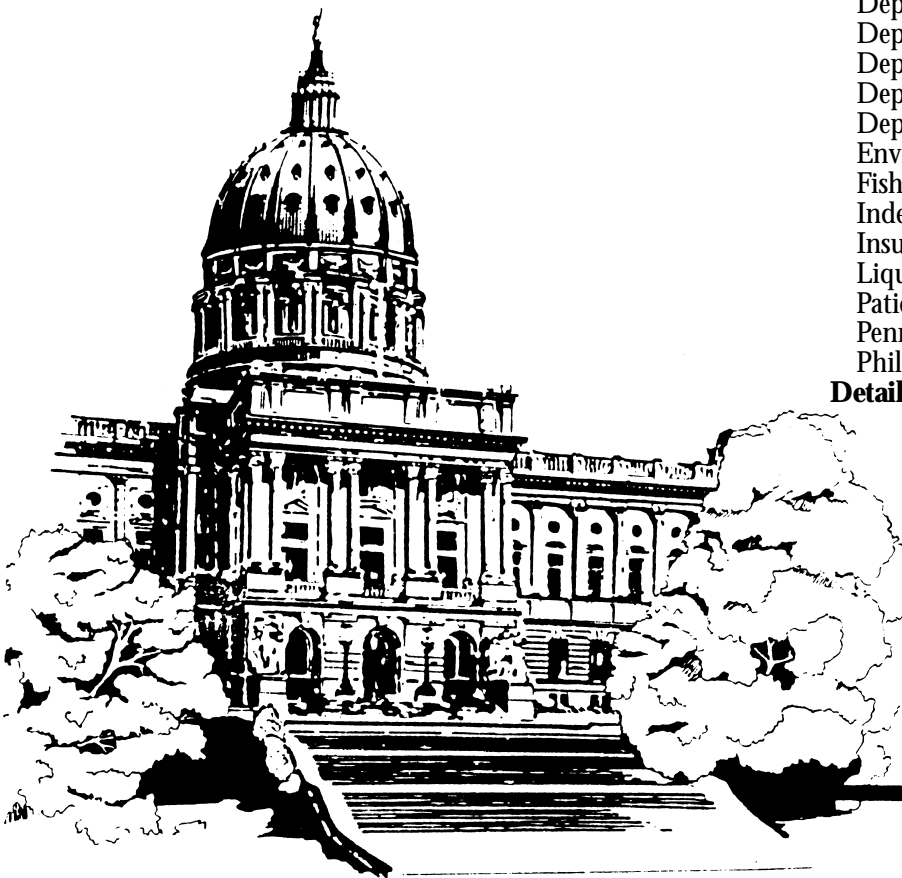


PENNSYLVANIA BULLETIN

Volume 33
Saturday, November 29, 2003 • Harrisburg, Pa.
Number 48
Pages 5803—5902

Agencies in this issue:

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Delaware River Basin Commission
Department of Agriculture
Department of Banking
Department of Education
Department of Environmental Protection
Department of General Services
Department of Health
Department of Labor and Industry
Department of Revenue
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Independent Regulatory Review Commission
Insurance Department
Liquor Control Board
Patient Safety Authority
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
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**Latest Pennsylvania Code Reporter
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No. 348, November 2003

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BULLETIN

(ISSN 0162-2137)

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800 W. Church Rd.

Mechanicsburg, Pennsylvania 17055-3198

(717) 766-0211 ext. 2340

(800) 334-1429 ext. 2340 (toll free, out-of-State)

(800) 524-3232 ext. 2340 (toll free, in State)

published weekly by Fry Communications, Inc. for the

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.

Attn: *Pennsylvania Bulletin*

800 W. Church Rd.

Mechanicsburg, PA 17055-3198

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ISBN 0-8182-0004-9

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2003.

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THE GENERAL ASSEMBLY

Cost-of-Living Factor under the Public Official Compensation Law

Under section 4(d) of the Public Official Compensation Law (65 P. S. § 366.4(d)), for the 12-month period beginning December 1, 2003, through November 30, 2004, the salary of the members of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period of November 1, 2002, through October 31, 2003.

The percentage increase and the new salary amount have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

Leadership Position

Speaker/ President pro tempore
 Majority Floor Leader
 Minority Floor Leader
 Majority Whip
 Minority Whip
 Majority Caucus Chairman
 Minority Caucus Chairman
 Appropriations Chairman
 Minority Appropriations Chairman
 Majority Caucus Secretary
 Minority Caucus Secretary
 Majority Caucus Policy Chairman
 Minority Caucus Policy Chairman
 Majority Caucus Administrator
 Minority Caucus Administrator

CPI-U for November 1, 2002, through October 31, 2003, cumulative percentage change equals 2.42220%.

New salary amount equals \$66,203.55.

Under section 4(d.1) of the Public Official Compensation Law (65 P. S. § 366.4(d)), for the 12-month period beginning December 1, 2003, through November 30, 2004, the additional compensation of the officers and leaders of the General Assembly shall be increased by a cost-of-living factor which is determined by increasing the amount of the salary by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, officially reported by the United States Department of Labor, Bureau of Labor Statistics for the period from November 1, 2002, through October 31, 2003.

The percentage increase and the new compensation amounts have been determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives as follows:

<i>Increase</i>	<i>New Compensation</i>
2.4220%	\$37,144.42
2.4220%	\$29,716.94
2.4220%	\$29,716.94
2.4220%	\$22,552.87
2.4220%	\$22,552.87
2.4220%	\$14,061.92
2.4220%	\$14,061.92
2.4220%	\$22,552.87
2.4220%	\$22,552.87
2.4220%	\$ 9,286.81
2.4220%	\$ 9,286.81
2.4220%	\$ 9,286.81
2.4220%	\$ 9,286.81
2.4220%	\$ 9,286.81
2.4220%	\$ 9,286.81

W. RUSSELL FABER,
Chief Clerk
Senate of Pennsylvania
 TED MAZIA,
Chief Clerk
House of Representatives

[Pa.B. Doc. No. 03-2256. Filed for public inspection November 26, 2003, 9:00 a.m.]

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Philadelphia Traffic Court; Administrative Order 01 of 2003

And Now, this 7th day of November, 2003, in order to receive Traffic citations issued by law enforcement officers in a more timely and expeditious manner, *It Is Hereby Ordered* that the Philadelphia Traffic Court shall accept traffic citations prepared, verified, and transmitted electronically by a law enforcement officer. Provided, however, that the law enforcement officer who prepares and verifies the electronic citation must contemporaneously give the defendant a paper copy of the citation containing all of the information required by Pa.R.Crim. No. 403. It is further provided that the Traffic Court shall retain the said electronically transmitted data as required by applicable record retention schedules, and further that the Traffic Court, as the issuing authority, may be able to print out, if necessary, an exact copy of the citation that is issued to the defendant utilizing the electronically submitted data.

The original Administrative Order shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the President Judge of the Philadelphia Traffic Court, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau, the Criminal Procedures Rules Committee, and the Minor Court Rules Committee. Copies of the Order shall also be submitted to *American Lawyer Media, The Legal Intelligencer*, Jenkins Memorial Law Library for the First Judicial District of Pennsylvania.

FRANCIS E. KELLY,
President Judge
Philadelphia Traffic Court

[Pa.B. Doc. No. 03-2257. Filed for public inspection November 26, 2003, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rules of Civil Procedure; No. 10130 of 2001

Order

November 10, 2003

At the request of the Administrative Office of Pennsylvania Courts, Beaver County Local Rules Nos. L 3101, L 3101.1 and L 3101.2 (relating to Landlord-Tenant Related Wage Attachments) are rescinded effective immediately.

The Court Administrator of Beaver County shall transmit seven (7) certified copies of this Order to the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication

in the *Pennsylvania Bulletin*, one certified copy to the Civil Procedural Rules Committee of the Pennsylvania Supreme Court, one copy to the Beaver County Law Library and one copy with the Prothonotary of Beaver County to be kept for public inspection and copying.

By the Court

ROBERT E. KUNSELMAN,
President Judge

[Pa.B. Doc. No. 03-2258. Filed for public inspection November 26, 2003, 9:00 a.m.]

FAYETTE COUNTY

Judicial Assignment of Divorce, Custody, and Support Cases; No. 2 of 2003 J. A.

Order

And Now, this 7th day of November, 2003, it is ordered that:

(a) All Custody and Support cases shall be assigned by the Administrative Office of Fayette County Courts, to a specific judge based on alphabetical order according to the father's last name. In cases where the father is deceased or unknown, assignment will be in alphabetical order according to the mother's last name.

(b) All Divorce cases shall be assigned in alphabetical order according to the male's last name.

(c) The assigned judge will handle all matters regarding the case.

(d) The order of alphabetical assignment is as follows:

- (1) A-E The Honorable John F. Wagner Jr.
- (2) F-Lg The Honorable Gerald R. Solomon
- (3) Lh-R The Honorable Ralph C. Warman
- (4) S-Z The Honorable Steve P. Leskinen

(e) The assigned Judge's name shall be placed on all subsequent pleadings by counsel under the number and term of the case.

(f) The Administrative Office of Fayette County Courts shall assign all judicial recusals in these cases by docket rotation.

This order is effective immediately.

By the Court

CONRAD B. CAPUZZI,
President Judge

[Pa.B. Doc. No. 03-2259. Filed for public inspection November 26, 2003, 9:00 a.m.]

FAYETTE COUNTY

2004 Court Calendar; No. 1 of 2003 J. A.

Order

And Now, this 5th day of November, 2003, it is hereby Ordered that the Court Calendar of the Court of Common Pleas of Fayette County of the 14th Judicial District of Pennsylvania for the year 2004, be and the same is

hereby established in accordance with the schedule as follows and made a part hereof.

By the Court

CONRAD B. CAPUZZI,
President Judge

2004 Fayette County Court Calendar

January

- 1 - New Years Day (HOLIDAY)
- 2 - Call of Civil List
- 5 - Criminal Court Week
- 15 - Arraignment Court
- 19 - Martin Luther King, Jr. (HOLIDAY)
- 20 - Civil Court Week
- 20 - Orphans' Court Audits
- 26 - Criminal Pre-trials
- 26 - Call of the Criminal List
- 27 - Arbitration Day

February

- 2 - Criminal Court Week
- 16 - President's Day (HOLIDAY)
- 17 - Orphans' Court Audits
- 19 - Arraignment Court
- 23 - Criminal Pre-trials
- 23 - Call of the Criminal List
- 24 - Arbitration Day

March

- 1 - Criminal Court Week
- 15 - Orphans' Court Audits
- 18 - Arraignment Court
- 25 - Criminal Pre-trials
- 25 - Call of the Criminal List
- 30 - Arbitration Day

April

- 2 - Call of the Civil List
- 5 - Criminal Court Week
- 9 - Good Friday (HOLIDAY)
- 15 - Arraignment Court
- 19 - Civil Court Week
- 19 - Orphans' Court Audits
- 26 - Criminal Pre-trials
- 26 - Call of the Criminal List
- 27 - Primary Election Day
- 27 - Arbitration Day

May

- 3 - Criminal Court Week
- 17 - Orphans' Court Audits
- 20 - Arraignment Court
- 25 - Arbitration Day
- 27 - Criminal Pre-trials
- 27 - Call of the Criminal List
- 31 - Memorial Day (HOLIDAY)

June

- 7 - Criminal Court Week
- 17 - Arraignment Court
- 21 - Orphans' Court Audits
- 24 - Criminal Pre-trials
- 24 - Call of the Criminal List
- 29 - Arbitration Day

July

- 2 - Call of Civil List
- 5 - Independence Day Observance (HOLIDAY)
- 6 - Criminal Court Week

- 15 - Arraignment Court
- 19 - Civil Court Week
- 19 - Orphans' Court Audit
- 26 - Criminal Pre-trials
- 26 - Call of the Criminal List
- 27 - Arbitration Day

August

- 2 - Criminal Court Week
- 16 - Orphans' Court Audits
- 19 - Arraignment Court
- 26 - Criminal Pre-trials
- 26 - Call of the Criminal List
- 31 - Arbitration Day

September

- 6 - Labor Day (HOLIDAY)
- 7 - Criminal Court Week
- 16 - Arraignment Court
- 20 - Orphans' Court Audits
- 27 - Criminal Pre-trials
- 27 - Call of the Criminal List
- 28 - Arbitration Day

October

- 1 - Call of the Civil List
- 4 - Criminal Court Week
- 11 - Columbus Day Observance (HOLIDAY)
- 18 - Civil Court Week
- 18 - Orphans' Court Audits
- 21 - Arraignment Court
- 25 - Criminal Pre-trials
- 25 - Call of the Criminal List
- 26 - Arbitration Day

November

- 1 - Criminal Court Week
- 2 - Election Day
- 11 - Veteran's Day (HOLIDAY)
- 15 - Orphans' Court Audits
- 18 - Arraignment Court
- 23 - Criminal Pre-trials
- 23 - Call of the Criminal List
- 25 - Thanksgiving Day (HOLIDAY)
- 26 - Day after Thanksgiving (HOLIDAY)
- 30 - Arbitration Day

December

- 6 - Criminal Court Week
- 16 - Arraignment Court
- 20 - Orphans' Court Audits
- 20 - Criminal Pre-trials
- 20 - Call of the Criminal List
- 24 - Christmas Eve (HOLIDAY)
- 27 - Christmas Observance (HOLIDAY)
- 28 - Arbitration Day

[Pa.B. Doc. No. 03-2260. Filed for public inspection November 26, 2003, 9:00 a.m.]

YORK COUNTY

**Administrative Order Appointing and Approving
Custody Mediator; No. 2003-MI-00304-455**

Administrative Order

And Now, To Wit, this 10th day of November, 2003, it is Ordered that the following individual is appointed and

approved as a custody mediator, under Pa.R.Civ.P. § 1940.4, for the term of 2003 and until further Order:

Kevin M. Behr MS, LPC

Any individual approved as a mediator shall remain in compliance with any and all rules and regulations of the Commonwealth of Pennsylvania, and shall only mediate custody cases in conformity with procedures and duties set forth under Pa.R.Civ.P. § 1940.1—1940.9.

It Is Further Ordered that, in accordance with Pa.R.Civ.P. § 239, the District Court Administrator shall:

(1) File seven copies hereof with the Administrative Office of Pennsylvania Courts;

(2) Distribute two certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(3) File one certified copy hereof with the Domestic Relations Procedural Rules Committee; and

(4) Supervise the distribution hereof to all Judges, the mediator appointed, and to the custody conciliators.

By the Court

JOHN H. CHRONISTER,
President Judge

[Pa.B. Doc. No. 03-2261. Filed for public inspection November 26, 2003, 9:00 a.m.]

APPELLATE COURT PROCEDURAL RULES COMMITTEE

Contact Information

Effective immediately, all inquires and comments to the Appellate Court Procedural Rules Committee may be submitted by e-mail at the following address:

appellaterules@pacourts.us

The Committee can also be reached by mail at:

Appellate Court Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

The telephone number for the Committee is: 717-795-2042

The fax number is: 717-795-2106

Judge Joseph A. Hudock, Chair
Superior Court of Pennsylvania
One Northgate Square
Greensburg, PA 15601

Dean R. Phillips, Chief Counsel
P. O. Box 3010
Blue Bell, PA 19422
(215)-977-1067

Judge Thomas A. Wallitsch, Vice Chair
Lehigh County Court of Common Pleas
455 West Hamilton Street
Allentown, PA 18101-1614

Rebecca M. Darr, Deputy Counsel
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

JOSEPH A. HUDOCK,
Chair

[Pa.B. Doc. No. 03-2262. Filed for public inspection November 26, 2003, 9:00 a.m.]

ORPHANS' COURT PROCEDURAL RULES COMMITTEE

Contact Information

Effective immediately, all inquires and comments to the Orphans Court Procedural Rules Committee may be submitted by e-mail at the following address:

orphanrules@pacourts.us

The Committee can also be reached by mail at:

Orphans' Court Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

The telephone number for the Committee is: 717-795-2042

The fax number is: 717-795-2106

Judge John M. Cascio, Chair
Somerset County Courthouse
111 East Union Street
Somerset, PA 15501

Dean R. Phillips, Chief Counsel
P. O. Box 3010
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(215) 977-1067

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5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

JOHN M. CASCIO,
Chair

[Pa.B. Doc. No. 03-2263. Filed for public inspection November 26, 2003, 9:00 a.m.]

RULES AND REGULATIONS

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CHS. 71 AND 171]

School Bus Drivers, School Buses and School Vehicles

The Department of Transportation (Department), Bureau of Driver Licensing, under 75 Pa.C.S. §§ 1504, 1508, 1509, 4551—4553 and 6103, adopts amendments to Chapters 71 and 171 (relating to school bus drivers; and school buses and school vehicles) to read as set forth in Annex A.

Purpose of Chapters 71 and 171

The purpose of Chapter 71 is to set forth the course instruction and physical examination requirements for school bus drivers under 75 Pa.C.S. § 1509 (relating to qualifications for school bus driver endorsement). The purpose of Chapter 171 is to set forth equipment and safety requirements for school buses as provided for in 75 Pa.C.S. § 4552 (relating to general requirements for school buses) and for other vehicles transporting school children as provided for in 75 Pa.C.S. § 4553 (relating to general requirements for other vehicles transporting school children). The Department published proposed rulemaking at 32 Pa.B. 1396 (March 16, 2002) and provided a 30-day public comment period. The Department also submitted the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Transportation Committees of the House and Senate. The Department received no comments during the public comment period but received comments from IRRC and from a member of the House Transportation Committee. Additional review of the regulations by the Pupil Transportation Advisory Committee (PTAC) members has also resulted in some refinements to the regulations in their final form. The comments and changes are discussed in the Summary.

Summary of Comments and Changes in the Final-Form Rulemaking

Representative Jess M. Stairs, a member of the House Transportation Committee, suggested that § 171.47(2) (relating to color) be amended to include a requirement that every school bus/vehicle bear the identification number of the vehicle in large black numbers painted on its roof. The comment was prompted by an incident earlier in 2002 during which a school bus driver effectively abducted the students on the bus and drove them out of State before being apprehended. Identification numbers painted on the roof of school buses/vehicles would permit easier identification of an errant bus/vehicle from the air.

The Department has determined that the comment of Representative Stairs has considerable merit but that requiring that identification could impose significant cost to school bus fleet owners and school districts. Consequently, § 171.55 (relating to identification) has been amended to permit the placement of the identifying title number of the vehicle on the roof of a school bus and establishes the criteria for the placement and size of the numbering. This will allow school bus fleet owners and school districts to phase in the numbering as budgetary considerations permit.

IRRC commented that § 71.3 (relating to physical examination) lacked clarity and suggested that a cross

reference to the Department's requirements for a driving examination be added in subsection (b)(2) and (3)(ii)(C). The cross reference has been added to the subsection. IRRC also commented that it was not clear in this section how a prospective driver would apply for a waiver. A new subsection (e) was added to address this concern. Parenthetical definitions for the acronyms in subsection (b)(5)(i)(B) have also been added in response to IRRC comment.

IRRC reiterated the suggestion of Representative Stairs that a requirement be included in §§ 171.47 and 171.55 that identification numbers be painted on the roof of all school buses and school vehicles. For the cost and practicability reasons noted previously, the Department has declined to include this as a requirement, but has established parameters permitting identifying markings at the discretion of the school district.

IRRC questioned whether specific contents of a "body fluid clean-up kit" should be included in §§ 171.52, 171.123 and 171.133 (relating to first aid). Body fluid clean-up kits, like first aid kits, are a product developed for, and marketed to, a wide variety of users; the contents have been dictated by the professionals and technicians working in that industry. It is the Department's concern that specification of essential contents might lead to the substitution of just those elements instead of the professionally developed kit. Consequently, the Department has declined to include specific contents of the kit in the regulation.

With regard to § 171.74a (relating to the crossing control arm), IRRC noted that the regulation should reference the criteria in 75 Pa.C.S. § 4552(b.2) requiring the arm to be "automatically activated whenever the bus is stopped with the red visual signals in use." This language has been added to § 171.74a.

Finally, IRRC noted that in § 171.123 the Department had eliminated the specific number of gauze pads, bandages and other items used for first aid and required "one package" of these items. The Department responds that the specificity was removed at the suggestion of the PTAC which noted that the vehicles subject to this subchapter are those which carry ten or fewer passengers, including the driver. Notwithstanding that the number of items in "one package" may vary among different product providers and among different packaging, it is believed that the requirement of "one package" of these items is therefore sufficient to guarantee adequate supply of necessary first aid materials for the small number of passengers, and there is, consequently, no need for the detail in the current regulations.

In addition to the comments from Representative Stairs and IRRC, other refinements to the regulations were suggested through continuing internal review. With regard to § 71.3(b)(4)(ii)(C), it was noted that drivers are not always hired by the school district directly but may be hired by a contracting bus service. Consequently "by a school district" was removed from this subsection.

With regard to Chapter 171, additional refinements have been made. It was noted that some school bus designs cannot accommodate a 72-inch crossing control arm. For these vehicles, a shorter control arm is available. Additional provisions have been added to § 171.74a, therefore, to permit the use of a shorter control arm

provided that with the arm extended the children walking around it are clearly visible to the driver of the vehicle while seated.

It was also noted that § 171.21(c) and (d) (relating to exhaust system) contained provisions for delayed compliance until a 1998 date long past. That language has been deleted in the final-form rulemaking.

The insertion of new § 171.50(b)(1)(xii) (relating to doors and emergency exits) in the proposed rulemaking was intended to move the language from § 171.50(a)(9) to a more appropriate location in the regulations. The phrase "an ignition interlock system or" was inadvertently omitted in the move and has been inserted in § 171.50(b)(1)(xii) in this final-form rulemaking. This is also consistent with the provisions in § 171.104(12) (relating to special services entrance doors).

The new language inserted in § 171.55(b) has been further clarified that on rounded-front buses the identification number may appear in yellow numbers, letters or combination on the black front bumper, in lieu of black numbers, letters or combination on the front of the yellow bus body.

Statutory Authority

This final-form rulemaking is adopted under 75 Pa.C.S. §§ 1504, 1508, 1509, 4551—4552, 4553 and 6103.

Persons and Entities Affected

This final-form rulemaking affects persons and entities responsible for the transportation of school children. This includes all 501 school districts and any organization they may contract to provide pupil transportation. In addition, the State Police will be affected when conducting school bus vehicle inspections.

Fiscal Impact

This final-form rulemaking will not impose any increased costs on private persons, State or local governments. This final-form rulemaking will not occasion the development of any additional reports or other paperwork requirements.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 5, 2002, the Department submitted a copy of the notice of proposed rulemaking, published at 32 Pa.B. 1396, to IRRC and to the Chairpersons of the House and Senate Transportation Committees for review and comment.

In preparing this final-form rulemaking, the Department has considered all comments received from IRRC and the Committees; no comments were received from the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on July 30, 2003, this final-form rulemaking was deemed approved by the House and Senate Transportation Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 9, 2003, and approved the final-form rulemaking.

Effective Date

This final-form rulemaking will be effective on the date of publication in the *Pennsylvania Bulletin*.

Sunset Date

The Department is not establishing a sunset date for these regulations, since these regulations are needed to administer provisions required under 75 Pa.C.S. (relating

to the Vehicle Code). The Department will, however, continue to closely monitor these regulations for their effectiveness.

Contact Person

The contact person for technical questions related to this final-form rulemaking is Chris Ann Miller, Manager, Special Driver Programs, Department of Transportation, Bureau of Driver Licensing, Riverfront Office Center, 1101 South Front Street, 3rd Floor, Harrisburg, PA 17104, (717) 772-2117.

Order

The Department orders that:

(a) The regulations of the Department, 67 Pa. Code Chapters 71 and 171, are amended by amending §§ 71.1, 71.3, 171.21, 171.47, 171.50, 171.52, 171.55, 171.59, 171.104, 171.123 and 171.133; and by adding § 171.74a to read as set forth in Annex A.

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

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

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

ALLEN D. BIEHLER, P. E.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 33 Pa.B. 5392 (October 25, 2003).)

Fiscal Note: Fiscal Note 18-372 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE IV. LICENSING

CHAPTER 71. SCHOOL BUS DRIVERS

§ 71.1. Scope and application.

This chapter applies to the course of instruction and physical examination for school bus drivers required by 75 Pa.C.S. § 1509 (relating to qualifications for school bus driver endorsement).

§ 71.3. Physical examination.

* * * * *

(b) *Requirements of physical examination.* A person is physically qualified to drive a school bus if the person:

* * * * *

(2) Has no loss of a foot, a leg, a hand, or an arm; or has been granted a waiver by the Department after competency has been demonstrated through a driving examination administered in accordance with § 71.4(b)(2)(ii) and (iii) (relating to driver's examination).

(3) Has no impairment of:

(i) A hand or finger likely to impair prehension or power grasping, or has been granted a waiver by the Department after competency has been demonstrated

through a driving examination administered in accordance with § 71.4(b)(2)(ii) and (iii).

* * * * *

(4) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring use of insulin or other hypoglycemic medication.

(i) A waiver may be granted to an individual requiring the use of oral hypoglycemic medication provided:

(A) The individual's physician verifies in writing that there has been no incident of hypoglycemic reaction for the preceding 2 years.

(B) The driver submits to a diabetic examination every 6 months and submits the results of the examination on a form provided by the Department.

(ii) A waiver may be granted to a person requiring the use of insulin provided:

(A) The person's physician verifies in writing to the Department that there has been no incident of hypoglycemic or hyperglycemic reaction and the person has been free from insulin reaction (including loss of consciousness, attention or awareness) or the requirement of assistance from another person, for the preceding 2 years.

(B) The person submits to a diabetic examination every 6 months, including a Hemoglobin A1C, and to a review of the prior 6-month history of blood glucose monitoring. The physician conducting the diabetic examination shall be familiar with the person's past diabetic history for 24 months or have access to that history.

(C) The person, upon hire to drive a school bus, shall demonstrate his willingness to manage his diabetes by complying with the following requirements:

(I) Self-monitoring blood glucose 1 hour before driving, and at least every 4 hours while driving or while otherwise on duty, by using a portable blood glucose monitoring device with a computerized memory. If blood glucose is below 80 or above 350 the person may not drive until he takes appropriate measures and retests within this acceptable range.

(II) Submitting monthly the results of blood glucose self-monitoring for review by a physician, certified nurse practitioner, physician's assistant, registered nurse or other health care provider selected by the school district. The results shall also be submitted to the physician conducting the 6-month diabetic examination required by clause (B).

(III) Maintaining a manual blood glucose monitoring log and submitting it, together with the glucose monitoring device's computerized log, every 6 months to the physician conducting the person's 6-month diabetic examination.

(IV) Having in his possession a source of rapidly absorbable glucose at all times while driving a school bus.

(iii) A reviewing physician finding that a person previously qualified for a waiver is not complying with the requirements in subparagraph (ii)(C) or is otherwise no longer qualified for the waiver shall report these findings to the Department and the waiver shall be rescinded.

(iv) If a person requiring the use of oral hypoglycemic medication or a person requiring the use of insulin does not qualify for a waiver, that person may request an independent review of his medical records. The review

will be conducted by a member of the Medical Advisory Board or by another physician designated by the Department.

(v) Submissions to the Department by physicians or other health care providers, including physician verifications and the results of diabetic examinations, shall be made on forms provided by the Department.

(5) Has no established medical history or clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency or pacemaker insertion.

(i) Waivers may be granted to those individuals with a history of coronary artery disease, previous myocardial infarction, congenital heart defects, cardiomyopathy, pericarditis, myocarditis, chronic atrial flutter/fibrillation or valvular heart disease, and individuals who have undergone corrective surgery for congenital heart defects, coronary angioplasty, valve repair/replacement, coronary artery bypass graft surgery, or ablative surgery for paroxysmal supraventricular arrhythmias, if the individual annually meets these criteria:

(A) The individual is asymptomatic from the disorder or is receiving medication used to treat the disorder and is asymptomatic on medication.

(B) The individual completes seven Mets (metabolic equivalents) on a treadmill stress EKG (electrocardiogram) test preferably following the Bruce or Balke Protocols and achieves 85% of the predicted maximal heart rate without symptoms or EKG changes. If the resting EKG is abnormal, or the individual is on digoxin, then a stress thallium test should be performed.

(C) An echo, gated blood pool scan or left ventriculogram performed on the individual measures a left ventricular ejection fraction of 40% or greater.

(ii) In the case of a permanent pacemaker insertion, the individual shall be 2 months post insertion, asymptomatic and demonstrate that he is undergoing regular pacemaker follow up.

(iii) In the case of chronic atrial flutter/fibrillation, the individual shall be on anticoagulant therapy with aspirin or Coumadin and demonstrate adequate rate control when exercising on a treadmill as listed in subparagraph (i)(B).

(iv) Waivers may not be granted to individuals:

(A) Diagnosed with symptomatic coronary artery disease (angina), cardiomyopathy, pericarditis, myocarditis, congenital or valvular heart disease.

(B) Within 2 months of a myocardial infarction, open heart surgery or pacemaker insertion.

(C) Implanted with an automatic cardioverter/defibrillators or antitachycardic device.

(D) With any history of ventricular tachycardia (excluding couplets and triplets), ventricular fibrillation or sudden cardiac death with successful resuscitation.

(E) With any history of paroxysmal supraventricular tachycardia.

(F) With any history of carotid sinus hypersensitivity, sick sinus syndrome, second degree heart block or third degree heart block unless a pacemaker has been inserted.

* * * * *

(10) Has no established medical history or clinical diagnosis of seizure disorders or another condition likely to cause loss or impairment of consciousness or loss of ability to drive a school bus safely.

(i) A waiver may be granted to these persons provided:

(A) There has been no more than a single, nonrecurring episode of altered consciousness or loss of bodily control, occurring at least 2 years preceding application, which did not require treatment.

(B) A seizure disorder has been diagnosed, but the person has been episode-free for at least 5 years preceding application and has not required treatment for at least 5 years preceding application.

* * * * *

(e) *Application for waiver.* Application for waiver under this section may be obtained from the Department at the time of application for a school bus driver endorsement or thereafter.

ARTICLE VII. VEHICLE CHARACTERISTICS
CHAPTER 171. SCHOOL BUSES AND SCHOOL VEHICLES

Subchapter B. SCHOOL BUS CHASSIS STANDARDS

§ 171.21. Exhaust system.

(a) *General rule.* The exhaust pipe, muffler and tailpipe shall be outside the body compartment and securely attached to the chassis with clamps and hangers of a type and installed as recommended by the chassis manufacturer.

(b) *Tailpipe.* The tailpipe shall be constructed of a corrosion-resistant tubing material at least equal in strength and durability to 16 gauge steel tubing.

(c) *Tailpipe extension.* The exhaust system of a school bus powered by a gasoline engine shall discharge to the atmosphere at or within 6 inches forward of the rearmost part of the school bus.

(d) *Tailpipe extension for school buses using fuels other than gasoline.* The exhaust system for a school bus using fuels other than gasoline shall discharge to the atmosphere either at or within 15 inches forward of the rearmost part of the vehicle; or to the rear of all doors or windows designed to be opened, except windows designed to be opened solely as emergency exits.

(e) *Insulation.* The exhaust system on a gasoline powered chassis shall be properly insulated from fuel tank connections by a securely attached metal shield at any point where it is 12 inches or less from the tank or tank connections.

(f) *Muffler.* The muffler shall be constructed of corrosion resistant material.

(g) *Discharge lines and outlets.* The discharge lines and outlets on school buses equipped with compressed or liquified gas fuel systems shall be installed in accordance with Chapter 175 (relating to vehicle equipment and inspection).

(h) *Exhaust system hangers.* Exhaust systems may be equipped with hangers that permit required movement due to expansion and contraction caused by heat of the exhaust and relative motion between the engine and chassis of a vehicle.

(i) *Exhaust system and discharge location.* Exhaust systems are not permitted to discharge to the atmosphere at a location immediately below the fuel tank or the fuel tank filler pipe. Exhaust systems shall also extend and discharge completely to the outside edge of the vehicle body.

Subchapter C. SCHOOL BUS BODY STANDARDS

§ 171.47. Color.

The requirements for the color of school bus bodies are as follows:

(1) The school bus body shall be painted a uniform National School Bus Yellow. See Appendix B.

(2) The roof of the school bus may be painted white.

(3) The body exterior trim may be painted black. The bumper and exterior mirrors shall be painted black.

(4) If a school bus is equipped with reflective material, other than that required under §§ 171.50 and 171.59 (relating to doors and emergency exits; and lamps and signals), the reflective material shall be of automotive engineering grade or better. If additional reflective materials and markings are used, they may be applied as follows:

* * * * *

§ 171.50. Doors and emergency exits.

(a) *Service doors.* The requirements for service doors are as follows:

(1) The service door shall be under the control of the driver, and designed so as to afford easy release and prevent accidental opening. When a hand lever is used, no part may come together so as to shear or crush fingers.

(2) The service door shall be located on the right side of the school bus opposite the driver and within direct view of the driver.

(3) The service door shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches. Type A school bus service doors shall have a minimum opening area of 1,200 square inches.

(4) The service door shall be of the split type, sedan type or jackknife type. Split-type door includes a sectioned door which divides and opens inward or outward. If one section of a split type door opens inward and the other opens outward, the front section shall open outward.

(5) Lower as well as upper windows shall have approved safety glazing. The bottom of the lower window may not be more than 35 inches from the ground when the bus is unloaded. The top of the upper window may not be more than 6 inches from the top of the door. Type A school buses shall have an upper window with an area of at least 350 square inches of approved safety glazing.

(6) Vertical closing edges on split type or folding type entrance doors shall be equipped with flexible material to protect the passengers' fingers. Type A school buses may be equipped with the chassis manufacturer's standard entrance door.

(7) There may be no door to the left of the driver on Type C or D school buses. Type A and B school buses may be equipped with the chassis manufacturer's standard entrance door.

(8) Doors shall be equipped with padding at the top edge of each door opening. The padding shall be at least 3 inches wide and 1 inch thick and extend the full width of the door opening.

(b) *Emergency exits.* Each school bus shall comply with FMVSS No. 217. See Appendix A. The area of square centimeters of the unobstructed opening for emergency exits shall collectively amount to at least 432 times the

number of designated seating positions in the bus. The area of an opening equipped with a wheel chair lift is counted toward meeting additional emergency area requirements only if the lift is designed to be folded or stored so that the area is available for use by persons not needing the lift.

(1) The requirements for emergency exit doors are as follows:

* * * * *

(xii) Supplemental security locks installed on emergency doors shall be equipped with an ignition interlock system or an audiovisual alarm located in the driver's compartment.

* * * * *

§ 171.52. First aid.

(a) *First aid kit.* Every school bus shall have a removable moisture and dustproof first aid kit, mounted in an accessible place within the driver's compartment. The first aid kit shall be mounted as directed by the manufacturer. The first aid kit shall be labeled and visible to the driver or its location shall be marked.

(b) *Content.* The first aid kit shall contain, at a minimum, the following items:

- (1) Two 1 inch × 2 1/2 yards rolls of nonlatex adhesive tape.
- (2) Twenty-four sterile gauze pads, 3 inches × 3 inches
- (3) One hundred 3/4 inch × 3 inches adhesive bandages.
- (4) Eight 2 inch bandage compresses.
- (5) Ten 3 inch bandage compresses.
- (6) Two 2 inches × 6 yards sterile gauze roller bandages.
- (7) Two nonsterile triangular bandages approximately 40 inches × 36 inches × 54 inches with 2 safety pins.
- (8) Three sterile gauze pads, 36 inches × 36 inches.
- (9) Three sterile eye pads.
- (10) One pair rounded end scissors.

(c) *Body fluid clean-up kit.* Every school bus shall have a removable and moisture proof body fluid clean-up kit. It shall be securely placed or mounted in an easily accessible location and labeled as a body fluid clean-up kit.

(d) *Surgical gloves and mouth barriers.* Either the first aid kit or the body fluid cleanup kit shall contain:

- (1) One pair of nonlatex surgical gloves.
- (2) One mouth barrier.

§ 171.55. Identification.

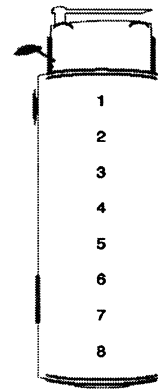
(a) *Required.* Every school bus body shall bear the words "SCHOOL BUS" in black letters at least 8 inches high on both the front and the rear of the body, or on signs attached thereto. Lettering shall be placed as high as possible without impairment of its visibility. Lettering shall conform to "Series B" of Standard Alphabets for Highway Signs.

(b) *Identification number.* Every school bus shall display an identification number consisting of no more than 4 black numbers, letters or a combination of numbers and letters. The numbers or letters shall be a minimum 5 inches in height and shall be displayed in a prominent location on the front, rear and on both sides of the bus. On a school bus with a rounded front, the identification number displayed on the front of the bus may be

displayed on the black front bumper in yellow numbers, letters, or a combination of numbers and letters, in lieu of black numbers, letters, or a combination of numbers and letters on the front of the yellow bus body.

(c) *Additional markings.* School buses shall have the name of the school district, private or parochial school, or school bus contractor clearly visible, lettered on each side of the school bus body in the upper body belt band area as close as practical to the bottom ledge of the bottom window sash in letters of not less than 4 inches, and not more than 8 inches in height. Lettering shall be in black or National School Bus Yellow, depending on the contrasting background color. See Appendix B. Other signs or lettering are not permitted, except the bus contractor may have his name or the name of the company in letters no larger than 3 inches in height, or the dealer identification insignia may be displayed in an area not to exceed 6 inches in height by 12 inches in width to the rear of the front entrance at the lowest possible point. Pennsylvania Public Utility Commission and Interstate Commerce Commission certification numbers, and any other required commercial vehicle markings may be displayed.

(d) *Roof-top identification.* School buses may display the first eight digits of the title number on the roof in numbers of at least 12.75 inches and not more than 15 inches in height. Lettering shall be in black reflective material and placed in a longitudinal column with the first digit beginning at the front and the last digit ending towards the rear of the school bus as illustrated as follows:



§ 171.59. Lamps and signals.

* * * * *

(b) *Flashing signal lamps and stop signal arm devices.* The requirements for flashing signal lamps and stop signal arm devices are as follows:

* * * * *

(2) *Stop signal arm devices.* Stop signal arm devices on school buses shall comply with FMVSS No. 131—See Appendix A—and the following requirements:

* * * * *

(x) The stop signal arm shall be automatically extended so that it complies with subparagraph (viii), at a minimum, whenever the red signal lamps required by FMVSS No. 108, S 5.1.4—See Appendix A—are activated; except that a device may be installed that prevents the automatic extension of a stop signal arm. The mechanism for activating the device shall be within the reach of the driver. While the device preventing automatic extension is

activated, a continuous or intermittent signal audible to the driver shall sound. The audible signal may be equipped with a timing device but shall require the signal to sound for at least 60 seconds. If a timing device is used, it shall automatically recycle each time the service entry door is opened while the engine is running and the manual override is engaged.

* * * * *

§ 171.74a. Crossing control arm.

School buses shall be equipped with a crossing control arm which shall be automatically activated whenever the bus is stopped with the red visual signals in use.

(1) The crossing control arm shall meet or exceed SAE Standard J1133.

(2) The crossing control arm shall be mounted on the right side of the front bumper and shall not open more than 90°.

(3) The crossing control arm shall extend approximately 72 inches from the front bumper when in the extended position or otherwise be of sufficient length that, when extended, the end will be in view of the seated driver.

(4) The crossing control arm shall extend simultaneously with the stop arm by means of the stop arm controls.

(5) The crossing control arm shall incorporate system connectors (electrical, vacuum, or air) at the gate and shall be easily removable to allow for towing of the school bus.

(6) All components of the crossing control arm and all connections shall be waterproofed.

(7) If the crossing control arm is not constructed of noncorrosive or nonferrous material, it shall be zinc-coated or aluminum-coated or treated by equivalent process.

(8) There must not be sharp edges or projections on the crossing control arm that could cause hazard or injury to students.

Subchapter D. SPECIALLY EQUIPPED SCHOOL BUS STANDARDS

§ 171.104. Special service entrance doors.

The requirements for special service entrance doors are as follows:

(1) Either a single door or double doors may be used for the special service entrance.

(2) Doors shall open outwardly.

(3) Doors shall have positive fastening devices to hold the doors in the open position.

(4) Doors shall be weather sealed. Double doors shall be so constructed that a flange on the outside of the forward door overlaps the edge of the rear door when closed.

(5) If optional power doors are installed, the design shall permit release of the doors for opening and closing from the platform inside the school bus.

(6) If manually operated dual doors are provided, the rear door shall have at least a one point fastening device to the header.

(i) The forward mounted door shall have at least three fastening devices—one to the header, one to the floor line of the body and the other into the rear door.

(ii) These locking devices shall afford maximum safety when the doors are in the closed position.

(iii) The door and hinge mechanism shall be of sufficient strength to provide for the same type of use as a standard entrance door.

(7) Door materials, panels and structural strength shall be equivalent to the conventional service and emergency doors. Color, rub rail extensions, lettering and other exterior features shall match adjacent sections of the body.

(8) Each door shall have windows set in rubber compatible within 1 inch of the lower line of the adjacent sash.

(9) Doors shall be equipped with a device that will actuate an audible or visible signal located in the driver's compartment when the doors are not securely closed and the ignition is in the "on" position.

(10) The lifting mechanism switch shall be wired so as to prevent the lifting mechanism from operating when the lift platform door is closed.

(11) Supplemental security locks installed on special service entrance doors shall be equipped with an ignition interlock system or an audiovisual alarm located in the driver's compartment.

Subchapter E. SCHOOL VEHICLE STANDARDS

§ 171.123. First aid.

(a) *Required.* Every vehicle shall have a removable moisture and dustproof first aid kit mounted in an accessible place within the driver's compartment. The first aid kit shall be mounted as directed by the manufacturer. The first aid kit shall be labeled and securely placed or mounted in an easily accessible location.

(b) *Content.* The first aid kit shall contain, at a minimum, the following items:

(1) One 1 inch × 2 1/2 yards rolls of nonlatex adhesive tape.

(2) One package sterile gauze pads, 3 inches × 3 inches.

(3) One package 3/4 inch × 3 inches adhesive bandages.

(4) One package 2 inch bandage compresses.

(5) One package 3 inch bandage compresses.

(6) One 2 inch × 6 yards sterile gauze roller bandage.

(7) One nonsterile triangular bandage approximately 40 inches × 36 inches × 54 inches with two safety pins.

(8) One package sterile gauze pads, 36 inches x 36 inches (U.S.P. 2423 count).

(9) One sterile eye pad.

(10) One pair rounded end scissors.

(c) *Body fluid clean-up kit.* Every vehicle shall have a removable and moisture proof body fluid clean-up kit. It shall be securely placed or mounted in an easily accessible location and labeled as a body fluid clean-up kit.

(d) *Surgical gloves and mouth barriers.* Either the first aid kit or the body fluid cleanup kit shall contain:

(1) One pair of nonlatex surgical gloves.

(2) One mouth barrier.

**Subchapter F. MASS TRANSIT PUPIL
TRANSPORTATION BUS STANDARDS**

§ 171.133. First aid.

(a) *First aid kit.* Every mass transit pupil transportation bus shall have a removable moisture and dust proof first aid kit mounted in an accessible place within the driver's compartment. The first aid kit shall be mounted as directed by the manufacturer. The first aid kit shall be labeled and visible to the driver or its location shall be marked.

(b) *Content.* The first aid kit shall contain, at a minimum, the following items:

- (1) Two 1 inch × 2 1/2 yards rolls of nonlatex adhesive tape.
- (2) Twenty-four sterile gauze pads, 3 inches × 3 inches.
- (3) One hundred 3/4 inch × 3 inches adhesive bandages.
- (4) Eight 2 inch bandage compresses.
- (5) Ten 3 inch bandage compresses.
- (6) Two 2 inches × 6 yards sterile gauze roller bandages.
- (7) Two nonsterile triangular bandages approximately 40 inches × 36 inches × 54 inches with 2 safety pins.
- (8) Three sterile gauze pads, 36 inches × 36 inches.
- (9) Three sterile eye pads.
- (10) One pair rounded end scissors.

(c) *Body fluid clean-up kit.* Every mass transit pupil transportation bus shall have a removable and moisture proof body fluid clean-up kit. It shall be securely placed or mounted in an easily accessible location and labeled as a body fluid clean-up kit.

(d) *Surgical gloves and mouth barriers.* Either the first aid kit or the body fluid cleanup kit shall contain:

- (1) One pair of nonlatex surgical gloves.
- (2) One mouth barrier.

[Pa.B. Doc. No. 03-2264. Filed for public inspection November 26, 2003. 9:00 a.m.]

**DEPARTMENT OF TRANSPORTATION
[67 PA. CODE CH. 175]
Vehicle Equipment and Inspection**

The Department of Transportation (Department), Bureau of Motor Vehicles, under 75 Pa.C.S. §§ 4103, 4107, 4702 and 6103, amends Chapter 175 (relating to vehicle equipment and inspection) to read as set forth in Annex A.

Purpose of the Chapter

The purpose of Chapter 175 is to implement 75 Pa.C.S. Part IV (relating to vehicle characteristics), which establishes minimum standards for vehicle equipment and performance and makes unlawful the sale and use of items which do not comply with these standards.

Purpose of the Final-Form Rulemaking

The purpose of the final-form rulemaking is to ensure that all vehicles registered in this Commonwealth are equipped with appropriate exhaust emission control systems as required by State and Federal law. Section 4702

of 75 Pa.C.S. (relating to unlawful activities) makes it unlawful for persons to willfully and intentionally remove or render inoperative any item of vehicle equipment which was required to be installed at the time of the vehicle's manufacture. See 75 Pa.C.S. § 4107(b). The Clean Air Act (act) (42 U.S.C.A. §§ 7401—7671q) and the regulations promulgated thereunder, 40 CFR Parts 51 and 85 (relating to regulations for preparation, adoption and submittal of implementation plans; and control of air pollution from mobile sources), require vehicle manufacturers to install the emission control equipment, which is the subject of this final-form rulemaking. As applied in this Commonwealth, other provisions of the act provide for the testing of the required vehicle emissions equipment in 25 counties in this Commonwealth. However, there is currently no provision in Department regulations requiring inspection for even the presence of the required equipment in the remaining 42 counties in this Commonwealth under which to ensure that vehicle owners are in compliance with 75 Pa.C.S. § 4107(b) and that the equipment has not been removed or rendered inoperative. The final-form rulemaking provides for an inclusion in the safety inspection regimen of a visual inspection for the presence of the required equipment in vehicles registered in the counties not subject to emissions testing.

The final-form rulemaking also eliminates the requirement that inspection stations forward original official inspection report sheets to the Department and retain duplicate copies in station files. The final-form rulemaking requires only retention of the original official inspection report sheets in the station files.

Summary of Comments and Changes

Comments were received from the Independent Regulatory Review Commission (IRRC), the House and Senate Transportation Committees, the Specialty Equipment Market Association and members of the public. Concern was raised that while some classes of vehicles are exempt from inspection of the vehicle's emission control components in the counties in this Commonwealth in which an inspection/maintenance program is conducted under Chapter 177 (relating to emission inspection program), the proposed rulemaking did not exempt any of the classes of vehicles subject to safety inspection from the inspection of the vehicle's emission control components under the amendments to § 175.80 (relating to inspection procedure). In response, the Department has included an exemption for classic and collectible vehicles in the final-form rulemaking. Concern was also raised that the rulemaking required that the emission equipment on the vehicle be original parts. The rulemaking as drafted, however, provides that emission control components may be original vehicle equipment or an equivalent aftermarket replacement component meeting the same standards. Finally, IRRC noted that the amendments to § 175.80 provide that the components "appear to be" the correct components for the vehicle configuration, while the standard in Chapter 177 requires that the component "is" the correct component for the vehicle configuration. The apparent inconsistency between the regulations has been corrected in this final-form rulemaking.

More complete discussion of the comments and the Department's response is contained in the "Comments to Proposed Regulation and Responses" document which can be obtained from the Department.

Statutory Authority

Chapter 175 is amended under the authority in 75 Pa.C.S. §§ 4103, 4107, 4702 and 6103.

Persons and Entities Affected

The amendment to § 175.80 will affect the owners of vehicles registered in the counties in this Commonwealth where there is not an emission inspection program. The amendment will also affect certified safety inspection stations in those counties. Some inspection stations in counties having a current emission inspection program may also be affected to the extent that vehicles registered in neighboring counties where there is not an emission inspection program may seek to have a safety inspection performed at that station.

The amendment to § 175.42 (relating to recording inspection) will provide paperwork relief to all safety inspection stations.

Fiscal Impact

The final-form rulemaking may result in additional cost to consumers with vehicles registered in counties where there is not an emission inspection program if a vehicle fails to pass the safety inspection because of these new components of the inspection. Additional market-driven marginal increases in the cost of inspection could also result because of the addition of the new visual inspection procedures. The amendment to § 175.42 will marginally reduce the cost for inspection stations in eliminating postage and duplicating costs associated with sending the original inspection report sheets to the Department and retaining duplicate copies. The fiscal impact of the final-form rulemaking cannot, however, be measured with any precision.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 12, 2003, the Department submitted a copy of the notice of proposed rulemaking, published at 33 Pa.B. 4175 (August 23, 2003), to IRRC and the Chairpersons of the House and Senate Transportation Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the 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 House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on November 19, 2003, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 20, 2003, and approved the final-form rulemaking.

Sunset Provisions

The Department is not establishing a sunset date for this final-form rulemaking since the amendments are needed to administer provisions required under 75 Pa.C.S. (relating to the Vehicle Code). The Department, however, will continue to closely monitor the regulations for their effectiveness.

Contact Person

The contact person for technical questions concerning the final-form rulemaking is Kristen Singer, Vehicle Inspection Division, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, krsinger@state.pa.us.

Order

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

(a) The regulations of the Department, 67 Pa. Code Chapter 175, are amended by amending § 175.42 to read as set forth at 33 Pa.B. 4175 and by amending § 175.80 to read as set forth in Annex A, with ellipses referring to the existing text of the regulation.

(b) The Secretary of the Department shall submit this order, 33 Pa.B. 4175 and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to legality and form, as required by law.

(c) The Secretary shall certify this order, 33 Pa.B. 4175 and Annex A and deposit them with the Legislative Reference Bureau, as required by law.

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

ALLEN D. BIEHLER, P. E.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 33 Pa.B. 5885 (November 29, 2003).)

Fiscal Note: Fiscal Note 18-385 remains valid for the final adoption of the subject regulation.

Annex A**TITLE 67. TRANSPORTATION****PART I. DEPARTMENT OF TRANSPORTATION****Subpart A. VEHICLE CODE PROVISIONS****ARTICLE VII. VEHICLE CHARACTERISTICS****CHAPTER 175. VEHICLE EQUIPMENT AND INSPECTION****Subchapter E. PASSENGER CARS AND LIGHT TRUCKS****§ 175.80. Inspection procedure.**

* * * * *

(d) *Visual inspection of emission control system.* Vehicles registered in counties where there is not an emission inspection program under Chapter 177 (relating to emission inspection program), shall be checked visually for the presence of emission control components. These components may be original vehicle equipment or an equivalent aftermarket replacement component meeting the same standards. In addition to the exceptions under § 175.4 (relating to vehicles required to be inspected), this subsection does not apply to vehicles registered as collectible or classic motor vehicles as defined in 75 Pa.C.S. § 102 (relating to definitions).

(1) The visual inspection shall be performed through direct observation or through indirect observation, using a mirror or other visual aid.

(2) Provided that the make and model year of the vehicle would have originally been equipped with the device, reject if one or more of the following apply:

(i) The catalytic converter has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(ii) Exhaust gas recirculation (EGR) valve has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(iii) Positive crankcase ventilation (PCV) valve has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(iv) Fuel inlet restrictor has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(v) Air pump has been removed, disconnected or is the wrong type for the certified vehicle configuration.

(vi) Evaporative control system components have been removed, disconnected or are the wrong type for the certified vehicle configuration.

(e) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

(i) A tire has two adjacent treads with less than 2/32-inch tread remaining at any point—less than 4/32-inch tread on the front tires of the vehicles having a gross weight in excess of 10,000 pounds.

(ii) A tire is worn so that the tread wear indicators contact the road in any two adjacent grooves.

(iii) A part of ply or cord is exposed.

(iv) A tire has been repaired with a blow-out patch or boot.

(v) There is a bump, bulge or separation.

(vi) A tire is marked “not for highway use,” “for racing purposes only” or “unsafe for highway use,” or has a similar designation.

(vii) There are other conditions or markings reasonably believed to render the tire unsafe for highway use.

(viii) A tire has been regrooved or recut below the original tread design depth except special taxicab tires which are identified as having extra undertread rubber.

(ix) A tire's tread extends beyond the outer edge of the wheel housing inclusive of fender flares.

(x) The tires used on the same axle are not the same size or type of construction—bias, belted, radial or snow.

(xi) The wheel nuts or bolts are missing, loose or have improper thread engagement.

(xii) The stud or bolt holes are worn out of round.

(xiii) Part of the wheel is bent, cracked, welded or damaged so as to affect safe operation of vehicle.

(xiv) The rear wheel does not track front wheel in straight ahead position as originally designed.

(xv) The wheel base on one side differs from the wheel base on the other side by more than 1 inch, unless the vehicle's design specifications indicate different left and right wheel base dimensions.

(xvi) Studded tires are in use after April 15 and before November 1.

(xvii) Retreads are on the front axle of a taxi.

(xviii) The diameter of duals is not within 3/8-inch of each other.

(xix) An axle has missing tires or rims.

(xx) A tire makes contact with the body or chassis.

(xxi) Spacers over 1/4 inch in thickness are used to increase wheel track.

(2) Inspect the steering system and reject if one or more of the following apply:

(i) Steering gear box is loose on frame.

(ii) Measured movement at the front or rear of a tire is greater than 1/4-inch. Eliminate all wheel bearing movement by applying the service brake; then, with the vehicle raised and wheels in the straight ahead position, grasp the front and rear of the tire and attempt to move the assembly right and left without moving the steering gear. Measure the movement.

(iii) The linkage components are not secured with cotter pins or other suitable devices.

(iv) The steering stops allow the tire to rub on the frame or chassis parts.

(v) The front wheels are incapable of being turned to the right and left steering stops without binding or interference.

(3) Inspect the suspension system and reject if one or more of the following apply:

(i) The ball joint movement is in excess of the manufacturer's specifications.

(ii) The shock absorbers are missing.

(iii) The shock absorbers mounting bolts or mounts are broken.

(iv) The shock absorbers have severe leakage—not slight dampness.

(v) The sway or stabilizer bar is missing or broken.

(vi) The coil spring or main leaf spring is broken if originally equipped.

(vii) The spring attaching part is loose, badly worn, broken or missing.

(viii) Spring shackle kits or blocks are used to lower the suspension of the front of the vehicle.

(ix) Spring shackle kits are more than 2 inches over original equipment.

(x) Blocks are used on front axle to raise the vehicle.

(xi) Blocks used on rear axle exceed 5 inches over original equipment.

(4) Inspect the floor and reject if any of the following apply:

(i) The floor bed or inner panels have openings which would allow exhaust gases to enter either the occupant compartment or trunk.

(ii) The floor bed is not sufficient to hold the weight of the driver, passengers and cargo.

(5) Inspect the vehicle frame and reject if one or more of the following apply:

(i) The vehicle frame is not in solid condition.

(ii) The repairs are made with tape, tar paper or cloth, or are made in another temporary manner.

(iii) The frame components are missing, cracked, rotted or broken or are in deteriorated or dangerous condition.

(iv) Body mounts do not hold as required.

(v) A body mount is broken, cracked, deteriorated or missing.

(vi) The difference in the body floor and the top of the frame rail exceeds 4 inches.

(6) Inspect exhaust system and reject if one or more of the following apply:

(i) The vehicle has no muffler or muffler has external repair.

(ii) There are loose or leaking joints.

(iii) There are holes, cracks or leaking seams in exhaust system.

(iv) There is a muffler cutout or similar device.

(v) Part of the exhaust system passes through the occupant compartment.

(vi) The elements are not securely fastened with proper clamps and hangers.

(vii) The exposed exhaust system does not have adequate heat shield or protective system.

(viii) The exhaust does not discharge to the outside edge of the vehicle body, including a truck bed, or as originally designed.

(7) Inspect the braking system. Remove at least one front and one opposite rear wheel and reject if one or more of the following apply:

(i) The hydraulic hoses or tubing leaks; is flattened, restricted, insecurely fastened or improperly retained; or has exposed cords.

(ii) The wheel cylinder leaks, has missing parts, is improperly retained or is not functioning.

(iii) The caliper leaks, has missing parts, is improperly retained or is not functioning.

(iv) The lining is broken; not firmly attached to shoe; or contaminated with oil, grease or another substance that would affect proper brake operation.

(v) There is mechanical damage other than wear.

(vi) The inside diameter of the drum is greater than maximum diameter stamped on drum or greater than .090 inch over original drum diameter for unmarked drums.

(vii) The disc thickness is less than minimum stamped on assembly or less than manufacturer's specifications.

(viii) The bonded linings are less than 2/32 inch at the thinnest point.

(ix) The riveted linings are less than 1/32 inch above rivet head at thinnest point.

(x) The drums or rotors are scored deeper than .015 inch.

(8) Inspect the fuel system and reject if any of the following apply:

(i) There is fuel leakage.

(ii) Part of the system is not securely fastened.

(iii) The system is not properly routed.

(f) *Road test.* Perform road test and reject if one or more of the following apply:

(1) The parking brake fails to exhibit normal resistance when an attempt is made to move the vehicle both forward and backward from a stopped position.

(2) The automatic transmission will not hold in the park position.

(3) The vehicle is not capable of stopping within the maximum stopping distance prescribed in Table I (relating to brake performance) or swerves so that any part leaves the 12-foot lane.

(4) There is a malfunction of the braking or steering mechanism, particular shimmy, wander, pull or another questionable operating behavior that affects safe operation of the vehicle.

(5) The speedometer does not operate.

(6) The odometer does not operate, except on a motor vehicle at least 25 years old.

(7) The vehicle cannot be driven both forward and backward.

[Pa.B. Doc. No. 03-2265. Filed for public inspection November 26, 2003, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facility Bill Reimbursement Grant Program; Additional Grant Application Period

The Department of Agriculture (Department) gives notice of an additional period within which qualified humane societies or associations for the prevention of cruelty to animals may apply for grants under the Year 2004 Dog Control Facility Bill Reimbursement Program (program). The program awards bill reimbursement grants of up to \$10,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of the program. The program is funded from the Dog Law Restricted Account from funds that have been declared "surplus" for the limited purposes set forth in section 1002(b) of the Dog Law (3 P. S. § 459-1002(b)).

The guidelines and conditions for the program were published at 33 Pa.B. 2482 (May 24, 2003). A copy of the guidelines and conditions are available on the *Pennsylvania Bulletin* website (www.pabulletin.com). The guidelines and conditions are also available by contacting the Department's Bureau of Dog Law Enforcement, (717) 787-4833.

The guidelines and conditions make clear the Department's intention to award up to \$250,000 in grants under the program. The initial round of applications resulted in

the award of up to \$190,000 in grants. The purpose of this additional period within which the Department will accept applications is to afford potential grant recipients an opportunity to apply for and obtain grants from the remainder of the funds the Department has earmarked for the program.

The extended application window will run from November 29, 2003, through December 12, 2003. The guidelines and conditions for the program are the same as for the initial round of applications, with the following exceptions:

(1) Grant funds may only be used to reimburse eligible bills that are incurred by a grant recipient between May 1, 2004, and December 31, 2004 (instead of the January 1, 2004, through December 31, 2004, period in the guidelines and conditions).

(2) The grant agreement entered into between a successful grant applicant and the Department will prescribe a bill reimbursement request procedure that will exclude the May 15, 2004, reimbursement request deadline in the guidelines and conditions (since no reimbursement will be offered for bills incurred before May 1, 2004).

For further information, contact Jan Frushone-Gibas, Bureau of Dog Law Enforcement, (717) 787-4833.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 03-2266. Filed for public inspection November 26, 2003, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 18, 2003.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
11-12-03	Community Bank System, Inc., DeWitt, NY, to acquire 100% of Grange National Banc Corp., Tunkhannock, PA, and thereby indirectly acquire Grange National Bank, Laceyville, PA	DeWitt, NY	Approved

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-12-03	ESB Bank, F. S. B. Ellwood City Lawrence County <i>To:</i> ESB Bank Ellwood City Lawrence County	Ellwood City	Filed

NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	Application represents a conversion from a Federally-chartered savings bank to a Pennsylvania-chartered savings bank.		

Consolidations, Mergers and Acquisitions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-10-03	Minersville Safe Deposit Bank & Trust Company Minersville Schuylkill County	Minersville	Effective
	Purchase of assets/assumption of liabilities of one branch of Community Banks, Millersburg, located at: 29 East Main Street Tremont Schuylkill County		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-13-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Brentwood-Whitehall Giant Eagle 4138 Brownsville Road Pittsburgh Allegheny County	Opened
11-17-03	Community Banks Millersburg Dauphin County	271 Market Street Lemoyne Cumberland County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-27-03	Bank of Hanover and Trust Company Hanover York County	<i>To:</i> 2430 East Market Street York York County <i>From:</i> 2215 East Market Street York York County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-22-03	Mifflinburg Bank & Trust Company Mifflinburg Union County	Buffalo Valley Lutheran Village 211 Fairground Road Lewisburg Union County (Limited Service Facility)	Filed
10-22-03	Mifflinburg Bank & Trust Company Mifflinburg Union County	Riverwoods 1 River Drive Lewisburg Union County (Limited Service Facility)	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

DEPARTMENT OF EDUCATION

Cyber Charter School Application Hearing

The Department of Education (Department) has scheduled a public hearing regarding the cyber charter school application received on September 30, 2003. The hearing will be held on Wednesday, January 7, 2004, at 1 p.m. in the Honors Suite, 333 Market Street, Harrisburg, PA. The hearing pertains to the Anchorage Cyber Charter School, which is seeking a charter to operate a cyber charter school. The purpose of the hearing is to receive information from the applicant about the cyber charter school and to receive comments from interested persons regarding the application. The application can be viewed on the Department's website at www.pde.state.pa.us.

The charter applicant will have 30 minutes to present information about the cyber charter school. Individuals who wish to provide comments at the hearing must send the Department and the applicant a copy of the comments on or before December 22, 2003. Failure to comply with this deadline will preclude the respective individual from providing verbal comments at the hearing. Verbal comments may be limited based on the number of individuals requesting time to provide comments and may also be limited if the comments are duplicative or repetitive of other individual's comments. The hearing will be conducted by a panel of individuals who have reviewed the application. The panel members may question the applicant regarding issues identified during their review, as well as issues raised in the written comments filed before the hearing date. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicant or the panel members.

Individuals who are unable to attend the hearing may also provide the Department and the applicant with written comments on or before December 31, 2003. Written comments provided to the Department by this deadline will become part of the certified record.

Comments should be addressed to Betsy Becker, School Services Unit, 333 Market Street, 5th Floor, Harrisburg, PA 17126.

An agenda will be prepared after December 31, 2003, when the Department is aware of the number of individuals who wish to provide verbal comments at the hearing. The agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator. Individuals wanting a copy of the agenda should call Betsy Becker, (717) 346-3356.

VICKI L. PHILLIPS, Ed.D.,
Secretary

[Pa.B. Doc. No. 03-2268. Filed for public inspection November 26, 2003, 9:00 a.m.]

Individuals with Disabilities Education Act—Part B; Application for Federal Grant

Written public comments are invited regarding the Department of Education's (Department) proposed modifi-

cations to its policies and procedures under the Individuals with Disabilities Education Act—Part B (IDEA-B). The grant on file with the United States Department of Education describes the State's policies and procedures in effect to ensure the Department meets the Federal requirements to ensure that a free appropriate public education is made available to all children with a disability from 3 to 21 years of age. The policies and procedures on file with the United States Department of Education are available for viewing at www.pde.state.pa.us (select "K-12 School," go to "Special Education" and choose "Grants and Funding").

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

Copies of the proposed modifications are available by calling (717) 783-2311 or TDD at (717) 787-7367. Alternative formats of the documents (for example, Braille, large print or cassette tape) can be made available to the public upon request. Public comment is welcomed in alternative formats such as Braille, taped comments and telephone comments for the disabled. Persons who are disabled who wish to submit comments by telephone should contact Nancy Zeigler, (717) 783-6134.

Written comments will be received until February 6, 2004, and should be sent to Patty Todd, Department of Education, Bureau of Special Education, 333 Market Street, 7th Floor, Harrisburg, PA 17126-0333.

Following receipt of comments, the Department will consider the public comments and make any necessary modifications to the policies and procedures before submission of the final proposal to the Secretary of the United States Department of Education by March 3, 2004.

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

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

- January 13, 2004, from 3 p.m. to 7 p.m. at PaTTAN—Pittsburgh, 3190 William Pitt Way, Pittsburgh, PA
- January 14, 2004, from 3 p.m. to 7 p.m. at PaTTAN—Harrisburg, 6340 Flank Drive, Harrisburg, PA
- January 15, 2004, from 3 p.m. to 7 p.m. at PaTTAN—King of Prussia, Anderson Road, King of Prussia, PA

To schedule an opportunity to present testimony, call Nancy Zeigler by January 9, 2004. Persons with a disability who wish to attend a public testimony and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Nancy Zeigler.

VICKI L. PHILLIPS, Ed.D.,
Secretary

[Pa.B. Doc. No. 03-2269. Filed for public inspection November 26, 2003, 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 contact office noted before the 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 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 any public hearings are 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

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0056413	Lower Salford Township Authority P. O. Box 243 Harleysville, PA 19438	Montgomery County Lower Salford Township	West Branch Skippack Creek	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0111970	Springbrook Campground Box 10A, R. R. 1 Catawissa, PA 16820	Locust Township Columbia County	Roaring Creek Fishing Creek 5C	Y
PA0111953 SN	Guardian Elder Care Highlands Continuing Care Facility P. O. Box 10 LaPorte, PA 18626	Sullivan County LaPorte Borough	Unnamed tributary of Mill Creek 10B	Y
PA0035599 SN	Department of Transportation Bureau of Design P. O. Box 3060 Harrisburg, PA 17105-3060	Montour County Liberty Township	Unnamed tributary to Beaver Run 10D	Y
PA0035602 SN	Department of Transportation Bureau of Design P. O. Box 3060 Harrisburg, PA 17105-3060	Montour County Liberty Township	Unnamed tributary to Beaver Run 10D	Y
PA0209546 4952	Gerhard Scherffel R. D. 1, Box 247 Mansfield, PA 16933	Tioga County Charleston Township	UNT to North Elk Run 4A	Y
PA0209724 Sewerage	H. H. Knoebel Sons, Inc. Lake Glory Campground R. R. 1, Box 317 Elysburg, PA 17824-0317	Cleveland Township Columbia County	Roaring Creek 5E	Y
PA0209694 Nonmunicipal	Sherwood Retirement and Personal Care Home R. R. 1, Box 35A Canton, PA 17724	Bradford County Canton Township	Alba Creek SWP 4C	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0090590	Port O'Call Mobile Home Park 108 Bay Street Butler, PA 16002	Penn Township Butler County	Unnamed tributary to Glade Run 20-C	Y
PA0222542	Faith Independent Baptist Church P. O. Box 863 Meadville, PA 16335	Hayfield Township Crawford County	Unnamed tributary to Cussewago Creek 16-D	Y
PA0103101	Wesley Woods Christian Education Center R. R. 1, Box 155A Grand Valley, PA 16420	Eldred Township Warren County	Unnamed tributary to Caldwell Creek 16-E	Y
PA0222569	Bob Smith Treatment Facility Association 10301 Lake Pleasant Road Waterford, PA 16441	Greene Township Erie County	Unnamed tributary to East Branch of LeBoeuf Creek 16-A	Y
PA0222364	Tidioute Trading Post R. D. 1, Box 97-1 A Tidioute, PA 16351	Limestone Township Warren County	Allegheny River 16-F	Y

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

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

PA0058742, Sewage, **Warminster Municipal Authority**, P. O. Box 2279, Warminster, PA 18974. This proposed facility is in Warminster Township, **Bucks County**.

Description of Proposed Activity: Issuance of NPDES permit for a new discharge of treated sewage.

The receiving stream, an unnamed tributary to Little Neshaminy Creek, is in the State Water Plan watershed 2F and is classified for WWF, MF, water supply, recreation and fish consumption. The nearest downstream public water supply

intake for the Pennsylvania Suburban Water Company is on Neshaminy Creek, approximately 20 miles below the point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of 1.2 MGD, are as follows:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	15		20
Suspended Solids	10	15		20
NH ₃ -N				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	3.0			6.0
Nitrate and Nitrite as N				
(7-1 to 10-31)	9.5			19.0
Phosphorus as P				
(4-1 to 10-31)	0.5			1.0
Aluminum	Monitor and Report			
Fecal Coliform	200 colonies/100 ml as a geometric average			
Dissolved Oxygen	minimum of 6.0 mg/l at all times			
pH	within limits of 6.0—9.0 standard units at all times			

The EPA waiver is in effect.

PA0012637, Industrial Waste, SIC 2911, **ConocoPhillips Company**, 4101 Post Road, Trainer, PA 19061. This proposed facility is in Trainer Borough, **Delaware County**.

Description of Proposed Activity: Approval to discharge treated process wastewater from an oil refinery and noncontact cooling water from cooling towers and boilers. It also includes stormwater discharge associated with industrial activities.

The receiving streams, Marcus Hook Creek and Stony Creek, are in the State Water Plan watershed 3G and classified for WWF. There is no public water supply intake downstream of the discharge within the State boundary.

The proposed effluent limits for Outfall 101 are based on a design flow of 64.8 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Total Suspended Solids (Net)	16,200	32,400	30	60	75
Total Organic Carbon (Net)					5.0
Hypobromous Acid			0.004		0.008
Oil and Grease	8,100		15		30
Temperature					110°F
Heat Rejection Rate		3.6 × 10 ⁹ Btu/hr			
pH		within limits of 6.0—9.0 standard units at all times			
Total Residual Chlorine			0.16		0.5
Lead, Total			Monitor	Monitor	Monitor
Iron, Total			Monitor	Monitor	Monitor
Fecal Coliform		200 colonies/100 ml as a geometric average			

The proposed effluent limits for Outfall 201 are based on a design flow of 2.83 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD ₂₀	1,800				
BOD ₅	1,236	2,522	52	107	130
BOD ₅ Percent Removal	89.25				
Suspended Solids	708	1,416	30	60	75
Dissolved Solids (Net)	23,600	47,200	1,000	2,000	2,500
Ammonia as N	826	1,376	35	58	87
Hypobromous Acid			0.004		0.008
Total Residual Chlorine			0.16		0.50
Oil and Grease	354	708	15	30	30
Chemical Oxygen Demand	17,608	33,130	746	1,404	1,865
Zinc, Total			Monitor	Monitor	Monitor
Sulfide	13	30	0.55	1.27	1.37
Phenolic Compounds (4 AAP)	11	31	0.47	1.31	1.31
Chromium, Hexavalent	1	2.4	0.04	0.1	0.1
Cyanide, Free			Monitor	Monitor	Monitor

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Chromium, Total	13	37	0.55	1.57	1.57
1,2-Dichloroethane			Monitor	Monitor	Monitor
Tetrachloroethylene			Monitor	Monitor	Monitor
Trichloroethylene			Monitor	Monitor	Monitor
Copper, Total			Monitor	Monitor	Monitor
Lead, Total			Monitor	Monitor	Monitor
Magnesium, Total			Monitor	Monitor	Monitor
Aluminum, Total			Monitor	Monitor	Monitor
Selenium, Total			Monitor	Monitor	Monitor
pH	within limits of 6.0—9.0 standard units at all times				

The proposed effluent limits for Outfall 002 are based on a design flow of 42.2 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Suspended Solids (Net)	10,560	21,120	30	60	75
Dissolved Solids (Net)	352,000	704,000	1,000	2,000	2,500
Total Organic Carbon (Net)					5
Hypobromous Acid			0.004		0.008
Oil and Grease	5,280		15		30
Temperature					110°F
Heat Rejection Rate	1.8 × 10 ⁹ Btu/hr				
Fecal Coliform		200 colonies/100 ml as a geometric average			
Total Residual Chlorine				0.16	0.50
pH	within limits of 6.0 to 9.0 standard units at all times				

In addition to the effluent limits, the permit contains the following major special conditions: approved chemical additives; approved test methods; disposal of industrial sludge; stormwater Outfalls 003—008 and 011 and 012; modifications based on estuary study; worksheets to calculate net concentrations; stormwater credits; 316(a) variance; 316(b) demonstration; and intake credits for Total Dissolved Solids, Total Suspended Solids and TOC.

The EPA waiver is not in effect.

PA0054526, Industrial Waste, **UniTech Services Group, Inc.**, 295 Parker Street, P. O. Box 201, Springfield, MA 01151-0201. This application is for a renewal of an NPDES permit to discharge treated process wastewater from an industrial laundry and personnel decontamination facility in Royersford Borough, **Montgomery County**. This is a new discharge to the Schuylkill River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.08 mgd, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (Percentage Removal)	85		
Total Suspended Solids	30	60	75
Total Dissolved Solids	1,000	2,000	2,500
Ammonia (as N)	20	40	50
Total Residual Chlorine	0.5		1.2
Chromium Hexavalent		Monitor and Report	
Oil and Grease	15		30
Color (pt-co) Units			
Fecal Coliform	200 colonies/100 ml as a geometric average		
Annual Radioactive Dose Commitment	in accordance with 10 CFR 20, Appendix B, Table 3		
pH	within limits of 6.0—9.0 standard units at all times		

Other Conditions: effective disinfection; 85% reduction of CBOD₅ per Delaware River Basin Commission requirement; and special test methods for certain pollutants.

The EPA waiver is in effect.

PA0056073, Sewage, **Russell and Susan Vreeland**, 219 Valley Green Drive, Coatesville, PA 19320. This application is for renewal of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant in West Caln Township, **Chester County**. This is an existing discharge to a tributary to Rock Run.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N) (5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	Monitor and Report	Monitor and Report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA0057487, Sewage, **Frontier Wood Products, Inc.**, 1025 North West End Boulevard, Quakertown, PA 18951. This application is for renewal of an NPDES permit to discharge treated sewage from Frontier Wood Products, Inc. in Richland Township, **Bucks County**. This is an existing discharge to UNT to Tohickon Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	10	20
Ammonia (as N)	3.0	6.0
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

Other Conditions: conditions for future permit modification; and effective disinfection.

The EPA waiver is in effect.

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

PA0228770, CAFO, SIC 0241, **Bishcroft Farm LP**, R. R. 1, Box 58, Roaring Branch, PA 17765-9727. This existing facility is in Liberty Township, **Tioga County**.

Description of Proposed Activity: Bishcroft Farm LP proposes the expansion of an existing facility in two phases. The proposed first phase will include a new freestall barn, a flush manure management system and a double-lined (HDPE/clay) manure storage facility. The second phase will include a second freestall barn. The animal numbers for the first stage will be about 660 milking cows, 120 dry cows and 620 heifers/calves. The second stage will involve the addition of about 340 milking cows, 60 dry cows and 310 heifers/calves. Total manure storage of the new facility, at full capacity, will be about 4.4 million gallons. Total AEU's at the site, following both phases, will be 2,126.9.

The waterbody nearest to this facility, Little Elk Run, is in the Antes, Larrys and Lycoming Creeks Watershed (SWP 10-A) and is classified for HQ-CWF.

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

PA0027375, Sewerage SIC 4952, **City of DuBois**, P. O. Box 408, 16 West Scribner Avenue, DuBois, PA 15801. This proposed action is for amendment of an NPDES permit to include discharge of site stormwater through Outfall S101 and a re-evaluation of the Total Chlorine Residual limit for Outfall 001. This discharge is in Sandy Township, **Clearfield County**.

The receiving stream, Sandy Lick Creek, is in the Redbank Watershed (17-C) and is classified for TSF and aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply considered during the evaluation is at Sunbury.

Outfall 001—The effluent limits, based on a design flow of 4.4 MGD, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
TSS	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.5	3.5	5.0
(5-1 to 10-31)	7.5	11	15.0
Chlorine Res. (T)	0.5		1.6
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
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		
pH	6.0—9.0 SU at all times		

Outfall S101—Annual stormwater inspection and Best Management Practices.

Other Conditions: pretreatment; whole effluent toxicity testing; and stormwater management requirements.

The EPA waiver is not in effect.

PA0228788, Sewerage, SIC 4952, **Evergreen Youth Services**, R. D. 1, Box 486, Mifflintown, PA 17059. This proposed facility is in Beccaria Township, **Clearfield County**.

Description of Existing Activity: Pending issuance of a new NPDES permit for a discharge from a wastewater treatment plant serving a children's home.

The receiving body of water, the Headwaters of Cofinan Run, is in the State Water Plan watershed 8C and is classified for CWF. The nearest downstream public water supply surface water intake for Shawville Power Plant, on the West Branch of the Susquehanna River, is approximately 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.004 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
TSS		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
NH ₃ -N		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Cl ₂ Residual	1.0	2.3
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	200/100 ml as a geometric mean	
pH	6.0 to 9.0 SU at all times	

PA0028665, SIC 4952, **Jersey Shore Borough**, P. O. Box 526, Jersey Shore, PA 17740. This proposed action is for amendment of an NPDES permit to include discharge of site stormwater through Outfalls S01 and S02. The existing limits for discharge of treated sewage through Outfall 001 remain unchanged. Discharge is to the West Branch Susquehanna River (Outfall 001) and Lawshe Run (Outfalls S01 and S02) in Jersey Shore Borough, **Lycoming County**.

The receiving streams are in the Lycoming watershed (10-A) and are classified for WWF and aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply considered during the evaluation is the Pennsylvania American Water Company, approximately 40 miles downstream.

Outfall 001: The effluent limits, based on a design flow of 1.05 MGD, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Total Chlorine Residual	1.5		3.5
Free Chlorine Residual	Monitor		Monitor

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average		
pH	6.0—9.0 SU at all times		

Outfalls S01 and S02: Annual stormwater inspection and Best Management Practices.

Other Conditions: stormwater management requirements.

The EPA waiver is not in effect.

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

PA0040274, Industrial Waste, SIC, 3316, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014. This application is for a renewal of an NPDES permit to discharge treated process water, untreated noncontact cooling water and stormwater runoff from Vandergrift Plant in Vandergrift Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Kiskiminetas River, 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 the Buffalo Township Municipal Authority on the Allegheny River, 9.0 miles below the discharge point.

Internal Monitoring Point 107: existing discharge, design flow of 0.14 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Temperature (°F)					
Total Residual Chlorine				0.5	1.25
pH	not less than 6.0 nor greater than 9.0				

Internal Monitoring Point 207: existing discharge, design flow of 0.46 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Total Suspended Solids	371.16	863.96	30	70	87.5
Oil and Grease	23.8	29.4	15		30
Chromium	4.88	12.19	0.4	1.0	1.25
Nickel	3.65	10.97	0.3	0.9	1.13
Total Residual Chlorine				0.5	1.25
Cyanide	0.51	0.91	0.12	0.29	0.36
Lead	0.061	0.13	0.20	0.42	0.53
Zinc	0.46	1.07	0.61	1.46	1.83
Ammonia	51.8	120	58.6	133.3	166.66
Fluoride	34.0	52.8	26.4	59.5	74.4
Titanium				0.94	1.17
pH	not less than 6.0 nor greater than 9.0				

Outfall 007: existing discharge to Kiskiminetas River, design flow of 0.61 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This discharge shall consist of uncontaminated stormwater runoff, the discharge from Internal Monitoring Point 107 and Internal Monitoring Point 207 and strainer backwash water from river pumphouse.					

Outfalls 008 and 009: existing stormwater discharge to Kiskiminetas River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Zinc			Monitor and Report		

The EPA waiver is not in effect.

PA0026905, Sewage, **Connellsville Municipal Authority**, P. O. Box 925, Connellsville, PA 15425. This application is for renewal of an NPDES permit to discharge treated sewage from Connellsville STP in the City of Connellsville, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Youghiogeny 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 McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of 3.24 mgd.

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

Other Conditions: Outfalls 003—013 and 016—019 will serve as combined sewer overflows.

The EPA waiver is not in effect.

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

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

WQM Permit No. 1503424, Sewerage, **Buckingham Township**, 1040 West Street Road, West Chester, PA 19382. This proposed facility is in Birmingham Township, **Chester County**.

Description of Proposed Action/Activity: Installation of a fine screen at the Birmingham Wastewater Treatment Plant.

WQM Permit No. 4603420, Sewerage, **Methacton School District**, 3000 Eagleville Road, Norristown, PA 19403. This proposed facility is in Worcester Township, **Montgomery County**.

Description of Proposed Action/Activity: Renovation and modification of existing wastewater facility.

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

WQM Permit No. 0803405, Sewage 4952, **Towanda Municipal Authority**, 724 Main St., Towanda, PA 18848. This proposed facility is in Towanda Borough, **Bradford County**.

Description of Proposed Action/Activity: Sewer extension to the Borough of Monroeton and North Towanda Township.

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

WQM Permit No. 4303418, Sewerage, **Christopher and Christine Wiesen**, 1921 Haywood Street, Farrell, PA 16121. This proposed facility is in City of Hermitage, **Mercer County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

WQM Permit No. 2503429, Sewerage, **William T. Helinski**, 4017 Rilling Drive, Erie, PA 16509. This proposed facility is in Franklin Township, **Erie County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

IV. NPDES Applications for Stormwater Discharges from MS4

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAI132207	Borough of Freemansburg 600 Monroe Street Freemansburg, PA 18017	Northampton	Freemansburg Borough	Catasauqua Creek CWF Nancy Run HQ-CWF	Y
PAI132212	East Allen Township 5344 Nor-Bath Blvd. Northampton, PA 18067	Northampton	East Allen Township	Catasauqua Creek CWF Monocacy Creek HQ-CWF	Y
PAI132222	Lower Macungie Township 3400 Brookside Road Macungie, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF	Y
PAI132226	Emmaus Borough 28 S. Fourth St. Emmaus, PA 18049-3899	Lehigh	Emmaus Borough	Little Lehigh Creek HQ-CWF Leibert Creek HQ-CWF Unnamed tributary to Little Lehigh Creek HQ-CWF	Y
PAI132208	Williams Township 655 Cider Press Road Easton, PA 18042	Northampton	Williams Township	Fry Run HQ-CWF Bull Run CWF	Y
PAI132229	Wind Gap Borough 29 Mechanic Street Wind Gap, PA 18091	Northampton	Wind Gap Borough	Tributary to Little Bushkill Creek HQ-CWF	Y
PAI132225	Northampton County Northampton County Government Center 669 Washington Street Easton, PA 18042-7465	Northampton		Catasauqua Creek CWF Dry Run CWF Saucon Creek CWF Hokendauqua Creek HQ-CWF East Branch Monocacy Creek HQ-CWF West Branch Monocacy Creek HQ-CWF Monocacy Creek HQ-CWF Bushkill Creek HQ-CWF Hatch Gravel Creek HQ-CWF Lehigh Canal WWF Treichlers Creek CWF	Y

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
				East Branch	
				Bertsch Creek	
				CWF	
				North Branch	
				Bertsch Creek	
				CWF	
				Bertsch Creek	
				CWF	
				Little Indian	
				Creek	
				CWF	
				Martins Creek	
				TSF, MSF	
				Little Martins	
				Creek	
				CWF	
				Little Bushkill	
				Creek	
				HQ-CWF, MF	
				Roseto Creek	
				CWF	
				Wind Gap Creek	
				HQ-CWF, MF	
				Shoeneck Creek	
				WWF	
				Lehigh River	
				WWF	
				Delaware River	
				WWF, MF	

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011503097	Nelson Vaughan Highlands at Charlestown 347 East Conestoga Road Wayne, PA 19087-2547	Chester	Charlestown Township	Unnamed tributary Pickering Creek HQ-TSF
PAI011503099	Michael Nolan 7 Lee Boulevard 505 1/2 Germantown Pike Lafayette Hill, PA 19444-1809	Chester	East Whiteland Township	Valley Creek EV
PAI011503100	Peter Rotelle Coventry Meadows 219 Niantic Road Barto, PA 19504	Chester	South Coventry Township	Rock Run EV
PAI011503101	Brown Partnership Development 125 Limestone Road Oxford, PA 19363	Chester	Lower Oxford Township	West Branch Big Elk Creek HQ-TSF-MF

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

Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023903045	Liberty Property, LP Joseph Trinkle 1510 Valley Center Pkwy. Allentown, PA 18017	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAI023903046	John Troxell 5865 Hanoverville Rd. Bethlehem, PA 18017	Lehigh	City of Allentown	Little Lehigh Creek HQ-CWF
PAI023903047	Republic Bethlehem, LP 610 W. Germantown Pike Suite 340 Plymouth Meeting, PA 19462	Lehigh	City of Bethlehem	Monocacy Creek HQ
PAI023903048	John Braga Millard Refrigerated Services 4715 South 132nd St. Omaha, NE 68137	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF

Pike County Conservation District: HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025203014	Woodloch Spa Resort R. R. 1, Box 280 Hawley, PA 18428	Pike	Lackawaxen	West Falls Creek HQ-CWF

Wyoming County Conservation District: One Hollowcrest Complex, Tunkhannock, PA 18657, (570) 836-2589.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026603001	Department of Transportation District 4-0 Robert Doble P. O. Box 111 Scranton, PA 18501	Wyoming	Monroe Township	Bowmans Creek HQ-CWF

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

Centre Conservation District: 414 Holmes Ave., Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041403016	Penn Township Wastewater Treatment System P. O. Box 125 Coburn, PA 16832	Centre	Penn Township	Penns and Pine Creeks CWF/EV

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it

is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the

30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

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

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

Permit No. 1503506, Public Water Supply.

Applicant **Pikeland Village Square Well No. 1**
Township West Pikeland
Responsible Official David Foulke
 P. O. Box 559
 Kimberton, PA 19442
Type of Facility PWS
Consulting Engineer Evans Mill Environmental, Inc.
 101 Followship Road
 Uwchland, PA 19408
Application Received Date October 22, 2003
Description of Action Installation of an anion exchange unit for nitrate removal.

Permit No. 1503507, Public Water Supply.

Applicant **Pikeland Village Square Well No. 2**
Township West Pikeland
Responsible Official David Foulke
 P. O. Box 559
 Kimberton, PA 19442
Type of Facility PWS
Consulting Engineer Evans Mill Environmental, Inc.
 101 Followship Road
 Uwchland, PA 19408
Application Received Date October 22, 2003
Description of Action Installation of an anion exchange unit for nitrate removal.

Permit No. 1503505, Public Water Supply.

Applicant **Coventry Terrace Mobile Home Park**
Township East Coventry
Responsible Official Matt E. Raynor
 The Carlyle Group, Inc.
 5604 Preston Place
 Raleigh, NC 27604
Type of Facility PWS
Consulting Engineer Environmental Engineering and Management Associates, Inc.
 P. O. Box 232
 Kulpville, PA 19443
Application Received Date November 5, 2003

Description of Action Permitting of an existing water supply system which served the Coventry Terrace Mobile Home Park. The system includes two wells and disinfection. Storage and pH adjustment are proposed.

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

Permit No. 0603514, Public Water Supply.

Applicant **Pennsylvania American Water Company**
Municipality Amity Township
County **Berks**
Responsible Official William C. Kelvington, V. P.
 Operations
 800 W. Hersheypark Drive
 Hershey, PA 17033
Type of Facility PWS
Consulting Engineer Michael J. Daschbach, P. E.
 Entech Engineering Inc.
 4 South Fourth Street
 Reading, PA 19603
Application Received Date October 17, 2003
Description of Action Addition of Rosecliff Pointe Well Facility to Douglassville Water System.

Permit No. 3603510, Public Water Supply.

Applicant **White Horse Luncheonette**
Municipality Salisbury Township
County **Lancaster**
Responsible Official Mervin Lee Stoltzfus, Owner
 HC 75 Box 319
 Burnt Cabins, PA 17215
Type of Facility PWS
Consulting Engineer Charles A. Kehew II, P. E.
 James R. Holley & Assoc., Inc.
 18 South George St.
 York, PA 17401
Application Received Date October 20, 2003

Description of Action Installation of nitrate treatment by means of an anion exchange and replacement of the existing chlorination system.

Permit No. 3603511, Public Water Supply.

Applicant **Getty Petroleum Marketing Inc.**
Municipality Leacock Township
County **Lancaster**
Responsible Official Natasha Koll, Vice President
 1500 Hempstead Turnpike
 East Meadow, NY 11554
Type of Facility PWS

Consulting Engineer N. Dennis Eryou, P. E.
Eryou Engineering
Nine Lady Janes Way
Northport, NY 11768

Application Received Date October 27, 2003

Description of Action Installation of granular activated carbon to treat for TCE in the groundwater source.

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

Permit No. 2686501-A1, Public Water Supply.

Applicant **Fairchance Borough**
125 West Church Street
Fairchance, PA 15436-1136

Township or Borough Fairchance Borough

Responsible Official Herbert Myers, Council
President
Fairchance Borough
125 West Church Street
Fairchance, PA 15436-1136

Type of Facility Water treatment plant

Consulting Engineer Gaydos-Chambers Associates,
Inc.
1752 Lexington Avenue
Uniontown, PA 15401-8957

Application Received Date October 29, 2003

Description of Action Addition of a sand filter at the water treatment plant.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 5696506-A1, Minor Amendment.

Applicant **Addison Area Water Authority**
P. O. Box 13
Addison, PA 15411

Township or Borough Addison Borough

Responsible Official Dwayne Welling, Treasurer
Addison Area Water Authority
P. O. Box 13
Addison, PA 15411

Type of Facility Tank

Consulting Engineer DW LaSota Engineering, Inc.
515 Palmer Avenue
Patton, PA 16668

Application Received Date October 30, 2003

Description of Action Provide liner for existing potable water storage tank and replace water line from tank to distribution system.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a Site-Specific Standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a Site-Specific Standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office after 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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

12th Street Facility, Chester City, Delaware County. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate soils contaminated with lead and other organics. The applicant proposes to remediate the site to meet Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Delaware County Daily Times* on October 17, 2003.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

06-05008A: SFS Intec, Inc. (P. O. Box 6326, Wyomissing, PA 19610) for construction of three dip and spin surface coating machines and drying ovens utilizing low VOC solvent coatings in the Borough of Wyomissing, Berks County.

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

11-00507B: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) for installation of coal screen and load-out system at Twin Rocks Coal Processing Facility in Blacklick Township, Cambria County.

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

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

23-0064: Lawn Croft Cemetery (P. O. Box 1287, Ridge Road, Linwood, PA 19061-7287) for installation of a 100-pound per hour natural gas fired crematorium for human remains at their existing State-only facility on 1000 Ridge Road, Lower Chichester Township, Delaware County. This installation will result in maximum NOx emissions of 1.6 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

48-306-008C: Northampton Generating Co., L. P. (1 Horwith Drive, Northampton, PA 18067) for modification of Plan Approval No. 48-306-008C for their facility in Northampton Borough, Northampton County under 25 Pa. Code §§ 127.1 and 127.11. The facility currently has Title V Permit No. 48-00021. The plan approval includes terms and conditions to assure the proper operation of the source to satisfy the State and Federal requirements. It includes at a minimum the conditions related to source description, emissions limits for pollutants, monitoring, recordkeeping and reporting, temporary operations to facilitate shakedown and temporary operation period. This plan approval will be incorporated into the Title V operating permit through an administrative amendment at a later date and the action will be published as a notice in the *Pennsylvania Bulletin*.

The company representative to be contacted for this permit is Don McCallum, General Manager. Modified Plan Approval No. 48-306-008D is for the ability to burn high carbon ash resulting from the combustion of coal or

waste coal as an additional fuel source in NGC's circulating fluidized-bed boiler. The emissions from the unit are controlled by fabric collectors, SNCR and limestone injection

and shall not exceed the following current air permit emission limits:

<i>Pollutant</i>	<i>Units</i>	<i>Pounds/Hour</i>	<i>Tons/Year</i>
PM10	0.088 lb/mmBtu	10.1	34.7
SOx	0.129 lb/mmBtu	147.8	598.3
CO	0.15 lb/mmBtu	172	425.2
NOx	0.1 lb/mmBtu	115	466.8
VOC	0.005 lb/mmBtu	5.74	23.4

Although the sources covered by this plan approval may be at a major facility, the modification does not trigger major new source review or prevention of significant deterioration requirements.

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for public review during normal business hours at the Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711.

Persons wishing to file protests or comments against the issuance of this plan approval permit may submit their protests or comments within 30 days from the date of publication of this notice to the office of Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711. Written comments must include the name, address and telephone number of the person submitting the comments, identification of proposed Plan Approval No. 48-306-008D and a concise statement regarding the relevancy of the protests, comments or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines notification by telephone is sufficient. Written comments or requests for a public hearing should be directed within 30 days after publication to Thomas DiLazaro, Air Quality Program Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2531.

40-399-051: SVC Manufacturing, Inc. (750 Oakhill Road, Mountain Top, PA 18707) for installation and operation of a waste water pretreatment system at the facility in Wright Township, **Luzerne County**. The system will treat 563,000 gallons of wastewater per day via an anaerobic bioreactor to decrease biological oxygen demand discharged from the facility. Emissions from the system will be reducing through a flare, scrubber and biogas/natural gas-burning boiler. Expected emission rate for particulate will be 0.021 lb/hr, SOx will be 0.66 lb/hr, NOx will be 0.321 lb/hr, VOC will be 0.033 lb/hr and H₂S will be 0.013 lb/hr after control. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. 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; Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

22-03056A: Susquehanna Valley Organics Corp. (3705 Trindle Road, Camp Hill, PA 17011) for construction

of a sludge pelletization plant controlled by two cyclones and two wet scrubbers in the City of Harrisburg, **Dauphin County**. The sludge dryer is subject to 40 CFR Part 61, Subpart E—National Emission Standard for Mercury. The facility has the following annual potential emissions: 14.7 tons CO, 8.8 tons NOx, 1.0 ton VOC, 0.6 ton mercury and 0.1 ton SOx. The plan approval and subsequent State-only operating permit will include emission restrictions, work practice standards and monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

28-03045: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) for construction of two natural gas fired gas turbine driven natural gas compressors to back up existing electric compressors and an emergency generator at its Chambersburg Station in Hamilton Township, **Franklin County**. The primary emissions from the sources are 72 tons of NOx per year. The gas turbines are subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines. These sources are controlled by low NOx combustors.

36-05004A: Masterfoods USA—Division of Mars, Inc. (295 Brown Street, Elizabethtown, PA 17022-2192) to modify both the vacuum conveying system for milk/sugar blend and skim milk powder transport systems at their facility in Elizabethtown Borough, **Lancaster County**. There are no expected increases in particulate matter emissions as a result of the modifications. The plan approval and ensuing update to the facility-wide operating permit shall contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

67-03078A: Snyder's of Hanover (P. O. Box 917, Hanover, PA 17331-6917) for construction of a pellet fryer controlled by an oil mist eliminator in Penn Township, **York County**. The primary emissions from the sources are particulate matter of about 5 tons per year.

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

03-00228A: Blairsville Wilbert Vault (P. O. Box 7, Blairsville, PA 15717) on November 14, 2003, to install a crematorium at their facility in the Borough of Blairsville, **Indiana County**. Condition no. 7 of this Plan Approval for this facility has been revised. This condition originally required temperature monitoring in the primary combustion chamber, secondary combustion chamber and the stack exhaust. The requirement to monitor the stack exhaust temperature has been removed.

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

AMS 02184: Sunoco Inc. (R & M) (3144 Passyunk Avenue, Philadelphia, PA 19145) for installation of a hydrodesulfurization unit to meet the 30 ppm sulfur content in gasoline required under the Federal Tier II/low sulfur gasoline regulation mandated by the 1990 Clean Air Act amendments. This is a Title V facility. The emission increases from this project after netting for NOx and SO are as follows:

NOx	-11.62 tons per year
CO	91.90 tons per year
VOCs	17.55 tons per year
SO ₂	38.89 tons per year
PM	2.39 tons per year

No increase in production is expected from this project. The low sulfur gasoline is intended to reduce emissions from automobiles by allowing them to use more effective catalytic converters. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 03012: Tenet Health Systems Roxborough LLC (5800 Ridge Avenue, Philadelphia, PA 19128) for installation of three boilers and three emergency generators. NOx emission from these sources will be 14.42 tons per rolling 12-month period. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 03124: Sunoco Inc. (R & M) (3144 Passyunk Avenue, Philadelphia, PA 19145) for installing a selective hydrogenation unit in the 433 alkylation plant to convert light olefin feed to gasoline that has relatively low vapor pressure and high-octane value. This is a Title V facility. The selective hydrogenation unit was approved as part of Plan Approvals 99093 and 99128 issued on January 28, 2000. Since construction of the unit did not start within 18 months, a new plan approval became necessary. This plan approval does not authorize any emission increases not authorized under Plan Approvals 99093 and 99128. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 03186: Bianchi Industrial Services (208 Longbranch Road, Suite 300, Syracuse, NY 13209) for installing a concrete crusher at 67th and Elmwood Street, Philadelphia, PA; 2.2 tons of NOx emission is expected from the temporary operation. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

09-00150: Rotoflex Technologies, Inc. (180 Penn Am Drive, Quakertown, PA 18951) for operation of a chromium, copper and nickel electroplating facility in Richland Township, **Bucks County**. The permit is for a Title V facility. The chromium plating operation is an area source subjected to National Emission Standards for Hazardous Air Pollutants, 40 CFR 63 Subpart N. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

45-00002: Rock-Tenn Co. (Paper Mill Road, Delaware Water Gap, PA 18327) for their facility in Smithfield Township, **Monroe County**. The facility's major sources of emissions include boilers, fire pumps and paper coating operation, which primarily emit the following air contaminants: SOx, NOx and VOC.

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

07-05004: Eldorado Properties Corp. (P. O. Box 2621, Harrisburg, PA 17105) for a Title V Operating Permit renewal to operate a petroleum bulk station and terminal in Allegheny Township, **Blair County**. The operations are primary emitters of VOCs and HAPs. Emissions from the other activities are below significant levels. The plant is a major facility and is subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G. Furthermore, the facility is subject to 40 CFR Part 60 Subparts Ka, Kb and XX. Annual facility HAP emissions will be limited to less than 10 tons of any individual and less than 25 tons of any combination of HAPs. Potential VOC emissions total 130.99 tpy. The Title V operating permit contains monitoring, recordkeeping and reporting requirements to ensure the facility complies with all applicable air requirements.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

15-00074: R. A. Ferris and Co., Inc. (899 Fern Hill Rd., West Chester, PA 19380) for a non-Title V Facility, State-only, Natural Minor Operating Permit in West Goshen Township, **Chester County**. The permit is for the operation of three crematories, Type I and Type IV waste. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

06-03025: Reading Plating and Polishing Works, Inc. (1833 Cotton Street, Reading, PA 19606-1712) for operation of a decorative chrome plating facility in the City of Reading, **Berks County**. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

06-03087: Atofina Chemicals, Inc. (1112 Lincoln Road, Birdsboro, PA 19508) for operation of its nylon polymer manufacturing facility in Exeter Township, **Berks County**. The facility has the potential to emit 78 tons/yr of SOx, 24 tons/yr of NOx, 10 tons/yr of CO and 10 tons/yr of VOCs. Actual emissions are expected to be 7 tons/yr of NOx, 6 tons/yr of CO and 2 tons/yr of VOCs. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work

practice standards designed to keep the facility operating within all applicable air quality requirements.

36-03026: Skips Cutting, Inc. (501 Alexander Drive, Ephrata, PA 17522) for operation of a fabric dyeing plant in Ephrata Township, **Lancaster County**. The facility's potential emissions are less than 22 tons of VOC, 29 tons of NO_x, 18 tons of CO, 3 tons of PM and 15 tons of SO₂. The facility includes a boiler that is subject to New Source Performance Standard 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The State-only operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

36-03046: Packaging Corp. of America (1530 Fruitville Pike, Lancaster, PA 17601) for operation of a manufacturing facility in the City of Lancaster, **Lancaster County**. This is a non-Title V (State-only) facility. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

38-03042: American LaFrance Aerials (340 North 18th Street, Lebanon, PA 17046) for operation of a manufacturing plant in West Lebanon Township, **Lebanon County**. The facility's actual VOC emissions are less than 2 tons per year of VOC from painting operations. The State-only operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-03034: Bway Corporation (599 Davies Drive, York, PA 17402) for operation of a metal container manufacturing facility in Springettsbury Township, **York County**. The facility has the following annual potential emissions: 30 tons VOC and 1 ton NO_x. The State-only operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.

17-00018: Harmony Area School District (R. D. 1, Box 96A, Westover, PA 16692) for their high school in Burnside Township, **Clearfield County**. The facility's main sources include two bituminous coal/natural gas/no. 2 fuel oil fired boilers. The facility has the potential to emit VOCs, HAPs, PM₁₀, NO_x, CO and SO_x below the major emission thresholds. The proposed State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

55-00014: Bingaman and Son Lumber, Inc. (East Main Street, P. O. Box 247, Kreamer, PA 17833), for their lumber manufacturing facility in Middlecreek Township, **Snyder County**. The facility's main sources include two wood-fired boilers, ten steam heated kilns to dry hardwoods and woodworking operations (sawing, planning drilling, and the like). The facility has the potential to emit VOCs, HAPs, PM₁₀, NO_x, CO and SO_x below the major emission thresholds. The proposed State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before 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 same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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 to the previous, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of the NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30 day period to review and submit comments on those requirements.

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

Coal Applications Received

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

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

*The parameter is applicable at all times.

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

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

54850108C2. JETT Contracting Company (P. O. Box 243, Brockton, PA 17925), correction to an existing anthracite surface mine operation for a boundary correction in New Philadelphia Borough and Blythe Township, **Schuylkill County** affecting 56.9 acres, receiving stream: none. Application received November 4, 2003.

54830109R4 and NPDES PA0613622. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation and existing discharge of desilted stormwater in Blythe Township and New Philadelphia Borough, **Schuylkill County** affecting 625.0 acres. Receiving stream: Schuylkill River (CWF). Application received November 6, 2003.

54830102R4. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 263.0 acres. Receiving stream: none. Application received November 6, 2003.

54813009R4. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in East Norwegian Township, **Schuylkill County** affecting 57.7 acres. Receiving stream: Mill Creek. Application received November 6, 2003.

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

56971301. NPDES Permit No. PA0214973, G. M. & S. Coal Corp. (P. O. Box 33, Boswell, PA 15531), to revise the permit for the Geronimo Mine in Jenner Township, **Somerset County**, to add borehole for underground sludge disposal, Surface Acres Proposed 0.25, no additional discharges. Application received October 30, 2003.

<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
pH*		greater than 6.0; less than 9.0	

*The parameter is applicable at all times.

A settleable solids instantaneous maximum of 0.5 ml/l applied to surface runoff resulting from a precipitation

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

16940107 and NPDES Permit No. PA0226831. RFI Energy, Inc. (555 Philadelphia Street, Indiana, PA 15701). Renewal of an existing bituminous surface strip in Perry Township, **Clarion County** affecting 224.0 acres. Receiving streams: five unnamed tributaries to Cherry Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received November 10, 2003.

10980108 and NPDES Permit No. PA0227811. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface strip in Eau Claire Borough and Allegheny Township, **Butler County** affecting 45.2 acres. Receiving streams: unnamed tributaries to South Fork Little Scrubgrass Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received November 12, 2003

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

11830102 and NPDES Permit No. PA0607550. M. B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Lower Yoder Township, **Cambria County**, affecting 166.3 acres. Receiving streams: unnamed tributary to St. Clair Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received November 12, 2003.

32980115 and NPDES Permit No. PA0234982, Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only and for continued restoration of a bituminous surface, auger and coal ash beneficial use mine in Rayne Township and Ernest Borough, **Indiana County**, affecting 34.0 acres. Receiving streams: McKee Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received November 12, 2003.

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:

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.

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

6476SM10A1C3 and NPDES Permit No. PA0594172. **John F. Walter Excavating, Inc.** (P. O. Box 175, Newville, PA 17241), renewal of NPDES Permit for discharge of treated mine drainage in Middlesex Township, **Cumberland County**, receiving stream: unnamed tributary to Conodoguinet Creek (WWF). Application received November 4, 2003.

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

37860305. G. L. McKnight, Inc. (P. O. Box 773, Slippery Rock, PA 16057). Renewal of NPDES Permit No. PA0212032, Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. NPDES Renewal application received November 7, 2003.

10020307 and NPDES Permit No. PA0242411. **Parker Sand & Gravel Co.** (P. O. Box O, Parker, PA 16049). Transfer of an existing sand and gravel operation in Parker Township and Parker City, **Butler and Armstrong Counties** affecting 46.0 acres. Receiving streams: three unnamed tributaries to the Allegheny River (CWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from Kahle Brothers Enterprises. Application received November 13, 2003.

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 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 office noted before the application.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommoda-

tion to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E28-312: Lohman E. Glass, 9713 Rowe Run Road, Shippensburg, PA 17257 in Southampton Township, **Franklin County**, ACOE Baltimore District.

To maintain two wooden footbridges and 635 feet of rip-rap stream bank protection, then to construct and maintain 410 feet of rip-rap stream bank protection and a 3-foot high rock dam with a water wheel to generate electricity all in or along Rowe Run (CWF) along Route 433 (Shippensburg, PA Quadrangle N: 8.8 inches; W: 13.3 inches) in Southampton Township, Franklin County.

E50-217: Department of Transportation, District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Carroll and Spring Townships, **Perry County**, ACOE Baltimore District.

To rehabilitate and maintain SR 850, Sec. 002 by means of raising its grade elevation and associated improvements to reduce the roadway flooding problem from Sherman Creek (WWF) and its tributaries from a point in Drumgold Village and continuing at a point near Union School (Shermans Dale, PA Quadrangle N: 17.45 inches; W: 9.4 inches; N: 18.55 inches; W: 14.2 inches) in Carroll and Spring Townships, Perry County.

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

E14-454. Thomas E. Watson, 350 Heavenly Hill Road, Howard, PA 16841, Watson Culvert in Curtain Township, **Centre County**, ACOE Baltimore District (Howard, PA Quadrangle N: 11.4 inches; W: 14.13 inches).

To construct and maintain a 42-inch diameter 25-foot long smooth bore plastic culvert with its associated 55 feet of approach native sandstone fill in Romola Branch and its floodway to replace the pre-existing 18-inch culvert crossing 2.4 miles up Orviston Road from SR 1002. The project has impacted 35 linear feet of Romola Branch (CWF) and no wetland impacts.

E41-530. Randy Baker, 3181 Northway Road, Williamsport, PA 17701, Water Obstruction and Encroachment Permit application in Loyalsock Township, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville North, PA Quadrangle N: 7.98 inches; W: 14.12 inches).

To remove an existing bridge and construct and maintain a single span steel I-beam bridge having a clear span of 20.0 feet and a minimum clearance of 3.0 feet over Miller's Run on Northway Road. This project proposes to have a minimal impact on Miller's Run (WWF) and does not propose to impact any adjacent jurisdictional wetlands.

E41-532. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218, Streambed paving under SR 3026, Seg. 0070 in Lycoming Township, **Lycoming County**, ACOE Susquehanna River Basin District (Cogan Station, PA Quadrangle N: 7.9 inches; W: 15.9 inches).

To perform streambed paving in an unnamed tributary to Beauty's Run (CWF) along SR 3026, Segment 0070, Offset 0361. This project proposes to permanently impact 40 linear feet of the unnamed tributary and does not propose to impact any jurisdictional wetlands.

E49-272. Brian Hubler, R. R. 1, Box 926, Paxinos, PA 17860-9633, Water Obstruction and Encroachment Permit in Shamokin Township, **Northumberland County**, ACOE Susquehanna River Basin District (Shamokin, PA Quadrangle N: 11.46 inches; W: 16.32 inches).

To remove an existing wooden structure and construct and maintain two 16-foot long by 6-foot diameter concrete pipes in Benny's Run (CWF). The project is along SR 4026, approximately 2.0 miles west of SR 0061 and SR 4026 intersection in Shamokin Township, Northumberland County.

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

E02-1440. M. R. W. Realty, LLC, 1140 Perry Highway, Wexford, PA 15090. Best Tile Distribution Building Wetland Fill in Pine Township, **Allegheny County**, Pittsburgh ACOE District (Mars, PA Quadrangle N: 2.1 inches; W: 83 inches) (Latitude: 40° 38' 00" —Longitude: 80° 03' 30"). The applicant proposes to place fill in 0.21 acre of PEM/PSS wetlands associated with an unnamed tributary to North Fork Pine Creek (CWF) for the purpose of constructing two buildings for the proposed Best Tile Distributors Development. The project is on the east side of Schwinderman Road, approximately 1,000 feet north from the intersection of Wallace Drive and Schwinderman Road and will impact 0.21 acre of PEM/

PSS wetlands and 425 feet of stream channel. The applicant proposes to construct 0.23 acre of replacement wetlands.

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

E10-387. Jesture Venture, L. P., Briar Creek Residential Development in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 18.45 inches; W: 3.25 inches).

To construct and maintain an aluminum plate arch culvert having an in-stream length of 108 feet, a clear span of 23 feet and a rise of 7.5 feet to be within an unnamed tributary to Brush Creek (WWF) at a point approximately 1,300 feet northeast of Glen Eden Road (SR 3024) within the Briar Creek subdivision and to place fill in 0.05 acre of wetlands. The applicant is not required to provide replacement wetlands for this de minimis impact.

E62-392, Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301, SR 3005, Segment 0410, Offset 2048 Across Allegheny River in City of Warren, **Warren County**, ACOE Pittsburgh District (Warren, PA Quadrangle N: 20.0 inches; W: 3.5 inches).

To construct and maintain a prestressed concrete adjacent box beam bridge having four spans of 129 feet (bearing to bearing) and an underclearance of 13.3 feet on a 76 degree skew across the Allegheny River on SR 3005, Segment 0410, Offset 2048 (Hickory Street). The bridge results in an impact to approximately 75 linear feet of the river channel. The project includes installation of a two-phase temporary causeway/crossing impacting approximately 120 linear feet of the channel of the Allegheny River for construction of the bridge consisting of clean rock fill pads and steel bridges. Demolition and removal of the existing bridge, including installation and removal a temporary causeway/crossing of the Allegheny River, was completed under Emergency Permit No. EP6203601 issued on June 26, 2003, and extended to November 13, 2003.

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 NOI for coverage under General NPDES Permits. The approval for coverage under these 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. The 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 may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0027006 Sewage	Borough of Tamaqua 320 E. Broad Street Tamaqua, PA 18252	Schuylkill County Tamaqua Borough	Little Schuylkill River 3A	N
PA0032077 Minor Sewage	Department of Conservation and Natural Resources Bureau of State Parks Tuscarora State Park 687 Tuscarora Park Road Barnesville, PA 18214-9715	Schuylkill County Rush Township	Locust Creek 3A	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0033251	Total Environmental Solutions, Inc. Treasure Lake Development—East Side Facility P. O. Box 4037 Houma, LA 70361	Sandy Township Clearfield County	Narrows Creek 17C	Y
PA0208728 SP	Mountaintop Area Municipal Authority P. O. Box 275 Moshannon, PA 16874	Centre County Snow Shoe Township	North Fork Beek Creek 8C	Y
PA0228061	Total Environmental Solutions, Inc. Treasure Lake Development—West Side Facility P. O. Box 4037 Houma, LA 70361	Sandy Township Clearfield County	Narrows Creek 17C	Y
PA0115266 SP	Gregg Township Sewer Authority P. O. Box 103 Spring Mills, PA 16875	Centre County Gregg Township	Penns Creek 6A	Y

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0021733	Borough of Watsontown Fourth and Main Streets Watsontown, PA 17777	Northumberland County Borough of Watsontown	West Branch Susquehanna River 10D	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0038211	The Hempfield Township Municipal Authority R. D. 6, Box 501 Greensburg, PA 15601	Westmoreland County Hempfield Township	UNT of Little Sewickley Creek	Y
PA0098060	Southwind Mobile Home Park STP 106 Chrissy's Crossing Fombell, PA 16123	Beaver County Franklin Township	UNT of Slippery Rock Creek	Y
PA0098477	Highland Tank & Manufacturing Company One Highland Road Stoystown, PA 15563	Somerset County Quemahoning Township	Oven Run	Y
PA0217913	William J. McIntire P. O. Box 171 Shelocta, PA 15774	Indiana County Armstrong Township	Anthony Run	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0044016	Linesville Fish Culture Station Fish and Boat Commission Benner Spring Fish Research Station 1735 Shiloh Road State College, PA 16801-8495	Pine Township Crawford County	Pymatuning Reservoir 20-A	Y

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

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

NPDES Permit No. PA0050016, Industrial Waste, **Markel Corporation**, 453 School Lane, Plymouth Meeting, PA 19462. This proposed facility is in Plymouth Township, **Montgomery County**.

Description of Proposed Action/Activity: Renewal to discharge into receiving waters named Diamond Run-Wissahickon-3F.

NPDES Permit No. PA0035297, Industrial Waste, **Sunoco Partners Marketing and Terminals L. P.**, 1801 Market Street, Philadelphia, PA 19103. This proposed facility is in Upper Chichester Township, **Delaware County**.

Description of Proposed Action/Activity: Renewal to discharge into an unnamed tributary to Baldwin Run-3G Watershed.

NPDES Permit No. PA0050768, Sewage, **Bedminster Municipal Authority**, P. O. Box 92, Bedminster, PA 18910. This proposed facility is in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Renewal to discharge into an unnamed tributary to Deep Run-2D Tohickon Creek.

NPDES Permit No. PA0020575, Sewage, **Rose Valley Borough**, P. O. Box 198, Rose Valley, PA 19065. This proposed facility is in Rose Valley Borough, **Delaware County**.

Description of Proposed Action/Activity: Renewal to discharge into Ridley Creek-3G Ridley Creek.

NPDES Permit No. PA0051730, Sewage, **Philadelphia Country Club**, 1601 Spring Mill Road, Gladwyne, PA 19035. This proposed facility is in Lower Merion Township, **Montgomery County**.

Description of Proposed Action/Activity: Renewal to discharge into the Sawmill Creek in Watershed 3F-Wissahickon.

NPDES Permit No. PA0024180, Sewage, **Berks-Montgomery Municipal Authority**, 136 Municipal Drive, Gilbertsville, PA 19525-0370. This proposed facility is in Douglass Township, **Montgomery County**.

Description of Proposed Action/Activity: Renewal to discharge into Swamp Creek-3E Perkiomen Watershed.

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

PA0101150, Sewerage, 4952, **RIP Management Group Corporation**, R. R. 8, Box 7, DuBois, PA 15801. This existing facility is in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Amendment of the NPDES permit due to transfer of ownership of the Ramada Inn WWTP from Seven Seas Financial Association to RIP Management Group Corporation.

Parameter

CBOD₅
TSS
NH₃-N
(5-1 to 10-31)
Total Cl₂ Residual
Fecal Coliform
(5-1 to 9-30)
(10-1 to 4-30)
pH

<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
25	50
30	60
8.0	16.0
1.0	2.3

200/100ml as a geometric mean
2,000/100ml as a geometric mean
6.0 to 9.0 SU at all times

PA0113891, Sewerage (4952), **Beavertown Family Restaurant**, R. R. 2, Box 2407, Beavertown, PA 17813. This proposed facility is in the Beaver Township, **Snyder County**.

Description of Proposed Action/Activity: The respective WQM permit will be transferred from the Boar and Bull Tavern, Inc. to the Beavertown Family Restaurant. There are no changes to the permit, other than the ownership transfer.

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

NPDES Permit No. PA0252506, Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. This proposed facility is in Cowanshannock Township, **Armstrong County**.

Description of Proposed Action/Activity: Discharged of treated sewage from Margaret Sewage Treatment Plant to unnamed tributary to Huskins Run.

NPDES Permit No. PA0252522, Sewage, **Somerset Township Municipal Authority**, P. O. Box 247, 2209 North Center Avenue, Somerset, PA 15501-0247. This proposed facility is in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Discharge of treated sewage from Lavansville Sewage Treatment Plant to West Branch Coxes Creek.

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

NPDES Permit No. PA0239305, Sewage, **Cable Hollow Evangelical Church**, R. D. 2, P. O. Box 2747, Russell, PA 16345. This proposed facility is in Pine Grove Township, **Warren County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to North Branch Akeley Run in Watershed 16-B.

NPDES Permit No. PA0026204, Sewage Amendment No. 1, **City of Oil City**, 21 Seneca Street, Oil City, PA 16301-1313. This proposed facility is in City of Oil City, **Venango County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Allegheny River in Watershed 16-E.

The receiving body of water, Gravel Lick Run, is in the State Water Plan watershed 17C and is classified for CWF.

The effluent limits for Outfall 001 are the same as the original permit and were based on a design flow of 0.0217 MGD.

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

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

WQM Permit No. 5588404-T2, Sewerage (4952), **Beavertown Family Restaurant**, R. R. 2, Box 2407, Beavertown, PA 17813. This proposed facility is in the Beaver Township, **Snyder County**.

Description of Proposed Action/Activity: The respective WQM permit will be transferred from the Boar and Bull Tavern, Inc. to the Beavertown Family Restaurant. There are no changes to the permit, other than the ownership transfer.

WQM Permit No. 1703203, Industrial Waste 4941, **Burnside Borough**, P. O. Box 208, Burnside, PA 15721. This proposed facility is in Burnside Borough, **Clearfield County**.

Description of Proposed Action/Activity: Issuance of a WQM Part II Permit for land application of 900 gpd of treated water to be discharged from Burnside Borough's new public water supply bag/cartridge filtration plant.

WQM Permit No. 4103404, Sewerage 4952, **Michael Maneval**, 90 Academy Road, Balls Mills, PA 17728. This proposed facility is in Hepburn Township, **Lycoming County**.

Description of Proposed Action/Activity: Construction of small flow sewage treatment system.

WQM Permit No. 4903404, Sewerage Public SIC 4952, **Milton Regional Sewer Authority**, P. O. Box 433, Milton, PA 17847. This proposed facility is in West Chillisquaque Township, **Northumberland County**.

Description of Proposed Action/Activity: Sanitary sewer extensions consisting of approximately 50,000 feet of gravity sewer and two pump stations, in East Lewisburg and Montandon. This project will serve portions of West Chillisquaque Township.

WQM Permit No. 4903403, Sewerage, **Point Township Sewer Authority**, P. O. Box 312, Northumberland, PA 17857. This proposed facility will be in Point Township, **Northumberland County**.

Description of Proposed Action/Activity: Permit is issued authorizing the construction (and operation) of a collection system into unsewered areas of the Township in the vicinity of Strawbridge Road. The project also includes the construction of a new pump station and the renovation of an existing pump station. Wastewater will be conveyed to the Northumberland Borough sewage treatment plant.

WQM Permit No. 1772410-T1, Sewerage, **RIP Management Group Corporation**, R. R. 8, Box 7, DuBois, PA 15801. This existing facility is in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Transfer of the WQM Part II permit (for the Ramada Inn wastewater treatment facilities) from Seven Seas Financial Association to RIP Management Group Corporation.

WQM Permit No. 1787406-T1, Sewerage, **RIP Management Group Corporation**, R. R. 8, Box 7, DuBois, PA 15801. This existing facility is in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Transfer of the WQM Part II permit (for major modifications to the Ramada Inn wastewater treatment plant) from Seven Seas Financial Association to RIP Management Group Corporation.

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

WQM Permit No. 0203408, Sewerage, **Andrew J. Kicinski, P. E., Bell Acres Municipal Authority**, 1151 Camp Meeting Road, Sewickley, PA 15143. This proposed facility is in Bell Acres Borough, **Allegheny County**.

Description of Proposed Action/Activity: Individual grinder pumps and pressure sewer system to serve Skymark Farm plot of lots.

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

WQM Permit No. 2003201, Industrial Waste, **Oil Creek Plastics, Inc.**, 45619 State Highway 27, P. O. Box

385, Titusville, PA 16354-0385. This proposed facility is in Oil Creek Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for the installation and operation of a cooling tower and chilled water system.

WQM Permit No. 2503424, Sewerage, **Imperial Point Wastewater Company**, P. O. Box 927, Fairview, PA 16415. This proposed facility is in Girard Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the installation of a sludge filter press.

WQM Permit No. 6203411, Sewerage, **Cable Hollow Evangelical Church**, R. D. 2, P. O. Box 2747, Russell, PA 16345. This proposed facility is in Pine Grove Township, **Warren County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve a 200-seat church and a 3-bedroom parsonage.

WQM Permit No. 4303413, Sewerage, **Ricky K. Truesdell**, P. O. Box 321, Stoneboro, PA 16153. This proposed facility is in Coolspring Township, **Mercer County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011503068	Philadelphia Suburban Water Company Overlook Road Farm 762 West Lancaster Avenue Bryn Mawr, PA 19010	Chester	East Brandywine Township	Unnamed tributary Culbertson Run HQ-TSF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS101327	Vacation Charters, LTD P. O. Box 592 One Lake Drive Lake Harmony, PA 18624	Carbon	Kidder Township	Black Creek HQ-CWF

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

Somerset County Conservation District: North Ridge Building, 1590 North Center Avenue, Suite 103, Somerset, PA 15501-7000, (814) 445-4652.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055603002	Texas Eastern Transmission, LP 5400 Westheimer Court Houston, TX 77056	Somerset	Brothersvalley and Allegheny Townships	Millers Run CWF Hillegas Run HQ-CWF Reitz Creek CWF Raystown Branch of the Juniata River CWF Tributaries and Stoneycreek River CWF

Westmoreland County Conservation District: Center for Conservation Education, 211 Donohoe Road, Greensburg, PA 15601, (724) 837-5271.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10X106	Maronda Homes, Inc. 1202 Park West Drive Pittsburgh, PA 15275	Westmoreland	North Huntingdon Township	Tributary to Long Run HQ-TSF Crawford Run WWF
PAI056503005	Frederick Crack 10380 Center Highway North Huntingdon, PA 15642	Westmoreland	North Huntingdon Township	Unnamed tributary to Long Run HQ-TSF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

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General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Plumstead Township Bucks County	PAG2000903141	Huntingdon Valley Bank Plumstead Branch 2617 Huntingdon Pike Huntingdon Valley, PA 19006	North Branch Neshaminy Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warwick Township Bucks County	PAG2000903060	Daniel A. and Susan C. Sine 2400 York Road Development 2235 York Road Jamison, PA 18929	Neshaminy Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAG2000903071	Haines and Kibblehouse, Inc. Blooming Glen Quarry 2052 Lucon Road Skippack, PA 19474-0196	Morris Run TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Makefield Township Bucks County	PAG2000903089	Department of Transportation SR 2071, Section INT 7000 Geerdes Boulevard King of Prussia, PA	Unnamed tributary Delaware River WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Doylestown Township Bucks County	PAG2000903107	Heritage Building Group Proposed Office Development 3326 Old York Road, Suite A100 Furlong, PA 18925	Neshaminy Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Makefield Township Bucks County	PAG2000903015	Pisani Builders Belamour Subdivision 424 Bella Circle Doylestown, PA 18901	Houghs Creek/Delaware River WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Bedminster Township Bucks County	PAG2000903130	TH Properties Cliffside Manor 345 Main Street Harleysville, PA 19438	Deep Run/Tohickon Creek/Delaware River WWF, CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Newtown Township Bucks County	PAG2000903156	Toner Homes, Inc. Kramer Subdivision 915 Standish Avenue Huntingdon Valley, PA 19006	Newtown Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
New Britain Township Bucks County	PAG2000903103	Frank and Patricia Rosanelli Tract 127 King Road Chalfont, PA 18914	Unnamed tributary North Branch Neshaminy Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAR10D709	Teresa Craig The Ridings of Hilltown 520 Waltham Lane Perkasie, PA 18944	West Branch Neshaminy Creek/Deep Run Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAG2000903087	Victor Buccafuri Land Dev. 3647 County Line Road North Wales, PA 19454	Mill Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Makefield Township Bucks County	PAG2000903161	Merrick Wilson Towering Oakes of Yardley 1 Madison Avenue Pennington, NJ 08534	Dyers Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warminster Township Bucks County	PAG2000903145	SEPTA Warminster Station Parking Lot Expansion and Repair 1234 Market Street, 12th Floor Philadelphia, PA 19017-3721	Pennypack Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
East Bradford Township Chester County	PAG2001503098	David and Margaret Byerley Subdivision 825 Shenton Road West Chester, PA 19380-1845	Valley Creek CWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Valley and East Fallowfield Townships Chester County	PAG2001503092	Valley Crossing Dev. Partners, LLC Timberlane Subdivision P. O. Box 494 Edgemont, PA 19028	Sucker Run WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Kennett Square Borough Chester County	PAG2001503107	Kaolin Mushroom Farms, Inc. South Street Warehouse 649 West South Street Kennett Square, PA 19348	Unnamed tributary West Branch Red Clay Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Caln Township Chester County	PAG2001503088	Radnor Associates Kings Grant Subdivision 435 Devon Park Dr., Bldg. 200 Wayne, PA 19087	Unnamed tributary Beaver Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Sadsbury Township Chester County	PAG2001503099	Meetinghouse Properties, LLC Morris Farm 104 Valley View Driveway Coatesville, PA 19320	Rock Run/Bucks Run TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Kennett Township Chester County	PAG2001503115	Kendal-Crosslands Communities Kendal Health Center Additions P. O. Box 100 Kennett Square, PA 19348	Unnamed tributary Bennetts Run WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Valley Township Chester County	PAG2001503102	Garry Goutshall J. Richard Tomaske Subdivision 1629 Glenn Road Lancaster, PA 17601	Unnamed tributary West Branch Brandywine Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Springfield Township Montgomery County	PAG2004603137	Chestnut Hill Hospital Chestnut Hill Cancer Center 8885 Germantown Avenue Philadelphia, PA 19118	Wissahickon Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Towamencin Township Montgomery County	PAG2004603173	North Penn School District North Penn High School 400 Penn Street Lansdale, PA 19446	Towamencin Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Limerick Township Montgomery County	PAG2004603151	Wawa, Inc. Wawa Development 260 Baltimore Pike Wawa, PA 19063	Schuylkill River TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Dublin Township Montgomery County	PAG2004603186	Reit Management & Research 525 Virginia Driver Development 1500 Market Street Philadelphia, PA 19102	Pine Run/Sandy Run TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Merion Township Montgomery County	PAG2004603141	Corinthian Partners, LP Corinthian Condominiums 700 S. Henderson Rd., Suite 225 King of Prussia, PA 19406	Schuylkill River WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Pottsgrove Township Montgomery County	PAG2004603194	Grosse Development Company Doe Run Estates a/k/a Bechtel Estates 732 East Main Street Lansdale, PA 19446	Doe Run Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Carbon County Franklin Township	PAG2001303007	Fred Leshner 596 Harvard Court Palmerton, PA 18071	Pohopoco Creek CWF	Carbon County Conservation District (610) 377-4894
Monroe County East Stroudsburg Borough	PAG2004503004	Pocono Medical Ctr. 206 East Brown St. East Stroudsburg, PA 18301	Brodhead Creek TSF, MF	Monroe County Conservation District (570) 629-3060
Northampton County Glendon Borough	PAR10U106-R	Joseph Reibman Glendon Properties, Inc. 108 N. Eighth St. Allentown, PA 18101	Lehigh River WWF	Northampton County Conservation District (610) 746-1971
Schuylkill County Washington Township	PAG2005403015	Hidden Valley III Heather Horning Bobbi Jean Fasnacht 16 Hetzle's Church Rd. Pine Grove, PA 17963	Tributary to Upper Little Swatara Creek CWF	Schuylkill County Conservation District (570) 622-3742
Lackawanna County City of Scranton	PAG2003503017	Frank Facciolo 2024 Sproul Rd. Broomall, PA 19008	Lackawanna River CWF	Lackawanna County Conservation District (570) 281-9495
Lackawanna County Dunmore	PAG2003503018	Michael Cestone 114 Prospect St. Dunmore, PA 18512	Lackawanna River CWF	Lackawanna County Conservation District (570) 281-9495
Straban Township Adams County	PAG2000103009	Robert Monahan Gateway Historic Holdings, Inc. 131 Carlisle Street Gettysburg, PA 17325	UNT to Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Douglas Township Berks County	PAG2000603075	Lawrence Martin Allegheny East Conference Corp. P. O. Box 266 Pine Forge, PA 19548	Manatawny Creek CWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAG2000603085	Christopher Santarelli 201 Nicholas Street Leesport, PA 19533	Laurel Run WWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAG2000603091	Deborah Meals Spring Township P. O. Box 928 Lancaster, PA 17608	Cacoosing Creek WWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Swatara Township Dauphin County	PAG2002203027	Columbia Sussex Corp. 207 Grandview Drive Fort Mitchell, KY 41017	Spring Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Upper Paxton Township Dauphin County	PAG2002203022	Ned Smith Center for Nature & Art 1 Walnut St. Millersburg, PA 17061 Millersburg Area Authority 101 West St. Millersburg, PA 17061	Wiconisco Creek WWF Little Wiconisco Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Middle Paxton Township Dauphin County	PAG2002203050	James D. Novinger 1213 Paxton Church Rd. Harrisburg, PA 17110	Stony Creek CWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
East Hempfield Township Lancaster County	PAG2003603085	Hempfield Valley Partnership 114 Foxshire Drive Lancaster, PA 17601	Swarr Run Millers Run TSF	Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
Warwick Township Lancaster County	PAG2003603099	Greg Wilson 43 Industrial Blvd. Box 697 Brownstown, PA 17508	UNT Lititz Run WWF	Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
Penn Township Lancaster County	PAG2003603127	A & M Composting, Inc. 2022 Mountain Road Manheim, PA 17545	Chickies Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
East Lampeter Township Lancaster County	PAG2003603130	R. R. Donnelly & Sons, Co. 216 Greenfield Road Lancaster, PA 17601	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
Mount Joy Borough Lancaster County	PAG2003603140	John M. Buckwalter 1835 Risser Mill Road Mount Joy, PA 17552	Little Chickies Creek TSF	Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
East Lampeter Township Lancaster County	PAG2003603141	TCH Development Co. 900 S. Avenue, Suite 300 Staten Island, NY 10314	UNT Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
Hampden Township Cumberland County	PAG2002103043	Cumberland Valley School District Shaull Elementary School 6746 Carlisle Pike Mechanicsburg, PA 17055	Sears Run	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Hampden Township Cumberland County	PAG2002103047	Damon's Grill Richard Kleiman P. O. Box 8910 Camp Hill, PA 17001	Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Centre County Spring Township	PAG201403031	Maxwell Trucking 689 East College Ave. Pleasant Gap, PA 6823	UNT Logan Branch CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA (814) 355-6817

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Centre County Ferguson Township	PAG201403038	Old Gatesburg Road & Science Park Road Intersection 3147 Research Dr. State College, PA 16801	UNT Big Hollow CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA (814) 355-6817
Centre County Ferguson Township	PAG201403039	Waypoint Bank Branch 67 Regional Headquarters 255 W. Clinton Ave., Suite C1 State College, PA 16803	UNT Big Hollow Run CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA (814) 355-6817
Tioga County Nelson Township	PAG2005903013	Nelson Township Authority P. O. Box 100 Nelson, PA 16940	Cowanesque River WWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801, Ext. 117
Armstrong County South Bend Township	PAG2000303009	Department of Transportation 2550 Oakland Ave. Indiana, PA 15701	Crooked Creek WWF	Armstrong County Conservation District (724) 548-3425
Meadville City Crawford County	PAR102316R	Westbury United Methodist Retirement Community Renewal 31 North Park Avenue Meadville, PA 16335	Bennyhoof Creek WWF	Crawford County Conservation District (814) 724-1793
Millcreek Township Erie County	PAG2002503053	ForestView Health Care, Inc. Spring Hill Garden Apartments 2323 Edinboro Road Erie, PA 16509	Municipal Separate Storm Sewer	Erie County Conservation District (814) 825-6403
Summit Township Erie County	PAG2002503054	John Durst Pennbriar Drive Extension 3223 Poplar Street Erie, PA 16508	Tributary to Walnut Creek CWF-MF	Erie County Conservation District (814) 825-6403
Greene County Cumberland Township	PAG2093203009	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Monongahela River WWF	Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
Allegheny County Lincoln Borough	PAG2090203010	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	UNT to Wylie Run to Monongahela River UNT to Youghiogheny River WWF	Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
Huntingdon County Todd Township	PAG2093103011	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Unnamed tributary to Great Trough Creek TSF	Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
Foster Township Schuylkill County	PAG2541103004	Bureau of Abandoned Mine Reclamation 2 Public Sq., Fifth Floor Wilkes-Barre, PA 18711-0790	Crystal Run/West Branch Schuylkill River CWF	Bureau of Abandoned Mine Reclamation 2 Public Sq., Fifth Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Plymouth Township Luzerne County	PAG2401103005	Bureau of Abandoned Mine Reclamation 2 Public Sq., Fifth Floor Wilkes-Barre, PA 18711-0790	UNT to North Branch Susquehanna River WWF	Bureau of Abandoned Mine Reclamation 2 Public Sq., Fifth Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371

General Permit Type—PAG-3

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Brady Township Lycoming County	PAR604838	County of Lycoming Recycling & Mulch Facility 447 Alexander Drive Montgomery, PA 17752	Unnamed tributaries to Black Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Pine Creek Township Clinton County	PAR604806	Staiman Brothers, Inc. 201 Hepburn Street P. O. Box 1235 Williamsport, PA 17703-1235	UNT to the W. Branch Susquehanna River WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Middlecreek Township Snyder County	PAR224811	Wood-Mode, Incorporated One Second Street Kreamer, PA 17833	Middle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

General Permit Type—PAG-4

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lewis Township Northumberland County	PAG045058	Joseph. Jr. and Carol A. Bryer 6150 SR 54 Turbotville, PA 17772	Storm Drain to Warrior Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Clearfield County Bradford Township	PAG045061	Chester Cartwright 141 Old Camp Road West Decatur, PA 16878	Long Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
North Centre Township Columbia County	PAG045054	Patricia Eckroth 246 Eckroth Road Bloomsburg, PA 17815	Cabin Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lewis Township Union County	PAG045053	Dennis Fritz 119 South 5th Street Mifflinburg, PA 17844	UNT Buffalo Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Sheshequin Township Bradford County	PAG045063	Michael Giordano, Jr. R. R. 5 Box 5307 Towanda, PA 18848	Unnamed tributary of Susquehanna River WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Hepburn Township Lycoming County	PAG045167 Sewerage	Michael Maneval 90 Academy Road Balls Mills, PA 17728	UNT Mill Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Coolspring Township Mercer County	PAG048927	Ricky K. Truesdell P. O. Box 321 Stoneboro, PA 16153	Unnamed tributary to Otter Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-9

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
Strasburg Township Lancaster County	PAG093515	Honeywagon Septic Service 691 Truce Road Quarryville, PA 17566	Robert Breneman Farm Strasburg Township Lancaster County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-13

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG136119	Paint Borough 119 Hoffman Avenue Windber, PA 15963	Somerset	Paint Borough	Paint Creek CWF	Y
PAG136154	Freedom Borough 901 Third Avenue Freedom, PA 15042	Beaver	Freedom Borough	Ohio River WWF Dutchman Run WWF UNT to the Ohio River	Y

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<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG136158	Daugherty Township 2182 Mercer Road New Brighton, PA 15066	Beaver	Daugherty Township	Stuber Road (T-542) Storm System, UNT to 2-Beaver River (WWF), Frish Korn Road (T-571) Storm System (WWF), UNT to 3-Blockhouse Run, Main Avenue (T-845) Storm System (WWF), UNT to 3-Blockhouse Run	Y
PAG136159	Brighton Township 1300 Brighton Road Beaver, PA 15009	Beaver	Brighton Township	Chapel Road (T-535) Storm Sewer Sys., UNT to South Branch Brady Run (SBBR is a tributary to 3-Brady Run), Beacom Drive (T-556) Storm Sewer Sys., UNT to 3-Brady Run, Western Avenue (T-650) Storm Sewer Sys., UNT to 2-Two Mile Run, Gypsy Glen Road (T-736) Storm Sewer Sys., UNT to 2-Two Mile Run, 2-Two Mile Run (WWF), Mudlick Hollow Road, (T-513) Storm Sewer Sys., UNT to 2-Two Mile Run, Pine Grove Road (T-432) Storm Sewer Sys., UNT to 2-Six Mile Run	Y
PAG136172	Ambridge Borough 600 Eleventh Street Ambridge, PA 15003	Beaver	Ambridge Borough	Big Sewickley Creek TSF Ohio River WWF UNT to Ohio River WWF	Y
PAG136173	Harmony Township 2501 Woodland Road Ambridge, PA 15003	Beaver	Harmony Township	Legionville Run WWF Big Sewickley Creek TSF UNT to Ohio River	Y
PAG136178	Hopewell Township Municipal Building 1700 Clark Boulevard Aliquippa, PA 15001	Beaver	Hopewell Township	Flaugherty Run Raccoon Creek Ohio River	Y

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG136202	Cecil Township 3599 Millers Run Road Suite 101 Cecil, PA 15321	Washington	Cecil Township	Chartiers Creek WWF Brush Run WWF McPherson Creek WWF Millers Run WWF Robinson Run WWF	Y
PAG136205	South Union Township 151 Township Drive Uniontown, PA 15401	Fayette	South Union Township	Coal Lick Run WWF Redstone Creek WWF Bennington Spring Run WWF Jennings Run WWF	Y
PAG136209	Conway Borough 1208 Third Avenue Conway, PA 15027	Beaver	Conway Borough	Ohio River WWF Crows Run WWF	Y
PAG136210	Canton Township 655 Grove Avenue Washington, PA 15301	Washington	Canton Township	Chartiers Creek WWF	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133528	Colebrookdale Township 765 West Philadelphia Avenue Boyertown, PA 19512	Berks	Colebrookdale Township	Ironstone Creek TSF Swamp Creek TSF, MF	Y
PAG133529	Boyertown Borough 100 S. Washington St. Boyertown, PA 19512	Berks	Boyertown Borough	Ironstone Creek TSF Swamp Creek Tributary 0133 TSF, MF Minister Creek Tributary 01324 TSF	Y
PAG133530	Birdsboro Borough 202 E. Main St. Birdsboro, PA 19508	Berks	Birdsboro Borough	Hay Creek CWF, MF Schuylkill River CWF/MF	Y
PAG133531	Bern Township 1069 Old Bernville Rd. Reading, PA 19605	Berks	Bern Township	Tulpehocken Creek WWF Schuylkill River WWF, MF Plum Creek WWF, CWF	Y
PAG133503	Berks County Services Center 633 Court St., 16th Floor Reading, PA 19601	Berks	Reading City	Plum Creek WWF Tulpehocken Creek CWF	Y

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<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133511	Amity Township 2004 Weavertown Rd. Douglassville, PA 19518	Berks	Amity Township	Manatawny Creek CWF Monocacy Creek WWF Schuylkill River WWF	Y
PAG133502	Bally Borough P. O. Box 217 Bally, PA 19503	Berks	Bally Borough		Y
PAG133513	Mt. Penn Borough 200 N. 25th St. Mt. Penn, PA 19606	Berks	Mt. Penn Borough	Schuylkill River WWF Antietam Creek CWF	Y
PAG133501	Alsace Township 65 Woodside Ave. Temple, PA 19560	Berks	Alsace Township	Little Manatawny Creek Watershed CWF Antietam Creek Watershed CWF Monocacy Creek Watershed WWF Laurel Run Watershed CWF Bernhart Creek Watershed Schuylkill River Watershed WWF	Y
PAG133517	Fleetwood Borough 110 W. Arch St. Suite 104 Fleetwood, PA 19522	Berks	Fleetwood Borough	North tributary to Willow Creek CWF Willow Creek CWF	Y
PAG133515	Kenhorst Borough 339 S. Kenhorst Blvd. Kenhorst, PA 19607	Berks	Kenhorst Borough	Angelica Creek CWF	Y
PAG133504	Heidelberg Township P. O. Box 241 Robesonia, PA 19551	Berks	Heidelberg Township	Furnace (and unclassified tributary to) CWF Tributary to Tulpehocken TSF	Y
PAG133661	Frankstown Township 1775 Frankstown Rd. Hollidaysburg, PA 16648	Blair	Frankstown Township	Frankstown Branch of Juniata River WWF Beaverdam Branch of Juniata River WWF Brush Creek WWF Brush Run WWF Oldtown Run WWF	Y

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAG133597	Blair Township 575 Cedarcrest Drive Duncansville, PA 16635	Blair	Blair Township	Beaverdam Branch Juniata River WWF Frankstown Branch Juniata River WWF Poplar Run CWF	Y
PAG133659	Logan Township 800 39th St. Altoona, PA 16602	Blair	Logan Borough	Burgoon Run TSF Spring Run WWF Mill Run, D/S Allegheny Res. WWF Little Juniata River TSF Kettle Creek WWF Brush Run WWF	Y
PAG133664	Bellwood Borough P. O. Box 96 Bellwood, PA 16617	Blair	Bellwood Borough	Bells Gap Run TSF Little Juniata River TSF	Y
PAG133608	Penn State Altoona Ivyside Park Altoona, PA 16601	Blair	Altoona City	Spring Run WWF	Y
PAG133628	Hollidaysburg Borough 401 Blair St. Hollidaysburg, PA 16648	Blair	Hollidaysburg Borough	Beaverdam Branch of Juniata River TSF, WWF Brush Run tributary to Beaverdam Branch WWF Unnamed tributary to Beaverdam Branch WWF	Y

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

(800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 (35 P. S. §§ 721.1—721.17).

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

Permit No. 0103509 MA, Minor Amendment, Public Water Supply.

Applicant	Borough of Hanover Municipal Water Works
Municipality	Conewago and Oxford Townships
County	Adams
Type of Facility	Installation of a third pump at the Slagle's Run Raw Water Pumping Station.
Consulting Engineer	Thomas S. Ladue, P. E. Dewberry-Goodkind Inc. 101 Noble Boulevard Carlisle, PA 17013-4109
Permit to Construct Issued	October 31, 2003

Permit No. 6703513 MA, Public Water Supply.

Applicant	Stewartstown Borough Authority
Municipality	Hopewell Township
County	York
Type of Facility	Modifications to two finished water standpipes.
Consulting Engineer	Dennis E. Sarpen, P. E. Holley & Assoc. 18 S. George St. York, PA 17402
Permit to Construct Issued	November 6, 2003

Permit No. 0603511 MA, Minor Amendment, Public Water Supply.

Applicant	Western Berks Water Authority
Municipality	Spring Township
County	Berks
Type of Facility	Addition of polyaluminum chloride to existing chemical feed system.
Consulting Engineer	Gene C. Koontz, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Permit to Construct Issued	November 7, 2003

Operations Permit issued to **City of Lebanon Authority**, 7380010, Swatara Township, **Lebanon County** on October 31, 2003, for the operation of facilities approved under Construction Permit No. 3802501 MA.

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

Operations Permit issued to **Ebensburg Borough Municipal Authority**, 300 West High Street, Ebensburg, PA 15931, PWS ID 4110009, Ebensburg, **Cambria County** on November 3, 2003, for the operation of facilities approved under Construction Permit No. 1103501.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

For further information concerning a final report, contact the environmental cleanup program manager in the Department regional office after which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

API Harowe, Inc., West Goshen Township, **Chester County**. C. Peter Barringer, UAI Environmental, Inc., 495 Highlands Blvd., Suite 106, Coatesville, PA 19320, on behalf of High V. L. P., 1835 William Penn Way, Lancaster, PA 17605, has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with solvents and BTEX. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

407 South Chester Pike Property, Glenolden Borough, **Delaware County**. Paul Ledebur, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Marie Panna, 302 E. Poplar St., Unit A, Wildwood, NJ 08260, has submitted a Final Report concerning remediation of site soils contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Laramie Tire Site, Norristown Borough, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA

19406, on behalf of GHR & Assoc./MAACO, 1050 Bethlehem Pk., Montgomeryville, PA, has submitted a revised Final Report concerning remediation of site groundwater contaminated with BTEX and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Gary's Plaza Shopping Center, Lansdale Borough, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of EG&G Realty Inc., 414 W. Main St., Lansdale, PA 19446, has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with solvents.

Rosenberg Tract, City of Philadelphia, **Philadelphia County**. James M. Barish, CPG, Gannett Fleming, Inc., Research Park, 202 Wall St., Princeton, NJ 08540, on behalf of Paul Rosenberg, 2204 S. Christopher Columbus Blvd., Philadelphia, PA 19148, has submitted a Final Report concerning remediation of site soil contaminated with inorganics, lead, other organics and PAH; and site groundwater contaminated with inorganics, lead and other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Anzon Facility, City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Cookson America, Inc., 1 Cookson Pl., Providence, RI 02903, has submitted a Final Report concerning remediation of site soil contaminated with inorganics, lead, other organics and PAH; and site groundwater contaminated with chlorinated solvents, inorganics, lead, MTBE, other organics and PAH. The report is intended to document remediation of the site to meet Site-Specific Standards.

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 and the 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 its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. 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 investi-

gation, 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 after 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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

403 West Lincoln Highway Site, Coatesville Borough, **Chester County**. William B. Gilchrist, P. G., Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, on behalf of AMTRAK, Attn: Jack Schweitzer, 30th St. Station, 5th Floor, Box 13, Philadelphia, PA 19104, has submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel, kerosene, leaded gasoline, unleaded gasoline and used motor oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 29, 2003.

Vacant Parcel—Germantown Avenue, City of Philadelphia, **Philadelphia County**. Jeffrey T. Bauer, Whitestone Associates, Inc., 1120 Welsh Rd., Suite 100, North Wales, PA 19454, on behalf of Michael Young, 229 W. Upsal St., Philadelphia, PA 19119, has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with lead and PAH. The report did not demonstrate attainment of Site-Specific Standards and was disapproved by the Department on October 30, 2003.

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

Shippensburg Former Manufactured Gas Plant Site, Shippensburg Borough, **Cumberland County**. Corporate Environmental Solutions, 260 Millers Run Road, Bridgeville, PA 15017, on behalf of PPL Services Corp., 2 North Ninth Street, Allentown, PA 18101, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with PCBs. The Final Report demonstrated attainment of both the Statewide Health and Site-Specific Standards and was approved by the Department on November 14, 2003.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.

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

General Permit No. WMGR002D006. Wecare Organics LLC, 9289 Bonta Bridge Rd., Jordan, NY 13080. For the beneficial use of wastewater treatment sludge generated by paper mills for use as a soil additive to: establish or re-establish agricultural productivity on disturbed land; establish herbaceous wildlife habitat; facilitate revegetation on disturbed land at permitted and abandoned mine sites. The Department issued the determination of applicability on March 11, 2002.

General Permit No. WMGR002D007. Hilltop Enterprises Inc., 1418 Hilltop Rd., Chester Springs, PA 19425. For the beneficial use of wastewater treatment sludge generated by paper mills for use as a soil additive to: establish or reestablish agricultural productivity on disturbed land; establish herbaceous wildlife habitat; facilitate revegetation on disturbed land at permitted and abandoned mines sites. The Department issued the determination of applicability on October 17, 2003.

Persons interested in reviewing a general permit may contact the General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Rachel Carson State Office Bldg., P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.

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

Permit No. 100973. Republic Svc. of Pa., 4145 E. Baltimore Pike, Media, PA 19063, City of Philadelphia. This amended waste management permit is to bring Republic's Quickway transfer facility, in the City of Philadelphia, into compliance with the radiation protection action plan requirement. The permit was issued by the Southeast Regional Office on November 12, 2003.

Permit No. 101468. Republic Svc. of Pa., 4145 E. Baltimore Pike, Media, PA 19063, City of Philadelphia. This amended waste management permit is to bring Republic's Girard Point transfer facility, in the City of Philadelphia, into compliance with the radiation protection action plan requirement. The permit was issued by the Southeast Regional Office on November 12, 2003.

Southwest Region: Regional Solid Waste Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit ID No. 101439. Joseph J. Brunner, Inc., 278 Brunner Road, Zelienople, PA 16063. Operation of Brunner Landfill in New Sewickley Township, **Beaver County**. Permit issued in the Regional Office on November 12, 2003, to effectuate the facility's compliance with changes to the municipal waste regulations adopted December 23, 2000; revise waste disposal limits, alter the sequence of site development and other design/operation features.

Permit approved under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate solid waste processing or disposal area or site.

Southcentral Region: Regional Solid Waste Manager; 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 101100. Waste Management Disposal Services of Pennsylvania, Inc., 9446 Letzburg Road, Greencastle, PA 17225, Antrim and Montgomery Townships, **Franklin County**. The major permit modification is for the Eastern Borrow Area of Mountain View Reclamation Landfill. The permit was approved by the Southcentral Regional Office on November 12, 2003.

Persons interested in reviewing the general permit may contact John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION

Issued applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act (27 Pa.C.S. §§ 6201—6209) and regulations to transport municipal or residual waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

TFID, Inc., 922 Philadelphia St., Indiana, PA 15701. Authorization No. WH5509. Effective November 6, 2003.

Richards Excavating & Landscaping, P. O. Box 127, Martins Creek, PA 18063. Authorization No. WH5501. Effective November 6, 2003.

Insight Construction Group, Inc., 21 S. Swarthmore Ave., Ridley Park, PA 19078. Authorization No. WH5499. Effective November 6, 2003.

Ricardo Lopez, 203 E. Tioga St., Allentown, PA 18103. Authorization No. WH5502. Effective November 6, 2003.

Joseph Bachela, 6009 Boulevard East, Suite E4, West New York, NJ 07093. Authorization No. WH5503. Effective November 6, 2003.

William K. Becker, 302 S. Washington St., Waynesburg, PA 15370. Authorization No. WH5505. Effective November 7, 2003.

Kenneth R. Felgar, 333 Clover Run Road, Mahaffey, PA 15757. Authorization No. WH5525. Effective November 7, 2003.

Jimmy V. Gearhart, 129 Butcher Lane, Woodland, PA 16881. Authorization No. WH5526. Effective November 7, 2003.

Marvin Shirey Trucking, 6538 Shiloh Rd., Woodland, PA 16881-7916. Authorization No. WH5527. Effective November 7, 2003.

Francis P. Ruffley, 466 East Main Street, Mahaffey, PA 15757-9711. Authorization No. WH5528. Effective November 7, 2003.

Claudineis Alves, 504 Harrington St., Pert Amboy, NJ 08861. Authorization No. WH5425. Effective November 10, 2003.

Hampton & Appel Bros. Contracting, 164 Lake Glory Road, Catawissa, PA 17820. Authorization No. WH5227. Effective November 12, 2003.

Allenwood Rental & Supply Inc., P. O. Box 111, 16548 US Route 15, Allenwood, PA 17810-0111. Authorization No. WH5548. Effective November 12, 2003.

Richard F. Caporale, 6803 Berline Ave., Guttenberg, NJ 07093. Authorization No. WH5551. Effective November 12, 2003.

Ming-Kang Low, 77 Devens St., Staten Island, NY 10314. Authorization No. WH5552. Effective November 12, 2003.

Louis K. Javois, 77 Devens St., Staten Island, NY 10314. Authorization No. WH5553. Effective November 12, 2003.

LMS Trucking, 1287 Wilshire Dr., Union City, NJ 07083. Authorization No. WH5554. Effective November 12, 2003.

DLS Co., LLC, P. O. Box 223, 10924 Wayne Highway, Waynesboro, PA 17268. Authorization No. WH5555. Effective November 12, 2003.

Remco, Inc., 7264 Penn Dr., Allentown, PA 18106-9050. Authorization No. WH5556. Effective November 12, 2003.

Savino Contracting Corporation, 114 Washington St., Bloomfield, NJ 07003-2404. Authorization No. WH5530. Effective November 13, 2003.

T & M Hauling, 3101 Forest Dr., Coopersburg, PA 18036. Authorization No. WH5547. Effective November 13, 2003.

Todd M. Shaffer, 5481 Jonestown Road, Grantville, PA 17028. Authorization No. WH5549. Effective November 13, 2003.

Cornell Disposal, 156 Metlars Lane, Piscataway, NJ 08854. Authorization No. WH5374. Effective November 13, 2003.

Excavating Associates Inc., P. O. Box 434, Ellerslie, MD 21529-0434. Authorization No. WH5558. Effective November 13, 2003.

J & K Salvage, 1099 Kings Mill Road, York, PA 17403. Authorization No. WH5559. Effective November 13, 2003.

Fulton Landscaping Inc., 1101 State St., Mertztown, PA 19539. Authorization No. WH5560. Effective November 13, 2003.

Steven H. Greene, 400 Cedar St., Lakewood, NJ 08733. Authorization No. WH5561. Effective November 13, 2003.

Tasara Trucking Inc., 618 Samuels Road, Somerset, PA 15501. Authorization No. WH5562. Effective November 13, 2003.

Timothy M. Gnagy, 1301 Sandy Lane, Baytown, TX 77520. Authorization No. WH5563. Effective November 13, 2003.

Da-Lyn Contractors, P. O. Box 122, 2296 Lycoming Mall Dr., Muncy, PA 17756-0122. Authorization No. WH5504. Effective November 14, 2003.

Donald E. Fritz, Jr., 132 Sleepyhollow Road, Somerset, PA 15501. Authorization No. WH5507. Effective November 14, 2003.

Arguello Trucking Repairs Corporation, 500 14th St., Union City, NJ 07087. Authorization No. WH5508. Effective November 14, 2003.

Dennie G. Jagnandan, 431 Leland Ave., Bronx, NY 10473. Authorization No. WH5517. Effective November 14, 2003.

Spechts Auto Recycling Corporation, 102 Covered Bridge Rd., Warwick, NY 10990. Authorization No. WH5520. Effective November 14, 2003.

Kuzmkowski Roofing, Inc., 270 Clover Leaf Dr., Delmont, PA 15626. Authorization No. WH5522. Effective November 14, 2003.

Javier R. Riva, 520 Columbia Ave., Hillside, NJ 07205-1926. Authorization No. WH5523. Effective November 14, 2003.

Lima Brothers Hauling, LLC, 38 Fieldstone Rd., Bedminster, NJ 07021. Authorization No. WH5524. Effective November 14, 2003.

Jayco, Inc., 4 Cedar Green Center, Mifflinburg, PA 17844. Authorization No. WH5532. Effective November 14, 2003.

Pine Mountain Developing, LLC, 202 West Central Ave., South Williamsport, PA 17702. Authorization No. WH5534. Effective November 14, 2003.

Diane L. Hill, R. R. 1, Box 32A, Millerton, PA 16936-9711. Authorization No. WH5535. Effective November 14, 2003.

J. Hudyma & Sons, 2107 Academy Ave., Morton, PA 19070. Authorization No. WH5536. Effective November 14, 2003.

A & J 1 Trucking LLP, 57 New Lawn Ave., Kearny, NJ 07032. Authorization No. WH5537. Effective November 14, 2003.

Weiss Furniture Company, P. O. Box 470, 533 Depot St., Latrobe, PA 15650-0470. Authorization No. WH5538. Effective November 14, 2003.

S. Reilly Distributors, Inc., 5 Landry Rd., Somerset, NJ 08873. Authorization No. WH5539. Effective November 14, 2003.

Marvin S. Howard, P. O. Box 231, Tire Hill, PA 15959. Authorization No. WH5540. Effective November 14, 2003.

Karl R. Johnson Trucking, P. O. Box 1508, Lyndonville, VT 05851. Authorization No. WH5541. Effective November 14, 2003.

Napa Development Corporation, P. O. Box 639, Wind Gap, PA 18091. Authorization No. WH5542. Effective November 14, 2003.

Steven C. Litz, 58 Stark Rd., Columbia, NJ 07832-2603. Authorization No. WH5543. Effective November 14, 2003.

Henwood Builder & Supply Company, R. D. 9, Box 9395, Lake Ariel, PA 18436. Authorization No. WH5544. Effective November 14, 2003.

Joaquim A. Nunes-Lopes, 1067 Louisa St., Elizabeth, NJ 07201. Authorization No. WH5545. Effective November 14, 2003.

Carlos R. Coronel, 118 Manlove Ave., Highstown, NJ 08520. Authorization No. WH5546. Effective November 14, 2003.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

GP3-06-03045: Eastern Industries, Inc. (4401 Camp Meeting Road, Center Valley, PA 18034) on November 10, 2003, was authorized to operate a portable nonmetallic mineral processing plant under GP3 in Maxatawny Township, **Berks County**.

GP3-29-03008: H. B. Mellott Estate, Inc. (100 Mellott Drive, Suite 100, Warfordsburg, PA 17567) on November 14, 2003, was authorized to operate a portable nonmetallic mineral processing plant under GP3 in Bethel Township, **Fulton County**.

GP6-28-03015: Tip Top Cleaners (337 Wayne Avenue, Chambersburg, PA 17201) on November 10, 2003, was authorized to operate petroleum dry cleaning under GP6 in Chambersburg Borough, **Franklin County**.

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

GP3-63-00920: Alex E. Paris Contracting Co., Inc. (PO Box 369, 1595 Smith Township State Road, Atlasburg, PA 15004) on November 14, 2003, to operate a Portable Nonmetallic Mineral Processing Plant at Dinsmore Site in Jefferson Township, **Washington County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

15-0094: Metallurgical Products Company, Inc. (810 Lincoln Avenue, West Chester, PA 19380) on November 12, 2003, to operate a bag filter dust collector in West Goshen Township, **Chester County**.

23-0038B: DELCORA (3201 West Front Street, Chester, PA 19016) on November 12, 2003, to operate venturi scrubbers in City of Chester, **Delaware County**.

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

54-308-020: Alcoa Engineered Products (53 Pottsville Street, P.O. Box 187, Cressona, PA 17929) for modification of the nos. 8 and 9 melters (retrofitting with ultra low NOx burners) at their facility in Cressona Borough, **Schuylkill County**.

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

06-05014B: Garden State Tanning, Inc. (16 South Franklin Street, Fleetwood, PA 19522) on November 10, 2003, to modify a surface coating operation with the construction of a roll coater in Fleetwood Borough, **Berks County**.

67-05024E: Lehig Cement Co. (200 Hokes Mill Road, York, PA 17404) on November 14, 2003, to reactivate a limestone/clay handling system controlled by an existing fabric filter in West Manchester Township, **York County**. This facility is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

39-318-111: Gateway Industrial Services (805 Harrison Street, Allentown, PA 18103) on November 5, 2003, to construct two paint spray booths and drying oven and associated air cleaning device at the facility in Allentown, **Lehigh County**. The Plan Approval has been extended.

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

31-05003A: Texas Eastern Transmission LP (P. O. Box 1642, Houston, TX 77251-1642) on September 21, 2003, to modify the General Electric frame five natural gas fired turbine, controlled by dry low NOx combustion system and oxidation catalyst at their Entriken Compressor Station in Todd Township, **Huntingdon County**. This facility is subject to 40 CFR Part 60, Subpart 60—Standards of Performance for Stationary Gas Turbines. This plan approval was extended.

67-02004: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on November 7, 2003, for operation of three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a Venturi scrubber and a softwood fiber line and causticizing area to be controlled by a regenerative thermal oxidizer in Spring Grove Borough, **York County**. This plan approval was extended.

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

41-00010B: Andritz, Inc. (35 Sherman Street, Muncy, PA 17756) on November 10, 2003, to operate a thermal foundry sand reclamation system and associated air cleaning devices (two fabric collectors) on a temporary basis until March 9, 2004, in Muncy Borough and Muncy Creek Township, **Lycoming County**. The plan approval has been extended. The authorization has been extended.

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

03-00228A: Blairsville Wilbert Vault (P. O. Box 7, Blairsville, PA 15717) on November 14, 2003, to install a crematorium at their facility in the Borough of Blairsville, **Indiana County**. Condition No. 7 of this Plan Approval

for this facility has been revised. This condition originally required temperature monitoring in the primary combustion chamber, secondary combustion chamber and the stack exhaust. The requirement to monitor the stack exhaust temperature has been removed.

Title V Operating Permits Issued under the Air Pollution Control Act 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.

06-05029: Reading Body Works, Inc. (P. O. Box 650, Reading, PA 19607-0650) on November 5, 2003, to operate a heavy-duty truck manufacturing and surface coating in the City of Reading, **Berks County**. This is a renewal of the operating permit.

34-05001: Armstrong Cabinet Products (P. O. Box 146, Thompsettown, PA 17094) on November 6, 2003, to operate their Thompsettown facility in Delaware Township, **Juniata County**. This is a renewal of the operating permit.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.

60-00004: New Columbia Joist Co. (2093 Old Highway 15, New Columbia, PA 17856) on November 4, 2003, issued a revised operating permit, revision no. 1, for their steel joist manufacturing facility in White Deer Township, **Union County**. The revision of this permit is to incorporate conditions of equivalency for Armorchem 4500 gray primer (that is, the same primer that was used in the equivalency laboratory demonstration that was commenced on August 6, 2002, with an as supplied VOC content of between 3.25 and 3.30 pounds of VOC per gallon of coating) as provided for in 25 Pa. Code § 129.51(a). In addition, this Title V operating permit revision includes the requirements specified in 25 Pa. Code § 129.63(a) for the two parts washers identified in the Title V operating permit. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

09-00097: Lower Bucks Hospital (501 Bath Road, Bristol, PA 19007) on November 12, 2003, to operate a synthetic minor operating permit in Bristol Township, **Bucks County**.

09-00132: McAdoo and Allen, Inc. (201 S. Hellertown Avenue, Quakertown, PA 18951) on November 13, 2003, to operate a synthetic minor operating permit in Quakertown Borough, **Bucks County**.

23-00102: Brandywine Veterinary Hospital (Baltimore Pike, P. O. Box 177, Chadds Ford, PA 19317) on November 13, 2003, to operate a natural minor operating permit in Chadds Ford Township, **Delaware County**.

15-00054: Highway Materials, Inc. (680 Morehall Road, Malvern, PA 19355) on November 17, 2003, to

operate a synthetic minor operating permit in East Whiteland Township, **Chester County**.

46-00160: Cognis Corp. (300 Brookside Avenue, Ambler, PA 19002) on November 17, 2003, to operate a natural minor operating permit in Lower Gwynedd Township, **Montgomery County**.

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

06-03022: Perkiomen Animal Hospital (919 Gravel Pike, P. O. Box 39, Palm, PA 18070) on November 13, 2003, to operate a pathological incinerator in Hereford Township, **Berks County**.

06-03089: Reading Materials, Inc. (P. O. Box 196, Skippack, PA 19474) on November 10, 2003, to operate a nonmetallic mineral crushing plant at their Pottstown Traprock Quarry in Douglass Township, **Berks County**.

06-03093: Reading Materials, Inc. (P. O. Box 79, Skippack, PA 19474) on November 7, 2003, to operate a railcar unloading station in Cumru Township, **Berks County**.

06-03113: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on November 7, 2003, to operate a nonmetallic mineral crushing plant at their Birdsboro Quarry in Robeson Township, **Berks County**.

36-03067: Covance Research Products, Inc. (310 Swampbridge Road, Denver, PA 17517) on November 10, 2003, to operate a pet cremation chamber in West Cocalico Township, **Lancaster County**.

36-03078: Hamilton Precision Metals, Inc. (1780 Rohrerstown Road, Lancaster, PA 17601) on November 12, 2003, to operate a manufacturing facility in East Hempfield Township, **Lancaster County**.

36-03080: Rohrer's Quarry, Inc. (P. O. Box 365, 70 Lititz Road, Lititz, PA 17543) on November 12, 2003, to operate crushing, concrete and lime plants at their existing facility in Warwick Township, **Lancaster County**.

36-05121: Paradise Custom Kitchens, Inc. (3333 Lincoln Highway East, P. O. Box 278, Paradise, PA 17562) on November 10, 2003, to operate three spray booths in Paradise Township, **Lancaster County**.

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

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

23-00068: Cremation Specialists (301 Chester Pike, Norwood, PA 19074) in Media Borough, **Delaware County**. The permit is for a non-Title V (State-only) facility. The permit amendment is the installation of a new human crematory and the removal of a previously permitted human crematory. Administrative Amendment of State-only Operating Permit issued under the Air Pollution Control Act and 25 Pa. Code § 127.450.

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

40-303-009B: Pennsy Supply Inc. (1 Clear Spring Road, Annville, PA 17003) for change in ownership of the

Kaminski Brothers batch asphalt plants at their site on Old Boston Road, Jenkins Township, **Luzerne County**.

40-310-012B: Pennsy Supply Inc. (1 Clear Spring Road, Annville, PA 17003) for change in ownership of the Kaminski Brothers stone crushing plants at their site on Old Boston Road, Jenkins Township, **Luzerne County**.

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

28-05017: Armaclad, Inc. (P. O. Box 127, Quincy, PA 17247) to operate their Quincy Plant in Quincy Township, **Franklin County**. On November 3, 2003, the Title V Operating Permit was administratively amended to reflect a change of ownership from Hess-Armaclad, Inc., to Armaclad, Inc. This is Revision No. 1 of the operating permit.

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

04-00235: Pennsylvania Power (Bruce Mansfield Plant, P. O. Box 128, Shippingport, PA 15077) on November 10, 2003, the Department modified the Title V Operating Permit to incorporate revisions, consistent with settlement negotiations resulting from Penn Power's appeal.

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 Permit Actions

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

03861601. NPDES Permit No. PA0215449, McVilleville Mining Company (301 Market Street, Kittanning, PA 16201), to renew the permit for the McVilleville Coal Preparation Plant in South Buffalo Township, **Armstrong County** and related NPDES permit, no additional discharges. Application received November 12, 2003.

32971302. NPDES Permit No. PA0215040, Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-9642), to revise the permit for the Dutch Run Mine in Washington and Plumcreek Townships, **Indiana and Armstrong Counties**, to add 323.6 acres to subsidence control plan and underground permit area, Underground Acres Proposed 323.6, SCP Acres Proposed 323.6, no additional discharges. Application received November 13, 2003.

56733702. NPDES Permit No. PA0110035, Robin-dale Energy Services, Inc. (1001 Broad Street, Suite 130, Johnstown, PA 15906), to transfer the permit for the Marmon Refuse Site (formerly the Warwick Refuse Site) in Jenner Township, **Somerset County**, from Penn Coal Land, Inc. and revise the permit to rename the site, allow for fluidized bed combustion ash disposal and add 195.1 permit acres, CRDP Refuse Disposal Acres Proposed 195.1, unnamed tributary to North Branch Quemahoning Creek (CWF); North Branch Quemahoning Branch (CWF). The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority, Quemahoning Reservoir. Application received November 13, 2003.

30831303. NPDES Permit No. PA0013511, RAG Cumberland Resources, LP (R. D. 3, Box 184, Waynesburg, PA 15370), to renew the permit for the Cumberland Mine in Whiteley Township, **Greene County** and the related NPDES permit and to revise the permit per Chapter 105 in Whiteley Township, Greene County, ACOE Pittsburgh District (Garards Fort Quadrangle from N: 13.9 inches; W: 13.1 inches to N: 16.4 inches; W: 14.6 inches; Oak Forest Quadrangle from N: 15.3 inches; W: 0.1 inch to N: 17.2 inches; W: 0.1 inch and Oak Forest Quadrangle from N: 16.2 inches; W: 4.0 inches to N: 17.8 inches; W: 4.2 inches).

This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15) and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit renewal/revision application to authorize the mitigation of any impacts to Dutch Run, Mt. Phoebe Run and the unnamed tributary to Dyers Fork. Written comments or objections on the request for Section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit (Stream Module 15) may be submitted to the Department within 30 days of the date of this notice to the District Mining Office previously identified. Comments should contain the name, address and telephone number of the person commenting, identification of the request for 401 Water Quality Certification and Chapter 105 permit application (Stream Module 15) to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including relevant facts upon which they are based.

The Water Obstruction and Encroachment permit application is available for review at the California District Mining Office, by appointment, at the previous address. Application received November 13, 2003.

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

61970102. Rusnak Coal Company (R. D. 1, Box 44, Grove City, PA 16127). Revision to an existing bituminous strip and auger operation to add coal ash placement in Irwin Township, **Venango County** affecting 54.5 acres. Receiving streams: unnamed tributary to Scrubgrass Creek. Application received March 24, 2003. Permit issued November 5, 2003.

33930107 and NPDES Permit No. PA0211621. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of a bituminous strip operation in Pine Creek and Warsaw Townships, **Jefferson County** affecting 383.3 acres. Receiving streams: unnamed tributary to Laurel Run, unnamed tributaries to Little Mill Creek, unnamed tributaries to Mill Creek. Application received September 11, 2003. Permit issued November 5, 2003.

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

11920103 and NPDES Permit No. PA0599450. T. J. Mining, Inc., P. O. Box 370, Carrolltown, PA 15722, permit renewal for reclamation only and for continued restoration of a bituminous surface/auger/noncoal surface mine in Jackson Township, **Cambria County**, affecting 61.0 acres. Receiving streams: unnamed tributaries to South Branch Blacklick Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received October 6, 2003. Permit issued November 7, 2003.

11980202 and NPDES Permit No. PA0234788. Smith Energy, Inc., 1056 Maple Street, Nanty Glo, PA 15943, permit renewal for reclamation only and for continued restoration of a bituminous coal refuse processing surface mine commencement, operation and restoration of a bituminous surface mine in Blacklick Township, **Cambria County**, affecting 10.0 acres. Receiving streams: Coalpit Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received October 20, 2003. Permit issued November 7, 2003.

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

65020104 and NPDES Permit No. PA0250252. Robbie Coal and Fuel, Inc. (1159 University Drive, Dunbar, PA 15431). Commencement, operation and restoration of a bituminous surface mine, in East Huntingdon Township, **Westmoreland County**, affecting 25 acres. Receiving streams: unnamed tributary to Buffalo Run. Application received December 4, 2002. Permit issued November 7, 2003.

Noncoal Permit Actions

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

4874SM2T and NPDES Permit No. PA0123544. Oldcastle Stone Products (P. O. Box 220, Thomasville, PA 17364-0220), transfer of an existing quarry operation in Jackson Township, **York County** affecting 214.8 acres, receiving stream: Little Conewago Creek. Application received April 8, 2003. Transfer issued November 12, 2003.

67000301T and NPDES Permit No. PA0224065. Oldcastle Stone Products (P. O. Box 220, Thomasville, PA 17364-0220), transfer of an existing quarry operation in Jackson Township, **York County** affecting 288.75 acres, receiving stream: Little Conewago Creek. Application received April 8, 2003. Transfer issued November 12, 2003.

66980302C and NPDES Permit No. PA0223956. Joseph W. Keller (158 Anderson Road, Tunkhannock, PA 18657), renewal of NPDES Permit in Lemon Township, **Wyoming County**, receiving stream: unnamed tributary to Loomis Creek. Application received September 22, 2003. Renewal issued November 13, 2003.

44030301. Glenn O. Hawbaker, Inc. (325 West Aaron Drive, P. O. Box 135, State College, PA 16804), commencement, operation and restoration of a quarry operation in Armagh Township, **Mifflin County** affecting 47.5 acres, receiving stream: none. Application received January 21, 2003. Permit issued November 13, 2003.

50030801. Ronald E. Hampton (R. R. 1 Box 860, Elliottsburg, PA 17204), commencement, operation and restoration of a quarry operation in Saville Township, **Perry County** affecting 5.0 acres, receiving stream: none. Application received December 23, 2002. Permit issued November 14, 2003.

35030803. Andy Nesevich (R. R. 1 Box 193A, New Milford, PA 18834), commencement, operation and restoration of a quarry operation in Greenfield Township, **Lackawanna County** affecting 5.0 acres, receiving stream: none. Application received July 29, 2003. Permit issued November 14, 2003.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (73 P.S. §§ 151–161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

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

360340108. ABEL Construction Co., Inc. (3925 Columbia Ave., Mountville, PA 17554), construction blasting at The Falls at Old Mill in East Lampeter Township, **Lancaster County** with an expiration date of April 30, 2004. Permit issued November 10, 2003.

360340109. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting in Leacock Township, **Lancaster County** with an expiration date of December 31, 2003. Permit issued November 10, 2003.

360340110. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting in Paradise Township, **Lancaster County** with an expiration date of December 31, 2003. Permit issued November 10, 2003.

360340111. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Jed Low Farms in East Donegal Township, **Lancaster County** with an expiration date of December 1, 2004. Permit issued November 13, 2003.

52034026. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting at Log Tavern Estates in Dingman Township, **Pike County** with an expiration date of October 17, 2005. Permit issued November 13, 2003.

22034024. Gerlach's Drilling & Blasting, Inc. (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for sewer line at 7909 Umberger Street in West Hanover Township, **Dauphin County** with an expiration date of December 31, 2003. Permit issued November 13, 2003.

39034017. Keystone Drilling & Blasting Specialist, Inc. (P. O. Box 356, Harleigh Plaza, Harleigh, PA 18225) and **Austin Powder** (P. O. Box 289, Northampton, PA 18067), construction blasting at Jainol Borro Site—SR 222 in Upper Macungie Township, **Lehigh County** with an expiration date of February 10, 2004. Permit issued November 13, 2003.

35034024. Holbert Explosives, Inc. (237 Masthope Plank Rd., Suite A, Lackawaxen, PA 18435), construction blasting at Harmony Hills Housing Development in Moscow Borough, **Lackawanna County** with an expiration date of November 30, 2006. Permit issued November 13, 2003.

44034003. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Dane Aumiller Excavating—Salem Road in Armagh Township,

Mifflin County with an expiration date of February 28, 2004. Permit issued November 13, 2003.

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

02034009. Alton Industries, Inc. (11 Carlton Drive, Eighty Four, PA 15330). Permit for construction blasting in Ohio Township, **Allegheny County**, with an expected duration of 365 days. Permit issued November 10, 2003.

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

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 may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may

be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E45-454. The Great Lakes Companies, Inc., 122 West Washington Avenue, Madison, WI 53703. Pocono Township, **Monroe County**, Army Corps of Engineers Philadelphia District, Subbasin 1-E.

To construct and maintain a 36-inch diameter stormwater outfall structure and a 10-inch diameter sewage treatment plant outfall structure in the floodway of Scot Run (HQ-CWF, perennial). This work is associated with the proposed Great Wolf Lodge, a 400-unit resort hotel containing indoor water-based recreation amenities. The project is between SR 0080 and SR 0611, north of Interchange 44 (Mt. Pocono, PA Quadrangle N: 10.5 inches; W: 9.8 inches). The project proposes to directly affect 30 linear feet of floodway.

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

E38-140: Nel-Ray Farms, 699 Lincoln Avenue, Myerstown, PA 17067 in Jackson Township, **Lebanon County**, ACOE Philadelphia District.

To relocate and maintain approximately 330 linear feet of an unnamed tributary to Tulpehocken Creek (TSF), also to install and maintain fencing along a 600-foot section of the stream to mitigate losses and restore a riparian buffer at 141 Flanagan Road (Richland, PA Quadrangle N: 21.0 inches; W: 3.9 inches) in Jackson Township, Lebanon County.

E29-086: ALL Corporation, 623 Great Cove Road, Warfordsburg, PA 17267 in Bethel Township, **Fulton County**, ACOE Baltimore District.

To fill 0.05 acre of PEM wetlands for the purpose of expanding an existing parking lot behind the North of the Border Restaurant (Needmore, PA Quadrangle N: 1.3 inches; W: 8.9 inches), at a point approximately 400 feet east of the intersection of SR 522 and I-70 in Bethel Township, Fulton County. The amount of wetland impact is considered a de minimis impact of 0.05 acre and wetland mitigation is not required.

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

E53-394. National Fuel Gas Supply Corporation, 1100 State Street, Erie, PA 16501. Y-M2 24-inch Natural Gas Pipeline Replacement in Hebron, **Potter County**, ACOE Pittsburgh District (Sweden Valley, PA Quadrangle N: 22.4 inches; W: 15.4 inches).

To replace, operate and maintain a 24-inch diameter gas transmission pipeline beneath an unnamed tributary to South Branch Oswayo Creek. Replacement of the 24-inch pipeline shall be conducted in dry work conditions by dam and pumping or fluming stream flow around the work area. Since the South Branch Oswayo Creek is a wild trout fishery, no replacement or future maintenance activities shall be conducted in or along the stream channel between October 31 and April 1 without prior written approval from the Fish and Boat Commission. The gas pipeline right-of-way is along the northern and southern right-of-way of SR 4008 approximately 600 feet east of T-356 and SR 4008 intersection. This permit does not authorize any temporary or permanent impact to wetlands that maybe along the gas pipeline right-of-way. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E26-313. Department of Transportation, P. O. Box 459, Uniontown, PA 15401. Lamb Lick Run Box Culvert in Fayette City Borough, **Fayette County**, Pittsburgh ACOE District (Fayette City, PA Quadrangle N: 17.9 inches; W: 12.2 inches) (Latitude: 40° 5' 55"—Longitude: 79° 50' 14"). To operate and maintain: (1) a cast-in-place reinforced concrete box culvert having a normal span of 14.0 feet and an underclearance of 6.5 feet in Lamb Lick Run. The invert of the box culvert will be depressed 1.0 foot thus reducing the effective underclearance to 5.5 feet; (2) place and maintain R-7 rock riprap bank protection for a linear distance of 76.0 feet upstream and 56.0 feet downstream from the box culvert; and (3) operate and maintain a 15-inch diameter CCP stormwater outfall along the downstream left bank of Lamb Lick Run (WWF, perennial). Removal of the existing bridge and construction of the box culvert were authorized by Emergency Permit EP2603202. No vegetated wetlands will be impacted. The project is on SR 4040, Segment 0010, Offset 0683, Station 10+95.

E65-829. Washington Township, 285 Pine Run Church Road, Apollo, PA 15613. Pleasant View Bridge Deck Replacement in Washington Township, **Westmoreland County**, Pittsburgh ACOE District (Vandergrift, PA Quadrangle N: 5.48 inches; W: 7.65 inches) (Latitude: 40° 31' 49"—Longitude: 79° 33' 18"). To operate and maintain a 15.0-foot wide single span bridge having a normal span of 51.5 feet and an underclearance of 13.4 feet across Beaver Run (TSF) authorized for repair under Emergency Permit No. EP6502202 on Pleasant View Road.

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

E10-379. Shadow Creek Development Associates, 215 Executive Drive, Suite 300, Cranberry Township, PA 16066. Shadow Creek Plan of Lots in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 17 inches; W: 10 inches).

To conduct the following activities impacting a total of approximately 775 feet of a tributary to Wolfe Run (WWF) (including approximately 105 feet of channel for

construction of an out of scope dam) associated with the construction of Shadow Creek Plan of Lots southeast of the intersection of Plains Church Road and Hope Road:

1. To install and maintain a 104-foot long, 13-foot wide by 4-foot high open bottom arch stream enclosure under Farmington Road extending east from Hope Road approximately 600 feet south of Plains Church Road.

2. To remove the existing structure and to install and maintain a 90-foot long, 13-foot wide by 5-foot high steel open bottom arch across Hope Road approximately 250 feet south of Plains Church Road.

3. To construct approximately 410 feet of realigned channel parallel to Hope Road extending upstream (south) from the culvert under Hope Road.

E20-523. Howard E. Fisher, 680 Cliff Mine Road, Coraopolis, PA 15108. Howard E. Fisher Solid Fill Dock in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 21.0 inches; W: 8.1 inches).

To repair and maintain an existing 11-foot wide solid fill dock extending approximately 48 feet into the west side of Conneaut Lake at 11018 Aldina Drive approximately 0.8 mile north of SR 322. Work completed prior to obtaining this permit consisted of replacing the deteriorated wood perimeter with new plywood and posts.

E25-668. Waste Management of Pennsylvania, Inc., 851 Robison Road East, Erie, PA 16509. Lakeview Landfill Expansion, Greene and Summit Townships, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 10.5 inches; W: 1.25 inches).

To fill a total of 2.61 acres of 14 wetland areas (PEM and PSS) and to impact a total of approximately 4,941 feet of a tributary to Walnut Creek for expansion of the Lakeview Landfill east of Footemill Road north of Zwillig Road. Project includes creation of 3.47 acres of replacement wetlands at eight areas and 3,390 feet of new stream channel along the west side of the project crossing Zwillig Road from a new 24-inch diameter culvert and discharging into another tributary to Walnut Creek south of Zwillig Road.

E37-152. Ray Matthews, 2032 Moravia Road, Enon Valley, PA 16120. Ray Matthews private driveway across Honey Creek in North Beaver Township, **Lawrence County**, ACOE Pittsburgh District (New Middleton, PA Quadrangle N: 6.5 inches; W: 2.2 inches).

To construct and maintain a steel beam bridge having a clear span of 15 feet and an underclearance of 6 feet across Honey Creek (HQ-CWF) and to fill a de minimis area (0.01 acre) of wetland within the flood plain of Honey Creek for a private driveway extending south from Moravia-Petersburg Road approximately 0.1 mile west of Musser Road.

E37-153. North Beaver Township, 861 Mount Jackson Road, New Castle, PA 16102. T-320 McClain Road across tributary to Sugar Creek in North Beaver Township, **Lawrence County**, ACOE Pittsburgh District (Bessemer, PA Quadrangle N: 9.0 inches; W: 15.2 inches).

To remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear, normal span of 24 feet and an underclearance of 7.7 feet across a tributary to Sugar Creek (HQ-CWF) approximately 0.4 mile north of SR 3004.

[Pa.B. Doc. No. 03-2270. Filed for public inspection November 26, 2003, 9:00 a.m.]

Availability of Technical Guidance

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

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Final Technical Guidance

DEP ID: 391-0300-002. Title: Water Quality Antidegradation Implementation Guidance. Description: The purpose of this document is to provide guidance to Department staff, the regulated community and the public in understanding the implementation of the Antidegradation Program. Previously, the Department held a series of public meetings and hearings on the draft guidance to gather comments from a variety of sources. Additionally, the goal of the Antidegradation Program is to protect existing and designated uses of all surface waters and to protect the existing quality of High Quality and Exceptional Value waters. This document describes procedures used in administering the antidegradation component of the Commonwealth's Water Quality Standards as required under the Federal Clean Water Act. It applies to all persons conducting or planning to conduct activities that may impact surface waters in this Commonwealth. Effective Date: November 29, 2003. Contact: Rick Shertzer, (717) 787-9637, rshertzer@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-2271. Filed for public inspection November 26, 2003, 9:00 a.m.]

Residual Waste General Permits; General Permit Application No. WMGR098

The following permit is proposed under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

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

General Permit Application No. WMGR098. The Department of Environmental Protection (Department), Bureau of Land Recycling and Waste Management (Bureau), proposes to authorize, under General Permit WMGR098, the beneficial use of waste foundry system sand and sand system dust generated by ferrous metal foundries and steel foundries with ISO 14001 certification. The beneficial uses approved will include use as a construction material or a soil additive or soil amendment. This will be a Statewide residual waste general permit.

The Department is authorized under the Solid Waste Management Act and 25 Pa. Code § 287.611 (relating to authorization for general permit) to initiate and issue general permits for any category of beneficial use or processing that results in beneficial use of residual waste on a Statewide basis when the Department determines that the use will not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard permit conditions. The Department has determined that the beneficial use of these waste foundry system sands and sand system dusts can be adequately regulated using standard conditions.

Persons requesting approval to operate under the terms of the Department-initiated general permit will be required to obtain a determination of applicability from the Bureau's Division of Municipal and Residual Waste. The following minimum information will be required to obtain the determination of applicability:

- a. Name and street address of applicant and generator.
- b. Number and title of general permit.
- c. A chemical and physical analysis and description of the waste that fully characterizes its composition and properties.
- d. A description of the manufacturing and production processes that generate the waste, including detailed information on the chemical constituents in all binders, coatings or other chemicals used in the production process.
- e. A waste evaluation plan for sampling, testing and monitoring new quantities of waste foundry sand, which includes procedures on handling rejected waste foundry sand.
- f. A Preparedness, Prevention and Contingency Plan for the generating facility prepared in accordance with the most recent edition of the Department's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans."
- g. Proof that copies of the request for approval to operate under General Permit No. WMGR098 have been submitted to the municipality, county, county planning agency and county health department where the wastes are generated.
- h. Proof that the beneficial use activities will be consistent with General Permit No. WMGR098.
- i. A signed and notarized statement by the applicant who seeks to operate under the terms and conditions of General Permit No. WMGR098 that states that the person accepts all conditions of the general permit.
- j. An application fee in the amount specified in the residual waste regulations, payable to the "Commonwealth of Pennsylvania."

k. Information that identifies the applicant (that is, individual, corporation, partnership, government agency, association, and the like), including the names and addresses of every officer that has a beneficial interest in or otherwise controls the operation of the company.

l. A list of all previous permits or licenses issued to the permittee by the Department or the Federal government under the environmental protection acts; the date of issuance and current status of those permits; and the permittee's compliance history concerning the environmental protection acts.

m. Proof that any independent contractors retained by the permittee to perform any activities proposed under this permit are in compliance with Department regulations.

n. Proof that the applicant has legal right to enter the land and operate the facilities proposed for coverage under General Permit No. WMGR098.

o. An irrevocable written consent from the landowner giving the Department permission to enter upon the land where the applicant will be conducting waste management activities.

Comments concerning the proposed Department-initiated general permit should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381, rhassinger@state.pa.us or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal, including recommendations for additional conditions or revisions to, or approval or denial of, the proposed general permit. Public comments must be submitted on the proposed general permit application by January 28, 2004.

Persons interested in obtaining more information or copies of the proposed general permit should contact Ronald C. Hassinger. The proposal is also available on the Department's website at www.dep.state.pa.us (DEP Keyword: Participate; scroll down to "Proposals Open for Comment").

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-2272. Filed for public inspection November 26, 2003, 9:00 a.m.]

State Board for Certification of Water and Wastewater Systems Operators; 2004 Examination Announcement

The State Board for Certification of Water and Wastewater Systems Operators (Board) and the Department of Environmental Protection (Department) have scheduled examinations for both water and wastewater operator certification on March 20, 2004.

Applications must be received, not postmarked, by the close of business on January 5, 2004. Applications received after this date will not be considered for the March 20, 2004, examination. Applications that do not contain all the necessary required information will be returned and not considered eligible for the March 20, 2004, examination. This is the only certification examination scheduled for 2004.

The examination is offered at seven sites throughout this Commonwealth on March 20, 2004. Applicants for examination choose a test site on the application form. Applicants who choose to take both water and wastewater operator certification examinations on the same date must be examined at the Harrisburg site.

To receive an application/information package, contact the Department of Environmental Protection, Certification and Licensing Section, P. O. Box 8454, 400 Market Street, Harrisburg, PA, 17105-8454, (717) 787-5236. Certification information is available on the Department's website at www.dep.state.pa.us (DEP Keyword: Certified Operators).

Information on training courses is available from the Department of Environmental Protection, Technical Training Division, P. O. Box 8467, Harrisburg, PA, 17105-8467, (717) 787-0122.

Persons with a disability who require accommodation to take the water or wastewater operator certification examination should contact the Board at (717) 787-5236 or through Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-2273. Filed for public inspection November 26, 2003, 9:00 a.m.]

DEPARTMENT OF HEALTH

Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, December 10, 2003, at 10 a.m. in Room 907, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA 17108.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid service or other accommodation to do so, contact Cynthia Trafton, Bureau of Health Planning, (717) 772-5298, ctrafton@state.pa.us, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M.D., M.P.H.,
Secretary

[Pa.B. Doc. No. 03-2274. Filed for public inspection November 26, 2003, 9:00 a.m.]

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under section 3 of the Pennsylvania Cancer Control, Prevention, and Research Act (35 P. S. § 5633), will hold a meeting by means of a conference call on Thursday, December 4, 2003, from 8 a.m. to 10 a.m. at the Department of Health, Room 1033, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact

Kathleen A. Zitka, Chief, Department of Health, Cancer Prevention and Control Section, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 787-5251, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

The Department of Health reserves the right to cancel this meeting without notice.

CALVIN B. JOHNSON, M.D., M.P.H.,
Secretary

[Pa.B. Doc. No. 03-2275. Filed for public inspection November 26, 2003, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Gwynedd Square Center for Nursing and Convalescent Care
773 Summeytown Pike
Lansdale, PA 19446-5370

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

Friendship Ridge
246 Friendship Circle
Beaver, PA 15009

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, ra-paexcept@state.pa.us.

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

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

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille), should contact the Division of Nursing Care Facilities at the previous address or for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,
Secretary

[Pa.B. Doc. No. 03-2276. Filed for public inspection November 26, 2003, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Prevailing Wage Appeals Board Public Meeting

The Prevailing Wage Appeals Board will hold a public meeting on Friday, December 5, 2003 at 10:30 a.m. in the

3rd Floor Conference Room, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

The ADA contact is Gina Meckley, (717) 783-9424.

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 03-2277. Filed for public inspection November 26, 2003, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Just For You Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Just For You.

2. *Price:* The price of a Pennsylvania Just For You instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Just For You instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY) and \$100 (ONE HUN).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$6, \$10, \$15, \$20, \$25, \$50 and \$100.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 6,720,000 tickets will be printed for the Pennsylvania Just For You instant lottery game. Tickets will be packaged in a pouch for sale to the public with each pouch containing five Pennsylvania Just For You instant lottery game tickets.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area on a single ticket, shall be entitled to a prize of \$100.

(b) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the play area on a single ticket, shall be entitled to a prize of \$50.

(c) Holders of tickets with three matching play symbols of \$25\$ (TWY FIV) in the play area on a single ticket, shall be entitled to a prize of \$25.

(d) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area on a single ticket, shall be entitled to a prize of \$20.

(e) Holders of tickets with three matching play symbols of \$15\$ (FIFTN) in the play area on a single ticket, shall be entitled to a prize of \$15.

(f) Holders of tickets with three matching play symbols of \$10⁰⁰ (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets with three matching play symbols of \$6⁰⁰ (SIX DOL) in the play area on a single ticket, shall be entitled to a prize of \$6.

(h) Holders of tickets with three matching play symbols of \$5⁰⁰ (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets with three matching play symbols of \$3⁰⁰ (THR DOL) in the play area on a single ticket, shall be entitled to a prize of \$3.

(j) Holders of tickets with three matching play symbols of \$2⁰⁰ (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets with three matching play symbols of \$1⁰⁰ (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,720,000 Tickets</i>
3-\$1's	\$1	1:4.84	1,388,800
3-\$2's	\$2	1:17.65	380,800
3-\$3's	\$3	1:42.86	156,800
3-\$5's	\$5	1:50	134,400
3-\$6's	\$6	1:300	22,400
3-\$10's	\$10	1:150	44,800
3-\$15's	\$15	1:600	11,200
3-\$20's	\$20	1:600	11,200
3-\$25's	\$25	1:600	11,200
3-\$50's	\$50	1:2,400	2,800
3-\$100's	\$100	1:24,000	280

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

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

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

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Just For You or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 03-2278. Filed for public inspection November 26, 2003, 9:00 a.m.]

Pennsylvania Magic Charm Bingo Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of

instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Magic Charm Bingo.

2. *Price:* The price of a Pennsylvania Magic Charm Bingo instant lottery game ticket is \$3.

3. *Play Symbols:*

(a) Each Pennsylvania Magic Charm Bingo instant lottery game ticket will contain six play areas designated as "Card 1," "Card 2," "Card 3," "Card 4," "Card 5" and "Card 6." The 85 play symbols located in the six play areas are: The numbers 1 through 75, Free, Star Symbol, Rabbit Foot Symbol, Horse Shoe Symbol, Chest Symbol, Pot of Gold Symbol, Clover Symbol, Leprechaun Symbol, Cabbage Symbol and a Rainbow Symbol.

(b) Each ticket will also contain a "Caller's Card" area. The "Caller's Card" area will consist of 30 squares in a 3 × 10 grid. The play symbols that may be located in each square are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

(c) Each ticket will also contain a "Magic Charm Bonus" area. The play symbols that may be located in the "Magic Charm Bonus" area are: Star Symbol, Rabbit Foot Symbol, Horse Shoe Symbol, Chest Symbol, Pot of Gold Symbol, Clover Symbol, Leprechaun Symbol, Cabbage Symbol and a Rainbow Symbol.

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Magic Charm Bonus" area are: \$3⁰⁰ (THR DOL), \$6⁰⁰ (SIX DOL), \$9⁰⁰ (NIN DOL), \$12\$ (TWELV), \$18\$ (EGHTN), \$30\$ (THIRTY), \$60\$ (SIXTY), \$90\$ (NINTY), \$120 (HUNTWY), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO) and \$3,000 (THR THO).

5. *Prizes:* The prizes that can be won in this game are \$3, \$6, \$9, \$12, \$18, \$30, \$54, \$60, \$90, \$120, \$150, \$180, \$300, \$1,000, \$3,000 and \$30,000.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Magic Charm Bingo instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 6," shall be entitled to a prize of \$30,000.

(b) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$3,000 (THR THO) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 5," with one of the spaces in the "X" pattern containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$3,000.

(d) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 4," with one of the spaces in the "X" pattern containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$3,000.

(e) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$1,000 (ONE THO) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 4" or "Card 5," shall be entitled to a prize of \$1,000.

(g) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$300 (THR HUN) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 6," shall be entitled to a prize of \$300.

(i) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 2" or "Card 3," shall be entitled to a prize of \$300.

(j) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns on "Card 3," with one of the spaces in the diamond pattern containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$180.

(k) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$150 (ONEHUNFTY) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$150.

(l) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 1," shall be entitled to a prize of \$150.

(m) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$120 (HUNTWY) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$120.

(n) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 4" or "Card 5," shall be entitled to a prize of \$120.

(o) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$90\$ (NINTY) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$90.

(p) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2," "Card 3" or "Card 4," with one of the four corners containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$90.

(q) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns on "Card 1," with one of the spaces in the diamond pattern containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$90.

(r) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$60\$ (SIXTY) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$60.

(s) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 5" or "Card 6," shall be entitled to a prize of \$60.

(t) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 2" or "Card 3," shall be entitled to a prize of \$60.

(u) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," with one of the four corners containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$54.

(v) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$30\$ (THIRTY) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$30.

(w) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2," "Card 3" or "Card 4," shall be entitled to a prize of \$30.

(x) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 1," shall be entitled to a prize of \$30.

(y) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of

\$18\$ (EGHTN) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$18.

(z) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 4," "Card 5" or "Card 6," with one of the spaces in the line pattern containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$18.

(aa) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," shall be entitled to a prize of \$18.

(bb) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$12\$ (TWELV) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$12.

(cc) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$9^{.00} (NIN DOL) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$9.

(dd) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 1," "Card 2" or "Card 3," with one of the spaces in the line pattern containing a play symbol that matches the play symbol in the "Magic Charm Bonus" area, shall be entitled to a prize of \$9.

(ee) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$6^{.00} (SIX DOL) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$6.

(ff) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 4," "Card 5" or "Card 6," shall be entitled to a prize of \$6.

(gg) Holders of tickets where any one of the play symbols on a "Card" matches the play symbol in the "Magic Charm Bonus" area, and a prize play symbol of \$3^{.00} (THR DOL) appears in the "Magic Charm Bonus" area, on a single ticket, shall be entitled to a prize of \$3.

(hh) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 1," "Card 2" or "Card 3," shall be entitled to a prize of \$3.

(ii) A player may win more than one prize on a ticket; however, the player cannot win more than one prize on each "Card."

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
Line Card 1	\$3	1:30.30	198,000
Line Card 2	\$3	1:30.30	198,000
Line Card 3	\$3	1:30.30	198,000
Magic Charm Bonus	\$3	1:15.63	384,000
Line Card 4	\$6	1:100	60,000
Line Card 5	\$6	1:100	60,000
Line Card 6	\$6	1:100	60,000
Magic Charm Bonus	\$6	1:50	120,000
Line Card 1 + Line Card 4	\$9	1:1,000	6,000
Line Card 2 + Line Card 6	\$9	1:1,000	6,000
Line Card 3 + Line Card 5	\$9	1:1,000	6,000
Line Card 1 (Magic Charm Symbol)	\$9	1:90.91	66,000
Line Card 2 (Magic Charm Symbol)	\$9	1:90.91	66,000
Line Card 3 (Magic Charm Symbol)	\$9	1:100	60,000
Magic Charm Bonus	\$9	1:200	30,000
Line Card 4 + Line Card 5	\$12	1:1,000	6,000
Line Card 4 + Line Card 6	\$12	1:1,000	6,000
Line Card 5 + Line Card 6	\$12	1:1,000	6,000
Magic Charm Bonus	\$12	1:500	12,000
4 Corners Card 1	\$18	1:1,000	6,000
Line Cards 4, 5 & 6	\$18	1:1,000	6,000
Line Card 4 (Magic Charm Symbol)	\$18	1:1,000	6,000
Line Card 5 (Magic Charm Symbol)	\$18	1:1,000	6,000
Line Card 6 (Magic	\$18	1:1,000	6,000

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
Charm Symbol)			
Magic Charm Bonus	\$18	1:333.33	18,000
Line Cards 1, 2, 3, 4, 5 & 6	\$27	1:1,000	6,000
4 Corners Card 1 + Line Card 4 + Line Card 6	\$30	1:1,600	3,750
Diamond Card 1	\$30	1:1,600	3,750
4 Corners Card 2	\$30	1:1,600	3,750
4 Corners Card 3	\$30	1:1,600	3,750
4 Corners Card 4	\$30	1:1,600	3,750
4 Corners Card 1 + Line Card 4 + Line Card 5	\$30	1:1,600	3,750
Line Card 4 (Magic Charm Symbol) + Line Card 5 + Line Card 6	\$30	1:800	7,500
Magic Charm Bonus	\$30	1:200	30,000
4 Corners Card 2 & 3	\$60	1:2,400	2,500
4 Corners Card 1 (Magic Charm Symbol) + Line Card 6	\$60	1:1,600	3,750
Line Cards 4 & 5 + 4 Corners Cards 1 & 3	\$60	1:4,800	1,250
Diamond Card 2	\$60	1:4,800	1,250
Diamond Card 3	\$60	1:4,800	1,250
4 Corners Card 5	\$60	1:4,800	1,250
4 Corners Card 6	\$60	1:4,800	1,250
Diamond Card 1 + 4 Corners Card 4	\$60	1:4,800	1,250
4 Corners Cards 1 & 2 + Line Cards 4 & 5	\$60	1:4,800	1,250
Magic Charm Bonus	\$60	1:2,400	2,500
4 Corners Cards 4 & 6	\$90	1:24,000	250
Diamond Card 2 + 4 Corners Card 4	\$90	1:24,000	250
Diamond Card 1 (Magic Charm Symbol)	\$90	1:24,000	250
4 Corners Card 2 (Magic Charm Symbol)	\$90	1:24,000	250
4 Corners Card 3 (Magic Charm Symbol)	\$90	1:24,000	250
4 Corners Card 4 (Magic Charm Symbol)	\$90	1:24,000	250
Magic Charm Symbol	\$90	1:24,000	250
Diamond Card 4	\$120	1:40,000	150
Diamond Card 5	\$120	1:40,000	150
Diamond Card 2 + 4 Corners Card 6	\$120	1:40,000	150
Diamond Card 1 + 4 Corners Cards 2, 3 & 4	\$120	1:40,000	150
Magic Charm Bonus	\$120	1:40,000	150
"X" Card 1	\$150	1:40,000	150
4 Corners Card 3 + Diamond Card 5	\$150	1:40,000	150
Magic Charm Bonus	\$150	1:40,000	150
"X" Card 2	\$300	1:120,000	50
"X" Card 3	\$300	1:120,000	50
Diamond Card 6	\$300	1:120,000	50
"X" Card 1 + 4 Corners Card 3 + Diamond Card 5	\$300	1:120,000	50
Diamond Card 3 (Magic Charm Symbol)	\$300	1:120,000	50

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
+ Diamond Card 4			
Magic Charm Bonus	\$300	1:120,000	50
"X" Card 4	\$1,000	1:120,000	50
"X" Card 5	\$1,000	1:120,000	50
Magic Charm Bonus	\$1,000	1:120,000	50
"X" Card 4 (Magic Charm Symbol)	\$3,000	1:1,200,000	5
"X" Card 5 (Magic Charm Symbol)	\$3,000	1:1,200,000	5
Magic Charm Bonus	\$3,000	1:1,200,000	5
"X" Card 6	\$30,000	1:1,200,000	5

Magic Charm Symbol—Triples the prize when it occurs in a winning pattern.
 Match Magic Charm Symbol to Cards—Win \$3 to \$3,000.

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

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

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Magic Charm Bingo or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 03-2279. Filed for public inspection November 26, 2003, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department:

The following property is available for sale by the Department.

Parcel No. 62—Ohio Township, Allegheny County. The subject property is a vacant irregular-shaped parcel of land consisting of 97.98 ± acres or 4,268,009 ± square feet and is situated south of Mt. Nebo Road and west of SR 0279. The current zoning is A-1 (single family residential district) in Ohio Township, Allegheny County. The estimated fair market value of the parcel is \$441,000.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Raymond S. Hack, District Engineer, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

ALLEN D. BIEHLER,
Secretary

[Pa.B. Doc. No. 03-2280. Filed for public inspection November 26, 2003, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department:

Parcel No. 378—City of Pittsburgh, Allegheny County. The subject property is a vacant irregular-shaped parcel of land consisting of 0.134 ± acre or 5,839.75 ± square feet and is situated east of I-279 at the northeast corner of Madison Avenue and Vista Street, 23rd Ward, City of Pittsburgh, Allegheny County. The estimated fair market value of the parcel is \$5,700.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Raymond S. Hack, District Engineer, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

ALLEN D. BIEHLER,
Secretary

[Pa.B. Doc. No. 03-2281. Filed for public inspection November 26, 2003, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Janet B. Keim v. DEP and Robert Susko, Permittee; EHB Doc. No. 2003-300-MG

Janet B. Keim has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Robert Susko for a facility 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 interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 03-2282. Filed for public inspection November 26, 2003, 9:00 a.m.]

FISH AND BOAT COMMISSION

Triploid Grass Carp Permit Applications

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined consistent with 58 Pa. Code § 71.7(e)(3) to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically to ra-pfbcregs@state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

The following application to stock triploid grass carp in waters having a surface area of more than 5 acres is currently undergoing staff review:

<i>Applicant</i>	<i>Water</i>	<i>Location of Water</i>	<i>Description of Water</i>	<i>Nature of Vegetation to be Controlled</i>
Richard Bonifanti for Heart Lake Association	Heart Lake	Bridgewater and New Milford Townships, Susquehanna County	43-acre lake which discharges into Hopbottom Creek	Wild celery Filamentous algae Pondweed (Potamogeton sp.)

DENNIS T. GUISE,
Deputy Executive Director

[Pa.B. Doc. No. 03-2283. Filed for public inspection November 26, 2003, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, November 20, 2003, and announced the following:

Regulation Approved
Department of Transportation #18-385: Vehicle Equipment and Inspection (amends 67 Pa. Code Chapter 175)

Approval Order

Public Meeting held
November 20, 2003

Commissioners Voting: John R. McGinley, Jr., Esq., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq.

Department of Transportation—Vehicle Equipment and Inspection; Regulation No. 18-385

On August 12, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (Department). This rulemaking amends 67 Pa. Code §§ 175.42 and 175.80. The proposed regulation was published in the August 23, 2003, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 30, 2003.

This regulation adds inspection for the presence of appropriate emissions control components to the existing annual safety inspection in Chapter 175. The regulation applies to the 42 counties not currently subject to the emissions inspection program under Chapter 177. The amendments also eliminate the requirement for inspection stations to send copies of inspection reports to the Department.

We have determined this regulation is consistent with the statutory authority of the Department (75 Pa.C.S. §§ 4103, 4702 and 6103) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-2284. Filed for public inspection November 26, 2003, 9:00 a.m.]

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 Committee comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed 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>
16A-561	State Real Estate Commission Education (33 Pa.B. 4571 (September 13, 2003))	10/14/03	11/13/03
16A-489	State Board of Funeral Directors Continuing Education (33 Pa.B. 4569 (September 13, 2003))	10/14/03	11/13/03

**State Real Estate Commission
Regulation No. 16A-561**

Education

November 13, 2003

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The State Real Estate Commission (SREC) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on October 14, 2003. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. General.—Clarity.

SREC uses the terms “continuing education provider,” “education provider” and “provider” throughout the regulation. It seems that these terms are used interchangeably. The term defined in § 35.201 is “real estate education provider.” For clarity, one consistent term should be used throughout the regulation.

2. Section 35.341. Approval of education providers.—Clarity.

Paragraph (5) requires a provider to “post a surety bond of \$10,000 to the Commonwealth for the protection of the contractual rights of the provider’s students.” Is

\$10,000 sufficient to protect the provider’s students? SREC should explain how it arrived at the \$10,000 figure and whether the amount will be enough to provide refunds in the event a provider fails to perform.

3. Section 35.352. Location and facilities.—Clarity.

A commentator stated that the language in subsection (b)(2) conflicts with an SREC-issued policy statement dated June 5, 2003. This policy statement allows continuing education courses to be provided at a number of places, including the company/broker’s location. Is it SREC’s intent to prohibit a continuing education course from taking place at a company/broker’s location?

4. Section 35.357. Student enrollment agreements.—Reasonableness.

SREC is deleting this entire section “in order to avoid private contractual matters between providers and students.” We agree that there is no need for SREC to mandate the form of these agreements. However, this section contains important safeguards for both the student and the schools. We believe that the final-form regulation should retain the requirement for a written agreement.

Furthermore, SREC should specify the minimum elements that must be included in the agreement, such as the tuition, fees and refund policies.

5. Section 35.358. Administration of curriculum.—Reasonableness; Clarity.

Subsection (b)(2) states “A preclicensure course shall be graded by written examination. . . .” Some preclicensure

courses are completed by distance education. To ensure that the registrant is taking the examination, the SREC should add language that will set forth the procedures for ensuring that the registrant completes the exam.

—
State Board of Funeral Directors
Regulation No. 16A-489

Continuing Education

November 13, 2003

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The State Board of Funeral Directors (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on October 14, 2003. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 13.231. Biennial registration; unregistered status and inactive status; failure to renew.—Clarity.

Subsection (a) states, in part, “The Board will grant an application for renewal of a funeral director license only when the licensee has *certified* that the licensee has completed the amount of continuing education required by § 13.401 (relating to credit hour requirements). If requested by the Board, an application for renewal shall also include the documentation required by § 13.402 (relating to reporting completion of continuing education).” (Emphasis added.) We have two concerns.

First, based on our discussions with the Board, we understand that licensees will be required to verify, not certify, that they have met the continuing education requirements on their license renewal application. Therefore, we recommend that the word “certified” be changed to “verified.”

Second, the final-form regulation should specify under what circumstances the Board will require additional information to be submitted with the original application.

2. Section 13.401. Credit hour requirements.—Statutory authority. Clarity.

The title of this section includes the phrase “credit hour.” How many minutes are in a credit hour? Does a credit hour include any break periods? Clarity would be improved by defining “credit hour” in the final-form regulation.

Subsection (b) states, in part, “. . . the Board will not renew or reactivate any funeral director license until all continuing education required prior to the current biennial renewal period has been successfully completed.”

Section 10(b)(5) of the Funeral Director Law (63 P. S. § 479.10(b)(5)) states “A licensee seeking to reinstate an inactive or lapsed license shall show proof of compliance with the continuing education requirement for the preceding biennium.” We question the Board’s statutory authority to require a licensee seeking to reinstate an inactive or lapsed license to complete more than the continuing education requirements of the preceding biennium. The Board should amend subsection (b) to be consistent with the statute or explain its authority to require additional continuing education.

3. Section 13.402. Reporting completion of continuing education.—Clarity.

Subsection (a) states that proof of completion of a continuing education course shall be the continuing education record. Based on our discussions with the Board, it is our understanding that applicants for license renewal do not have to provide documentation to prove that they have met the continuing education requirements. Instead, applicants will verify that they have met the requirements on their biennial license renewal application. The Board has indicated that licensees will be subject to audit of their continuing education records. The final-form regulation should specify how long a licensee is required to keep continuing education records for potential audit purposes.

Subsection (b) states that a funeral director who does not have continuing education records that comply with § 13.401 “shall otherwise demonstrate completion of courses of continuing education.” What documentation is sufficient to “otherwise demonstrate completion of courses of continuing education”?

4. Section 13.403. Credit for approved continuing education.

Subsection (a)

Under this subsection, credit for continuing education courses will be granted only for courses that have been approved in advance by the Board. How will licensees know which courses have been approved by the Board? Has the Board considered maintaining a list of approved courses and providers on its website?

Subsection (b)

This subsection refers to “any course for which continuing education is precluded by section 10 of the act.” However, the only course the act precludes continuing education credit for is “any course in office management.” The final-form regulation should specify that continuing education credit will not be granted for any course in office management.

5. Section 13.404. Approval of continuing education courses or providers.—Clarity.

Subsection (e) lists the circumstances under which the Board may terminate its prior approval of a provider or program. When the Board takes action under this subsection, how will licensees be notified?

6. Section 13.405. Provider responsibilities.—Reasonableness; Clarity.

Subsection (b) specifies the information that the provider must include in the continuing education record for each participant. The information contained in these records would be valuable in tracking licensee compliance with the continuing education requirements. Has the Board considered requiring continuing education providers to supply the Board with records for each course it provides?

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-2285. Filed for public inspection November 26, 2003, 9:00 a.m.]

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Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date

indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-219	Insurance Department Fees and Collection Procedures	11/14/03

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-2286. Filed for public inspection November 26, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control

UnitedHealth Group Incorporated has filed an application for approval to acquire control of Optimum Choice, Inc. of Pennsylvania, a domestic health maintenance organization. The filing was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax: (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2287. Filed for public inspection November 26, 2003, 9:00 a.m.]

Coverage for Chiropractic Care; Notice 2003-11

It has come to the attention of the Insurance Department (Department) that there is some confusion among automobile insurers concerning whether 75 Pa.C.S. §§ 1701—1725 (relating to the Motor Vehicle Financial Responsibility Law) (MVFRL) requires automobile insurers to pay first party benefit claims that involve adjunctive procedures delegated, in whole or in part, by a chiropractor to an unlicensed assistant. The purpose of this notice is to provide guidance to all automobile insurers doing business in this Commonwealth concerning the requirements of the MVFRL.

The MVFRL requires automobile insurance policies to provide coverage for chiropractic care as part of mandatory first party benefits coverage. See section 1712(1) of the MVFRL (relating to availability of benefits). Section 601 of the Chiropractic Practice Act (act) (63 P. S. § 625.601) explicitly permits licensed chiropractors to delegate activities or duties to their unlicensed assistants as long as those activities or duties are performed under the direct on-the-premises supervision of the chiropractor

and do not require formal education or training in the practice of chiropractic or the knowledge and skill of a licensed chiropractor. The Legal Office of the Department of State, Bureau of Professional and Occupational Affairs (BPOA), has further interpreted this statutory provision to allow delegation of any aspects of adjunctive procedures that, in accordance with section 601 of the act, do not require formal education or training in the practice of chiropractic or the knowledge and skill of a licensed chiropractor. However, the licensed chiropractor must make the diagnosis and evaluation, specify the treatment regimen, and perform any aspects of the adjunctive procedures that may not be delegated under section 601 of the act. Therefore, the Department has concluded that the MVFRL requires that automobile insurers pay first party benefits claims that involve those aspects of adjunctive procedures that may be properly delegated by a chiropractor to an unlicensed assistant under section 601 of the act.

The recent decision of the Supreme Court affirming the Commonwealth Court's opinion in *Kleinberg v. Southeastern Penn. Transp. Auth.*, 765 A.2d 405 (Pa. Cmwlth. 2000), *aff'd*, 810 A.2d 635 (Pa. 2002) has not changed the Department's interpretation of the MVFRL. In *Kleinberg*, the Commonwealth Court held that SEPTA was not required by the act of February 21, 2002 (P. L. 234, No. 6) to reimburse an osteopathic physician for physical therapy modalities delegated to unlicensed assistants. *Kleinberg* has nothing to do with either chiropractors or adjunctive procedures. The Supreme Court has explicitly recognized that adjunctive procedures performed by chiropractors and physical therapy are not legally the same. See *Bureau of Professional and Occupational Affairs v. State Bd. of Physical Therapy*, 556 Pa. 268, 728 A.2d 340 (1999). Therefore, the *Kleinberg* decision does not change the Department's longstanding position that the MVFRL requires automobile insurers to pay first party claims involving those aspects of adjunctive procedures that may properly be delegated by chiropractors to unlicensed assistants. The Department has discussed its interpretation with the BPOA. The BPOA has confirmed that its interpretation has not changed post *Kleinberg*. However, the Department is not the proper forum to determine which aspects of adjunctive procedures may be properly delegated to unlicensed support personnel under the act.

Questions regarding this notice should be addressed to Ronald A. Gallagher, Jr., P.E., Deputy Insurance Commissioner for the Office of Producer and Consumer Services, Insurance Department, 13th Floor, Strawberry Square, Harrisburg, PA 17120, at ra-in-chiropractors@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2288. Filed for public inspection November 26, 2003, 9:00 a.m.]

Disclosure of Departures from Statutory Accounting Principles; Notice 2003-10

This document supersedes the notice published at 32 Pa.B. 5235 (October 19, 2002) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

The National Association of Insurance Commissioners (NAIC) adopted codified statutory accounting principles in March 1998. By Insurance Department Notices 1998-04

and 2000-02, all types of domestic insurers were advised of the requirement to adhere to the NAIC's codified *Accounting Practices and Procedures Manual* (Manual) in preparing financial statements to be filed with the Insurance Department (Department) beginning with quarterly financial statements filed as of March 31, 2001. The Manual is not intended to preempt the legislative and regulatory authority of the states. It is intended to establish a comprehensive basis of accounting to be recognized and adhered to if not in conflict with the

Commonwealth Laws and Regulations

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

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

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

31 Pa. Code § 73.138 (relating to financial statement reserves)

Sections 322.1 and 809 of The Insurance Company Law of 1921 (40 P. S. §§ 445.1 and 919) and 31 Pa. Code Chapter 105 (relating to advances made to companies (other than mutual life))

31 Pa. Code § 89.a.116 (relating to reserve standards)

Sections 714—716 of The Insurance Company Law of 1921 (40 P. S. §§ 910-14—910-16)

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

Section 1008 of The Insurance Company Law of 1921 (40 P. S. § 968)

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

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

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2289. Filed for public inspection November 26, 2003, 9:00 a.m.]

statutes or regulations of an insurer's domiciliary state (for example, state laws relating to permissible investments) or when the domiciliary state's statutes and regulations are silent.

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

NAIC Statements of Statutory Accounting Principles (SSAP) and Appendices

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

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

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

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

SSAP No. 41 Surplus Notes

Appendix A-641 Long-Term Care Insurance

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

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

SSAP No. 53 Property Casualty Contracts—Premiums

SSAP No. 62 Property and Casualty Reinsurance

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

Appendix A-822 Asset Adequacy Analysis Requirements (effective September 11, 2002)

Geisinger Health Plan; Rate Filing

On November 14, 2003, Geisinger Health Plan submitted a filing to increase the individual, grange and association base medical and pharmacy plan rates. The proposed rate increase for the medical plan is 19.4% and 18.7% for the pharmacy plan. The medical increase is expected to generate additional revenue of \$5.5 million and the pharmacy increase is expected to generate additional revenue of \$400,000 annually. The medical increase will impact approximately 14,800 members and the pharmacy increase will impact approximately 6,600 members. The proposed effective date is April 1, 2004.

This filing is available for public inspection during normal working hours at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones,

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

Actuary, Insurance Department, Bureau of Accident and Health Insurance, Office of Rate and Policy Rulemaking, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2290. Filed for public inspection November 26, 2003, 9:00 a.m.]

Pennsylvania Professional Liability Joint Underwriting Association; Filing for Rule Changes and Clarifications

On November 3, 2003, the Insurance Department (Department) received a filing from the Pennsylvania Professional Liability Joint Underwriting Association (JUA) seeking approval to adopt revised rules for health care providers as follows:

- Rules regarding annual policies applicable to all new business as well as renewal business based on the renewal cycle where the MCARE Assessment is charged, effective on the first day of the month 50 days after the date of the approval.

The rule changes to accommodate annual policies pertain to administrative fees, service fees, installments, cancellations and minimum premiums.

- All other rules effective upon approval.

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

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, kcreighton@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2291. Filed for public inspection November 26, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of State Farm Mutual Automobile Insurance Company; file no. 03-303-72066; James M. Barnes, II; doc. no. PI03-11-011; February 6, 2004, 11:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2292. Filed for public inspection November 26, 2003, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of John J. Herbst, Jr.; file no. 03-188-07999; Harleysville Mutual Insurance Company; doc. no. P03-11-010; December 16, 2003, 10:30 a.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Boris and Sally Berler; file no. 03-280-04821; Nationwide Mutual Fire Insurance Company; doc. no. PH03-11-013; January 22, 2004, 10:30 a.m.

Appeal of Catherine Everly and John L. Quick; file no. 03-182-10252; Prudential Property and Casualty; doc. no. PH03-10-032; January 22, 2004, 12:30 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2293. Filed for public inspection November 26, 2003, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the company's termination of the insured's policy. The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Erie Insurance Exchange; file no. 03-407-90928; Marceline H. Oberly; doc. no. E03-11-012; February 6, 2004, 10 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-2294. Filed for public inspection November 26, 2003, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Beaver County, Wine & Spirits Shoppe #0408, 816 Third Avenue, New Brighton, PA 15066.

Lease Expiration Date: October 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 to 3,500 net useable square feet of new or existing retail commercial space in New Brighton Central Business District, Beaver County.

Proposals due: December 19, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: George Danis, (412) 565-5130

Clearfield County, Wine & Spirits Shoppe #1703, 821 Centennial Street, Houtzdale, PA 16651.

Lease Expiration Date: October 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space with off-street parking and rear or side loading facilities serving the Houtzdale area, Clearfield County.

Proposals due: December 19, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Thomas Deal, (412) 565-5130

Clearfield County, Wine & Spirits Shoppe #1704, 449 State Street, Curwensville, PA 16833.

Lease Expiration Date: October 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space serving the Curwensville area, Clearfield County. Off-street parking is preferred with rear or side loading facilities.

Proposals due: December 19, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Thomas Deal, (412) 565-5130

Philadelphia County, Wine & Spirits Shoppe #5183, 3601 N. 22nd Street, Philadelphia, PA 19140.

Lease Expiration Date: February 29, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,600 net useable square feet of new or existing retail commercial space within 1/2-mile radius of the intersection of Hunting Park Avenue and 22nd Street in Philadelphia, Philadelphia County.

Proposals due: December 19, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128
Contact: Robert Jolly, (215) 482-9671

Luzerne County, Facilities Maintenance Shop, 106 Stevens Road, Wilkes-Barre, PA 18702.

Lease Expiration Date: March 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 7,000 to 10,000 net useable square feet of new or existing commercial warehouse space suitable to house a Liquor Control Board maintenance operation within Hanover Industrial Estates, Hanover Township, Luzerne County. Facility must have a tractor-trailer docking area with dock plate, a minimum ceiling height of 18 feet, off-street parking for a minimum of seven vehicles and easy access to traffic routes and I-81.

Proposals due: December 19, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110
Contact: Joseph P. Hannon, (717) 657-4228
 JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 03-2295. Filed for public inspection November 26, 2003, 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, will hold a meeting of the Authority's 11 member board on Monday, December 8, 2003, at 9:30 a.m. in Boardroom D, Penn Center, 2601 North Third Street, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

ALAN B.K. RABINOWITZ,
Administrator

[Pa.B. Doc. No. 03-2296. Filed for public inspection November 26, 2003, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Lightship Telecomm, LLC Petition to Reinstate

Public Meeting held
 November 13, 2003

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

Law Bureau Prosecutory Staff v. Lightship Telecom, LLC (2002.0398); Doc. No. C-20039274

Lightship Telecom, LLC Petition to Reinstate; A-310943

Order

By the Commission:

On January 17, 2003, Law Bureau Prosecutory Staff filed a Formal Complaint against Lightship Telecom, LLC (Lightship), a competitive access provider, a toll carrier, a switched access carrier and a competitive local exchange carrier certificated at A-310943. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to Lightship that its 2001 Annual Report was due. The complaint charged that Lightship violated 66 Pa.C.S. § 504 by failing to file its 2001 Annual Report. The Complaint requested that the Commission issue an order canceling Lightship's certificate of public convenience as well as impose a \$1,000 monetary penalty as a result of the violation. According to the United States Postal Service return receipt, service of the Complaint was perfected, but no date was noted on the certified mail card.

Lightship failed to file an answer to the Complaint or file its 2001 Annual Report. As a result, the Commission entered a Default Order on August 26, 2003, that sustained the Complaint and cancelled Lightship's certificate of public convenience. Notice of the Default Order was published September 6, 2003, at 33 Pa.B. 4530.

On October 3, 2003, Lightship filed both its 2001 and 2002 Annual Reports and a Petition for an Emergency Order Staying and Reversing the Commission's August 21, 2003, Default Order. Under 52 Pa. Code § 3.1, an "emergency" is a situation which presents a clear and present danger to life or property or which is uncontested and requires action prior to the next scheduled public meeting. The petition filed by Lightship for reinstatement of its cancelled certificate due to failure to file its 2001 Annual Report does not rise to the level of an emergency. As such, we will treat its petition as a Petition to Reinstate. We note that this petition was filed after the 20-day comment period imposed in Ordering Paragraph No. 2, but within the 30-day cancellation period stated in Ordering Paragraph No. 4 of the Default Order.

In its Petition, Lightship states that the delinquent filing of its 2001 Annual Report was due to several reasons. First, Lightship notes that although it received its certificate of public convenience in 2000, it has not yet begun providing service. Lightship intends to begin providing service within the next calendar year. Lightship then states that beginning in mid-2001, Lightship went through a number of organizational changes, including changes with respect to the personnel responsible for regulatory compliance. As a result of these organizational changes and because Lightship had no intrastate Pennsylvania operating revenues in 2000 and 2001, it inadvertently failed to file its 2001 and 2002 Annual Reports.

Lightship states that it understands the importance of timely complying with regulatory reporting requirements. Lightship informs the Commission that it has taken steps to ensure that it timely complies with future filing deadlines. Lightship requests reinstatement since it has now filed both its 2001 and 2002 Annual Reports.

It is well-settled that decisions such as whether to grant a petition for reinstatement are left to the Commission's discretion and will be reversed on appeal only if that discretion is abused. *Hoskins Taxi Service v. Pa. P.U.C.*, 486 A.2d 1030 (Pa. Comwlth. 1985). In ruling upon a reinstatement petition, it is incumbent upon this Commission to examine all relevant factors in order to reach an equitable result. *Medical Transportation, Inc.*, 57 Pa. P.U.C. 79 (1983).

The Commission has identified five factors that are particularly relevant to the adjudication of a petition to reinstate: (1) the amount of time that elapsed between the cancellation of the certificate of public convenience and the filing of the petition; (2) whether the petitioner has a record of habitually violating the Public Utility Code; (3) the reasonableness of the excuse given for the violation that caused the certificate to be canceled; (4) whether the petitioner has implemented procedures to prevent a recurrence of the circumstances giving rise to the cancellation; and (5) whether the petitioner is current in the payment of all Commission fines and assessments. *Re: M.S. Carriers, Inc.*, A-00110601 (Order entered May 4, 1999).

In considering the first factor, we note that the petition was filed 3 days prior to the effective date of the scheduled cancellation.

In regard to the second factor, Lightship does not have a record of habitually violating the Public Utility Code. Lightship has had no additional complaints issued against it since the issuance of its certificate in 2000.

In considering the third and fourth factors, Lightship states that its failure to file its 2001 Annual Report was due to reorganizational and personnel changes. Lightship states that it has taken steps to ensure that its regulatory compliance remains in good standing. Lightship's basis for the violation appears reasonable. The fact that Lightship has now complied with our reporting requirements and has taken steps to ensure future compliance militates toward reinstatement.

The fifth factor requires that all outstanding fines and/or assessments be paid prior to reinstatement. A review of Commission records shows that Lightship has no unpaid fines or assessments. However, in the August 26, 2003, Default Order, the Commission expressly put Lightship on notice that if it sought relief from the Default Order it would be subject to monetary penalties under section 3301 of the Public Utility Code (66 Pa.C.S. § 3301). Because Lightship has sought to reinstate its certificate, Lightship is subject to a maximum penalty of \$1,000 as provided for in 66 Pa.C.S. § 3301.

Based upon the foregoing, we grant Lightship's petition for reinstatement. However, in accord with our prior warning about ignoring Commission correspondence directed to Lightship in our August 26, 2003, Default Order, we believe a civil penalty is warranted in this matter. Accordingly, we shall assess a civil penalty in the amount of \$500 instead of the \$1,000 sought in the Complaint. This leniency is in recognition of Lightship's prompt compliance, no record of prior violations and apparently sincere commitment to future compliance with our regulations. We find that this action on the part of Lightship

indicates negligent rather than intentional conduct. Based upon the standards set forth in *Joseph A. Rosi v. Bell Atlantic-PA, Inc and Sprint Communications Company*, C-00992409 (Order entered March 16, 2000), the presumption is that the penalty will be in the range of \$0 to \$500 per day.

In determining the amount of this fine, we believe that Lightship's relative quick action is a mitigating factor; however, Lightship was notified in the Complaint that Prosecutory Staff would recommend dismissing the complaint if it paid a civil penalty of \$250 along with the filing of the delinquent annual report within 30 days of service of the complaint. Because Lightship failed to respond within the 30-day time frame, a \$500 civil penalty is warranted. Given that the Commission retains broad discretion in determining a total civil penalty amount that is reasonable on an individual basis, *Rosi* at 10, we believe that this amount based on a "per occurrence" violation is large enough to deter future violations of Commission regulations by Lightship. Nevertheless, if Lightship again fails to comply with Commission regulations, we will not be so favorably disposed and will revoke Lightship's certificate of public convenience, absent extreme extenuating circumstances.

We also note that because Lightship was never given any NXX codes, there are no numbering compliance issues; *Therefore*,

It Is Ordered That:

1. The Petition to Reinstate filed by Lightship Telecom, LLC at C-20039274 on October 3, 2003, is hereby granted.

2. The certificate of public convenience held by Lightship Telecom, LLC at A-310943 is hereby reinstated.

3. Lightship Telecom, LLC pay a civil penalty of \$500 under section 3301 of the Public Utility Code (66 Pa.C.S. § 3301) by sending a certified check or money order within 30 days of the entry date of this order to Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

3. The Secretary cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2297. Filed for public inspection November 26, 2003, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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 December 22, 2003. 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-00120280. Louis Steiner for the right to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, between points in the County of Allegheny. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219.

A-00120295. Seek First, LLC (22 South Maple Street, Ephrata, Lancaster County, PA 17522)—persons in paratransit service, between points in the County of Lancaster, and points in the Borough and Township of Honey Brook, Chester County, from points in said area, to points in Pennsylvania, and return, limited to the transportation of persons whose personal convictions prevent them from owing or operating motor vehicles.

A-00120299. Benjamin Hawkins t/d/b/a B & H Tours & Travel Service (736 West Fisher Avenue, City and County of Philadelphia, PA 19120)—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the City and County of Philadelphia, and from points in said city and county, to points in Pennsylvania, and return.

A-00120304. Network Dessie Cars, LTD (4 Knightsbridge Road, Middletown, DE 19709), a corporation of the Commonwealth—persons in limousine service, between points in the Counties of Berks, Bucks, Chester, Delaware, Lancaster, Lebanon, Lehigh, Philadelphia, Schuylkill and York, from points in said area, to points in Pennsylvania, and return.

A-00120305. Joseph Waldner (1606 Wiker Avenue, Lancaster, Lancaster County, PA 17602)—persons in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return, limited to the transportation of persons whose personal convictions prevent them from owing or operating motor vehicles.

A-00120306. Cameron County Ambulance Service, Inc. (299 East 2nd Street, Emporium, Cameron County, PA 15835), a corporation of the Commonwealth—persons in paratransit service, between points in the County of Cameron, and from points in said county, to points in Pennsylvania, and return. *Attorney:* Christina M. Mellott, 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons by transfer of rights as described under the application.

A-00106960, Folder 4. Delaware County Transportation Service, Inc. (370 Crooked Lane, King of Prussia, Montgomery County, PA 19407), a corporation of the Commonwealth—persons in limousine service, between points in Pennsylvania; which is to be a transfer of all the right authorized under the certificate issued at A-00105909, F. 1 to Michael S. Adelman t/d/b/a Prestige Carriage, subject to the same limitations and conditions. *Attorney:* Reginald A. Krasney, 717 Constitution Drive, Suite 100, Exton, PA 19341.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-00120302. Katherine Andrews (1011 Dale Drive, Pittsburgh, Allegheny County, PA 15220)—persons in

limousine service, between points in Pennsylvania; which is to be a transfer of all the right authorized under the certificate issued at A-00107834, F. 2 to Pittsburgh Limousine, Inc. t/d/b/a Royal Limousine, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 680 Washington Road, Suite B-101, Pittsburgh, PA 15228-1925.

Applications 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 household goods as described under each application.

A-00120300. A Plus Moving and Storage, Inc. (100 James Place, Suite C, Monroeville, Washington County, PA 15146), a corporation of the Commonwealth—household goods in use, between points in the Counties of Allegheny, Butler, Washington, Westmoreland and Beaver, and from points in said counties, to points in Pennsylvania, and vice versa.

A-00120301. James Thomas Miley t/d/b/a Miley's Moves (108 Willow Drive, Warminster, Bucks County, PA 18974)—household goods in use, between points in the Counties of Bucks and Montgomery, and from points in said counties, to points in Pennsylvania, and vice versa.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2298. Filed for public inspection November 26, 2003, 9:00 a.m.]

Telecommunications

A-310779F7001. Verizon North Inc. and CEI Networks, Inc. Joint petition of Verizon North Inc. and CEI Networks, Inc. for approval of adoption of an interconnection agreement and amendment no. 1 under sections 252(i) and 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and CEI Networks, Inc., by its counsel, filed on November 5, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement and amendment no. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and CEI Networks, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2299. Filed for public inspection November 26, 2003, 9:00 a.m.]

Telecommunications

A-310782F7001. Verizon North Inc. and IDT America Corp. Joint petition of Verizon North Inc. and

IDT America Corp. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and IDT America Corp., by its counsel, filed on November 6, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and IDT America Corp. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2300. Filed for public inspection November 26, 2003, 9:00 a.m.]

Telecommunications

A-310779F7000. Verizon Pennsylvania Inc. and CEI Networks, Inc. Joint petition of Verizon Pennsylvania Inc. and CEI Networks, Inc. for approval of adoption of an interconnection agreement and amendment no. 1 under sections 252(i) and 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and CEI Networks, Inc., by its counsel, filed on November 5, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement and amendment no. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and CEI Networks, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2301. Filed for public inspection November 26, 2003, 9:00 a.m.]

Water Service

A-210104F0039. Pennsylvania Suburban Water Company. Application of Pennsylvania Suburban Water Company for approval of: (1) the acquisition by Pennsylvania Suburban Water Company of the water system assets of Jennings and Bennett, Ltd.; and (2) the right of Pennsylvania Suburban Water Company to begin to offer, render, furnish or supply water service to the public in an additional portion of Lackawaxen Township, Pike County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). 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 on or before December 15, 2003. The documents filed in support of the application 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 applicant's business address.

Applicant: Pennsylvania Suburban Water Company

Through and by Counsel: Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2302. Filed for public inspection November 26, 2003, 9:00 a.m.]

Water Service

A-210104F0040 and A-210435F2000. Pennsylvania Suburban Water Company and Christian Springs Water Company, Inc. Joint application of Pennsylvania Suburban Water Company and Christian Springs Water Company, Inc. for approval of: (1) the acquisition by Pennsylvania Suburban Water Company of the water system assets of Christian Springs Water Company, Inc. in Moore Township, Northampton County; (2) the right of Pennsylvania Suburban Water Company to begin to offer, render, furnish and supply water service to the public in a portion of Moore Township, Northampton County; and (3) the abandonment by Christian Springs Water Company, Inc. of public water service within Moore Township, Northampton County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). 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 on or before December 15, 2003. The documents filed in support of the application 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 applicant's business address.

Applicants: Pennsylvania Suburban Water Company and Christian Springs Water Company, Inc.

Through and by Counsel: Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-2303. Filed for public inspection November 26, 2003, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Prequalification Submittals

The Philadelphia Regional Port Authority (PRPA) is requesting prequalification submittals for Project #03-

221.P, Design and Installation of Video Motion Detection/Alarm Systems for Several Port Facilities. Contractor qualification forms are available from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available December 2, 2003. The cost of the form is \$50 (includes 7% Pennsylvania sales tax) and also includes the Request for Proposals (RFP) package. The cost is nonrefundable for firms that are prequalified.

Qualification forms must be submitted by 5 p.m. on December 16, 2003. RFP packages will be given to all design/install firms qualified by the PRPA. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 03-2304. Filed for public inspection November 26, 2003. 9:00 a.m.]

DELAWARE RIVER BASIN COMMISSION

Notice of Commission Meeting and Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold an informal conference followed by a public hearing on Wednesday, December 3. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

The conference among the commissioners and staff will begin at 9:30 a.m. Topics of discussion will include: an update on development of the Water Resources Plan for the Delaware River Basin; a report on activities related to the Tri-State Planning Initiative; an update on Water Quality Advisory Committee (WQAC) activities relating to revision of the Commission's water quality standards and the schedule for their adoption, and a revised schedule for adoption of new toxics criteria; a discussion of unresolved issues raised by the WQAC relating to (1) interim protection for waters under study by the Commission for purposes of determining their eligibility to be designated as Special Protection Waters, and (2) basin-wide water quality criteria and their points of application; an update on activities of the Monitoring Advisory Committee; an update on the issuance of the TMDLs for PCBs in the Delaware Estuary, including a proposed resolution to require additional point source monitoring; and an update on activities of the TMDL Implementation Advisory Committee (IAC).

The subjects of the public hearing to be held during the 1:30 p.m. business meeting include the dockets listed below:

1. *Baldwin Hardware Corporation D-87-32 RENEWAL*
2. A groundwater withdrawal renewal project to continue withdrawal of up to 15.13 mg/30 days to supply the applicant's manufacturing facility and ongoing ground water decontamination program from existing Wells Nos. PS-1, PS-2, PS-3, PW-4, and PW-5 in the Schuylkill River

watershed. No increase of water withdrawal is proposed. Treated effluent will continue to be discharged to the Schuylkill River. The project is located in City of Reading, Berks County, Pennsylvania.

2. *Township of Pemberton D-92-56 CP RENEWAL*. A groundwater withdrawal renewal project to continue withdrawal of 38.75 mg/30 days to supply the applicant's public water distribution system from existing Wells Nos. 4, 6, 7, 8A, and 11 in the Rancocas Creek Watershed. The project is located in Pemberton Township, Burlington County, New Jersey.

3. *Borough of Hopatcong D-92-85 CP RENEWAL*. A ground water withdrawal renewal project to continue withdrawal of 18.91 mg/30 days to supply the applicant's water distribution system from existing Wells Nos. 1, 2, 3, 3A, 4, 5, 8, 12, Squire, River Styx, and Mariners in the Musconetcong River Watershed. The project is located in Hopatcong Borough, Sussex County, New Jersey.

4. *Sparta Township Water Utility D-98-1 CP*. A ground water withdrawal project to supply up to 46.11 mg/30 days of water to the applicant's distribution system from new Wells Buttonwood 1 and 2, Sussex Mills 1 and 2, and Germany Flats A and B, and also from ten existing wells, all located within the Delaware River Basin; to approve the exportation of up to 22.13 mg/30 days of water from the Germany Flats Wells A and B from the Delaware River Basin; and to increase the existing withdrawal limit of 18.84 mg/30 days from all wells in the Delaware River Basin to 46.11 mg/30 days. The project is located in Sparta Township, Sussex County, New Jersey.

5. *Nestlé Waters North America, Inc. D-98-27 RENEWAL*. A spring water renewal project to continue withdrawal of 9.0 mg/30 days to supply the applicant's bottled water operations from Hoffman Springs Nos. 1, 2, and 3 in the Ontelaunee Creek Watershed. The project is located in Lynn Township, Lehigh County, Pennsylvania.

6. *Consumers New Jersey Water Company D-2000-36 CP*. A groundwater withdrawal project to supply up to 60.3 mg/30 days of water to the applicant's public water distribution system from new Well No. 14 in the Lower Potomac-Raritan-Magothy Aquifer, and to increase the existing withdrawal limit from all wells from 140 mg/30 days to 200.3 mg/30 days. The project is located in Hamilton Township, Mercer County, New Jersey.

Additional public hearing items to be considered at the Commission's 1:30 p.m. business meeting include: a resolution extending Docket D-69-210 CP (Final) (Revision 11), the "Exelon Mine Water Demonstration Project," for one year to continue the mine pool withdrawal and stream flow augmentation demonstration project; a resolution extending the credit granted PPL on November 25, 2002 to satisfy its consumptive use compensation requirement; and a resolution to require additional point source monitoring for PCBs to meet data needs for the Stage 2 TMDLs. In addition to the public hearing items, the Commission will address the following: Minutes of the October 15, 2003 business meeting; announcements; a report on Basin hydrologic conditions; a report by the executive director; a report by the Commission's general counsel; and a resolution extending the term of the Watershed Advisory Council.

Draft dockets scheduled for public hearing on December 3, 2003 are posted on the Commission's web site, <http://www.drbc.net>, where they can be accessed through the Notice of Commission Meeting and Public Hearing. Additional documents relating to the dockets and other items

may be examined at the Commission's offices. Please contact Robert Tudor at 609-883-9500 ext. 208 with any docket-related questions.

Persons wishing to testify at this hearing are requested to register in advance with the Commission secretary at 609-883-9500 ext. 203. Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the hearing should contact

the Commission secretary directly at 609-883-9500 ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission may accommodate your needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 03-2305. Filed for public inspection November 26, 2003, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

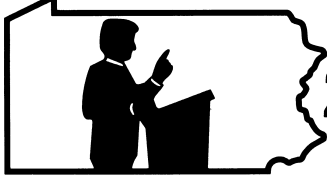
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦ (For Commodities: Contact:) Vendor Services Section
 717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

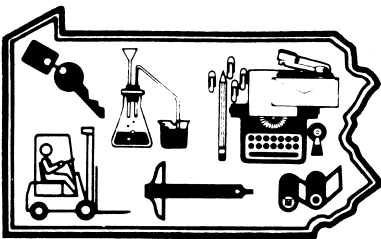
⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

PA TREASURY BUSINESS OUTLET—PLUG INTO IT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure explains how to take advantage of available services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room 201 Finance Building
 Harrisburg, PA 17120
 717-787-4586
 1-800-252-4700
 BizOutlet@patreasury.org

BARBARA HAFER,
State Treasurer

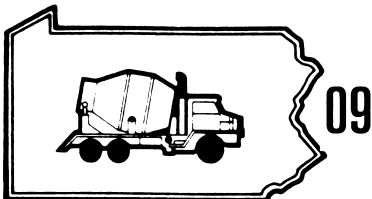


Commodities

CN00006102 Hydraulic Shears: 7 1/2 H.P., 208-Volt Motor; 48" Cutting Length; Tensile Strength - Mild Steel 1/4"/6.4 mm, Stainless 1/8"/3.2 mm; Approximate 20 Strokes per Minute; Total Floor Space with Gauges, 66" X 98" X 54"; Oil Reservoir Capacity of 24 gallons/91 liters.

Department: Corrections
Location: SCI Greene, 169 Progress Dr., Waynesburg, PA 15370
Contact: Laura Mohr, Purchasing Agent, (724) 852-5534

SERVICES



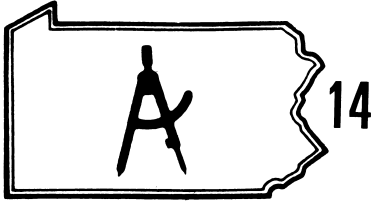
Construction & Construction Maintenance

62-0076 West Chester University of the State System of Higher Education is soliciting sealed bids for Killinger Hall Window Replacement. The contractor is to remove the existing windows, supply and install new windows in accordance with the plans and specifications. Work is to be performed over the 2004 summer break and be completed by July 23, 2004. A site visit is scheduled for Wednesday, November 26, 2003 at 10:00 a.m. Bids are due December 15, 2003 at 11:00 a.m.

Department: State System of Higher Education
Location: West Chester University, West Chester, PA 19383
Duration: Work is to be performed over the 2004 summer break and be completed by July 23, 2004.
Contact: Barb Cooper, Contract Specialist, (610) 436-2706

SU-2002/28 Invitation to Bid - Shippensburg University: Renovations to McLean Hall. Shippensburg University of the State System of Higher Education invites General, HVAC, Plumbing and Electrical Contractors to request bid documents for this project. Work includes renovations to include replacement of windows, storefront, ceilings, lights, unit ventilators, bathroom improvements and ADA upgrades at McLean Hall. Prospective Bidders may obtain project plans for a non-refundable deposit of \$40.00, by requesting in writing or by fax to STV Architects, ATTN: Virginia Stoudt, 205 West Welsh Drive, Douglassville, PA 19518. Phone: 610-385-8325 Fax: 610-385-8501. Pre-Bid Meeting with site visit immediately to follow will be held on December 10, 2003 in Reed Operations Center. Bids Due: January 5, 2004 at 4:00 P.M. Old Main Room 300. Public Bid Opening: January 6, 2004 at 2:00 P.M., Old Main Room 203A. Contracts, MBE/WBE and Prevailing Wages apply. Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and of the PA State System of Higher Education.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, PA 17257
Duration: May 2004 through August 2004
Contact: Deborah K. Martin, (717) 477-1121



Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

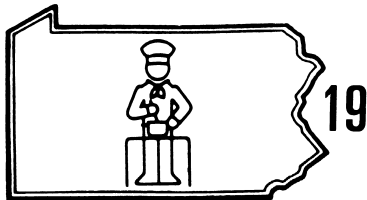
Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



Janitorial Services

265027 Daily janitorial services; contractor to supply personnel, equipment and cleaning supplies. The janitorial service will be for the main office and garage offices.

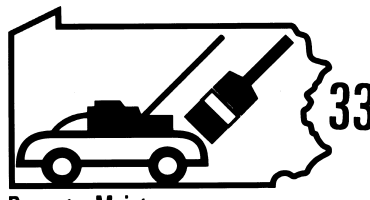
Department: Transportation
Location: 1901 Ruffner Street, Philadelphia, PA
Duration: This contract will be a 1-year contract, with renewals for two 1-year periods.
Contact: Jill Logue, (215) 225-1415



Food

CN00006071 Bread and Bread Products.

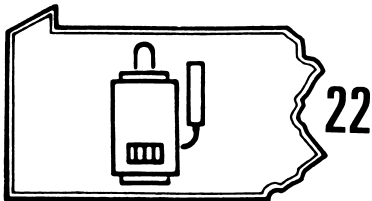
Department: Public Welfare
Location: Polk Center, c/o Main Dietary, P. O. Box 94, Polk, PA 16342
Duration: January through June 2004
Contact: Marty DuPont, (814) 432-0423



Property Maintenance

KURFP-0062 Kutztown University is seeking proposals from qualified contractors for turf maintenance services. Contractor must be capable of providing all necessary services to maintain five (5) athletic fields to include fertilization, aeration, and broadleaf weed control. Turf maintenance will also include other campus turf areas. Interested contractors must submit a written request to receive a Request for Proposal (RFP) packet to: Kutztown University, Attn: Purchasing Department, Craig Kleinsmith, P. O. Box 730, Kutztown, PA 19530; Fax: (610) 683-4674; or e-mail to kleinsmi@kutztown.edu. RFP packets will be available from 8 AM on 12/1/03 through Noon on 12/19/03. A pre-proposal conference will be held at 10 AM on 12/22/03. Questions requiring clarification prior to proposal submission are due by Noon on 1/5/04. Proposals are due by 2 PM on 1/20/04. Late submission will not be accepted and will be returned unopened.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: Five (5) years
Contact: Craig Kleinsmith, (610) 683-4774



HVAC Services

1010-043 The Department is in need of a contractor to do electrical maintenance and supply necessary materials to keep the navigation lights working on three bridges that cross the Allegheny River in Armstrong Co. These three bridges would be the Kittanning Bridge on SR 1038, Graff Bridge on SR 422 and the Ford City Bridge on SR 128.

Department: Transportation
Location: PA Department of Transportation, Armstrong Co. District 10-1, Kittanning, PA 16201-1016
Duration: March 1, 2004 to Feb. 28, 2005 with 3 renewals by letter.
Contact: Susan Carson, (724) 543-0120

CN00006086 12-Volt UPS Batteries needed for period of December 1, 2003 through June 30, 2003 with 270 WPC; Float Charge Voltage 13.5 to 13.8 VDC; Equalize Charge Voltage 14.4 to 14.8 VDC. Batteries equal to/comparable to #PRC 1290 76-AMP RH UPS Sealed Lead Acid Battery or Johnson Control Dynasty UPS Battery # 12-VDC-270WPC.

Department: Corrections
Location: SCI Greene, 169 Progress Dr., Waynesburg, PA 15370
Contact: Laura Mohr, Purchasing Agent, (724) 852-5534

FM 8708 Furnish all labor, equipment and materials to perform janitorial services three (3) days per week at the PA State Police, Harrisburg CDC. Detailed Work Schedule and Bid must be obtained from the Facility Management Division, 717-705-5951.

Department: State Police
Location: Harrisburg CDC, 8001 Bretz Drive, Harrisburg, PA 17112
Duration: 01-04-04 to 06/30/06
Contact: Sandy Wolfe, (717) 705-5951

[Pa.B. Doc. No. 03-2306. Filed for public inspection November 26, 2003, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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DONALD T. CUNNINGHAM, Jr.
Secretary

