090678	00022100	02210
State Liquor Store Administrator 2	LC Str Op Phila Rqn	00093967	00022100	02210
State Liquor Store Administrator 2	LC Str Op Str Ad Div	00102557	00022100	02210
State Liquor Store Administrator 2	LC Str Op Str Ad Div	00115346	00022100	02210
Merchandising Pricing Coordinator Lcb	LC Merch and Pricing Div	00005624	00022201	02221
Merchandising Pricing Coordinator Lcb	LC Merch and Pricing Div	00009299	00022201	02221
Merchandising Pricing Coordinator Lcb	LC Merch and Pricing Div	00024914	00022201	02221
Merchandising Pricing Coordinator Lcb	LC Merch and Pricing Div	00038606	00022201	02221
Merchandising Pricing Coordinator Lcb	Bureau of Prdct Mgmt	00039107	00022201	02221
Merchandising Pricing Coordinator Lcb	LC Merch and Pricing Div	00060704	00022201	02221
Merchandising Pricing Coordinator Lcb	Bureau of Prdct Mgmt	00076290	00022201	02221
Merchandising Pricing Coordinator Lcb	LC Merch and Pricing Div	00122549	00022201	02221
Merchandising Pricing Coordinator Lcb	Bureau of Prdct Mgmt	50298496	00022201	02221
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00006012	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00008981	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00013377	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00014892	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00021157	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00032514	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00043173	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00044678	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00045339	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00056111	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00058311	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00064505	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00070218	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00070651	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00077040	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00079561	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00082783	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00082976	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00092305	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00092654	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00094360	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00101894	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00102108	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00106611	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00109684	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00112938	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Pqh Rqn	00114621	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Hbq Rqn	00115146	00022209	02229
Picb Retail Operations Manager 1	LC Str Op Phila Rqn	00307708	00022209	02229
Picb Retail Operations Manager 2	LC Str Op Phila Rqn	00052297	00022300	02230
Picb Retail Operations Manager 2	LC Str Op Hbq Rqn	00091697	00022300	02230
Picb Retail Operations Manager 2	LC Str Op Pqh Rqn	00097711	00022300	02230
Senior Operations Manager Picb	LC Str Op Str Ad Div	00004911	00022305	02235
Director Bureau Licensing Picb	LC Dir Bur of Lcnsng LC	00012681	00022700	02270
Assistant Director Bureau of Licensing	LC Dir Bur of Lcnsng LC	00028825	00022800	02280
Lcb Licensing Manager	Aff Div	00024609	00022900	02290
Lcb Licensing Manager	LC Lcnsng Eval Div	00041006	00022900	02290
Lcb Licensing Manager	LC Lcnsng Invstgns Div	00046073	00022900	02290
Lcb Licensing Manager	LC Lcnsng Sys and Prqm Mgmt Div	00077378	00022900	02290
Lcb Licensing Supervisor	LC Lcnsng Eval Div	00002756	00022905	02295
Lcb Licensing Supervisor	LC Admv and Divergent Licensee			
Lcb Licensing Supervisor	Aff Div	00013232	00022905	02295
Lcb Licensing Supervisor	LC Lcnsng Eval Div	00045330	00022905	02295

NOTICES

Lcb Licensing Supervisor	LC Lcnsng Sys and Prqm Mgmt Div	00047495	00022905	02295
Lcb Licensing Supervisor	LC Lcnsng Eval Div	00074700	00022905	02295
Lcb Licensing Supervisor	LC Admv and Divergent Licensee Aff Div	00086043	00022905	02295
Lcb Licensing Supervisor	LC Lcnsng Eval Div	00092679	00022905	02295
Liquor Control Board Facilities Analyst 1	LC Real Est Rqn 2 Lseng Off	00014917	00023000	02300
Liquor Control Board Facilities Analyst 1	LC Real Est Rqn 1 Lseng Off	50279432	00023000	02300
Liquor Control Board Facilities Analyst 2	LC Real Est Rqn 3 Lseng Off	00041986	00023100	02310
Liquor Control Board Facilities Analyst 2	LC Real Est Rqn 2 Lseng Off	00048759	00023100	02310
Liquor Control Board Facilities Analyst 2	LC Real Est Rqn 1 Lseng Off	00061018	00023100	02310
Liquor Control Board Facilities Analyst 2	LC Real Est Div Ctrl Off	00090743	00023100	02310
Liquor Control Board Facilities Analyst 2	LC Real Est Rqn 1 Lseng Off	00097899	00023100	02310
Liquor Control Board Facilities Analyst 2	LC Real Est Rqn 2 Lseng Off	00107079	00023100	02310
Leasing Manager Plcb	LC Real Est Div Ctrl Off	00122533	00023105	02315
Liquor Control Board Facilities Administrator	LC Real Est Rqn 1 Lseng Off	00082721	00023200	02320
Liquor Control Board Facilities Administrator	LC Real Est Rqn 2 Lseng Off	00102649	00023200	02320
Wine Speciality Coordinator	LC Str Op Pqh Rqn	00031803	00023205	02325
Wine Speciality Coordinator	LC Str Op Hbq Rqn	00039499	00023205	02325
Wine Speciality Coordinator	LC Str Op Pqh Rqn	00051245	00023205	02325
Wine Speciality Coordinator	LC Str Op Phila Rqn	00094174	00023205	02325
Wine Speciality Coordinator	LC Merch and Pricing Div	00112913	00023205	02325
Wine Speciality Coordinator	LC Str Op Phila Rqn	00115749	00023205	02325
Wine Speciality Coordinator	LC Str Op Hbq Rqn	50272689	00023205	02325
Wine Speciality Coordinator	LC Str Op Phila Rqn	50284541	00023205	02325
Liquor Purchasing Agent	LC Spc Purch Sect	00037996	00023400	02340
Liquor Purchasing Agent	LC Spc Purch Sect	00061029	00023400	02340
Liquor Purchasing Agent	LC Spc Purch Sect	00063418	00023400	02340
Liquor Purchasing Agent	LC Spc Svcs Admv Div	00064494	00023400	02340
Liquor Purchasing Agent	LC Spc Purch Sect	00112694	00023400	02340
Liquor Purchasing Supervisor	LC Merch and Pricing Div	00050915	00023401	02341
Liquor Purchasing Supervisor	LC Spc Svcs Admv Div	00063147	00023401	02341
Chief Product Management and Pricing Division	LC Merch and Pricing Div	00005376	00023700	02370
Director Bureau Of Product Management Plcb	Bureau of Prdct Mgmt	00122520	00023705	02375
Marketing Manager Lcb	LC Dir Mktg Mgr LC	00089259	00023900	02390
Director Lcb Administration	LC Dir LC Ad	00011886	00023901	02391
Chief Executive Officer Plcb	Chief Executive Officer	00122443	00024000	02400
Alcohol Education Specialist	LC Prvtn & Ed Svcs Div	00005838	00057300	05730
Alcohol Education Specialist	LCRAMP Division	00006972	00057300	05730
Alcohol Education Specialist	LC Alc Ed & Prvtn Svcs	00062204	00057300	05730
Alcohol Education Specialist	LC Alc Ed & Prvtn Svcs	00097910	00057300	05730
Alcohol Education Specialist	LCRAMP Division	00098189	00057300	05730
Alcohol Education Specialist	LCRAMP Division	00107767	00057300	05730
Alcohol Education Specialist	LCRAMP Division	00116504	00057300	05730
Alcohol Education Specialist Supervisor	LCRAMP Division	00017203	00057301	05731
Alcohol Education Specialist Supervisor	LCRAMP Division	00107743	00057301	05731
Alcohol Education Specialist Supervisor	LCRAMP Division	00109704	00057301	05731
Alcohol Education Prevention Manager	LC Prvtn & Ed Svcs Div	00053256	00057302	05732
Director Bur Alcohol Education	LC Alc Ed & Prvtn Svcs	00059942	00057305	05735
Attorney 1	LC Chf Cnsl	00084013	00071100	07110
Attorney 2	LC Chf Cnsl	00059499	00071200	07120
Attorney 2	LC Chf Cnsl	00071732	00071200	07120
Attorney 2	LC Chf Cnsl	00085384	00071200	07120
Attorney 2	LC Chf Cnsl	00122434	00071200	07120
Attorney 3 Non Supervisory	LC Chf Cnsl	00006177	00071300	07130
Attorney 3 Non Supervisory	LC Chf Cnsl	00026622	00071300	07130
Attorney 3 Non Supervisory	LC Lql Phila	00031939	00071300	07130
Attorney 3 Non Supervisory	LC Chf Cnsl	00032096	00071300	07130
Attorney 4 Supervisory	LC Chf Cnsl	00109160	00071500	07150
Administrative Law Judge Plcb	LC Admv Lw Jdq Pqh	00029684	00071700	07170
Administrative Law Judge Plcb	LC Admv Lw Jdq Hbq	00039262	00071700	07170
Administrative Law Judge Plcb	LC Admv Lw Jdq Pqh	00061059	00071700	07170
Administrative Law Judge Plcb	LC Admv Lw Jdq Phila	00063911	00071700	07170
Administrative Law Judge Plcb	LC Admv Lw Jdq Hbq	00074659	00071700	07170
Administrative Law Judge Plcb	LC Admv Lw Jdq Phila	00111983	00071700	07170
Chief Administrative Law Judge Plcb	LC Off Chf Admv Lw Jdq	00062072	00071800	07180
Chief Counsel 3	LC Chf Cnsl	00003834	00072303	07233
Lcb Licensing Analyst 1	LC Lcnsng Pqh	00015860	00705100	70510
Lcb Licensing Analyst 1	LC Lcnsng Phila	00019443	00705100	70510
Lcb Licensing Analyst 1	LC Lcnsng Phila	00044897	00705100	70510
Lcb Licensing Analyst 1	LC Lcnsng Phila	00047107	00705100	70510
Lcb Licensing Analyst 1	LC Lcnsng Pqh	00052365	00705100	70510
Lcb Licensing Analyst Supervisor	LC Lcnsng Phila	00058837	00705205	70525
Lcb Licensing Analyst Manager	LC Lcnsng Pqh	00090741	00705401	70541
Lcb Licensing Analyst Manager	LC Lcnsng Phila	00111888	00705401	70541
Lcb Licensing Analyst Manager	LC Lcnsng Hbq	00118655	00705401	70541
Lcb Licensing Analyst 2A-Act 1987-14 Eligible	LC Lcnsng Phila	00053725	00705210	7052A
Lcb Licensing Analyst 2A-Act 1987-14 Eligible	LC Lcnsng Pqh	00061596	00705210	7052A
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00000392	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00007848	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00011299	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00017577	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00019661	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00027971	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00031338	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Hbq	00033294	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00033523	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00037055	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00039134	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00043108	00705211	7052B

Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00044188	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Hbq	00046968	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Hbq	00047503	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Hbq	00050549	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00054108	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Hbq	00060485	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00064448	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00066282	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00068262	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00068418	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00070659	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Hbq	00074416	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Hbq	00080565	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00082974	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00084698	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00085176	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00090609	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00092710	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00099364	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00100650	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00102616	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00104132	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Pqh	00104425	00705211	7052B
Lcb Licensing Analyst 2B-Act 1987-14 Ineligible	LC Lcnsng Phila	00117150	00705211	7052B
Chairman Liquor Control Board	LC Bd and Sec	00050258	03002709	U0279
Member Liquor Control Board	LC Bd and Sec	00020845	03002800	U0280

Department of Revenue	Facilitate auditing of gaming by selecting and employing a central control computer system to which all slot machines shall be linked.	determine amounts due from licensees for slot machine taxes and local share assessments on gross revenue;	make quarterly distributions of local share assessments to counties and municipalities hosting licensed facilities; administer and collect taxes imposed under the Gaming Act
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Public Officials
<i>An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law.</i>

Executive Level Public Employees
<i>A Deputy Secretary of the Commonwealth An employee of a dept., agency, bd., commission, auth., or other governmental body with discretionary power which may affect or influence the outcome of the governmental body's decision or action AND who is involved in the development or regulations or policies relating to a licensed entity. OR is involved in other matters under the Gaming Law (including law enforcement)</i>

<i>Member of the Governor's Cabinet</i>
Secretary of Revenue

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Position Name	Organizational Unit	Position Number	Job ID	Job Code
Revenue Fiscal Analyst Supervisor	RV FscI Mgmt Ping Div	00085530	00013000	01300
Revenue Research Analyst Manager	RV Cmplnc Dir Stf	50240347	00015000	01500
Distributed Systems Specialist 2	RV Info Sys Distr Sys	50286416	00015102	01512
Distributed Systems Specialist 2	RV Info Sys Distr Sys	50286417	00015102	01512
Information Technology Generalist 1	RV Ping Sec and Ad Div	00299120	00015401	01541
Information Technology Generalist 2	RV Ping Sec and Ad Div	50286577	00015402	01542
Information Technology Generalist Supervisor	RV Ping Sec and Ad Div	00092784	00015403	01543
Information Technology Generalist Supervisor	RV Info Sys Distr Sys	00115982	00015403	01543
Information Technology Generalist Administrator 2	RV Ping Sec and Ad Div	00112092	00015405	01545
Information Technology Manager 1	RV Info Sys Distr Sys	00091712	00015406	01546
Information Technology Manager 2	RV Info Sys Dir Stf	00064344	00015407	01547
Information Technology Manager 3	RV Info Sys Dir Stf	00044751	00015408	01548
Chief Information Officer 3	RV Sec Off	00003361	00015503	01553
Accountant 2	RV FscI Mgmt Dir Stf	50305269	00030300	03030
Accountant 4	RV FscI Mgmt Bdgt Div	00002592	00030500	03050
Tax Examiner 2	RV Cmplnc Lic Clrnc Div	50279272	00036700	03670
Tax Account Collections Technician	RV Cmplnc Lic Clrnc Div	50279325	00037801	03781
Tax Account Collections Technician	RV Cmplnc Lic Clrnc Div	50279326	00037801	03781
Tax Account Collections Technician	RV Cmplnc Lic Clrnc Div	50287508	00037801	03781
Tax Account Collections Technician	RV Cmplnc Lic Clrnc Div	50288341	00037801	03781
Tax Account Collection Supervisor	RV Cmplnc Lic Clrnc Div	50279278	00037802	03782
Taxation Auditing Specialist	RV Auds Pqh Rqnl	00035549	00038600	03860
Taxation Auditing Specialist	RV Auds Phila Rqnl	00065371	00038600	03860
Taxation Auditing Specialist	RV Auds Pqh Rqnl	00066446	00038600	03860
Taxation Auditing Specialist	RV Auds Scranton Rqnl	00104462	00038600	03860
Taxation Auditing Specialist	RV Auds Allentown Rqnl	00109767	00038600	03860
Taxation Auditing Specialist	RV Auds Scranton Rqnl	00161260	00038600	03860
Taxation Auditing Manager	RV Auds Pqh Rqnl	00047199	00038601	03861
Revenue Field Auditor 2	RV Auds Phila Rqnl	00161242	00039100	03910
Revenue Auditor Supervisor	RV Auds Phila Rqnl	50258395	00039200	03920
Liquid Fuels Tax Audit Program Manager	RV Aud-Lf/C&B Tx Aud Pr	00104999	00039305	03935
Revenue Audit Program Specialist	RV Auds Comp Aud Spt	50296513	00039800	03980
Revenue Regional Manager	RV Auds Scranton Rqnl	00067032	00039900	03990
Revenue Regional Manager	RV Auds Phila Rqnl	00089269	00039900	03990

