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PENNSYLVANIA BULLETIN

Volume 33

Number 15

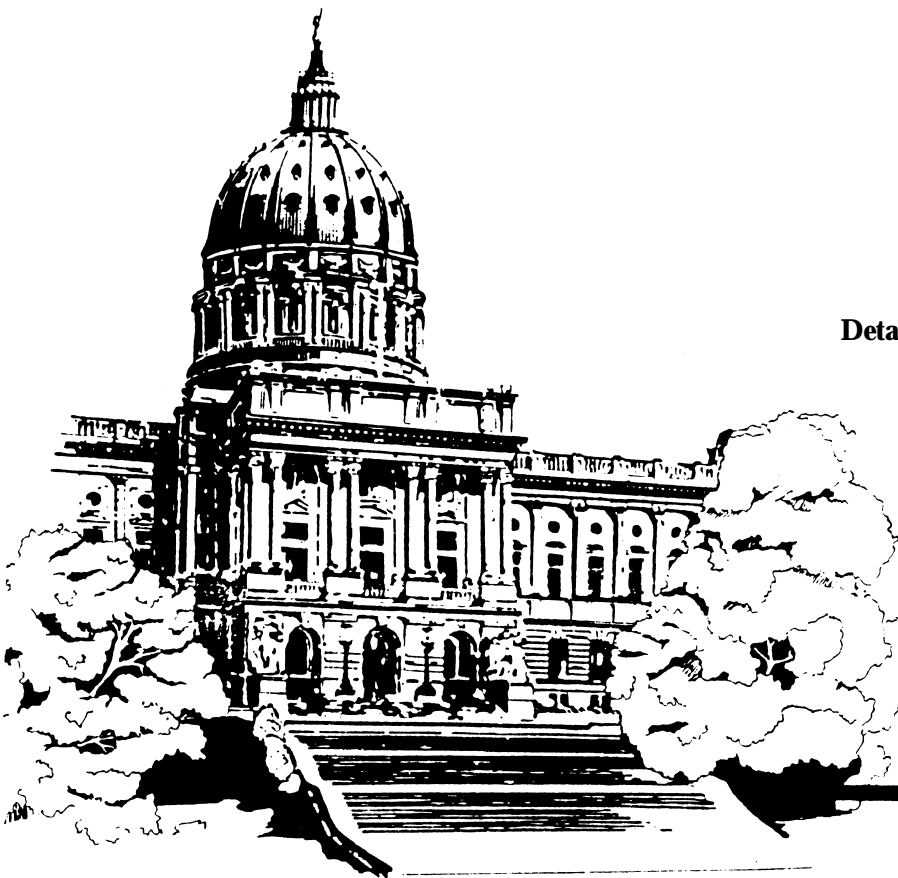
Saturday, April 12, 2003 • Harrisburg, Pa.

Pages 1829—1918

Agencies in this issue:

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Department of Banking
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Resources
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Department of General Services
Department of Revenue
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Independent Regulatory Review Commission
Insurance Department
Liquor Control Board
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
State Board of Education
State Real Estate Commission

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

No. 341, April 2003

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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.

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

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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Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

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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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GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meetings Scheduled

The Commission on Sentencing announces the following public meetings, to be held at The Radisson Lackawanna Station Hotel, 700 Lackawanna Avenue, Scranton, PA 18503:

Tuesday, Dinner/Work Session
May 13, 2003 Coopers Seafood Restaurant

Wednesday, Quarterly Commission Meeting
May 14, 2003 Radisson Lackawanna Station Hotel

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 03-656. Filed for public inspection April 11, 2003, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

BUCKS COUNTY Judicial and Related Account

Order

And Now, this 21st day of March, 2003, the original Order of November 9, 1978 establishing the Judicial and Related Account and subsequently amended August 6, 1993, September 9, 1999 and March 5, 2002 is hereby amended as follows:

The Judicial and Related Account shall be composed of the following budget accounts:

- 1. 0135 Domestic Relations
- 2. 0139 Law Library
- 3. 0140 Main Courts
- 4. 0141 Grand Jury
- 5. 0142 Jury Commissioners
- 6. 0147 Court Stenographers
- 7. 0151 Adult Probation and Parole
- 8. 0152-0153 Juvenile Probation
- 9. 0325-0375 Youth Detention Center (County)
- 10. 0330-0380 Juvenile Reimbursable Administration
- 11. 0334-0384 Juvenile Counseling
- 12. 0335-0385 Juvenile Day Treatment
- 13. 0336-0386 Juvenile Life Skills
- 14. 0337-0387 Juvenile Protective Services General
- 15. 0338-0388 Juvenile Protective Services Planning
- 16. 0339-0389 Juvenile Alternative Treatment
- 17. 0340-0390 Juvenile Community Residential (Group Home)
- 18. 0341-0391 Juvenile Foster Family
- 19. 0342-0392 Juvenile Detention (Out of County)
- 20. 0343-0393 Juvenile Residential (Non Group Home)
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and such other accounts as the Court may from time to time direct.

In all other respects, Administrative Order No. 1 dated November 9, 1978, remains in full force and effect.

This Order to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

R. BARRY MCANDREWS,
President Judge

[Pa.B. Doc. No. 03-657. Filed for public inspection April 11, 2003, 9:00 a.m.]

CARBON COUNTY

Amendment of Exhibit C of the Administrative Criminal Case Management Plan as Referenced in Local Rules of Criminal Procedure; No. 103 MI 00

Administrative Order 8-2003

And Now, this 31st day of March, 2003, it is hereby

Ordered and Decreed that, effective April 1, 2003, the Carbon County Court of Common Pleas hereby Amends Exhibit "C" of the Administrative Criminal Case Management Plan referenced in Carbon County's Local Rules of Criminal Procedure.

The Carbon County District Court Administrator is Ordered and Directed to do the following:

- 1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.
- 2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3. File one (1) certified copy with the Pennsylvania Criminal Procedural Rules Committee.
- 4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
- 5. Forward one (1) copy to the Carbon County Law Library.
- 6. Keep continuously available for public inspection copies of the Order and Rule in the Clerk of Court's Office.

By the Court

RICHARD W. WEBB,
President Judge

COMMONWEALTH OF PENNSYLVANIA : IN THE COURT OF
 : COMMON PLEAS
 : CARBON COUNTY,
 : PENNSYLVANIA
 VS :
 :
 : NO.

GUILTY PLEA COLLOQUY

You are present before this Court because you or your lawyer have stated that you wish to plead guilty to some or all of the criminal offenses with which you have been charged. Please answer fully all the questions on this

document. If you do not understand any explanations given to you on this document, say so by putting the word "no" in the blank provided after the questions. If you do understand the questions, you should write in the word "yes." None of the lines should be left blank.

After you have finished reading this and filling it out, you should sign it on the last page, on the line that says "Defendant." You should also initial each page at the bottom, but only if you have read and have understood that page. If there is anything that you do not understand, you should say so in writing on this form. You should also tell your lawyer and the Judge who hears your case, so that they can explain it to you fully, to make sure you understand all your rights.

Most of these questions are designed to be answered "yes" or "no." Where general information is asked for, however, please answer fully.

1. What is your full name? _____
2. Are you known by any other name or alias? _____
3. If the answer to Number 2 is "yes" state the other name or aliases. _____
4. What is your date of birth? _____
5. What was the last grade completed in school? _____
6. Can you read, write and understand the English language? _____
7. As you appear before the Court today to enter a guilty plea, are you under the influence of alcohol or any kind of drugs? _____
8. Have you ever been a patient in a mental institution or have you ever been treated for a mental illness? _____
9. If the answer to Number 7 is "yes," please explain the details. _____
10. Are you currently being treated for a mental illness? _____
11. If the answer to Number 9 is "yes," explain the details. _____
12. If you are presently being treated for a mental illness, do you feel that you have sufficient mental capacity to understand what you are doing today, and to understand these questions and answer them correctly? _____
13. Do you understand that you are here today to enter a guilty plea to some or all of the charges against you? _____
14. Do you understand the nature of the offenses to which you are pleading guilty? _____
15. Has your lawyer explained to you the elements of the criminal offenses to which you are pleading? _____
16. Do you admit to committing the offenses to which you are pleading guilty and to the legal elements explained to you making up those offenses? _____
17. Do you understand that you have a right to a trial by jury? _____
18. Do you understand that the right to trial by jury means that you can participate in the selection of a jury with your attorney; that the jury is randomly selected from the voter registration list of Carbon County and a cross-section of the citizens of Carbon County, and that the jury has to agree unanimously on your guilt before you can be convicted of the offenses with which you are charged? _____

19. Do you understand that you are presumed innocent until found guilty? In other words, do you understand that the Commonwealth must prove your guilt beyond a reasonable doubt before you can be convicted of the offenses charged? _____

20. Do you understand that the Commonwealth has the burden of proving you guilty beyond a reasonable doubt, which means you can remain silent and nothing can be held against you for refusing to testify in your own defense? _____

21. Do you understand that you have a right to confront and cross-examine all Commonwealth witnesses in your case who are necessary to prove your guilt? _____

22. Do you understand that by pleading guilty you are waiving that right of confrontation and cross-examination? _____

23. Do you realize that by pleading guilty you are giving up your right to present any pre-trial motions for consideration to this or a higher Court in the event those motions are denied? _____

24. Do you realize that if you were convicted after a trial you could appeal the verdict to a higher Court and raise any errors that were committed in the trial Court, and that this could result in your being awarded a new trial or discharged, and that by pleading guilty you are giving up this right? _____

25. Do you realize that if you were convicted after a trial you could appeal the verdict to a higher Court and you could also challenge whether the Commonwealth had presented enough evidence to prove you guilty beyond a reasonable doubt? _____

26. Are you aware that the Court is not bound by the terms of any plea agreement entered into between you, your counsel and the Attorney for the Commonwealth, until the Court accepts such plea agreement? _____

27. Do you understand that the Court is not a party to any agreement or recommendation made by the parties and that any recommendation and/or stipulation regarding sentence is not binding on the Court and you knowingly waive the right to withdraw this plea if the Court does not concur in the recommended sentence? _____

28. Are you aware of the permissible range of sentence and/or fines that can be imposed for the offenses to which you are pleading guilty? _____

29. Are you aware of the maximum sentence and/or fine which the Court could impose upon you for each of the offenses to which you are pleading guilty? _____

30. Do you understand that any sentence imposed upon you for any of the offenses to which you are pleading guilty can be imposed consecutively to either (a) any sentence imposed upon you for any other offense for which you are pleading guilty in this case; or (b) any sentence imposed upon you in any other case? _____

31. Do you understand that "consecutive" sentences means that one sentence will follow after another and that "consecutive" sentences do not run at the same time? _____

32. Do you understand that the aggregate maximum sentence you could receive if you are pleading guilty to multiple offenses is the total of all maximum sentences for all the offenses added together? _____

33. Do you understand that you have a right to have witnesses present at your guilty plea hearing to testify for

you? Are you willing to give up that right and have the Attorney for the Commonwealth summarize the facts against you? _____

34. After you enter your guilty plea and it is accepted by the Court, you still have a right to appeal your conviction. The appeal from a guilty plea is limited, however, to four grounds. They are:

(a) that your guilty plea was not knowing, intelligent and voluntary;

(b) that the Court did not have jurisdiction to accept your plea (in other words, the offenses for which you are pleading guilty did not occur in Carbon County);

(c) that the Court's sentence is beyond the maximum penalty authorized by law; and

(d) that your attorney was incompetent in representing you and advising you to enter a plea of guilty

Do you understand these four areas of appeal and what they mean? _____

In order to appeal your conviction by a plea of guilty, you must within ten (10) days file a written motion to withdraw your guilty plea and state any of the four above grounds as the basis for your petition to withdraw your guilty plea. This must be done within ten (10) days from the date you are sentenced. If you cannot afford a lawyer to represent you or you are contending that your attorney, who represented you at your guilty plea, was incompetent, you have the right to have other counsel appointed for you to raise those four claims. If your petition to withdraw your guilty plea is denied, you then have thirty (30) days to file an appeal from that denial with the Superior Court of Pennsylvania.

If you do not file your petition within ten (10) days of your sentence or do not file a Notice of Appeal to the Superior Court within thirty (30) days after your petition to withdraw your guilty plea is denied, you give up your right to ever complain again of any of those four areas, including incompetent counsel.

Do you understand the meaning of the various appeal rights that have just been explained to you? _____

35. Has anybody forced you to enter this plea of guilty? _____

36. Are you doing this of your own free will? _____

37. Have any threats been made to you to enter a plea of guilty? _____

38. Have any promises been made to you to enter a plea of guilty other than any plea agreement that has been negotiated for you by your attorney? _____

39. Do you understand that the decision to enter a guilty plea is yours and yours alone; that you do not have to enter a plea of guilty and give up all your rights, as previously explained to you and that no one can force you to enter a guilty plea? _____

40. Do you understand that if your plea is accepted by this Honorable Court, you would have the right to have a Pre-Sentence Report prepared on your behalf to aid the Judge in determining the appropriate sentence to be imposed upon you? Since this is a plea bargain, are you willing to waive the preparation of the pre-sentence investigation? _____ (if applicable)

41. Are you presently on probation or parole? _____

42. If you are on probation or parole, do you realize that your plea of guilt will mean a violation of that probation or parole and you can be sentenced to prison as

a result of that violation caused by your guilty plea today? _____

43. Are you satisfied with the representation of your attorney? _____

44. Have you had ample opportunity to consult with your attorney before reading this document and entering your plea of guilty? _____

45. Has your attorney gone over with you the meaning of the terms in this document? _____

I affirm that I have read the above document in its entirety and I understand its full meaning, and I am still nevertheless willing to enter a plea of guilty to the offenses specified. I further affirm that my signature and initials on each page of this document are true and correct.

Defendant

I, _____, Esquire, Attorney for _____, state that I have advised my client of the contents and meaning of this document; that it is my belief that he/she comprehends and understands that is set forth above; that I am prepared to try this case; and that the defendant understands what he/she is doing by pleading guilty.

Attorney for the Defendant

[Pa.B. Doc. No. 03-658. Filed for public inspection April 11, 2003, 9:00 a.m.]

SUPREME COURT

Appointment to Disciplinary Board; No. 218 Disciplinary Board Appointment Doc.

Order

Per Curiam:

And Now, this 31st day of March, 2003, Smith B. Gephart, Esquire, Dauphin County, is hereby appointed as a member of the Disciplinary Board for a term of three years commencing April 1, 2003.

[Pa.B. Doc. No. 03-659. Filed for public inspection April 11, 2003, 9:00 a.m.]

Reappointment to Disciplinary Board; No. 219 Disciplinary Board Appointment Doc.

Order

Per Curiam:

And Now, this 31st day of March, 2003, Marvin J. Rudnitsky, Esquire, Snyder County, is hereby reappointed as a member of the Disciplinary Board for a term of three years commencing April 1, 2003.

[Pa.B. Doc. No. 03-660. Filed for public inspection April 11, 2003, 9:00 a.m.]

Schedule of Holidays for Year 2004 for Staffs of the Appellate Courts and the Administrative Office of Pennsylvania Courts; No. 253 Judicial Administration; Doc. No. 1

Order

Per Curiam:

And Now, this 25th day of March, 2003, it is hereby ordered that the following paid holidays for calendar year 2004 will be observed on the dates specified below by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts:

January 1, 2004	New Year's Day
January 19, 2004	Martin Luther King, Jr. Day
February 16, 2004	Presidents' Day
April 9, 2004	Good Friday
May 31, 2004	Memorial Day (Observed)
July 5, 2004	Independence Day (Observed)
September 6, 2004	Labor Day
October 11, 2004	Columbus Day (Observed)
November 2, 2004	Election Day
November 11, 2004	Veterans Day
November 25, 2004	Thanksgiving Day
November 26, 2004	Day After Thanksgiving
December 24, 2004	Christmas Day (Observed)

[Pa.B. Doc. No. 03-661. Filed for public inspection April 11, 2003, 9:00 a.m.]

Sessions of the Supreme Court of Pennsylvania for the Year 2004; No. 144 Appellate Court Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 25th day of March, 2003, it is ordered that the argument/administrative sessions of the Supreme Court of Pennsylvania shall be held in the year 2004 as follows:

Pittsburgh (Administrative Session)	January 8
Philadelphia (Administrative Session)	February 12
Pittsburgh	March 1 through March 5
Philadelphia	April 13 through April 16
Harrisburg	May 11 through May 14
Pittsburgh (Administrative Session)	June 3
Pittsburgh	September 20 through September 24

Philadelphia	October 18 through October 22
Harrisburg	November 30 through December 3

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

[Pa.B. Doc. No. 03-662. Filed for public inspection April 11, 2003, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Kenneth Harrison Fails, II, having had his license to practice law in the Commonwealth of Virginia revoked by Order of the Virginia State Bar Disciplinary Board dated May 6, 2002, the Supreme Court of Pennsylvania issued an Order on March 25, 2003, disbaring Kenneth Harrison Fails, II, from the practice of law in this Commonwealth, effective April 24, 2003. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director and Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 03-663. Filed for public inspection April 11, 2003, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Gary Steven Melvin, having been Suspended from the practice of law in the State of Delaware for a period of eighteen months by Order of the Supreme Court of the State of Delaware dated October 7, 2002, the Supreme Court of Pennsylvania issued an Order on March 25, 2003, suspending Gary Steven Melvin from the practice of law in this Commonwealth for a period of eighteen months retroactive to October 6, 2002. In accordance with Rule 217 (f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director and Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 03-664. Filed for public inspection April 11, 2003, 9:00 a.m.]

RULES AND REGULATIONS

Title 61—REVENUE

DEPARTMENT OF REVENUE

[61 PA. CODE CHS. 71 AND 85]

Master Settlement Agreement

The Department of Revenue (Department), under the authority contained in section 3 of the Tobacco Settlement Agreement Act (35 P. S. § 5673), in the definition of the term “units sold”; and in section 6 of The Fiscal Code (72 P. S. § 6), by this order amends Chapter 71 (relating to general provisions) and deletes § 85.2 (relating to master settlement agreement) to read as set forth in Annex A.

Purpose of this Final-Form Rulemaking

This final-form rulemaking provides guidance to cigarette stamping agents with regard to the Tobacco Settlement Agreement Act (35 P. S. §§ 5671—5675) (act).

Explanation of Regulatory Requirements

Section 71.31 (relating to definitions) defines several terms for use in the section and in § 71.32 (relating to additional cigarette stamping agent responsibilities). Section 71.32 sets forth cigarette stamping agent report requirements as necessitated by the act.

With the adoption of §§ 71.31 and 71.32, the Department is deleting the pronouncement set forth in § 85.2.

Affected Parties

Cigarette stamping agents will be affected by this final-form rulemaking.

Comment and Response Summary

Notice of proposed rulemaking was published at 31 Pa.B. 2582 (May 19, 2001). The proposal is being adopted with changes as set forth in Annex A.

No comments were received from the public during the public comment period. No comments were received from the House and Senate Finance Committees. The Department did receive comments from the Independent Regulatory Review Commission (IRRC).

Amendments to the proposed rulemaking in response to comments are as follows:

(1) In its comments, IRRC noted that the term “person” is used in the regulations but not defined in § 71.31. For clarity, IRRC’s comment suggests that the term be added with a reference to the act. The Department agrees that the term should be added and has done so in the final-form rulemaking; however, the Department has chosen to set forth the applicable statutory definition instead of simply referencing the act. The rationale for this approach will be discussed under a separate paragraph relating to comments for which no revision was made.

(2) IRRC raises two concerns concerning § 71.32. First, a cross reference in § 71.9 (relating to cigarette stamping agent report requirements) to § 71.32(a) should be made to alert stamping agents of the additional reporting requirement. The Department agrees with the comment and has amended § 71.9(a) accordingly.

IRRC’s second concern relates to the wording in § 71.32(a)(2) requiring a listing of “suppliers, other than nonparticipating tobacco product manufacturers. . . .” Read in conjunction with the proposed definition of

“nonparticipating tobacco product manufacturers,” the stamping agent could interpret § 71.32(a)(2) to require them to report on both participating and nonparticipating tobacco product manufacturers. IRRC suggests the provision be clarified to clearly state who must be included in a report. In response to this concern, the Department reviewed § 71.32(a)(2) and deleted wording that may have caused confusion.

(3) IRRC raised a number of concerns about proposed § 71.33, including the Department’s statutory authority to promulgate a section which outlines functions of the Attorney General and the reiteration of existing statutory language. The inclusion of the section in the proposed rulemaking allowed the Department to provide a comprehensive regulatory package regarding the various elements of the act including the responsibilities of the tobacco product manufacturers. After reviewing the concerns raised by IRRC, the Department deleted the section from this final form rulemaking

In conjunction with the deletion of proposed § 71.33, the Department also deleted the definitions of “qualified escrow fund” and “units sold” from § 71.31 in this final-form rulemaking because the definitions were for use in § 71.33.

An amendment initiated during the Department’s internal review of the rulemaking is as follows:

In § 71.32(c), the proposed rulemaking stated that the books, records, other papers and documents that are required to be kept shall be made available in the English language. This provision would enable an inspector to conduct an on-the-spot inspection without enlisting the aid of an interpreter. However, the provision could be interpreted to require even the agent’s internal records to be kept in English. For the foreign-born license holders, this provision could pose a problem. The Department has therefore deleted the English language requirement from the subsection.

A comment that did not result in an amendment to the regulation is as follows:

As referenced in this preamble, IRRC’s comment with regard to the definitions in § 71.31 noted that because the definitions repeat or modify the statutory definitions set forth in the act, the text of each definition should be deleted and replaced with a reference to the definition in the act. Although the Department recognizes IRRC’s concern regarding the reiteration of statutory definitions in a regulation, the reiteration in this case is appropriate to provide adequate information to the users of the regulation. In addition, the act is codified in Title 35 of *Purdons Statutes*, Health and Safety, not Title 72 of *Purdons Statutes*, Taxation and Fiscal Affairs, which is the title referenced for other matters regarding cigarette stamping agents.

Fiscal Impact

The Department has determined that this final-form rulemaking will have no significant fiscal impact on the Commonwealth. Costs to the Department to implement the requirements of the act will include one or two clerical positions, as well as related equipment and supplies totaling \$70,252 for fiscal year 2001-2002 and adjusted thereafter for normal salary increases or changes, or both, in the cost of benefits.

Paperwork

This final-form rulemaking will not require significant additional paperwork for the public or the Commonwealth. Additional paperwork and recordkeeping requirements are the result of the provisions of the act.

Effectiveness/Sunset Date

This final-form rulemaking will become effective upon final publication in the *Pennsylvania Bulletin*. The regulations are scheduled for review within 5 years of final-form publication. No sunset date has been assigned.

Contact Person

The contact person for an explanation of the final-form rulemaking is Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 4, 2001, the Department submitted a copy of the notice of proposed rulemaking, published at 31 Pa.B. 2582, to IRRC and the Chairpersons of the House Committee on Finance and the Senate Committee on Finance for review and comment. In compliance with section 5(c) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of all comments received, as well as other documentation.

In preparing these final-form regulations, the Department has considered the comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the Committees on February 24, 2003. The final-form rulemaking was deemed approved by IRRC under sections 5.1(e) and 6(a) of the Regulatory Review Act (71 P. S. §§ 745.5a(e) and 745.6(a)) effective March 6, 2003.

Findings

The Department finds that:

(1) Public notice of intention to amend the regulations has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendments are necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

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

(a) The regulations of the Department, 61 Pa. Code Chapters 71 and 85, are amended by amending § 71.9; by adding §§ 71.31 and 71.32; and by deleting a statement of policy in § 85.2 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 form and legality as required by law.

(c) The Secretary of the Department 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*.

GREGORY C. FAJT,
Secretary

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 33 Pa.B. 1789 (April 5, 2003).)

Fiscal Note: 15-416; (1) General Fund; (2) Implementing Year 2001-02 is \$70,252; (3) 1st Succeeding Year 2002-03 is \$73,252; 2nd Succeeding Year 2003-04 is \$76,252; 3rd Succeeding Year 2004-05 is \$79,252; 4th Succeeding Year 2005-06 is \$82,252; 5th Succeeding Year 2006-07 is \$85,252; (3) 2000-01 Program—\$136,161,000; 1999-00 Program—\$131,267,000; 1998-99 Program—\$119,089,000; (7) General Government Operations; (8) recommends adoption. The costs, reflected in this Fiscal Note, implement the requirements of Act 54 of 2002. These figures are included in the Governor's Executive Budget.

Annex A

TITLE 61. REVENUE

PART I. DEPARTMENT OF REVENUE

Subpart B. GENERAL FUND REVENUES

ARTICLE III. CIGARETTE AND BEVERAGE TAXES

CHAPTER 71. GENERAL PROVISIONS

GENERAL

§ 71.9. Cigarette stamping agent report requirements.

(a) *Report due date.* Every licensed cigarette stamping agent shall establish a fiscal or calendar monthly reporting period. The cigarette stamping agent shall file with the Department on or before the 20th day following the end of each fiscal or calendar month a cigarette tax report covering the preceding month on a form prescribed by the Department (see also § 71.32(a) (relating to additional cigarette stamping agent responsibilities) regarding additional reporting requirements).

(b) *Penalties.* A cigarette stamping agent who violates this section shall be subject to a \$100 fine for the first offense, a \$200 fine for the second offense and a \$300 fine for the third and any further offense.

MASTER SETTLEMENT AGREEMENT

§ 71.31. Definitions.

The following words and terms, when used in this section and § 71.32 (relating to additional cigarette stamping agent responsibilities), have the following meanings, unless the context clearly indicates otherwise:

Affiliate—A person who, directly or indirectly, owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this definition, the terms "owns," "is owned" and "ownership" mean ownership of an equity interest, or the equivalent thereof, of 10% or more.

Cigarette—A product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains any of the following:

(i) A roll of tobacco wrapped in paper or in any substance not containing tobacco.

(ii) Tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette.

(iii) A roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is

likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (i).

(iv) A roll-your-own, which means any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes. For purposes of this subparagraph, 0.09 ounce of roll-your-own tobacco shall constitute one individual cigarette.

Nonparticipating tobacco product manufacturer—A tobacco product manufacturer who does not participate in the Master Settlement Agreement (published at 30 Pa.B. 5619 (October 28, 2000)) entered into on November 23, 1998, by the Commonwealth and leading United States tobacco product manufacturers in the action entitled *Commonwealth v. Philip Morris Inc., et al.*, Philadelphia County, April term, No. 97-2443, January 13, 1999, 40 Pa.D. & C. 4th 225 (1999).

Person—Any individual, unincorporated association, company, corporation, limited liability corporation, joint stock company, group committee, agency, syndicate, trust or trustee, receiver, fiduciary, partnership or conservator. Whenever used in this section or § 71.32 to establish or impose penalties, the word “person” when applied to a partnership, unincorporated association or other joint venture means the partners or members thereof and when applied to a corporation means all officers and directors thereof.

Tobacco product manufacturer—

(i) A person that after June 22, 2000, directly and not exclusively through any affiliate does one of the following:

(A) Manufactures cigarettes anywhere that the manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer (except where the importer is an original participating manufacturer, as that term is defined in the Master Settlement Agreement, that will be responsible for the payments under the Master Settlement Agreement with respect to the cigarettes as a result of the provisions of subsection II(mm) of the Master Settlement Agreement and that pays the taxes specified in subsection II(z) of the Master Settlement Agreement, and provided that the manufacturer of the cigarettes does not market or advertise the cigarettes in the United States).

(B) Is the first purchaser anywhere for resale in the United States of cigarettes manufactured anywhere that the manufacturer does not intend to be sold in the United States.

(C) Becomes a successor of a person described in clause (A) or (B).

(ii) The term does not include an affiliate of a tobacco product manufacturer unless the affiliate itself falls under subparagraph (i)(A), (B) or (C).

§ 71.32. Additional cigarette stamping agent responsibilities.

(a) The Tobacco Settlement Agreement Act (35 P.S. §§ 5671—5675), requires that the Department collect and maintain data relating to the number of Pennsylvania State Cigarette Excise Tax stamps affixed to packages of cigarettes. As part of the monthly cigarette tax report required by § 71.9(a) (relating to cigarette stamping agent report requirements), every licensed cigarette stamping agent shall complete and attach to the report a schedule, in the form as is prescribed by the Department, to account for and reconcile the number of Pennsylvania

Cigarette Excise Tax stamps affixed to packages of cigarettes by the agent during the monthly period covered by the associated cigarette tax report. The schedule shall contain the following information:

(1) A listing of the name and address of each nonparticipating tobacco product manufacturer from which the cigarette stamping agent made direct purchases of packages of cigarettes that were actually manufactured by the manufacturer, and the number of Pennsylvania Cigarette Excise Tax stamps affixed to the packages of cigarettes purchased from each manufacturer.

(2) A listing of the name and address of all suppliers from which the cigarette stamping agent made purchases of cigarettes, including cigarettes purchased from one tobacco product manufacturer that were actually manufactured by another manufacturer. This listing shall include all purchases of cigarettes made by the cigarette stamping agent during the month, other than directly from the actual manufacturer of the cigarettes.

(3) For each individual supplier listed under paragraphs (1) and (2), a listing of all brands of cigarettes purchased from the supplier and the number of Pennsylvania Cigarette Excise Tax stamps affixed to cigarette packages by the cigarette stamping agent with respect to each brand.

(4) For each brand of cigarettes listed for each supplier under paragraph (3), the following additional information, if known:

(i) The name and address of the tobacco product manufacturer of the cigarettes.

(ii) The name and address of the person or entity first responsible for the cigarettes being designated or identified for sale in the United States.

(b) Every cigarette stamping agent shall keep complete and accurate records of cigarettes sold and shall preserve and keep for 4 years all invoices, bills of lading, sales records, copies of bills of sale, inventory at the close of each period for which a report is required and other pertinent papers and documents relating to the manufacture, purchase, sale or disposition of cigarettes.

(c) The books, records, other papers and documents that are required to be kept shall, at all times during the usual business hours of the day, be subject to inspection by the authorized agents and employees of the Office of Attorney General or the Department of Revenue.

(d) A monthly report that is not accompanied by the schedule prescribed by this section shall be considered incomplete. Extensions of time for filing purposes may be granted at the discretion of the Department.

(e) The failure of a licensed cigarette stamping agent to comply with this section by not furnishing the schedule required by subsection (a), or by not furnishing complete and accurate information as required by the schedule, shall be deemed a violation of section 1276(a) of the TRC (72 P.S. § 8276(a)) and the agent's license shall be subject to suspension or revocation under section 1276(b) of the TRC.

**CHAPTER 85. CIGARETTE TAX
PRONOUNCEMENTS—STATEMENTS OF POLICY**

§ 85.2. (Reserved).

[Pa.B. Doc. No. 03-665. Filed for public inspection April 11, 2003, 9:00 a.m.]

DEPARTMENT OF REVENUE
 [61 PA. CODE CH. 815]
 Daily Number and Big Four Game

The Secretary of Revenue (Secretary), under the authority contained in section 303 of the State Lottery Law (72 P.S. § 3761-303), by this notice of final-omitted rulemaking amends §§ 815.45 and 815.235 (relating to time, place and manner of conducting drawings).

Because of time constraints associated with the establishment, operation and administration of lottery games, the Department of Revenue (Department), under section 204 of the act of July 31, 1968 (P.L. 769, No. 240) (CDL) (45 P.S. § 1204) and the regulation thereunder, 1 Pa. Code § 7.4 (relating to omission of proposed rulemaking), finds that notice of proposed rulemaking is under the circumstances impracticable and, therefore, may be omitted.

The Department's justification for utilizing the final-omitted rulemaking process is based upon the time constraints associated with the establishment, operation and administration of lottery games. The efficient and successful operation of the Lottery requires that the Lottery implement the latest innovations and trends in the lottery industry. The inability to adapt marketing strategies quickly may lead to a reduction in Lottery revenues. The necessity of the Lottery to react quickly to market forces has been recognized in the past as an appropriate justification for utilizing the proposed rulemaking omitted process as evidenced by the approval of these types of regulations in the past.

Purpose of the Final-Omitted Rulemaking

The amendments to §§ 815.45 and 815.235 will allow the Department to employ emerging technologies to enhance a drawing methodology that has not changed since the introduction of the Daily Number game in 1977 and the Big Four game in 1980. At that time, bingo hall ping-pong ball drawing machines were considered the most familiar to players and could produce a reliable result. Since that time, technology and the players have changed dramatically. Lottery players are now routinely utilizing electronics to obtain money, pay for gas, purchase merchandise and pay bills. The Department is interested in exploring new drawing styles that can take advantage of this change in the marketplace.

An example of an "other selection methodology" the Department could use is a random number generator. A random number generator is a secure manner to generate numeric results using a certified computer program loaded on a piece of computer equipment. Currently Delaware and Indiana are utilizing the random generator without negative impact. In addition, the Department successfully employed this technology with the online game Hearts and Diamonds which ran from 1994 to 1996.

Explanation of Regulatory Requirements

Sections 815.45(c) and 815.235(c) are amended by adding language to allow the Department to select the Daily Number and Big Four Number with the aid of mechanical devices or any other selection methodology as authorized by the Secretary.

Fiscal Impact

The Department has determined that the final-omitted rulemaking will have a one-time cost of approximately \$100,000 to the Commonwealth.

Paperwork

The final-omitted rulemaking will not generate additional paperwork for the public or the Commonwealth.

Effectiveness/Sunset Date

The final-omitted rulemaking will become effective upon publication in the *Pennsylvania Bulletin*. The sections are scheduled for review within 5 years of final publication. No sunset date has been assigned.

Contact Person

The contact person for an explanation of the final-omitted rulemaking is Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on February 20, 2003, the Department submitted a copy of the final-omitted rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Finance and the Senate Committee on Finance. On the same date, the final-omitted rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(d) of the Regulatory Review Act, the final-omitted rulemaking was deemed approved by the Committees on March 26, 2003. IRRC met on March 27, 2003, and approved the final-omitted rulemaking under section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.5a(e)).

Findings

The Department finds that the regulations are necessary and appropriate for the administration and enforcement of the authorizing statute. Under section 204 of the CDL, the Department also finds that the proposed rulemaking procedures in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) are impracticable because of the time constraints associated with the establishment, operation and administration of lottery games.

Order

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

(a) The regulations of the Department, 61 Pa. Code Chapter 815, are amended by amending §§ 815.45 and 815.235 to read as set forth in Annex A.

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

GREGORY C. FAJT,
 Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 33 Pa.B. (April 12, 2003).)

Fiscal Note: 15-422. (1) General Fund; (2) Implementing Year 2002-03 is \$100,000; (3) 1st Succeeding Year 2003-04 is \$0; 2nd Succeeding Year 2004-05 is \$0; 3rd

Succeeding Year 2005-06 is \$0; 4th Succeeding Year 2006-07 is \$0; 5th Succeeding Year 2007-08 is \$0; (4) 2001-02 Program—\$46,840,000; 2000-01 Program—\$4,5235,000; 1999-00 Program—\$44,115,000; (7) Lottery Administration—General Operations; (8) recommends adoption. These costs are included in the 2002-2003 budget.

Annex A

TITLE 61. REVENUE

PART V. STATE LOTTERIES

CHAPTER 815. PLANS, GAMES AND DRAWINGS

Subchapter C. DAILY NUMBER GAME

§ 815.45. Time, place and manner of conducting drawings.

(a) *Time of drawings.* Daily Number game drawings will be held on a daily basis or as determined and publicly announced by the Secretary.

(b) *Place of drawings.* Each drawing shall be conducted in the central office of the Lottery, unless it directs that a drawing or a part thereof be conducted at some other location.

(c) *Manner of conducting drawings.* The objective of The Daily Number Game drawing is to select, at random, one three-digit number with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. This one three-digit number will be used in determining Daily Number Game winners.

(d) *Special drawings.* The Secretary may designate and announce through available media special drawings to be held in addition to those previously scheduled. In that event, a ticket purchased for that day's drawing shall be valid for the special drawing held on the same date. A ticket purchased for that day's drawing shall also be

eligible for the prizes as provided in this subchapter. Money for the prizes to be paid to winners of special drawings, under § 815.46 (relating to determination of prize winners), will be paid from funds authorized for the payment of prizes.

Subchapter K. THE BIG FOUR GAME DRAWING

§ 815.235. Time, place and manner of conducting drawings.

(a) *Time of drawing.* Big Four game drawings will be held on a daily basis or as determined and publicly announced by the Secretary.

(b) *Place of drawings.* A drawing will be conducted in the central office of the Lottery unless it directs that a drawing or a part thereof be conducted at some other location.

(c) *Manner of conducting drawings.* The objective of the Big Four game drawing is to select, at random, one four-digit number with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. This one four-digit number will be used in determining Big Four game winners.

(d) *Special drawings.* The Secretary may designate and announce through available media special drawings to be held in addition to those previously scheduled. In this event, a ticket purchased for that day's drawing is valid for the special drawing held on the same date. A ticket purchased for that day's drawing is also eligible for the prizes as provided in this subchapter. Money for the prizes to be paid to winners of special drawings, under § 815.236 (relating to determination of prize winners), will be paid from funds authorized for the payment of prizes.

[Pa.B. Doc. No. 03-666. Filed for public inspection April 11, 2003, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF EDUCATION

[22 PA. CODE CH. 4]

Academic Standards and Assessment for Career Education and Work

The State Board of Education (Board) proposes to amend Chapter 4 (relating to academic standards and assessment) to add academic standards for Career Education and Work to read as set forth in Annex A. The statutory authority for this proposed rulemaking is the Public School Code of 1949 (24 P.S. §§ 1-101—27-2702).

Purpose

This proposed rulemaking adds academic standards for Career Education and Work. The purpose of adding these requirements is to specify academic standards to be achieved by students enrolled at various grade levels in the public schools (including public charter schools) of this Commonwealth.

Requirements of this Proposed Rulemaking

This proposed rulemaking defines the academic standards for Career Education and Work to be achieved by students enrolled at various grade levels in the public schools (including public charter schools) of this Commonwealth. Academic standards for Career Education and Work are organized into four areas: (1) career awareness and planning; (2) career acquisition (getting a job); (3) career retention (keeping a job) and (4) entrepreneurship. Specific standards describe what students should know and be able to do by the end of third, fifth, eighth and eleventh grade.

Affected Parties

This proposed rulemaking will affect the students and professional employees of the public schools of this Commonwealth (including intermediate units, area vocational-technical schools, public charter and alternative schools).

Cost and Paperwork Estimates

Costs to implement this proposed rulemaking may include curriculum development and the professional development of teachers. These costs may vary by school district. Curriculum development is an ongoing activity for schools and is typically part of their normal budgeting. Costs associated with aligning curricula with these standards at the local level will be minimized by the following efforts: technical assistance in curriculum development provided by the Department of Education's (Department) staff; detailed implementation materials developed by the Department, intermediate units and professional associations and provided to school districts; and the Standards Implementation Project which funds intermediate unit services throughout this Commonwealth supporting the implementation of these and other standards.

Professional development of teachers is an ongoing activity for schools and is addressed in the normal budgeting of school districts. Specific programs designed to support the implementation of these standards will minimize any financial impact on school districts. Professional development is provided through Governor's Institutes for Teachers (currently provided in career education and work) and is included within current year appropriations. In addition, the act of November 23, 1999 (P.L. 529, No. 48) (Act 48) established a requirement for educators to engage in continuing professional education. Act 48 also requires the Department to provide 40 hours of professional development annually at no cost to teachers. Online professional development courses will be developed for Career Education and Work.

Effective Date

This proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

Sunset Date

Under § 4.12(i) (relating to academic standards), the effectiveness of these academic standards will be reviewed by the Board every 3 years. Thus, no sunset date is necessary.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 31, 2003, the Board submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Education. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed regulations within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulation, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

Public Comments and Contact Person

Interested persons are invited to submit written comments, suggestions or objections regarding this proposal to Patricia A. White, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333 within 30 days following publication in the *Pennsylvania Bulletin*.

Persons with disabilities needing an alternative means of providing public comment should make arrangements by calling Patricia White at (717) 787-3787 or TDD (717) 787-7367.

PATRICIA A. WHITE,
Executive Director

Fiscal Note: 6-283. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 22. EDUCATION
PART I. STATE BOARD OF EDUCATION
CHAPTER 4. ACADEMIC STANDARDS AND ASSESSMENT
APPENDIX E

Proposed Academic Standards for Career Education and Work

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XXXVIII. INTRODUCTION

The Academic Standards for Career Education and Work reflect the increasing complexity and sophistication that students experience as they progress through school. Career Education and Work Standards describe what students should know and be able to do at four grade levels (3, 5, 8 and 11) in four areas:

- 13.1. Career Awareness and Planning
- 13.2. Career Acquisition (Getting a Job)
- 13.3. Career Retention (Keeping a Job)
- 13.4. Entrepreneurship

Pennsylvania's economic future depends on having a well-educated and skilled workforce. No student should leave secondary education without a solid foundation in Career Education and Work. It is the rapidly changing workplace and the demand for continuous learning and innovation on the part of the workers that drives the need to establish academic standards in Career Education and Work.

Through a comprehensive approach, Career Education and Work Standards complement all disciplines and other academic standards. If Pennsylvania's students are to succeed in the workplace, there are certain skills that they need to obtain prior to graduation from high school. These skills have been identified in the Career Education and Work Standards, but it is up to individual school districts to decide how they are to be taught. Districts can implement integration strategies within existing disciplines or can implement stand-alone courses to specifically address these standards.

A glossary is included to assist the reader in understanding terminology contained in the standards.

13.1. Career Awareness and Planning			
13.1.3. GRADE 3	13.1.5. GRADE 5	13.1.8. GRADE 8	13.1.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
A. Recognize that individuals have unique interests.	A. Describe career implications of individual interests and abilities.	A. Identify careers that are related to student interests, abilities and aptitudes.	A. Analyze career options based on student interests, abilities, aptitudes and accomplishments.
B. Describe the changing roles of men and women at home and in the workplace.	B. Identify occupations that are nontraditional by gender.	B. Explain how non-traditional occupations offer career opportunities.	B. Analyze how the changing male/female roles relate to career choice.

13.1. Career Awareness and Planning			
13.1.3. GRADE 3	13.1.5. GRADE 5	13.1.8. GRADE 8	13.1.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
C. Identify types of jobs available in the community based upon the products and services of local employers.	C. Identify career-training programs. <ul style="list-style-type: none"> • Career and technical centers • Career Link centers • Colleges • Community/recreation centers • Local industry training centers • Vocational-technical schools 	C. Explain the relationship among local employment, training programs and employment opportunities.	C. Evaluate opportunities for career preparation. <ul style="list-style-type: none"> • Cooperative education • Internship • Job shadowing • Part-time employment • Registered apprenticeship • School-based enterprise • Volunteerism
D. Describe the work done by school personnel and other community workers.	D. Identify the elements of employment opportunities within the community. <ul style="list-style-type: none"> • Average wages • Seasonal labor • Supply • Unemployment rates • Vacancies 	D. Analyze employment opportunity factors. <ul style="list-style-type: none"> • Benefits • Geographic location • Job openings • Labor market data • Labor supply • Retirement plans • Potential advancement • Unemployment • Potential earnings • Supply and demand 	D. Justify the selection of a career.
E. Explore how people prepare for their careers.	E. Investigate people's rationale for making career changes.	E. Analyze the relationship between school subjects and extra-curricular activities to career preparation.	E. Evaluate all opportunities for the transition from secondary to postsecondary education, training or work. <ul style="list-style-type: none"> • Two-year degree • Four-year degree • Immediate employment • Industry training • Military training • Part-time employment • Full-time employment • Professional degree • Registered apprenticeship • Tech Prep
F. Identify career and educational opportunities.	F. Identify the components of a career plan.	F. Apply the components of career planning through the development of an individualized career plan.	F. Evaluate individual career plan using decision-making skills.
G. Explain why education/training is important to meet career goals.	G. Compare and contrast alternative educational and vocational choices and the required preparation for them.	G. Analyze factors related to the cost of education or training and sources of scholarships and sources of student loans.	G. Analyze the opportunity cost/benefit of continuous learning.

13.2. Career Acquisition (Getting a Job)			
13.2.3. GRADE 3	13.2.5. GRADE 5	13.2.8. GRADE 8	13.2.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
A. Evaluate formal and informal introduction techniques.	A. Identify appropriate speaking, listening and feedback techniques used in conversations.	A. Identify persuasive speaking skills used during job interviews.	A. Know and demonstrate industry acceptable job interviewing techniques.

13.2. Career Acquisition (Getting a Job)			
13.2.3. GRADE 3	13.2.5. GRADE 5	13.2.8. GRADE 8	13.2.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
<p>B. Know and apply basic procedures described in technical instructions.</p> <ul style="list-style-type: none"> • Diagrams • Electronics • Interlocking building blocks • Video games 	<p>B. Explain and demonstrate basic technical tasks using appropriate tools.</p> <ul style="list-style-type: none"> • K-nex • Interlocking building blocks • Robotics • Schematics 	<p>B. Explain and demonstrate the completion of multifaceted technical tasks using a variety of sources.</p> <ul style="list-style-type: none"> • Equipment • Facilities • Information • Instruments • Processes • Tools 	<p>B. Analyze and evaluate complex technical tasks using sophisticated processes.</p> <ul style="list-style-type: none"> • Equipment • Facilities • Materials • Techniques • Technology • Tools
<p>C. Describe the use of technology in the workforce.</p>	<p>C. Contrast current use of technology in the workplace with past practices.</p>	<p>C. Compare and contrast technical operation, maintenance and repair resources.</p>	<p>C. Analyze workplace problems and cite technological solutions.</p>
<p>D. Identify activities within the school day that promote health and safety.</p>	<p>D. Explain how health and safety practices relate to employment.</p>	<p>D. Evaluate health and safety practices in the workplace.</p> <ul style="list-style-type: none"> • Accident prevention • Engineered solutions/guards • Environmental concerns • Equipment/tool safety • Personal hygiene and attire 	<p>D. Identify sources of health, safety and regulatory practices and their effect on the work environment.</p> <ul style="list-style-type: none"> • Child Labor Laws • Employee Right to Know • Fair Labor Standards Act • Hazardous occupations • Material Safety Data Sheets (MSDS) information • Occupational Safety and Health Administration (OSHA) regulations • Student work permits
<p>E. Identify the components of a personal letter.</p>	<p>E. Compare and contrast a business letter and a personal letter.</p>	<p>E. Know and apply established criteria to the development of career acquisition documents.</p> <ul style="list-style-type: none"> • Job application • Letter of appreciation following an interview • Letter of introduction • Letter of reference • Resume 	<p>E. Evaluate prepared career acquisition documents based upon industry acceptable practices.</p> <ul style="list-style-type: none"> • Accuracy • Completeness • Neatness • Qualifications
<p>F. Identify selection criteria of work samples for a career portfolio.</p>	<p>F. Explain why specific samples of work were selected for inclusion in a career portfolio.</p>	<p>F. Evaluate career portfolio content for its accuracy in reflecting skills and knowledge.</p>	<p>F. Analyze performance-based assessments components.</p> <ul style="list-style-type: none"> • Portfolio review • Nationally validated assessment • Local/State/National skill certificate

13.2. Career Acquisition (Getting a Job)			
13.2.3. GRADE 3	13.2.5. GRADE 5	13.2.8. GRADE 8	13.2.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
G. Identify and demonstrate manipulative/motor skills.	G. Explain and prepare samples of work generated through various techniques.	G. Identify and demonstrate knowledge of manipulative/motor skills related to the student's career interests.	G. Analyze the need for manipulative/motor skills. <ul style="list-style-type: none"> • Cooperative education • Internship • Job shadowing • Part-time employment • Registered apprenticeship • School-based enterprise • Tech-Prep • Vocational program completion • Volunteerism

13.3. Career Retention (Keeping a Job)			
13.3.3. GRADE 3	13.3.5. GRADE 5	13.3.8. GRADE 8	13.3.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
A. Identify work contributions and responsibilities at home and at school. B. Explain cooperation. C. Explain terms related to group interaction. <ul style="list-style-type: none"> • Compliment • Encourage • Cooperate • Communicate one's opinion D. Explain how money is used. E. Explain how time is used. F. Identify changes impacting the workplace.	A. Explain how student work habits transfer to the workplace. B. Explain the importance of working cooperatively with others at home and in school to complete a task or resolve a conflict. C. Identify roadblocks to communication and explain ways to overcome them. D. Explain budgeting. E. Explain the budgeting of one's time. F. Identify characteristics of the changing workplace and explain their impact on jobs and employment.	A. Relate work habits to employment longevity. B. Explain and demonstrate conflict resolution skills. <ul style="list-style-type: none"> • Constructive criticism • Group dynamics • Managing • Mediation • Negotiation • Problem solving C. Explain the role of each participant's contributions in a team setting. D. Analyze personal budgets. <ul style="list-style-type: none"> • Expenses • Income • Investing • Needs • Savings • Taxes • Wants E. Identify and apply strategies used to manage time. F. Identify and analyze effectiveness of strategies to deal with rapid change.	A. Analyze work habits needed to advance within a career. B. Evaluate conflict resolution skills. C. Evaluate team member roles to describe and illustrate active listening techniques. <ul style="list-style-type: none"> • Clarifying • Encouraging • Restating • Reflecting • Summarizing D. Compare and contrast gross and net pay. E. Evaluate strategies used to manage time and their application in different work situations. F. Analyze the impact of change on the evolving world economy and the individual's work.

13.3. Career Retention (Keeping a Job)			
13.3.3. GRADE 3	13.3.5. GRADE 5	13.3.8. GRADE 8	13.3.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
G. Explain why learning is a lifelong pursuit.	G. Describe how personal interests relate to life-long learning.	G. Identify sources of formal and informal learning related to staying current in the individual's career area.	G. Analyze the availability and societal and economic factors of lifelong participation in career preparation and advancement opportunities.

13.4. Entrepreneurship			
13.4.3. GRADE 3	13.4.5. GRADE 5	13.4.8. GRADE 8	13.4.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize his or her maximum potential and to acquire the knowledge and skills needed to . . .</i>			
A. Know the concepts of price.	A. Identify and explain factors that influence price. <ul style="list-style-type: none"> • Competition • Concept of marketplace • Demand for goods and services • Supply of goods and services 	A. Explain the relationship between competition and pricing strategies.	A. Analyze the relationship between competition and pricing strategies.
B. Describe the concept of self-employment.	B. Compare and contrast entrepreneurship to employment.	B. Define business principles and explain the components of an entrepreneurial business plan.	B. Apply business principles to the development of an entrepreneurial business plan.
C. Define entrepreneurship and describe the characteristics of successful entrepreneurs.	C. Explain how entrepreneurs generate profit.	C. Evaluate the risks of entrepreneurship.	C. Relate principles of entrepreneurship to career goals.
D. Identify entrepreneurial situations where assistance is needed to complete a task or solve a problem.	D. Explain the positive and negative outcomes of seeking informal and external assistance as an entrepreneur.	D. Identify and explain the components of an intervention plan.	D. Analyze intervention plans and evaluate their effectiveness in specific situations.

XXXIX. GLOSSARY

- CareerLink centers:** A first-in-the-nation “one-stop” system to link Pennsylvania workers with good jobs and to help Pennsylvania employers get the people they need. CareerLink is “one-stop” shopping for employment and training services.
- Child Labor Laws:** Legislation governing the employment of children under the age of 18.
- Competition:** The rivalry among people or business firms for resources and customers.
- Cooperative education:** A structured method of instruction whereby students alternate or coordinate their high school studies with a job in a field related to their academic or occupational objectives.
- Decision making:** Method to specify goals and constraints, generate alternatives, consider risks and evaluate and choose the best alternative.
- Demand:** The different quantities of a resource, goods or service that will be purchased at various possible prices during a specific time period.
- Employment trends:** The direction or movement of job availability or employment needs.
- Entrepreneurs:** Individuals who begin and manage the factors of a business, including risks.
- Hazardous occupations:** Occupations defined in Child Labor Laws where the employment of minors (under age 18 or 16) is prohibited unless they meet exceptions through a training program.
- Internship:** Situation where a student works for an employer for a specified period of time to learn about a particular industry or occupation.
- Intervention plan:** A strategy for an intentional entry into an ongoing system for the purpose of initiating or introducing change.
- Investing:** Using time or capital (money) to increase assets or productivity.
- Manipulate:** To control objects with body parts and implements, causing an object to move from one place to another.

Mediating:	Acting as an agent between parties in order to reconcile them.
MSDS:	Material Safety Data Sheet. These sheets contain required information regarding the health and safety of workers in the use of hazardous materials in the workplace.
Negotiating:	Arranging for or bringing about agreement through conference, discussion and compromise.
Networking:	The exchange of information or services among individuals, groups or institutions.
Nontraditional occupations:	Fields of work, including careers in computer science, technology and other emerging high skill occupations, for which individuals from one gender comprise less than 25% of the individuals employed in each such occupation or field of work.
Opportunity cost:	The highest valued alternative given up when a decision is made.
OSHA:	Occupational Safety and Health Administration. OSHA is a National agency with representatives in each state to monitor safety and health issues in the workplace.
Portfolio:	A collection of work that documents a student's education performance over time.
Profit:	The remainder after all costs of production have been deducted from the revenue derived from the sale of goods and services.
Registered apprenticeship:	A joint initiative designed to link employers in need of an educated workforce with local education agencies, postsecondary institutions, technical schools and other training facilities to provide quality work-based education.
Responsibility:	The exertion of a high level of effort and perseverance toward goal attainment; excellence at performing tasks; outstanding attendance standards and punctuality; enthusiasm, vitality and optimism in approaching and completing tasks.
Resume:	A summary of one's personal history and employment experience.
Right to know:	OSHA mandated safety training for any business or organization that has hazardous chemicals present in the workplace. Employees who are exposed to any kind of hazardous chemicals or work with or near hazardous chemicals must be trained within 30 days of their hire date and, in many states, annually thereafter.
School-based enterprise:	The production of goods or services as part of a school program.
Shadowing:	Following or observing someone to learn from that person.
Summarizing:	Relating information by concise rewording.
Supply:	The different quantities of a resource, good or service that will be offered for sale at various possible prices during a specific time period.
Tech Prep:	The name given to programs that offer at least 4 years of sequential course work at the secondary and postsecondary levels to prepare students for technical careers.
Time management:	The process of directing or controlling activities with regard to use of time.
Unemployment rate:	The percentage of workers without jobs seeking employment.
Work habits:	Conduct at or attitude toward work.
Work permit:	A document, required under Child Labor Laws, filed when persons under the age of 18 are employed. School authorities issue these permits.

[Pa.B. Doc. No. 03-667. Filed for public inspection April 11, 2003, 2003, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 1, 2003.

BANKING INSTITUTIONS

Holding Company Acquisition

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
3-28-03	Laurel Capital Group, Inc., Allison Park, to acquire 100% of the voting shares of SFSB Holding Company, Pittsburgh	Allison Park	Effective

Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
3-27-03	Huntingdon Valley Bank Huntingdon Valley Montgomery County <i>To:</i> Huntingdon Valley Bank Huntingdon Valley Montgomery County	Huntingdon Valley	Filed

Application represents conversion from a Federally-chartered mutual savings association to a State-chartered mutual savings bank.

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-28-03	Laurel Savings Bank, Allison Park, and Stanton Federal Savings Bank, Pittsburgh Surviving Institution—Laurel Savings Bank, Allison Park <i>Branches Acquire via Merger:</i> 900 Saxonburg Boulevard Pittsburgh Allegheny County	Allison Park 5200 Butler Street Pittsburgh Allegheny County	Effective

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-26-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Parkway Center Giant Eagle 1165 McKinney Lane Pittsburgh Allegheny County	Filed
3-26-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Brentwood Whitehall Giant Eagle 4138 Brownsville Road Pittsburgh Allegheny County	Filed
3-31-03	Keystone Savings Bank Bethlehem Northampton County	Club Avenue and Union Boulevard Bethlehem Lehigh County	Approved
3-31-03	Keystone Savings Bank Bethlehem Northampton County	3926 Linden St. Bethlehem Twp. Northampton County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-31-03	Patriot Bank Pottstown Montgomery County	<i>To:</i> 2545 Mickley Ave. Whitehall Lehigh County <i>From:</i> 2541 Mickley Ave. Whitehall Lehigh County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-31-03	PeoplesBank, Codorus Valley Company Glen Rock York County	Normandie Ridge 1700 Normandie Dr. York West Manchester Twp. York County (Limited Service Facility)	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III
Acting Secretary

[Pa.B. Doc. No. 03-668. Filed for public inspection April 11, 2003, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, April 23, 2003, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items should be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Claire Guisewite at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 03-669. Filed for public inspection April 11, 2003, 9:00 a.m.]

Exchange of Lands

The Department of Conservation and Natural Resources (Department), acting through the Bureau of For-

estry (Bureau), and the SEDA-COG Joint Rail Authority (Authority) are proposing to negotiate an exchange of lands in the Jersey Shore Borough, Lycoming County.

The Bureau is proposing to acquire from the Authority two parcels containing a total of 1.57 acres of land. In return, the Bureau proposes to convey to the Authority a parcel of 0.35 acre.

These properties are situated in the vicinity of the Authority's active rail line along Railroad Street west of Bridge Street. The purpose of this proposed land exchange is to provide a public access area for the Pine Creek Rail to Trail.

As is the policy of the Department, the public is notified of this exchange. A 30-day period for public inquiry and/or comment will be in effect commencing April 14, 2003, and ending May 13, 2003. Oral or written comments or questions concerning this proposed exchange may be addressed to Daniel A. Devlin, Chief, Forest Resource Planning and Information Division, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-2105. Oral or written comments, or both, will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 03-670. Filed for public inspection April 11, 2003, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

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

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

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

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0036081 Renewal	Wynnewood Sewer Corporation P. O. Box 704 Pottstown, PA 19464	North Whitehall Township Lehigh County	Lehigh River 2C	Y

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

NPDES No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0009423	Borough of Everett Area Municipal Authority 100 Mechanic Street Everett, PA 15537	Bedford County West Providence Township	Johns Run 11-D	Y

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

PA0102245, Sewage, **Highway 322 Realty Company**, P. O. Box 231, Franklin, PA 16323. This proposed facility is located in Cranberry Township, **Venango County**.

Description of Proposed Activity: Renewal of a treated minor discharge from a privately owned sewage treatment works.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Allegheny River and Emlenton Water Company located at River Mile 90, 32.87 miles below point of discharge.

The receiving stream, unnamed tributary to the Allegheny River, is in watershed 16-G and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0063 MGD.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
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 minimum of 3 mg/l at all times	
Dissolved Oxygen			
Total Residual Chlorine	1.4		3.3
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

PA0221015, Sewage, **Turnpike Commission, Mainline North Interchange**, P. O. Box 67676, Harrisburg, PA 17106-7676. This proposed facility is located in North Beaver Township, **Lawrence County**.

Description of Proposed Activity: Renewal of treated minor discharge from a privately owned sewage treatment works.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Beaver River and Beaver Falls Municipal Authority located at River Mile 3.76, 15.5 miles below point of discharge.

The receiving stream, unnamed tributary to the Beaver River, is in watershed 20-B and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform		200/100 ml as a geometric average	
Total Residual Chlorine	1.4		3.3
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

PA0222356, Industrial Waste, **TDY Industries, Inc.**, 1000 Six PPG Place, Pittsburgh, PA 15222. This existing facility is located in Edinboro Borough, **Erie County**.

Description of Proposed Activity: Renewal of an NPDES permit for the discharge of filtered groundwater from TDY Industries, Inc., 229 Waterford Street, Edinboro, PA 16412.

The receiving stream, Darrows Creek, is in the Conneaut Creek watershed and classified for WWF, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin General Authority intake on French Creek in Franklin, approximately 46 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0864 MGD:

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
Tetrachloroethylene (PCE)	0.010		0.016
Trichloroethylene (TCE)	0.040		0.063
Iron, Dissolved	0.758		1.182
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

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.

PA0011568, Amendment No. 1, Industrial Waste, **Bethlehem Lukens Plate**, 50 South First Street, Coatesville, PA 19320. This application is for amendment of an NPDES permit to discharge treated process wastewater and stormwater from Bethlehem Lukens Plate facility located in Chester, **Chester County**. This is an existing discharge to Sucker Run and the West Branch Brandywine Creek.

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

The proposed permit amendment is for revision of Nickel effluent limits for Outfall 016, based on an average flow of 0.482 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>
Nickel, Total	0.157	0.314	0.392

Effluent limitations for other parameters and other outfalls will remain unchanged. The proposed, revision to nickel limitations is based on steam hardness of 130 mg/l, which is measured hardness of the receiving stream.

The EPA waiver is not in effect.

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

PAS802206, Industrial, Stormwater, **Con-Way Transportation Services**, 3240 Hillview Avenue, Palo Alto, CA 94304. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Activity: Renewal of an individual Industrial Stormwater NPDES Permit for discharge of stormwater from Outfall 001 to Iron Creek.

The receiving stream, Iron Creek, is in the State Water Plan watershed no. 2C and is classified for HQ-CWF.

The proposed effluent limits for Outfall 001 based stormwater discharges.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
CBOD				Report
COD				Report
Oil and Grease				Report
pH				Report
TSS				Report
TKN				Report
Total Phosphorus				Report
Dissolved Iron				Report

PA0021580, Sewage, **Borough of Catasauqua**, 118 Bridge Street, Catasauqua, PA 18032-2598. This proposed facility is located in Catasauqua Borough, **Lehigh County**.

Description of Proposed Activity: The receiving stream, Lehigh River, is in the State Water Plan watershed no. 02C and is classified for TSF, aquatic life, water supply, recreation. The nearest downstream public water supply intake for the City of Allentown is on the Lehigh River, 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 2.25.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	8	12	16
(11-1 to 4-30)	20	30	40
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.5		1.20

The EPA waiver is not in effect.

PA0060542, Sewerage, **Wallenpaupack Lake Estates**, 100 Wallenpaupack Lake Estates, Lake Ariel, PA 18436.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage into an unnamed tributary to Lake Wallenpaupack in Paupack Township, **Pike County**.

The receiving stream is in the State Water Plan watershed no. 01C and is classified for HQ-CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the City of Easton is located on the Delaware River, 80 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.65 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Total Suspended Solids	30	60
Phosphorus as "P"	1.0	2.0
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
NH ₃ -N		
(5-1 to 10-31)	2.3	4.6
(11-1 to 4-30)	6.9	13.8
Dissolved Oxygen	A minimum of 7.0 mg/l at all times.	
pH	6.0 to 9.0 standard units at all times.	

The EPA waiver is in effect.

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

PA0044059, Industrial Waste, **Fish and Boat Commission (Reynoldsdale Fish Culture Station)**, 162 Fish Hatchery Road, New Paris, PA 15554-8213. This facility is located in New Paris Township, **Bedford County**.

Description of activity: Renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, Dunning Creek, is in Watershed 11-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Saxton Municipal Water Company is on the Raystown Branch Juniata River, approximately 62 miles downstream. The discharge is not expected to affect the water supply.

The proposed interim effluent limits for Outfall 001 based on a design flow of 1.95 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	Monitor and Report	<i>Maximum Daily</i>	
CBOD ₅	Monitor and Report		
pH		From 6.0 to 9.0 inclusive	
Dissolved Oxygen		Minimum of 5.0 at all times	

The proposed interim effluent limits for Outfall 002 based on a design flow of 0.084 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	10	<i>Maximum Daily</i>	25
CBOD ₅			
(5-1 to 10-31)	10	20	25
(11-1 to 4-30)	20	40	50
NH ₃ -N			
(5-1 to 10-31)	3	6	7.5
(11-1 to 4-30)	9	18	22
Total Iron	2.7	5.4	6.7
pH		From 6.0 to 9.0 inclusive	
Dissolved Oxygen		Minimum of 5.0 at all times	

The proposed final effluent limits for Outfall 002 based on a design flow of 1.56 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	10	<i>Maximum Daily</i>	25
CBOD ₅			
(5-1 to 10-31)	8	16	20
(11-1 to 4-30)	16	32	40

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
NH ₃ -N (5-1 to 10-31)	2.5	5	6.5
(11-1 to 4-30)	7.5	15	19
Formaldehyde	1.0	2.0	2.5
Hydrogen Peroxide		Monitor and Report	
Diquat Dibromide		Monitor and Report	
pH		From 6.0 to 9.0 inclusive	
Dissolved Oxygen		Minimum of 5.0 at all times	

In addition to the effluent limits, the permit contains the following major special conditions: Process discharges are to be eliminated to Outfall 001 and at least 20% of the spring flow to the unnamed tributary to Stone Creek shall be maintained at all times by November 1, 2003; and a Water Quality Management Part II application for diverting 80% of spring flow for process water to Dunning Creek and a settling basin must be submitted by May 1, 2003.

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

The EPA waiver is in effect.

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

NPDES Permit No. PA0022187, Sewage, SIC 4952, **Beavertown Municipal Authority**, 111 West Walnut Street, Beavertown, PA 17813. The existing discharge is located in Beavertown Borough, **Snyder County**.

Description of Proposed Activity: Amendment to the NPDES permit for Outfall 001 for Beavertown Municipal Authority Wastewater Treatment Plant. The Authority is proposing to replace the existing extended aeration facilities with an upgraded sequencing batch reactor.

The receiving stream, Luphers Run, is in the State Water Plan watershed 6A and is classified for CWF. The nearest downstream public water supply intake for United Water Pennsylvania, located on the Susquehanna River, is about 65 miles below the point of discharge.

The following current effluent limits for Outfall 001, based on a design flow of 0.144 MGD, will be enforceable when the existing extended aeration sewage treatment plant is in operation:

<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
TSS	30	45	60
NH ₃ -N (6-1 to 10-31)	7	10	14
Total Cl ₂ Residual	Report		Report
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0, at all times		

The following proposed effluent limits for Outfall 001, based on a design flow of 0.16 MGD, will be enforceable when the upgraded sequencing batch reactor sewage treatment plant is in operation:

<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
TSS	30	45	60
NH ₃ -N (6-1 to 10-31)	3.5	5.25	7.0
(11-1 to 5-31)	10.5	15.75	21.0
Total Cl ₂ Residual	0.33		0.77
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0, at all times		

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

PA0219291, Industrial Waste, SIC 488, **United States Army Corps of Engineers, Pittsburgh District**, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186. This application is for issuance of an NPDES permit to discharge treated stormwater and groundwater and wastewater from the Right Bank Site Development—Charleroi Lock and Dam in Rostraver Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela 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 Charleroi Municipal Authority, at approximately 1 mile below the discharge point.

Outfall 001 and the emergency overflow: new discharge, design flow rate of 60 gpm.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30		60
Total Organic Nitrogen			Monitor and Report		
Arsenic			Monitor and Report		
Copper			Monitor and Report		
Zinc			0.01		0.02
Lead			Monitor and Report		
Iron			1.5		3.0
Aluminum			1.0		2.0
Manganese			2.0		4.0
Benzo(a)anthracene			Not Detectable		
Benzo(a)pyrene			Not Detectable		
Benzo(b)fluoranthene			Not Detectable		
Benzo(ghi)perylene			Not Detectable		
Chrysene			Not Detectable		
Fluoranthene			Not Detectable		
Indeno(1,2,3,cd)Pyrene			Not Detectable		
Phenanthrene			Not Detectable		
Pyrene			Not Detectable		
Oil and Grease			15.0		30.0
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Approval of an Erosion and Sedimentation Control Plan, a requirement to collect and treat all contaminated stormwater and groundwater.

The EPA waiver is in effect.

PA0023698, Sewage, **Vanport Township Municipal Authority**, 285 River Avenue, Vanport, PA 15009. This application is for renewal of an NPDES permit to discharge treated sewage from Vanport Water Pollution Control Plant in Vanport Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Twomile Run, 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 Midland Borough Municipal Authority.

Outfall 001: existing discharge, design flow of 1.56 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform	200/100 ml as a geometric mean			
(5-1 to 10-31)	2,000 as a geometric mean			
(11-1 to 4-30)	0.5			1.6
Total Residual Chlorine	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfall SW1 which discharges to the receiving waters known as Twomile Run is a stormwater outfall at the sewage treatment plant. There are at this time no specific numerical effluent limitations on the outfalls. This discharge must meet the stormwater discharge requirements in Part C of the permit.

The EPA waiver is not in effect.

PA0025674, Amendment No. 2, Sewage, **Franklin Township Municipal Sanitary Authority**, 3001 Meadowbrook Road, Murrysville, PA 15668. This application is for amendment of an NPDES permit to discharge stormwater from the Meadowbrook Sewage Treatment Plant Site located in Municipality of Murrysville, **Westmoreland County**.

The receiving waters, known as Turtle Creek, are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls SWA, SWB and SWC: existing stormwater discharges.

This amendment adds Outfalls SWA, SWB and SWC to NPDES Permit PA0025674 and authorizes a discharge of uncontaminated stormwater from the sewage treatment site through the outfalls. There are at this time no specific effluent limitations on these outfalls. These discharges must meet the Stormwater Discharges requirements in Part C of the amendment.

The EPA waiver is not in effect.

PA0096598, Sewage, **Lower Ten Mile Joint Sewer Authority**, 144 Chartiers Road, Jefferson, PA 15344. This application is for renewal of an NPDES permit to discharge treated sewage from Mather Wastewater Treatment Plant in Morgan Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as South Fork Tenmile Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri-County Joint Municipal Authority on the Monongahela River.

Outfall 001: existing discharge, dry weather design flow of 0.2 mgd and wet weather flow of 0.3 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	15.5	23.0		31.0
(11-1 to 4-30)	25.0	38.0		50.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The following effluent limitations will apply if/when the treatment plant is expanded to a flow of 0.6 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	7.5	11.3		15.0
(11-1 to 4-30)	15.0	22.5		30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine*	0.5			1.6
Dissolved Oxygen	not less than 4.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

* This parameter shall only be applicable if chlorination is used for disinfection.

The EPA waiver is in effect.

PA0096601, Sewage, **Lower Ten Mile Joint Sewer Authority**, 144 Chartiers Road, Jefferson, PA 15344. This application is for renewal of an NPDES permit to discharge treated sewage from Williamstown Wastewater Treatment Plant in East Bethlehem Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tenmile Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri County Joint Municipal Authority on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.12 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	11.0	16.5		22.0
(11-1 to 4-30)	25.0	37.5		50.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 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: The following effluent limitations will apply if/when the treatment plant is expanded to a flow of 0.185 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	11.0	16.5		22.0
(11-1 to 4-30)	25.0	37.5		50.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine*	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

* This parameter shall only be applicable if chlorination is used for disinfection.

The EPA waiver is in effect.

PA0098965, Sewage, **Carolyn S. Roberts**, P. O. Box 294, Murrysville, PA 15668. This application is for renewal of an NPDES permit to discharge treated sewage from Apartment Complex Sewage Treatment Plant in Plum Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Little Plum Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Fox Chapel Water Authority.

Outfall 001: existing discharge, design flow of 0.0015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			2.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0027138, Sewage, **City of Sharon**, Riverside Drive, Sharon, PA 16146. This proposed facility is located in City of Sharon, **Mercer County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Pennsylvania American Water Company, New Castle District intake on the Shenango River located at New Castle, approximately 22 miles below point of discharge.

The receiving stream, Shenango River, is in watershed 20-A and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.5 MGD.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX				
CBOD ₅	938	1501	25	40	50
Total Suspended Solids	1,126	1,689	30	45	60
NH ₃ -N					
(5-1 to 10-31)	563		15		30
(11-1 to 4-30)	XX		XX		
Fecal Coliform					
(5-1 to 9-30)		200/100 ml as a geometric average			
(10-1 to 4-30)		24,000/100 ml as a geometric average			
Total Residual Chlorine			0.5		1.6
pH		6.0 to 9.0 standard units at all times			

XX—Monitor and Report

Special Conditions: The requirement to develop, operate and implement a Federal Pretreatment Program; Acute Whole Effluent Toxicity monitoring for algae; stormwater; sanitary sewer overflows.

The EPA waiver is not in effect.

PA0021504, Sewage, **West Butler County Authority**, 607 Market Street, P. O. Box 427, Zelienople, PA 16063. This proposed facility is located in Zelienople Borough, **Butler County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Beaver Falls Municipal Authority—Eastvale Plant intake on the Beaver River at Eastvale, approximately 27 miles below point of discharge.

The receiving stream, Connoquenessing Creek, is in watershed 20-C and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.2 MGD.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅					
(5-1 to 10-31)	275	367	15	20	30
(11-1 to 4-30)	459	734	25	40	40
Total Suspended Solids	550	826	30	45	60
NH ₃ -N					
(5-1 to 10-31)	119		6.5		13
(11-1 to 4-30)	358		19.5		36
Phosphorus (as P)					
(4-1 to 10-31)	37		2		4
Fecal Coliform					
(5-1 to 9-30)		200/100 ml as a geometric average			
(10-1 to 4-30)		11,300/100 ml as a geometric average			
Total Residual Chlorine			0.36		1.2
pH		6.0 to 9.0 standard units at all times			

Special Conditions: Stormwater from the treatment plant site; sanitary sewer overflows; chronic whole effluent toxicity monitoring.

The EPA waiver is in effect.

WATER QUALITY MANAGEMENT PERMITS

CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER

APPLICATIONS UNDER THE CLEAN STREAMS LAW

PART II PERMITS

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

Persons wishing to comment on an 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 this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

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

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

WQM Permit No. 0903405, Sewerage Waste, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This proposed facility is located in Doylestown and New Britain Townships, **Bucks County**.

Description of Proposed Action/Activity: Installation of a parallel interceptor sewer.

WQM Permit No. 4603402, Sewerage Waste, **Lower Moreland Township Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6234. This proposed facility is located in Lower Moreland Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction of a gravity sanitary sewage and appurtenant sewer pumping station/force main installation existing single-family unit.

WQM Permit No. 1503407, Sewerage, **East Bradford Township**, 666 Copeland School Road, West Chester, PA 19380-1822. This proposed facility is located in East Bradford Township, **Chester County**.

Description of Proposed Action/Activity: Construction of sewerage pump station and force main.

WQM Permit No. 1503408, Sewerage, **Phoenixville Borough**, 140 Church Street, Phoenixville, PA 19460. This proposed facility is located in Phoenixville Borough, **Chester County**.

Description of Proposed Action/Activity: Construction of a new pump station capable of handling average daily flow of 1.5 MGD.

WQM Permit No. 1503409, Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320. This proposed facility is located in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Two sewerage pump stations to serve a residential development.

WQM Permit No. 1503410, Sewerage, **Little Washington Wastewater Company**, 762 Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposed facility is located in Newlin Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a sewage treatment plant for a 50-lot subdivision.

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

Application No. 3080402-A1, Sewerage, **West Greene School District**, 1367 Hargas Creek Road, Waynesburg, PA 15370. Application for the modification and operation of a sewage treatment plant to serve the West Greene Middle School/High School in Center Township, **Greene County**.

Application No. 3203402, Sewerage, **James L. Anderson**, Star Route, Box 3, Spring Church, PA 15686. Application for the construction and operation of a single residence sewage treatment plant to serve the Anderson residence in Young Township, **Indiana County**.

Application No. 468S045-A1, Sewerage, **West Greene School District**, 1367 Hargas Creek Road, Waynesburg, PA 15370. Application for the modification and operation of a sewage treatment plant to serve the Graysville Elementary School in Gray Township, **Greene County**.

Application No. 6369405-A3, Sewerage, **Peters Township Sanitary Authority**, 3244 Washington Road, McMurray, PA 15317-3153. Application for the modification and operation of a sewage treatment plant to serve the Donaldson's Crossroads in Peters Township, **Washington County**.

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

WQM Permit No. 2503406, Sewerage, **Flory Kondzielski**, 618 Seroka Road, Waterford, PA 16441. This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2003407, Sewerage, **David F. Buchanan**, 706 Perkinswood Boulevard S.E., Warren, OH 44483. This proposed facility is located in West Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2003408, Sewerage, **Douglas W. and Bonnie J. Johnson**, 6754 Reed Road, Conneaut,

OH 44030. This proposed facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 4303405, Sewerage, **Oak Grove Wesleyan Methodist Church**, 10 Oak Grove Road, Mercer, PA 16137. This proposed facility is located in Fairview Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility.

NPDES Stormwater Individual Permit

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

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

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

Following the 30-day comment period, the appropriate Regional Office Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth distur-

bance activity, are on file and may be inspected at the office identified in this notice.

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

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

NPDES Permit PAI2011503021, Stormwater, **George Harlan**, 214 Pond View Drive, Chadds Ford, PA 19317, has applied to discharge stormwater associated with a construction activity located in West Pikeland Township, **Chester County** to Pigeon Run (HQ-TSF).

NPDES Permit PAI2011503022, Stormwater, **Arlene Kalbcitzer**, 1575 White School Road, Honey Brook, PA 19344, has applied to discharge stormwater associated with a construction activity located in Honey Brook Township, **Chester County** to East Branch Brandywine Creek (HQ-TSF-MF).

NPDES Permit PAI011503023, Stormwater, **The Cutler Group**, Five Sentry Parkway, Suite 100, Blue Bell, PA 19422, has applied to discharge stormwater associated with a construction activity located in East Vincent Township, **Chester County** to Stoney Run (HQ-TSF)

NPDES Permit PAI011503024, Stormwater, **West Vincent Township**, P. O. Box 163, Birchrunville, PA 19461, has applied to discharge stormwater associated with a construction activity located West Vincent Township, **Chester County** to Pine Creek/Pickering Creek (HQ-TSF).

NPDES Permit PAI011503025, Stormwater, **James Mark**, P. O. Box 63, New London, PA 19360, has applied to discharge stormwater associated with a construction activity located in New London Township, **Chester County** to Big Elk Creek (HQ-TSF-MF).

NPDES Permit PAI011503026, Stormwater, **Valley Forge Middle School**, 738 First Avenue, Berwyn, PA 19312, has applied to discharge stormwater associated with a construction activity located in Tredyffrin Township, **Chester County** to Valley Creek (EV) and Trout Creek (WWF).

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>
PAI023903007	East Penn School District 800 Pine St. Emmaus, PA	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023903008	East Penn School District 800 Pine St. Emmaus, PA	Lehigh	Borough of Emmaus	Little Lehigh Creek HQ-CWF

Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024803009	Arthur Runquist c/o Acquisition Management, Inc. 2141 Downyflake Lane Allentown, PA 18103	Northampton	Bath Borough	Monocacy 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 No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI041403006	Stearns Crossing Stearns Boat LP 100 N. Patterson St. State College, PA 16801	Centre County College Township	Spring Creek HQ-CWF

Clearfield County Conservation District, 650 Leonard St., Clearfield, PA 16830, (814) 765-2629.

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI041703002	King Coal Sales Inc. P. O. Box 712 Philipsburg, PA 16866	Clearfield County Morris and Boggs Townships	Emigh Run CWF

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

Fayette County Conservation District: 10 Nickman Plaza, Lemont Furnace, PA 15456.

NPDES Permit PAI052603004, Stormwater, **Nemacolin Woodlands Company**, 1001 Lafayette Drive, Farmington, PA 15437, has applied to discharge stormwater associated with a construction activity located in Wharton Township, **Fayette County** to Deadman Run a tributary to Meadow Run (HQ-CWF).

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.

NPDES Permit PAI084203002, Stormwater, **Otter Exploration, Inc.**, 104 College Street, Hudson, OH 44236 has applied to discharge stormwater associated with a construction activity located in Lafayette Township, **McKean County** to Lewis Run (HQ-CWF).

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

Following the comment period, the Department will make a final determination regarding the proposed per-

mit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

Persons with a disability 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).

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

Permit No. 6603501 , Public Water Supply.	
Applicant	Wyoming County Housing Authority P. O. Box 350 Nicholson, PA 18446
Township or Borough	Overfield Township, Wyoming County
Responsible Official	John J. Jennings, Executive Director
Type of Facility	PWS
Consulting Engineer	Acker Associates, Inc. P. O. Box 899 Moscow, PA 18444
Application Received Date	March 7, 2003

Description of Action The construction of a new water system including a well, storage tank, booster pumps and hydropneumatic tanks.

Permit No. 3903501, Public Water Supply.

Applicant **RHED Development, Inc.**
Township or Borough Sugarloaf Township, **Luzerne County**
Responsible Official E. Thomas Sandroock, V. P.
RHED Development, Inc.
240 West Broad Street
Hazleton, PA 18201
(570) 459-0581
Type of Facility Community Water System
Consulting Engineer William A. Brown, II, P. E.
Environmental Engineering &
Management Associates, Inc.
P. O. Box 232
Kulpsville, PA 19443
(215) 368-3375

Application Received Date March 25, 2003

Description of Action Construction of a booster pump station to serve 44 proposed homes above an elevation of 1,130 feet at The Meadows at Sugarloaf development.

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

Application No. 4903502, Public Water Supply.

Applicant **Merck & Co. Inc.**
c/o Douglas P. Manning
P. O. Box 600
Danville, PA 17821
Borough Riverside Borough
Responsible Official John M. Hinson
Director of Site Services
Merck & Co., Inc.
P. O. Box 600
Danville, PA 17821

Type of Facility PWS
Consulting Engineer James Depew
UAI Associates, Inc.
6 Commercial Drive
Reading, PA 19607

Application Received Date March 28, 2003

Description of Action Replace two 300,000 gallon finished water storage tanks with two 500,000 gallon glass lined storage tanks. Replace two 1,000 gpm distribution pumps with three 750 gpm pumps. Install an emergency generator to power the pumps.

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

Permit No. 4303501, Public Water Supply.

Applicant **Glen Lakes Estates Mobile Home Park**
R. D. 4
Grove City, PA 16127
Township or Borough Pine Township, **Mercer County**
Responsible Official Jack Berkovitz, Owner
Imperial Development Company
6315 Forbes Avenue, Suite 123
Pittsburgh, PA 15217
Type of Facility PWS
Consulting Engineer Hickory Engineering, Inc.
3755 East State Street
Hermitage, PA 16148

Application Received Date March 24, 2003

Description of Action Construction of a new water treatment plant and well.

Permit No. 2703501, Public Water Supply.

Applicant **Forest Area School District**
210 Vine Street
Tionesta, PA 16353-9707
Township or Borough Hickory Township, **Forest County**
Responsible Official Duane Vicini, Superintendent
Type of Facility NTNC Water Supply
Consulting Engineer Pascoe Engineering Consultants
222 N. Beaver Street
New Castle, PA 16101

Application Received Date March 27, 2003

Description of Action Existing facility is a junior/senior high school and a proposed addition would add the elementary school classrooms using the existing well; new reverse osmosis filtration and softening equipment to be installed to serve the West Forest Elementary/Secondary School.

MINOR AMENDMENT

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

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

Application No. Minor Amendment.

Applicant **Municipal Authority of the Township of Blythe**
Township or Borough Blythe Township, **Schuylkill County**
Responsible Official Michael Burda, Manager
Type of Facility PWS
Consulting Engineer System Design Engineering, Inc.
4 Park Plaza, Suite 105
Wyomissing, PA 19610

Application Received Date February 10, 2003
 Description of Action The renovation of the supply lines to the Silver Creek Reservoir.

Application No. Minor Amendment.

Applicant **Lehigh County Cedarbrook Home**
 Township or Borough South Whitehall Township, **Lehigh County**
 Responsible Official Dale Bortz, Operations Manager
 Lehigh County Cedarbrook Home
 350 South Cedarbrook Road
 Allentown, PA 18104
 (610) 395-3727
 Type of Facility Community Water System
 Consulting Engineer Ronald B. Madison, P. E.
 Hanover Engineering Associates, Inc.
 252 Brodhead Road, Suite 100
 Bethlehem, PA 18017-8937
 (610) 691-5644

Application Received Date March 17, 2003
 Description of Action Construction of an interconnection to provide finished water from the South Whitehall Township Authority to the County's Cedarbrook complex.

Application No. Minor Amendment.

Applicant **Pennsylvania Suburban Water Company**
 Township or Borough Lackawaxen Township
 Responsible Official Richard Subasic
 Pennsylvania Suburban Water Company
 204 East Sunbury Street
 Shamokin, PA 17872
 Type of Facility PWS
 Consulting Engineer Douglas E. Berg, P. E.
 Entech Engineering, Inc.
 P. O. Box 32
 Reading, PA 19603

Application Received Date March 18, 2003
 Description of Action Conversion of water disinfection system from gas chlorination to liquid hypochlorite feed.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the

Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

Northeast Regional Field Office: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Pittston Redevelopment Authority—Parking Lot D, City of Pittston, **Luzerne County**. Gary Marshall, Senior Project Manager, TCI Environmental Services, Inc., 100 N. Wilkes-Barre Boulevard, Wilkes-Barre, PA 18702 has submitted a Notice of Intent to Remediate (on behalf of Pittston Redevelopment Authority, City Hall, Suite 202, 35 Broad Street, Pittston, PA 18640) concerning the remediation of soils found or suspected to have

been contaminated with lead and other organics. The applicant proposes to meet the nonresidential Statewide Health Standard. A summary of the Notice of Intent to Remediate was reportedly published in the *Sunday Dispatch* on March 23, 2003, or March 30, 2003.

Linden Street Parking Garage, City of Allentown, **Lehigh County**. Lawler, Matusky & Skelly Engineers, LLP, The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101 has submitted a Notice of Intent to Remediate (on behalf of George Ledwith, Liberty Property Limited Partnership, 65 Valley Stream Drive, Great Valley Corporate Center, Malvern, PA 19355) concerning the remediation of site soils found or suspected to have been contaminated with chlorinated solvents and other organics, no. 2 fuel oil, used motor oil, lead and other inorganics resulting from underground storage tanks once located on the property. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Morning Call* on February 28, 2003. A Final Report was simultaneously submitted.

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

Flextronics Enclosures Site, Borough of Chambersburg, **Franklin County**. Shield Environmental Associates, Inc., 4326 Northern Pike, Monroeville, PA 15146 on behalf of Flextronics International, Ltd., 2245 Lundy Avenue, San Jose, CA 95131, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Public Opinion* on March 22, 2003.

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

Kelly Farm, Fairview Township, **Butler County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Apple Road, Fairview Township, **Butler County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Hemlock Road Site, Fairview Township, **Butler County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of

Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Jameson Site, Fairview Township, **Butler County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Department of Environmental Protection Site No. 4, Fairview Township, **Butler County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Department of Environmental Protection Site No. 5, Fairview Township, **Butler County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

Wade Eldorado, Fairview Township, **Butler County**. James Zubrow, Key Environmental Inc., Suite 200, 1200 Arch St., Carnegie, PA 15106 (on behalf of Mitchell Brouman, Beazer East Inc., Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate Soil contaminated with CLSOL, INORG, OTORG and groundwater contaminated with CLSOL, INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 17, 2003.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit Application No. 101092. Boyd Diller, Inc., 6820 Wertzville Road, Enola, PA 17025-1032, Silver Springs Township, **Cumberland County.** The application is for the Radiation Monitoring Plan. The application was determined to be administratively complete by the Southcentral Regional Office on March 14, 2003.

Permit Application No. 101606. Klines Septic Service, 5 Holland St., P. O. Box 6, Salunga, PA 17538-0626, East Hempfield Township, **Lancaster County.** The application is for Kline's Salunga Municipal Processing Facility. The application was determined to be administratively complete by the Southcentral Regional Office on March 17, 2003.

Comments concerning an application should be directed to John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Persons interested in obtaining more information about the general permit application may contact the Waste Management Program, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the Department Regional Office within 30 days of the date of this notice and must file protests or comments on a Proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first.

Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

PLAN APPROVALS

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

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

64-303-009: Leeward Construction, Inc. (R. R. 6, Box 6825, Honesdale, PA 18431) for construction of a batch asphalt plant and associated air cleaning device at their facility in Palmyra Township, **Wayne County.**

58-308-001: Barons Surplus Co., Inc. (138 West Poplar Street, Plymouth, PA 18651) for construction of a scrap aluminum melting furnace and associated air cleaning device at their facility on SR 3005, Auburn Township, **Susquehanna County.**

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

06-03126: Lehigh Cement Co. (204 Windsor Avenue, Hamburg, PA 19526-8341) for installation of three bin vent filters controlling five silos at their Hamburg Bagging Plant in Windsor Township, **Berks County.**

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

49-308-002: Jeff's Auto Body and Recycling Center, Inc. (R. R. 1, Box 318, Paxinos, PA 17860) for construction of an aluminum sweat furnace and associated air cleaning device (afterburner) in Shamokin Township, **Northumberland County.** The sweat furnace is subject to Subpart RRR of the National Emission Standards for Hazardous Air Pollutants.

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

03-00062A: Freeport Terminals, Inc. (514 North Main Street, Butler, PA 16001) for construction of an American Pulverizer Rolling Ring Metal Turnings Crusher in Freeport Borough, **Armstrong County.**

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

24-131G: SGL Carbon, LLC (900 Theresia Street, St. Marys, PA 15857) for modification of a plan approval to change the operating conditions of their scrubbing device for a Chemical Vapor Deposition Reactor at their facility in the City of St. Marys, **Elk County**. SGL Carbon LLC is a Title V facility.

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

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

23-0056: Honeywell International (6100 Philadelphia Pike, Claymont, DE 19703). On February 20, 2003, under 25 Pa. Code §§ 127.44(a) and 127.424(b), for issuance of a plan approval for their company's facility in the Borough of Marcus Hook, **Delaware County**. This plan approval will authorize the applicant to construct a fluosulfonic acid manufacturing process. The Plan Approval will subsequently be incorporated into the company's facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. PA-23-0056 is for construction of a fluosulfonic acid manufacturing process. Based on the information provided by the applicant and the Department's own analysis, the fluosulfonic acid manufacturing process will emit 0.89 ton of hydrogen fluoride per year, 3.6 tons of PM per year and 3.5 tons of sulfur trioxide 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.

Copies of the application, the Department's analysis and other documents used in the evaluation are available for public inspection between of 8 a.m. and 4 p.m. To make an appointment, contact Records Management, (610) 832-6268.

23-0014D: Kimberly-Clark Pennsylvania, LLC (Front and Avenue of the States, Chester, PA 19013) for installation of a venturi scrubber to control emissions of PM from paper machine no. 12 in Chester, **Delaware County**. The facility is a Title V facility. The scrubber will have an hourly emission limit of 0.58 lb/hr and an annual emission limit of 2.56 tons per year. The emission of PM from the scrubber shall not exceed 0.02 grain per dry standard cubic feet. The company shall keep records of pressure drop and flow rate of recirculation water in the scrubber.

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

45-399-014: Aventis Pasteur, Inc. (Discovery Drive, Swiftwater, PA 18370) for installation of a replacement regenerative thermal oxidizer to treat malodorous compounds from their facility's egg drying operation in Pocono Township, **Monroe County**. This pharmaceutical manufacturing facility is a Title V facility. NOx, VOC and

HAP emissions from the process will be less than 1 ton per year. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements and will be incorporated into the Title V Operating Permit through an Administrative Amendment in accordance with 25 Pa. Code § 127.450.

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

01-05017C: Quebecor World Fairfield, Inc. (100 North Miller Street, Fairfield, PA 17320) for construction of a four unit double web offset lithographic printing press with two natural gas-fired heatset dryers (Web No. 1) at its Fairfield Plant in Fairfield Borough, **Adams County**. The press will replace the existing Web No. 1 press. The press replacement will result in no net increase in air emissions. The plan approval and State-only operating permit revision will include emission restrictions, work practice standards and monitoring, recordkeeping and reporting requirements designed to keep their facility operating within all applicable air quality requirements.

67-03120A: Aero Energy (230 Lincoln Way East, New Oxford, PA 17350-1296) for installation of a propane cylinder filling line in their facility at 149 Bowman Road, Jackson Township, **York County**.

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

17-305-046: P and N Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767) for modification of a coal processing plant (Stiner No. 1) in Goshen Township, **Clearfield County** by increasing the plant throughput to a level which exceeds the plan approval exemption criteria of 200 tons per day.

The plant consists of a coal crusher/screen, a 125 horsepower diesel generator, a radial stacking conveyor and associated coal stockpiles and front-end loaders. Air contaminant emission control will be provided by an enclosure on the crusher/screen, the use of a water truck and the implementation of various work practices (minimizing conveyor free fall height, truck tarping, and the like). The resultant fugitive PM emissions are expected to be minimal.

The Department's review of the information contained in the application indicates that the modified coal processing plant will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12 and the requirements of Subpart Y of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.250—60.254. Based on this finding, the Department intends to approve the application and issue plan approval for the respective modification.

The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. No more than 490,000 tons of coal shall be processed in any 12 consecutive month period.
2. The crusher/screen shall be enclosed except for the feed and discharge openings which shall be equipped with rubber curtains.

3. A water truck equipped with a pressurized spray bar and a pressurized nozzle or hose connection shall be kept onsite at all times and shall be used, as needed, for the control of fugitive dust from plant roadways and stockpile areas.

4. Plant roadways shall have a posted speed limit of 15 miles per hour and the plant entrance road shall be tarred and chipped.

5. Trucks entering or exiting the plant site via a public roadway shall be tarped unless empty.

6. The radial stacker-to-stockpile free fall height shall be kept to a minimum at all times as shall the front-end loader bucket-to-truck free fall height.

7. The diesel generator shall not operate at a speed in excess of 2,400 rpm nor shall it operate for more than 4,900 hours in any 12 consecutive month period.

8. The NO_x and CO emissions from the diesel generator shall not exceed 10.1 and 9.3 grams per horsepower/hour, respectively. The visible air contaminant emissions shall not be equal to, or greater than, 10% for more than 3 minutes in any 1 hour or equal to or greater than 30% at any time.

9. Records shall be maintained of the number of tons of coal processed through the plant each month as well as the number of hours the diesel generator operates each month.

49-302-028A: Catawissa Lumber and Specialty, Inc. (Cemetery Street, Catawissa, PA 17820) for installation of an air cleaning device, a fabric collector, on an existing 12.56 million Btu per hour no. 2 fuel oil and woodwaste-fired boiler at their Paxinos facility in Ralpho Township, **Northumberland County**.

The PM emissions from the respective boiler are currently controlled by a cyclone collector which will be retained as a precleaner following the installation of the proposed fabric collector. Although the boiler is legally allowed to emit up to 22 tons of PM per year, the installation of the fabric collector will result in an annual PM emission rate which is only a small fraction of this value.

The Department's review of the information contained in the application indicates that following the installation of the fabric collector, the boiler will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the PM emission requirements of 25 Pa. Code § 123.11 and the visible air contaminant emission requirements of 25 Pa. Code § 123.41. Based on this finding, the Department intends to approve the application and issue plan approval for the installation of the proposed fabric collector.

The following is a summary of the conditions the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable regulatory requirements:

1. The fabric collector bags shall be made of woven fiberglass with a Teflon finish.

2. The fabric collector shall be insulated.

3. The existing integral boiler flyash reinjection system collector and cyclone collector shall be retained and used as precleaners for the fabric collector.

4. The fabric collector shall be equipped with a spark detection system and fabric collector bypass stack which shall be automatically activated if a spark is detected in

the fabric collector inlet. Activation of the bypass stack shall also sound or signal an alarm.

5. The fabric collector shall be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis.

6. The air compressor used to supply compressed air to the fabric collector shall be equipped with an air dryer and oil trap.

7. The flyash collected in the fabric collector shall be removed from the collector and subsequently handled in a fashion as to prevent the occurrence of fugitive dust emissions.

8. Spare fabric collector bags shall be kept onsite.

OPERATING PERMITS

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

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

54-00011: Pennsylvania Power and Light—Martins Creek LLC (2 North Ninth Street, GENN5 Allentown, PA 18101-1179) for operation of two combustion turbines in Norwegian Township, **Schuylkill County**. This action is a renewal of the Title V Operating Permit issued in 1997.

40-00020: Department of Public Welfare—White Haven Center (R. R. 2 Box 2195, White Haven, PA 18661) for operation of 3 anthracite coal fired boilers and 13 emergency generators in Foster Township, **Luzerne County**. This action is a renewal of the Title V Operating Permit issued in 1997.

35-00007: Department of Public Welfare—Clarks Summit State Hospital (1451 Hillside Drive, Clarks Summit, PA 18411) for operation of two anthracite coal fired boilers, one no. 2 fuel oil fired boiler and nine emergency generators in Newton Township, **Lackawanna County**. This action is a renewal of the Title V Operating Permit issued in 1997.

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

05-05021: Creative Pultrusions, Inc. (214 Industrial Lane, Alum Bank, PA 17110) for a Title V Operating Permit renewal to operate a fiberglass reinforced plastic pultrusion operation along with a chrome electroplating operation facility in West Saint Clair Township, **Bedford County**. The operations are primary emitters of 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 Subpart VVV and 40 CFR Part 63 Subpart N. Annual facility VOC emissions will be limited to less than 50 tons. The styrene usage will be limited to an average input rate of 1,200 lbs/hr. The Title V operating permit contains monitoring, recordkeeping and reporting requirements to ensure the facility complies with all applicable air requirements.

36-05066: U. S. Lock & Hardware Co. (P. O. Box 60, 166 Bridge Street, Columbia, PA 17512) for operation of a

gray and ductile iron foundry in Columbia Borough, **Lancaster County**. Foundry operations primarily generate CO emissions. The Title V Operating Permit will contain Compliance Assurance Monitoring conditions under 40 CFR Part 64. This is a renewal of their Title V Operating Permit.

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

19-00004: Cheetah Chassis Corp. (P. O. Box 388, Third and Oak Streets, Berwick, PA 18603) for renewal of the Title V Operating Permit for their van chassis manufacturing facility in Berwick Borough, **Columbia County**. The facility is currently operating under TVOP 19-00004, which was issued on January 21, 1998. The facility's sources include 18 natural gas fired space heaters, 2 paint spray booths, equipment cleanup activities, 2 curing ovens, a preheat oven, a gun parts washer, 3 shot blast booths, welding operations and fabrication operations, which have the potential to emit major quantities of VOCs and HAPs. The facility has the potential to emit SOx, NOx, CO and PM10 below the major emission thresholds. The facility is subject to the Reasonably Available Control Technology requirements (25 Pa. Code §§ 129.91—129.95) for VOC emissions. The proposed Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

47-00002: Great Dane LP (70 Strick Road, Danville, PA 17821) for renewal of the Title V Operating Permit for their truck trailer manufacturing facility in Limestone Township, **Montour County**. The facility is currently operating under TVOP 47-00002, which was issued on June 5, 1998. The facility's sources include 33 propane fired space heaters, 7 propane fired furnaces, 4 paint spray booths, equipment cleanup activities, a curing oven, a roof assembly area, 2 shot blast booths, welding operations and fabrication operations, which have the potential to emit major quantities of VOCs. The facility has the potential to emit SOx, NOx, CO, PM10 and HAPs below the major emission thresholds. The proposed Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

30-00096: Kyowa America Corp. (317 East Roy Furman Highway, Waynesburg, PA 15370) for operation of plastic injection molding at their Waynesburg Plant in Waynesburg Borough in **Greene County**.

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

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

48-399-051: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042) for operation of a product packing system and associated air cleaning device at their Easton Plant in Wilson Borough, **Northampton County**.

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

28-03009: Casting Technologies, Inc. (P. O. Box 598, Waynesboro, PA 17268) for operation of its iron foundry in Waynesboro Borough, **Franklin County**. The facility has the following annual emissions: 6 tons of CO, 6 tons of PM10, 2 tons of SOx, 2 tons of VOC and 1 ton of NOx. The State-only operating permit will include emission restrictions, work practice standards and monitoring, recordkeeping and reporting requirements designed to keep their facility operating within all applicable air quality requirements.

36-05120: Nessco Enterprises LLC t/b/a Meridan Products (124 Earland Drive, New Holland, PA 17517) for operation of their wood furniture surface coating facility in East Earl Township, **Lancaster County**. This is a non-Title V (State-only) facility. The operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

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

63-00884: DBT America, Inc. (2045 West Pike Street, Houston, PA 15342) a renewal for the operation of a mining machinery manufacturing plant in Chartiers Township, **Washington County**.

65-00899: Snyder Funeral Home, Inc. (Bell and 402 East Church Street, Ligonier, PA 15658) a renewal for the operation of a crematory in Donegal Borough, **Westmoreland County**.

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

10-00337: Cellco Partnership d/b/a Verizon Wireless (700 Cranberry Woods Drive, Cranberry Township, PA 16066) a Natural Minor Operating Permit for operation of a 2,000 kilowatt emergency diesel engine generator at their Cranberry Call Center in Cranberry Township, **Butler County**.

37-00272: Kerry Coal Co.—Shamrock Plant (R. D.2 Box 2139, Wampum, PA 16157) for operation of a Natural Minor operating permit for emissions from a coal processing plant in New Beaver Borough, **Lawrence County**.

62-00148: Elkhorn Field Services—Roystone Plant (60B Kinzua Road, Warren, PA 16365) for operation of a Natural Minor operating permit for emissions from a natural gas processing plant in Sheffield Township, **Warren County**.

24-00124: Pennsylvania Industrial Heat Treaters (348 Access Road, St. Marys, PA 15857) a Natural Minor Operating Permit for operation of a heat-treated powdered metal parts manufacturing facility. Emissions sources associated with this facility include ten natural gas fired furnaces controlled by electrostatic precipitators.

43-00259: United Community Hospital (631 North Broad Street Extension, Grove City, PA 16127) a Natural Minor Operating Permit for operation of a general medical hospital in Pine Township, **Mercer County**. Emissions sources associated with this facility include dual fuel steam boilers, natural gas fired hot water boilers, hot water heaters and one emergency generator.

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 each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as 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 which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

Coal Applications Received

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.

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

02020201 and NPDES Permit No. PA0250121. Robindale Energy Services, Inc. (1001 Broad Street, Suite 130, Johnstown, PA 15906). Application received for transfer of permit currently issued to Coal Valley Sales Corporation for continued operation and reclamation of a bituminous coal refuse reprocessing facility located in Plum Borough, **Allegheny County**, affecting 162.9 acres. Receiving streams: Little Plum Creek (WWF). The first downstream potable water supply intake from the point of discharge is greater than 10 miles from the proposed site. Transfer application received March 24, 2003.

65030101 and NPDES Permit No. 0250368. Amerikohl Mining, Inc. (P. O. Box 427, Acme, PA 15610). Applicant for commencement, operation and reclamation of a bituminous surface mine located in Ligonier Township, **Westmoreland County** affecting 255.5 acres. Receiving streams: unnamed tributaries to Loyalhanna Creek (CWF). The first potable water supply intake within 10 miles downstream from the point of discharge is Latrobe Municipal Authority. Application received March 19, 2003.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.

11960102 and NPDES Permit No. PA0213322. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650 for continued operation of a bituminous surface mine in Adams Township and South Fork Borough, **Cambria County**, affecting 215.0 acres. Receiving streams: South Fork Branch Little Conemaugh River (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh surface water intake. Application received March 11, 2003.

11940201 and NPDES Permit No. PA0212831. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100, Latrobe, PA 15650, for continued operation of a bituminous surface mine (coal refuse reprocessing) and coal ash beneficial use in Adams Township, **Cambria County**, affecting 76.9 acres. Receiving streams: unnamed tributary to South Fork of the Little Conemaugh River (HQ-CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh surface water intake. Application received March 11, 2003.

11920205 and NPDES Permit No. PA0599492. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100, Latrobe, PA 15650, for continued operation of a bituminous surface mine (coal refuse reprocessing) in Adams Township, **Cambria County**, affecting 17.4 acres. Receiving streams: Paint Creek (CWF) and unnamed tributaries to Paint Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 11, 2003.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.

32971301. NPDES Permit PA0215082, Rosebud Mining Company (301 Market Street, Kittanning, PA 16201), to renew and revise the permit for the Josephine No. 3 Mine in Center Township, **Indiana County**, renewal and revision to add permit and subsidence control plan acres, Surface Acres Proposed N/A, Underground Acres Proposed 863.6, SCP Acres Proposed 863.6, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional charges. The first downstream potable water supply intake from the point of discharge is N/A. Application received January 27, 2003.

30841314. NPDES Permit PA0215368, Dana Mining Company of PA, Inc. (P. O. Box 1209, Morgantown, WV 26507), to transfer the permit for the Titus Deep Mine in Dunkard Township, **Greene County**, transfer from Eberhart Coal Company, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received February 27, 2003.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.

33990112 and NPDES Permit No. PA0241636. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767). Revision to an existing bituminous surface strip and auger operation in Gaskill Township, **Jefferson County** affecting 122.1 acres. Receiving streams: unnamed tributary to Ugly Run (CWF) and unnamed tributary to Stony Run (HQ-CWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to include a land use change from forestland to unmanaged natural habitat on the properties of Raymond, Rosalie, Kenneth, D. John, Lavonne and Helen L. Lovelace and Leah and Steve Sokoly. Application received March 21, 2003.

61970102 and NPDES Permit No. PA0227595. Rusnak Coal Company (R. D. 1, Box 44, Grove City, PA 16127). Revision to an existing bituminous surface, strip, auger and beneficial use coal ash operation in Irwin Township, **Venango County** affecting 54.5 acres. Receiving streams: unnamed tributary to Scrubgrass Creek and Wolf Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to include the addition of beneficial coal ash on properties of Fred M. Hoffman and Virgil L. Hoffman. Application received March 24, 2003.

33030104. Larry D. Baumgardner Coal Company, Inc. (P. O. Box 186, Lanse, PA 16849). Commencement, operation and restoration of a bituminous surface strip operation in Washington Township, **Jefferson County** affecting 81.4 acres. Receiving streams: unnamed tribu-

taries to Beaverdam Run (HQ-CWF) and unnamed tributary to Wolf Run (CWF). The first downstream potable water supply intake from the point of discharge is Falls Creek Borough. Application received March 26, 2003.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E39-420. Borough of Slatington, 125 South Walnut Street, Slatington, PA 18080, in Slatington Borough, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To repair and maintain two steel trestle railroad bridges across Trout Creek (CWF) as part of a rails to trails project. The first bridge has a 100 foot span and a 9 foot underclearance with work consisting of the replacement of the wooden deck and railing. The second bridge has a 69 foot span and a 7 foot underclearance with work

consisting of replacement of the entire superstructure. The bridges are located 700 feet upstream and 900 feet downstream respectively of Cemetery Road (T814) (Cementon, PA Quadrangle N: Bridge No. 1—22.4; Bridge No. 2—16.3 inches; W: Bridge No. 1—22.2; Bridge No. 2—17.0 inches).

E48-334. Lower Mount Bethel Township, P. O. Box 257, Martins Creek, PA 18063, in Lower Mount Bethel Township, **Northampton County**, U. S. Army Corps of Engineers Philadelphia District.

To construct and maintain a 1.6 acre gravel parking lot within the 100-year floodplain of the Delaware River (WWF, MF) to serve recreation fields between Martins Creek-Belvidere Highway and the Delaware River. The project is located 1,000 feet southwest of the Riverton-Belvidere Highway Bridge across the Delaware River (Belvidere, PA-NJ Quadrangle N: 13.5 inches; W: 12.0 inches).

E45-444. Smithfield Township, R. R. 5, Box 5229, East Stroudsburg, PA 18301, in Smithfield Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an 860 square foot building in the 100 year floodplain of the Brodhead Creek for the purpose of providing a storage and concession facility for Minisink Park. The project is located south of the intersection of Township Roads T663 (River Road) and T642 (Papermill Road). Chapter 93 designation is TSF, MF (Stroudsburg, PA-NJ Quadrangle N: 21.0 inches; W: 2.0 inches).

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

E38-134: Friends of Old Annville, Quittie Creek Nature Park Committee, 308 East Main Street, Annville, PA 17003 in Annville and South Annville Townships, **Lebanon County**, ACOE Baltimore District.

To construct and maintain a 72-foot pedestrian bridge and a boardwalk, having a total span of 153 feet, with associated concrete piers across the Quittapahilla Creek (TSF) at a point along Bachman Road (Palmyra, PA Quadrangle N: 14.0 inches; W: 1.0 inch) in Annville and South Annville Townships, Lebanon County.

E36-749: Providence Township Board of Supervisors, 200 Mt. Airy Road, New Providence, PA 17560 in Providence Township, **Lancaster County**, ACOE Philadelphia District.

To remove the existing stone abutments and deteriorated concrete decks and to construct and maintain two bridges with cast-in-place concrete abutments and wooden decks at a point/points over Huber Run (CWF) along Snyder Hollow Road (Conestoga, PA Quadrangle N: 6.5 inches; W: 0.5 inch and N: 7.4 inches; W: 0.5 inch) in Providence Township, Lancaster County.

E06-574: Centre Township, 449 Bucks Hill Road, Mohrsville, PA 19541 in Centre Township, **Berks County**, ACOE Philadelphia District.

To remove the existing 17-foot 9-inch span girder bridge and to construct and maintain a 24-foot span concrete box culvert with a 6-foot 6-inch rise 29-feet long at a point crossing Irish Creek (WWF) along Trolley Road (T-726) (Bernville, PA Quadrangle N: 18.5 inches; W: 14.1 inches), in Centre Township, Berks County. The amount of wetland impact is considered a de minimis impact of 0.05 acre and wetland mitigation is not required.

E01-239: United Natural Foods, Inc., 260 Lake Road, Dayville, CT 06241 in Oxford Township, **Adams County**, ACOE Baltimore District.

To fill an isolated, emergent wetland consisting of 0.03 acre located at the northeastern portion of the United Natural Foods Incorporated property to construct 40 new parking places. The wetland is located near an unnamed tributary to the South Branch Conewago Creek which is within the Conewago Creek Watershed (McSherrystown, PA Quadrangle N: 20.6 inches; W: 6.0 inches) in Oxford Township, Adams County.

E67-736: Cornerstone Development Group, Inc., 300 Bailey Drive, Suite 106, Stewartstown, PA 17363 in Dover Township, **York County**, ACOE Baltimore District.

To construct and maintain: (1) 210—feet of 8-inch sanitary sewer line located in the floodway of the Little Conewago Creek (TSF); (2) 135—feet of 8-inch sanitary sewer line located in the floodway of an unnamed tributary to the Little Conewago Creek (TSF); and (3) fill two palustrine emergent wetland pockets which will directly impact 0.10 acre of palustrine emergent wetlands with a secondary impact of 0.17 acre of palustrine emergent wetlands for a 69 lot residential subdivision (West York, PA Quadrangle N: 15.8 inches; W: 12.0 inches) in Dover Township, York County. The permittee has met the wetland replacement by proposing to create 0.30 acre of palustrine emergent wetlands.

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

E 17670-A1. Dominion Transmission, Inc. (DTI), 445 West Main Street, Clarksburg, WV 26301. South Bend, Plum Creek, Cowanshannock and Valley Townships, **Armstrong County**, ACOE Pittsburgh District.

To amend Permit No. 17670 to include the operation and maintenance of the existing 12-inch TL 378 pipeline having a length of approximately 12 miles across Crooked Creek (WWF), eight tributaries to Crooked Creek (WWF), Brush Run (HQ-CWF), six tributaries to Brush Run (HQ-CWF), Painters Run (HQ-CWF), an unnamed tributary to Cessna Run (CWF), Cherry Run (CWF), an unnamed tributary to Cherry Run (CWF), three unnamed tributaries to Huskins Run (WWF) and Cowanshannock Creek (WWF). The project starts at the South Bend Compressor Station (Elderton, PA Quadrangle N: 2.3 inches; W: 14.7 inches) and ends at Valley Gate Junction (Rural Valley, PA Quadrangle N: 10.0 inches; W: 16.8 inches).

E02-1417. Raymond H. Smith, 825 Morewood Avenue, Apt. D, Pittsburgh, PA 15213. Township of Robinson, **Allegheny County**, ACOE Pittsburgh District.

The applicant proposes to construct a residential subdivision involving placing and maintaining permanent fill in 0.6 acre of wetlands and to impact 1,000 feet of stream channel of unnamed tributaries to Montour Run (TSF) (Oakdale, PA Quadrangle N: 14.1 inches; W: 1.8 inches).

E02-1418. Township of Robinson, 1000 Church Hill Road, Pittsburgh, PA 15205-9006. Township of Robinson, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a 60.0 linear feet of gabion baskets along the right bank of Montour Run (TSF) for the purpose of preventing erosion to Coketown Road. The project will impact 60.0 linear feet of stream channel (Oakdale, PA Quadrangle N: 22.4 inches; W: 3.0 inches).

E02-1419. Frank Ciccanti, 1206 Route 51 South, Jefferson Hill, PA 15025. Jefferson Hills Borough, **Allegheny County**, ACOE Pittsburgh District.

To remove the existing 40.0 foot long collapsed section of the existing culvert and to construct and maintain a 40.0 foot long metal arch culvert having a span of 20.1 feet with an underclearance of 9.1 feet in Lewis Run (TSF). The project proposes to impact 40.0 (+) linear feet of stream channel (Glassport, PA Quadrangle N: 11.4 inches; W: 8.9 inches).

E02-1421. Township of Hampton, 3101 McCully Road, Allison Park, PA 15101. Hampton Township, **Allegheny County**, ACOE Pittsburgh District.

To operate and maintain an existing bridge having a span of 29.5 feet and underclearance of 7 feet across Crouse Run (TSF). The bridge is located on Wickline Road approximately 1,000 feet west of its intersection with South Pioneer Road. The bridge was replaced under Emergency Permit number EP0202205. Under this permit they impacted approximately 32 feet of stream channel (Glenshaw, PA Quadrangle N: 17.8 inches; W: 10.7 inches)

E11-299. West Carroll Township Supervisors, P. O. Box 374, Elmora, PA 15737-0374. West Carroll Township, **Cambria County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 20-foot long CM Arch culvert having a clear span of 7.25 feet and an underclearance of 5.25 feet with natural channel bottom in North Branch Blacklick Creek (CWF) located on T-505 (Gwizdak Road) at a point approximately 0.5 mile south of T-504 (Colver, PA Quadrangle N: 13.29 inches; W: 1.58 inches).

E63-540. Amwell Township, 880 Amity Road, Amity, PA 15311-9004. Amwell Township, **Washington County**, ACOE Pittsburgh District.

The applicant proposes to operate and maintain a 500 foot long drainage ditch that was constructed parallel to an unnamed tributary to Tenmile Creek (WWF) and through a de minimis acreage of wetlands. The project proposes to reduce surface runoff from Iams Hill Road and was constructed under and emergency permit (EP6302209) (Amity, PA Quadrangle N: 2.9 inches; W: 3.7 inches).

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

E20-527, Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301-1412. SR 3025, Section 021, Segment 0020, Offset 0000 Culvert Replacement in Vernon Township, **Crawford County**, ACOE Pittsburgh District (Geneva, PA Quadrangle N: 17.6 inches; W: 9.0 inches).

The applicant proposes to remove the existing structure and to construct and maintain a 70.0-foot long precast concrete box culvert having an 18.0-foot wide by 8.0-foot high waterway opening in Zimmer Run on SR 3025, Section 021, Segment 0020, Offset 0000 approximately 0.3 mile northeast of the intersection of U. S. Route 19 and SR 3025 (Krider Road). Zimmer Run is a perennial stream classified as a WWF. The project proposes to directly affect 70 linear feet of stream channel.

E25-666, Technica Development Corporation for Presque Isle Downs, Inc., 4800 Tramarlac Lane, Erie, PA 16505-1360. Presque Isle Downs Horseracing Facility, in Summitt Township, **Erie County**, ACOE Pittsburgh District (42°, 4' 20" North Latitude; 80°, 1', 48' West Longitude).

To conduct the following activities associated with construction of the Presque Isle Downs horseracing facility south of I-90 east of SR 97:

1. To fill a total of 8.61 acres of 24 nonexceptional value wetland areas. Project includes the creation of a total of 10.56 acres of replacement wetlands at five areas within the project site.

2. To construct and maintain a prefabricated steel truss bridge having three 116.67-foot spans and a maximum underclearance of 23 feet across Walnut Creek (WWF-MF) approximately 3,000 feet upstream of SR 97.

3. To construct and maintain a prefabricated steel truss bridge having two 125-foot spans and a maximum underclearance of 15 feet across Walnut Creek approximately 4,800 feet upstream of SR 97.

4. To impact a total of approximately 11,808 feet of tributaries to Walnut Creek and elimination of approximately 12.1 acres of floodplain storage as a result of grading and fills associated with site construction, stormwater detention and wetland replacement. Approximately 1,576 feet of new open channel will be created near the north end of the site as part of the relocation of a tributary to Walnut Creek, restoration of approximately 1.79 acres of previously impacted floodplain of Walnut Creek, excavation to provide 11.8 acres of additional floodplain storage and construction of stream bank enhancement at nine locations along Walnut Creek.

5. To construct and maintain a 350-foot long reinforced concrete box stream enclosure having two 12-foot wide by 6-foot high waterway openings in the relocated tributary to Walnut Creek approximately 780 feet upstream of its mouth.

6. To construct and maintain a 249-foot long reinforced concrete box stream enclosure having two 12-foot wide by 6-foot high waterway openings in the relocated tributary to Walnut Creek approximately 175 feet downstream of the existing railroad line.

7. To modify and maintain the existing 50-foot long, 60-inch diameter steel culvert in a tributary to Walnut Creek on Footemill Road approximately 750 feet north of Robison Road.

8. To construct and maintain five stormwater outfalls to Walnut Creek and adjoining wetlands.

9. To fill an approximately 0.58 acre manmade pond at the northern end of the site.

10. To install and maintain sanitary sewer and water lines across Walnut Creek attached to the northern bridge.

11. To install and maintain a sanitary sewer line across a tributary to Walnut Creek on the southern end of the site.

E10-369, Slippery Rock Borough, Municipal Building, 306 East Water Street, Slippery Rock, PA 16057. Water Street Flood Protection Project, in Slippery Rock Borough, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 12.0 inches; W: 7.75 inches).

To modify and maintain a total of approximately 600 feet of the channel of a tributary to Wolf Creek to provide flood capacity and erosion protection along the north side of East Water Street between SR 258 and SR 173. Project includes additional remediation to stabilize approximately 550 feet of channel previously modified without a permit and to realign and stabilize an additional 50 feet of channel including riprap, vegetative stabilization, rock vanes and guide rail and fence installation.

ENVIRONMENTAL ASSESSMENTS

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

EA0813-078. Russell Broadnix, 1907 Primrose Lane, Wellington, FL 33414. Ulster Township, **Bradford County**.

Project proposes to breach and remove Stack Pond Dam across a tributary to Susquehanna River (WWF) for the purpose of eliminating a liability to the owner and restoring the stream to a free flowing condition. The dam is located approximately 2,400 feet southwest of the intersection of Ulster Road (SR 4004) and T651 (Ulster, PA Quadrangle N: 17.9 inches; W: 4.5 inches).

ACTIONS

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

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

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

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

NPDES Permit No. PA0042021, Sewage, **Milford-Trumbauersville Area Sewer Authority**, P. O. Box 126, Spinnerstown, PA 18968. This proposed facility is located in Milford and Trumbauersville Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into Unami Creek, 3-E Watershed.

NPDES Permit No. PA0055395, Sewage, **Green Top Park, Inc.**, 107 Green Top Road, Sellersville, PA 18960. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into an unnamed tributary to Tohickon Creek-Three Mile Run-2D.

WQM Permit No. 1502415, Sewerage, **Harlan Corporation**, P. O. Box 1014, Paoli, PA 19301. This proposed facility is located in Kennett Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the issuance of a WQM Permit for disposal of treated sewage over seepage beds at the rate of 2,010 gpd.

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

WQM Permit No. 4002403, Sewerage, **Suburban Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is located in Penn Lake Park Borough, **Luzerne County**.

Description of Proposed Action/Activity: Applicant has been granted permit to construct low pressure sewer extension and a pumping station.

WQM Permit No. 4002401, Sewerage, **Department of Conservation and Natural Resources, Bureau of State Parks**, 2808 Three Mile Run Road, Perkasie, PA 18944. This proposed facility is located in Dennison Township, **Luzerne County**.

Description of Proposed Action/Activity: Application for Part II Water Quality Management Permit for construction of two pump stations.

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

NPDES Permit No. PA0085979 and WQM Permit No. 2894405, Transfer, Sewage, **Guest Farm Village, Inc. c/o P & W Excavating**, P. O. Box 712, McConellsburg, PA 17233. This proposed facility is located in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Transfer of permits.

WQM Permit No. 0602415, Sewerage, **Earl Fidler, Lot No. 3**, Two Mountainside Road, Temple, PA 19560. This proposed facility is located in Muhlenberg Township, **Berks County**.

Description of Proposed Action/Activity: Installation of a 1,500-gallon septic tank with a biotube or zabel filter, two 500-gallon dose tanks for dosing the peat filters, three peat filters, a UV disinfection system and a 1,060-square foot at-grade bed.

WQM Permit No. 0602414, Sewerage, **Earl Fidler, Lot No. 2**, Two Mountainside Road, Temple, PA 19560. This proposed facility is located in Muhlenberg Township, **Berks County**.

Description of Proposed Action/Activity: Installation of a 1,500-gallon septic tank with a biotube or zabel filter, two

500-gallon dose tanks for dosing the peat filters, three peat filters, a UV disinfection system and a 1,060-square foot at-grade bed.

WQM Permit No. 0703401, Sewerage, **Michael Mahr, Jr.**, 217 East Walnut Avenue, Altoona, PA 16601. This proposed facility is located in Freedom Township, **Blair County**.

Description of Proposed Action/Activity: Construction/operation of a small flow sewage treatment plant to serve their single family residence.

NPDES Permit No. PA0046680, Industrial Waste, **Mark Pederson, Republic Services of PA, LLC**, 4400 Mt. Pisgah Road, York, PA 17402. This proposed facility is located in Windsor and Lower Windsor Townships, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Kreutz Creek in Watershed 7I.

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

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

Description of Proposed Action/Activity: The issuance of a permit authorizing the construction (and operation of) to upgrade 3 existing sewage pump stations, 13,000 LF of 8-inch gravity sewers, 38 individual grinder pump stations and 10,000 LF of 1.5- to 3.0-inch low pressure sewer to serve the northwestern portion of Morris Township and an adjacent area in Graham Township. The existing treatment plant serving the West Branch Area School will be abandoned. Treatment will be provided at the Moshannon Valley Regional Wastewater Treatment Facility, which discharges to the Moshannon Creek at Philipsburg.

WQM Permit No. 4103401, Sewerage, SIC 4952, **Borough of South Williamsport**, 329-331 West Southern Avenue, South Williamsport, PA 17702. This existing facility is located in Borough of South Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: Issuance of a water quality management permit to add screening facilities to an existing pump station.

NPDES Permit No. PA0209252, Industrial Waste, SIC 4941, **Brady Township—Troutville Borough Water Association, Inc.**, R. D. 1, Luthersburg, PA 15848. This proposed facility is located in Brady Township, **Clearfield County**.

Description of Proposed Action/Activity: Reissuance of NPDES permit for discharge of treated filter backwash water from the Troutville Borough potable water treatment facilities.

NPDES Permit No. PA0209244, Industrial Waste, SIC 4941, **Brady Township—Troutville Borough Water Association, Inc.**, R. D. 1, Luthersburg, PA 15848. This proposed facility is located in Brady Township, **Clearfield County**.

Description of Proposed Action/Activity: Reissuance of NPDES permit for discharge of treated filter backwash water from the Luthersburg-Salem potable water treatment facilities.

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

NPDES Permit No. PA0219223, Industrial, **Viacom Inc.**, 11 Stanwix Street, Pittsburgh, PA 15222 is autho-

rized to discharge from a facility located at Former Westinghouse Power Plant Braker Facility, Trafford Borough, **Westmoreland County** to receiving waters named Turtle Creek.

NPDES Permit No. PA0025968, Sewage, **Aliquippa Municipal Water Authority**, 160 Hopewell Avenue, Aliquippa, PA 15001-3545 is authorized to discharge from a facility located at Aliquippa STP, Aliquippa Borough, **Beaver County** to receiving waters named Ohio River.

This notice reflects changes from the notice published at 33 Pa.B. 767 (February 8, 2003). The following stormwater outfall was added during the draft permit stage to comply with the EPA's Phase II stormwater permit requirements.

Outfall 101, which discharges to the receiving waters known as Ohio River from Outfall 001, serves as a stormwater discharge from areas in and around the treatment plant. There are at this time no effluent limitations on the outfall. This discharge must meet the stormwater discharge requirements in Part C of the NPDES permit.

NPDES Permit No. PA0026778, Sewage, **Windber Area Authority**, 1700 Stockholm Avenue, Windber, PA 15963 is authorized to discharge from a facility located at Ingleside Sewage Treatment Plant, Richland Township, **Cambria County** to receiving waters named unnamed tributary of Stony Creek and Stony Creek.

NPDES Permit No. PA0028801, Sewage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 101, Moon Township, PA 15108 is authorized to discharge from a facility located at Montour Run Water Pollution Control Plant, Moon Township, **Allegheny County** to receiving waters named Ohio River Back Channel.

This notice reflects changes from the notice published at 33 Pa.B. 768 (February 8, 2003). The following stormwater outfalls were added during the draft permit stage to comply with the EPA's Phase II stormwater permit requirements.

Outfalls 002—008, which discharge to the receiving waters known as Drainage Swales to Montour Run or Montour Run, serve as stormwater discharges from areas in and around the treatment plant. There are at this time no effluent limitations on the outfalls. The stormwater discharges shall meet the requirements in Part C of the NPDES permit.

Permit No. 6502402, Sewerage, **New Florence—St. Clair Township Sanitary Authority**, P. O. Box 369, New Florence, PA 15944. Construction of sanitary sewers and pump stations in New Florence Borough, **Westmoreland County** to serve New Florence—St. Clair Township.

Permit No. 6597407-A1, Sewage, **Seward—St. Clair Township Sanitary Authority**, P. O. Box 494, Seward, PA 15954. Construction of pump station and treatment plant modifications in St. Clair Township, **Westmoreland County** to serve Sugar Run STP.

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

WQM Permit No. 2002429, Sewerage, **David L. and Anna Schaffer**, 303 Linton Street, McKees Rocks, PA 15136. This proposed facility is located in Cussewago Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

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 to 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.

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>
PAI024803001	Strecansky & Co., Inc. 4647 Saucon Creek Rd. Suite 100 Center Valley, PA 18034-9007	Northampton	Hanover Township	Monocacy Creek HQ-CWF

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

Berks County Conservation District, P. O. Box 520, 1238 County Welfare Road, Leesport, PA 19533, (610) 372-4657.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10C050	Rick Shipe 10-A Wingco Lane Reading, PA 19605	Berks	Rockland Township	Bieber Creek EV

Cumberland County 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013, (717) 240-7812.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10H095	Harry Fox, Jr. 15 Montego Court Dillsburg, PA 17019	Cumberland	Dickinson Township	Yellow Breeches HQ

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval for coverage under these general permits is subject to effluent or pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices, monitoring, reporting requirements and other conditions set forth in the general permit. This and other project specific information are on file and are open for public review. Arrangements for reviewing this information can be made by contacting the identified office listed with each action.

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
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	Concentrated Animal Feeding Operations (CAFOs)

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>
Tinicum Township Delaware County	PAG2002303016	Tinicum Township 627 N. Governor Printz Blvd. Esstington, PA 19029	Delaware River WWF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Cheltenham Township Montgomery County	PAG2004603008	Michael Nassimi 370 7th Ave., Ste. 1700 New York, NY 10001	Tacony Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Horsham Township Montgomery County	PAG2004603017	Orleans Homebuilders, Inc. 3333 Street Road, Suite 101 Bensalem, PA 19020	Pennypack Creek TSF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hatfield Township Montgomery County	PAG2004603011	Discovery Enterprises, LP P. O. Box 567 Colmar, PA 18915	West Branch of Neshaminy Creek WWF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hatfield Township Montgomery County	PAG2004603007	Oaks Restaurant, LP 15 Balligomingo Road Conshohocken, PA 19428	West Branch of Neshaminy Creek WWF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Hanover Township Montgomery County	PAG2004603019	Upper Hanover Authority 1704 Pillsbury Road P. O. Box 205 East Greenville, PA 18041	Macoby Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Towamencin Township Montgomery County	PAG2004603005	Towamencin Township P. O. Box 303 Kulpsville, PA 19443	West Branch Towamencin 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>
Upper Moreland Township Montgomery County	PAG2004603054	Recigno Laboratories, Inc. P. O. Box 560 Willow Grove, PA 19090	Pennypack Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
City of Philadelphia Philadelphia County	PAG2015103002	30th St. Parking Associates, Inc. 3000 Centre Square West 1500 Market Street Philadelphia, PA 19102	Schuylkill River WWF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
City of Philadelphia Philadelphia County	PAG2015103005	Delaware East Associates Inc. c/o Goldenberg Dev. Corp. 350 Sentry Parkway, Bldg. 630 Blue Bell, PA 19422	Municipal Storm Sewer	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Northampton County Lehigh Township	PAG2004803006	Larry Turoscy 453 Main St. P. O. Box 68 Walnutport, PA 18088	Bertsch Creek CWF	Northampton County Conservation District (610) 746-1971
Northampton County Williams Township	PAG2004803012	Woodside Partners, L. P. 559 Main St. Suite 300 Bethlehem, PA 18018	Delaware River UNT TSF	Northampton County Conservation District (610) 746-1971
Schuylkill County Butler Township	PAG2005403011	Dillman Property Subdivision Jeffery P. Dillman 8 Elmer St. Ashland, PA 17921	Little Mahanoy Creek CWF	Schuylkill County Conservation District (570) 622-3742
Fern Drive—Hanover Street Sewer along sections of Fern Drive, Hanover Street, Kohler Mill, Mount Misery, Irishtown and Lingg Roads and a private right-of-way New Oxford Oxford Township	PAG2000103003	Donald Poist Oxford Township Board of Supervisors P. O. Box 86 New Oxford, PA 17350	South Branch Conewago Creek Susquehanna River Basin WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Tilden Township Berks County	PAR10C421-1	Joe Jurgielewicz & Son. Ltd. P. O. Box 257 Shartlesville, PA 19554	Mill Creek CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
North Middleton Cumberland County	PAR10H263-1	D. P. Operating Partnership, L. P. David Loring 1200 Financial Blvd. Reno, NV 89502	Alexander Spring Creek CWF Conodoguinet WWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Derry Township	PAG2002203012	Rhodes Development Group 1300 Market St. P. O. Box 622 Lemoyne, PA 17043	Spring Creek WWF	Dauphin County Conservation District (717) 921-8100
Guilford Township	PAR10M154-R	Ridgewood Station Preston Bellows 2082 Lincoln Way East Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District (717) 264-8074

<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>
Greene Township	PAG2002803010	Mary & Chester Shively Trust c/o Michael Shively 467 Briar Lane Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District (717) 264-8074
Antrim and Quincy Townships	PAR10M149R	Jefferson & Eastern Corp. 730 Fox Gap Road Middletown, MD 21769	West Branch of Antietam Creek CWF	Franklin County Conservation District (717) 264-8074
Lebanon County North Cornwall Township	PAG2003803010	Stuart Hanford P. O. Box 746 Lebanon, PA 17042	Snitz Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908
Lebanon County Annville Township	PAG2003803004	Bruce Keck 280 Clear Spring Road Annville, PA 17003	Quittapahilla Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908
Lebanon County Union Township	PAG2003803009	John Copertino 12 Marie Drive Lititz, PA 17543	Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908
Lebanon County North Londonderry and South Londonderry Townships Palmyra Borough	PAG2003803007	Jim Wannemacher The Community Group LLC 124 Carousel Circle New Britain, PA 18901	Spring Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908
Tilden Township Berks County	PAR10C421-1	Joe Jurgielewicz & Son Ltd. P. O. Box 257 Shartlesville, PA 19554	Mill Creek CWF	Berks County Conservation District P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657
Columbia County Sugarloaf and Benton Townships	PAG2001903005	Carl Stackhouse 257 Clark Rd. Benton, PA 17814	UNT Raven Creek Fishing Creek Watershed WWF	Columbia County Conservation District 702 Sawmill Rd. Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Tioga County Lawrence Township and Borough	PAG2005003006	Department of Transportation Engineering District 3-0 P. O. Box 218 Montoursville, PA 17754	Tributary to Cowanesque CWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801
Somerset County Summit Township	PAR106154	Leroy Yoder 456 Kin-Mill Road Meyersdale, PA 15552	UNT to Elk Lick Creek CWF	Somerset County Conservation District (814) 445-4652
Westmoreland County Irwin Borough	PAG2056503014	North Huntingdon Association, LLC 622 Caruthers Lane Irwin, PA 15642	Turtle Creek TSF	Westmoreland County Conservation District (724) 837-5271
Westmoreland County Hempfield Township	PAG2056503017	Department of Transportation P. O. Box 459 Uniontown, PA 15401	UNT to Jacks Run WWF	Westmoreland County Conservation District (724) 837-5271
Butler County Cranberry Township	PAG2001003004	Butler County Family YMCA 339 North Washington St. Butler, PA 16001	UNT to Brush Creek WWF	Butler County Conservation District (724) 284-5270

<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>
Erie County Union Township	PAG2002503009	Glenn Troyer 9810 Route 6 Union City, PA 16438	Bentley Run Tributary of South Branch French Creek CWF	Erie County Conservation District (814) 825-6403
<i>General Permit Type—PAG-3</i>				
<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>
Lackawanna County City of Scranton	PAR232236	Compression Polymers Corp. 801 Corey Street Moosic, PA 18507	Lackawanna River WWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Luzerne County West Hazleton	PAR232211	The Dial Corporation 15501 North Dial Blvd. Scottsdale, AZ 85260	Black Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Lancaster County Manheim Township	PAR213601	Alumax Mill Products, Inc. Box 3167 Lancaster, PA 17601	UNT Little Conestoga Creek WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Franklin County Greencastle Borough	PAR203600	Beck Manufacturing 9170 Molly Pitcher Highway Greencastle, PA 17225	Conocheague Creek WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
<i>General Permit Type—PAG-4</i>				
<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>
Gulich Township Clearfield County	PAG044997	William Harchak P. O. Box 257 Ramey, PA 16671	UNT to Little Muddy Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Sandy Township Clearfield County	PAG045002	George T. Walls R. D. 1 Box 336 DuBois, PA 15801	UNT to Soldier Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Lewis Township Northumberland County	PAG044845	Larry Kocher R. D. 2, Box 16B Turbotville, PA 17772	UNT to Warrior Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Lewis Township Northumberland County	PAG045043	William F. Miller P. O. Box 143 Muncy, PA 17756-0143	UNT to Warrior Run WWF	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 Telephone No.</i>
Elk Township Warren County	PAG048532	Suzanne C. Swanson P. O. Box 124 Russell, PA 16345	Tributary to Reynolds Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG048528	William G. Schellenger, Jr. 43 South Summit Road Greenville, PA 16125	Tributary Booth Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-8 (SSN)</i>				
<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>
Lynn Township Lehigh County	PAG083501 PAG070003 PAG080008 PAG080003 PAG083502 PAG083522 PAG083542 PAG083551 PAG080006 PAG082201 PAG080009 PAG083515 PAG082203 PAG083825 PAG083517 PAG083547 PAG083506 PAG083518	Synagro Mid-Atlantic, Inc. 1605 Dooley Road P. O. Box B Whiteford, MD 21160	Ray Fluck Farm Lynn Township Lehigh County	NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
<i>General Permit Type—PAG-9</i>				
<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>
Lehigh Township Northampton County	PAG092204	Sell's Septic Service 954 Woodland Dr. Walnutport, PA 18088		NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Bethel Township Berks County	PAG092204	Sells Septic SVC Septic Service 8240 Lancaster Ave Bethel, PA 19507	Elmer Bross Farm No. 2	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Bethel Township Berks County	PAG093514	Peterman Brothers Septic Service 8240 Lancaster Ave Bethel, PA 19507	Elmer Bross Farm No. 2	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

PUBLIC WATER SUPPLY 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 to 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. 2802505, Public Water Supply.

Applicant **Greencastle Area Franklin County Water Authority**
 Municipality Greencastle Borough
 County **Franklin**
 Type of Facility Construction Permit for a proposed high service booster station and approximately 850 LF of 12-inch connecting main. The station will have a capacity of 1.0 MG and transfer water from the existing distribution system to the new high service distribution system that is currently under construction.
 Consulting Engineer Gene C. Koontz, P. E.
 Gannett Fleming, Inc.
 P. O. Box 67100
 Harrisburg, PA 17106-7100
 Permit to Construct Issued: March 25, 2003

Operations Permit issued to **Steelton Borough Authority**, 7220036, Borough of Steelton, **Dauphin County** on March 25, 2003, for the operation of facilities approved under Construction Permit No. 2202510 MA.

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

Permit No. 1602502, Public Water Supply.

Applicant **Farmington Township**
 P. O. Box 148
 Leeper, PA 16233
 Borough or Township Farmington Township
 County **Clarion**
 Type of Facility Consecutive water supplier to PAWC—construction of potable water system to serve 916 residential population and North Clarion High School.
 Consulting Engineer Northwest Engineering, Inc.
 P. O. Box Q
 Tidioute, PA 16351

Permit to Construct Issued March 28, 2003.

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

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

WA 16-1002, Water Allocations, Farmington Township, Clarion County. Subsidiary rights granted to acquire and use for public water supply purposes, the purchase of up to 100,000 gpd based on a 30-day peak demand (gpd) from Pennsylvania American Water Company—Clarion District. Permit issued March 28, 2003.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Ralpho Township	30 S. Market St. Elysburg, PA 17824	Northumberland
Cleveland Township	50 Snyder Bridge Rd. Catawissa, PA 17820	Columbia
Franklin Township	277 Long Wood Rd. Catawissa, PA 17820	Columbia

Plan Description: The approved plan provides for the construction of a new sewage collection system to serve the Knoebels Amusement Resort, Reeders Grove and Route 487 corridor area of Ralpho, Cleveland and Franklin Townships. The collection system will include new gravity sewers with a pump station and a force main. The sewage will be conveyed to the Ralpho Township Municipal Authority main sewage treatment plant. The project cost is estimated to be \$1,108,000. The new collection system will be owned and operated by the Ralpho Township Municipal Authority. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Paxton Township	75 South Houcks Road Harrisburg, PA 17109	Dauphin

Plan Description: The approved plan provides for the construction of a peak wet weather treatment facility to sere the Beaver Creek basin, an accelerated "mini-basin" I/I rehabilitation program for the Paxton Creek Basin and an allocation based mini-basin I/I rehabilitation program

for the Spring Creek Basin. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (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 the 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

Northeast Regional Field Office, Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Linden Street Parking Garage, City of Allentown, **Lehigh County**. Lawler, Matusky & Skelly Engineers, LLP, The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101 has submitted a Final Report (on behalf of George Ledwith, Liberty Property Limited Partnership, 65 Valley Stream Drive, Great Valley Corporate Center, Malvern, PA 19355) concerning the remediation of site soils found or suspected to have been contaminated with chlorinated solvents and other organics, no. 2 fuel oil, used motor oil, lead and other inorganics resulting from underground storage tanks once located on the property. A Notice of Intent to Remediate was simultaneously submitted.

Najaka Residence, Union Township, **Luzerne County**. Richard Merhar, Project Manager, PMC Environmental, Whiteland Business Park, 835 Springdale Drive, Suite 201, Exton, PA 19341-2843 has submitted a revised Final Report (on behalf of Mr. and Mrs. B. Bruce Najaka, Cherokee Drive, Shickshinny Lake, PA 18655) concerning the remediation of soils contaminated with no.

2 fuel oil. The report was resubmitted to document remediation of the site to meet the Statewide Health Standard.

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

Teledyne Readco Lot 2A, Spring Garden Township, **York County**. Gannett Fleming, Inc., 1650 Manheim Pike, Lancaster, PA 17601, on behalf of York College of Pennsylvania, 439 Country Club Road, York, PA 17405, submitted a Final Report concerning remediation of site soils contaminated with inorganics. The report is intended to document remediation of the site to the Site-Specific Standard.

Former Federal Paperboard Plant, West Manchester Township, **York County**. EPSYS Corporation, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103, on behalf of International Paper Company, 6400 Poplar Avenue, Tower II, 5-023, Memphis, TN 38197 submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with BTEX, PHCs and PAHs. The applicant is seeking attainment of a combination of Statewide Health and Site Specific Standards.

Former United Piece Dye Works, Spring Garden and Springettsbury Townships, **York County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Spring Garden Township, 558 South Ogontz Street, York, PA 17403-5709, submitted a Remedial Investigation report concerning remediation of site soils, groundwater, surface water and sediment contaminated with PCBs, lead, heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet a combination of the requirements for the Site-Specific and Statewide Health Standards.

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

Croftwood Mills—Metal Wire Driftwood M & M Pipeline, Driftwood Borough, **Cameron County**. ERM, on behalf of Nassau Metals Corporation, 101 Crawfords Corner Road, Room 2J-132B, Holmdel, NJ 07733-3030, has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning soil contaminated with chlorinated solvents, diesel fuel, lead, other organics, inorganics, PAHs, PCBs and unleaded gasoline; and groundwater contaminated with chlorinated solvents, inorganics, lead, other organics, PAHs and unleaded gasoline. This combined submission is in partial fulfillment of the Site-Specific Standard.

PPL Montoursville Service Center, Fairfield Township, **Lycoming County**. PPL, 827 Hausman Road, P. O. Box 3500, Allentown, PA 18106, has submitted a Final Report concerning soil contaminated with hydraulic fluid. This Final Report is intended to demonstrate attainment of the Statewide Health Standard. See the immediately following notice in this section.

PPL Montoursville Service Center, Fairfield Township, **Lycoming County**. PPL, 8287 Hausman Road, P. O. Box 3500, Allentown, PA 18106, has submitted a Final Report concerning soil contaminated with hydraulic. This Final Report demonstrated attainment of the Statewide Health Standard was approved by the Department on October 18, 2002. See the previous notice in this section.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the Act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department Regional Office 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 listed. 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.

Aspire, Inc., Falls Township, **Bucks County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Mickey Briggs, Esq., Attorney for PA Building, LLC c/o Cox, Hodgman & Giarmarco, PC, 101 W. Big Beaver Rd., Columbia Center, Troy MI 48084, has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with MTBE and unleaded gasoline and site groundwater contaminated with lead, MTBE and unleaded gasoline. The report and cleanup plan were approved by the Department on March 25, 2003.

Bryn Hill Industries, Ridley Township, **Delaware County**. Samuel J. Kucia, Environmental Consulting, Inc., 500 E. Washington St., Suite 375, Norristown, PA 19401, on behalf of Morris Realty & Investment, Greg Morris, 515 Shoemaker Rd., King of Prussia, PA 19406, has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 25, 2003.

Elwyn Institute Property, Middletown Township, **Delaware County**. Marco Droese, P. G., Mulry & Cresswell Environmental, Inc. 1691 Horseshoe Pk., Suite 3, Glenmoore, PA 19343, on behalf of Eileen McLaughlin, Elwyn Institute, 111 Elwyn Institute, Media, PA 19063, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with Fuel Oil No. 2. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 27, 2003.

Glenn Kulp Residence, Lower Frederick Township, **Montgomery County**. Misti L. Wetzel, Buschman & Johnson, 228 N. Main St., Souderton, PA 18964, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 27, 2003.

Chelsea Housing, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Philadelphia, PA 19104, on behalf of James L. McMahan, Chelsea Historic Properties, LP, 4041 Ridge Ave., Philadelphia, PA 19129, has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil contaminated with chlorinated solvents, Fuel Oil No. 2, Fuel Oil No. 6, inorganics, lead, other organics, PAH, PCB and pesticides; and groundwater contaminated with chlorinated solvents, Fuel Oil No. 2, Fuel Oil No. 6, other organics and PAH. The reports and cleanup plan were approved by the Department on March 26, 2003.

Spring Lock Scaffolding Company, City of Philadelphia, **Philadelphia County**. Paul Ledebur, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Randy Rapoport, Spring Lock Scaffolding Co., 2600 N. 2nd St., Philadelphia, PA 19133, has submitted a Final Report concerning remediation of site soil contaminated with Fuel Oil No. 2 and used motor oil. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 25, 2003.

Northeast Region: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Bethlehem Corporation and Young Volkswagen Mazda, Palmer Township, Northampton County. Jim LaRegina, P. G., HRP Associates, Inc., 4807 Jonestown Road, Harrisburg, PA 17109 submitted a Remedial Investigation Report and a Cleanup Plan (on behalf of Easton Center LLC, 18202 Minnetonka Boulevard, Suite 1, Wayzata, MN 55391) concerning the characterization and remediation of site soils and groundwater found or suspected to be contaminated with lead and other inorganics, no. 2 fuel oil, leaded gasoline, chlorinated solvents and other organics, PAHs and PCBs as the result of historic operations at these sites. The reports were submitted in partial fulfillment of a combination of the nonresidential Statewide Health and Site-Specific Standards and were approved on March 27, 2003.

Lafayette Meadows Development—Lots 21—23, Forks Township, Northampton County. Scott R. Campbell, P. G., Earth Resources Group, Inc., P. O. Box 468, Pipersville, PA 18947 submitted a Final Report (on behalf of Signature Homes, 610 Farm Lane, Doylestown, PA 18901) concerning the remediation of soils found or suspected to have been contaminated with lead and other metals. The report documented attainment of the residential Statewide Health Standard and was approved on March 18, 2003.

Linden Street Parking Garage, City of Allentown, Lehigh County. Lawler, Matusky & Skelly Engineers, LLP, The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101 submitted a Final Report (on behalf of George Ledwith, Liberty Property Limited Partnership, 65 Valley Stream Drive, Great Valley Corporate Center, Malvern, PA 19355) concerning the remediation of site soils found or suspected to have been contaminated with chlorinated solvents and other organics, no. 2 fuel oil, used motor oil, lead and other inorganics resulting from underground storage tanks once located on the property. The report documented attainment of the Statewide Health Standard and was approved on March 20, 2003.

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

Fresh Express, Inc., Greencastle Borough, Franklin County. Clayton Group Services, 160 Fieldcrest Avenue, Edison, NJ 08837, on behalf of Fresh Express, Inc., 104 Commerce Avenue, Greencastle, PA 17225, submitted a Final Report concerning the remediation of site soils contaminated with PHCs. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 25, 2003.

Former United Piece Dye Works, Spring Garden and Springettsbury Townships, York County. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Spring Garden Township, 558 South Ogontz Street, York, PA 17403-5709, submitted a Remedial Investigation report concerning remediation of site soils, groundwater, surface water and sediment contaminated with PCBs, lead, heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet a combination of the requirements for the Site-Specific and Statewide Health Standards. The report was approved by the Department on March 31, 2003.

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.

L & C Trucking Inc., 3rd Floor, 103-50 102 St., Ozone Park, NY 11417. Authorization No. WH2840. Effective March 24, 2003.

Julian Cherry, 77 Columbia St., New York, NY 10002. Authorization No. WH2843. Effective March 24, 2003.

Claddagh Trucking Inc., Nash Road, Purdys, NY 10578. Authorization No. WH2845. Effective March 24, 2003.

Paul A. Hacker, 128-08 Inwood St., Spoth Ozone Park, NY 11436. Authorization No. WH2846. Effective March 24, 2003.

Edward E. Mccoy, 145 Tomkins Terrace, Beacon, NY 12508. Authorization No. WH2847. Effective March 24, 2003.

Godspeed Service, 94 Red Oak Drive, Boyertown, PA 19512. Authorization No. WH2962. Effective March 24, 2003.

Kandler Associates Inc., 79 Pine Forge Road, Douglasville, PA 19518. Authorization No. WH2966. Effective March 24, 2003.

David M. Campbell, 1470 N. Valley Road, Pottstown, PA 19464. Authorization No. WH2967. Effective March 24, 2003.

Derrick J. Boaman, 111 Chestnut Lane, Pottstown, PA 19465. Authorization No. WH2983. Effective March 24, 2003.

Felix C. Calle, 2nd Floor, 360 W Main St., Norristown, PA 19401. Authorization No. WH3011. Effective March 24, 2003.

Odera Associates LLC, 317 E. Barber Ave., Woodbury, NJ 08096-2705. Authorization No. WH3013. Effective March 24, 2003.

Victors Trucking Corp, 115 Fleming Ave., Newark, NJ 07105. Authorization No. WH2956. Effective March 24, 2003.

Paul J. Barnes, 278 Brass Castle Road, Oxford, NJ 07863. Authorization No. WH3014. Effective March 24, 2003.

John E. Lowe, Sr., 415 E. Front St., Plainfield, NJ 07060. Authorization No. WH3015. Effective March 24, 2003.

D & V Trucking Inc., 12803 Col-Canfield Road, Columbiana, OH 44408. Authorization No. WH3020. Effective March 24, 2003.

Larry Silfies Trucking, 2659 Beacon Road, Bath, PA 18014. Authorization No. WH3073. Effective March 24, 2003.

Rauch General Hauling, 121 Crestmont St., Reading, PA 19611. Authorization No. WH3082. Effective March 24, 2003.

Isiah George Jr., 1304 Luzerne St., Reading, PA 19601. Authorization No. WH3083. Effective March 24, 2003.

Chapin Sanitation, 41 Chapin Road, Wapwallopen, PA 18660-1109. Authorization No. WH3084. Effective March 24, 2003.

Minard Run Oil Co., Inc., Box 18, 609 South Ave., Bradford, PA 16701-3977. Authorization No. WH3085. Effective March 24, 2003.

Hopko Excavating, 327 Dogwood Drive, Alburtis, PA 18011. Authorization No. WH2751. Effective March 24, 2003.

University of Pennsylvania, Department of Real Estate, 3451 Walnut Street, 748 Franklin Building, Philadelphia, PA 19104-6205. Authorization No. WH3006. Effective March 24, 2003.

James D. Morrissey Inc., 9119 Frankford Avenue, Philadelphia, PA 19114-2854. Authorization No. WH3007. Effective March 24, 2003.

Reinoso Transport Service, Suite 2, 42-31 66th Street, Woodside, NY 11377. Authorization No. WH3008. Effective March 24, 2003.

North Side Carting Inc., 46 Asbury Road, Hackettstown, NJ 07840-4922. Authorization No. WH3009. Effective March 24, 2003.

A. J. Blosenski Inc., P. O. Box 392, Elverson, PA 19520. Authorization No. WH3010. Effective March 24, 2003.

Hillcrest Garages, HC 62 Box 580, Honesdale, PA 18431. Authorization No. WH3012. Effective March 24, 2003.

Henry D. Henson, 1128 Mainsville Road, Shipensburg, PA 17257. Authorization No. WH3016. Effective March 24, 2003.

MPW Industrial Service Inc., P. O. Box 10, Hebron, OH 43025. Authorization No. WH3017. Effective March 24, 2003.

DJ Demolition Co., 809 Talbot Avenue, Braddock, PA 15104. Authorization No. WH3018. Effective March 24, 2003.

A. Joseph Bonk & Sons Excavating & Trucking Inc., P. O. Box 2009, Wilkes-Barre, PA 18703-2009. Authorization No. WH2934. Effective March 27, 2003.

RL Steinbacher Excavation & Demolition, 44 Steinbacher Lane, Williamsport, PA 17702. Authorization No. WH2944. Effective March 27, 2003.

Moosic Borough, Lackawanna County, 715 Main St., Moosic, PA 18507-1023. Authorization No. WH3072. Effective March 27, 2003.

D & D Truck Lines Inc., 9200 Route 119 S., Blairsville, PA 15717. Authorization No. WH3087. Effective March 27, 2003.

Scott A. Seyler, 1356 Holly Dr., Gilbertsville, PA 19525. Authorization No. WH3091. Effective March 27, 2003.

Clean Earth Environmental Service Inc., P. O. Box 156, 847 Piney Hollow Road, Winslow, NJ 08095. Authorization No. WH3094. Effective March 27, 2003.

Wesleyville Borough, 3421 Buffalo Road, Wesleyville, PA 16510-1813. Authorization No. WH3095. Effective March 27, 2003.

Wasteaway Disposal Inc., 8350 Edinboro Road, Erie, PA 16509. Authorization No. WH3097. Effective March 27, 2003.

Marinkov's Transport, 421 Kline Road, Bethel, PA 19507. Authorization No. WH3098. Effective March 27, 2003.

Jeannette City, Westmoreland County, City Hall, 110 S. 2nd St., Jeannette, PA 15644. Authorization No. WH3102. Effective March 27, 2003.

Tussey Mountain Mulch & Landscape Products, R. R. 1 Box 763, Martinsburg, PA 16662. Authorization No. WH3104. Effective March 27, 2003.

Jose A. Urena, No. 6b, 3010 Valentine Ave., Bronx, NY 10458. Authorization No. WH3108. Effective March 27, 2003.

TLC Hauling, 901 4 Ave. Lakemont, P. O. Box 343, Altoona, PA 16602. Authorization No. WH3112. Effective March 27, 2003.

Calvin Wilson Trucking, 228 Winston St., Pittsburgh, PA 15207. Authorization No. WH3113. Effective March 27, 2003.

We Haul It All, 104 Long Lane, Marlton, NJ 08053-7109. Authorization No. WH3116. Effective March 27, 2003.

Richard Todd Reube, 215 Orvilla Road, Hatfield, PA 19440-3648. Authorization No. WH3117. Effective March 27, 2003.

Traco Inc., 71 Progress Ave., Cranberry Township, PA 16066. Authorization No. WH3118. Effective March 27, 2003.

Diamond Huntbach Construction Corp., 2716 20 Ruth St., Philadelphia, PA 19134-3408. Authorization No. WH3119. Effective March 27, 2003.

January Transport, Inc., 2701 South Prospect Avenue, Oklahoma City, OK 73129-6451. Authorization No. WH3141. Effective March 26, 2003.

Indiana Borough, 80 North 8th Street, Indiana, PA 15701-1702. Authorization No. WH3142. Effective March 26, 2003.

JAB Trucking Co., Inc., 31 Meadow Road, New Castle, DE 19720. Authorization No. WH3143. Effective March 26, 2003.

West Homestead Borough, Allegheny County, 456 West 8th Avenue, West Homestead, PA 15120-1014. Authorization No. WH3144. Effective March 26, 2003.

R. L. Kulp Disposal Service, 850 Sunset Lane, Telford, PA 18969-2126. Authorization No. WH3146. Effective March 26, 2003.

Gregory Walker Hauling, 305 McKnight Street, Reading, PA 19601. Authorization No. WH3147. Effective March 26, 2003.

Gene W. Zimmerman, P. O. Box 310, Ringtown, PA 17967-0310. Authorization No. WH3148. Effective March 26, 2003.

Wolfgang Hauling, 99 Tiley Road, Ashland, PA 17921-9318. Authorization No. WH3149. Effective March 26, 2003.

John Kline Trucking, Inc., 3911 Pine Road, Huntingdon Valley, PA 19006. Authorization No. WH3151. Effective March 26, 2003.

Snow Shoe Township, Centre County, P. O. Box 65, Clarence, PA 16829. Authorization No. WH3152. Effective March 26, 2003.

Sales, Marco, P. O. Box 506, Danbury, CT 06813. Authorization No. WH3153. Effective March 26, 2003.

Marc Cancelliere Trucking, 5744 Route 209, Kerhonkson, NY 12446. Authorization No. WH3154. Effective March 26, 2003.

Kenneth J. Baxter, P. O. Box 227, Ramey, PA 16671-0227. Authorization No. WH3155. Effective March 26, 2003.

Winsor Disposal, P. O. Box 773, Kane, PA 16735. Authorization No. WH3156. Effective March 26, 2003.

TTE Motor Express, LLC, P. O. Box 687, Hudson, NH 03051. Authorization No. WH3157. Effective March 26, 2003.

Zeki Transportation, Inc., 3405 Kings Highway, Apt. 2B, Brooklyn, NY 11234. Authorization No. WH3158. Effective March 26, 2003.

J & J Express, Inc., 186 Avenue S., Brooklyn, NY 11223-2633. Authorization No. WH3159. Effective March 26, 2003.

CFS Waste Services, LLC, R. R. 6, Box 344, New Castle, PA 16101. Authorization No. WH3160. Effective March 26, 2003.

Lawson Trucking Inc., R. R. 4 Box 329, Sugar Grove, PA 16350. Authorization No. WH2315. Effective March 28, 2003.

Kessel Lumber Supply Inc., HC 84 Box 4, Keyser, WV 26726-9704. Authorization No. WH3122. Effective March 27, 2003.

Precision Landscaping Inc., P. O. Box 3009, Wayne, NJ 07470. Authorization No. WH3123. Effective March 27, 2003.

Battal Trucking LLC, 206 Fairview Avenue, Prospect Park, NJ 07508-1922. Authorization No. WH3124. Effective March 27, 2003.

Holger Trucking Corporation, 236 N. 15th Street, Bloomfield, NJ 07003. Authorization No. WH3125. Effective March 27, 2003.

Waste Recycling Solutions Inc., 1850 Route 112, Medford, NY 11763. Authorization No. WH3126. Effective March 27, 2003.

Jer-Ross Excavating, 3408 Church Road, Northampton, PA 18067-9608. Authorization No. WH3128. Effective March 27, 2003.

Grand Sanitation Service Inc., P. O. Box 359, Scotch Plains, NJ 07076. Authorization No. WH3129. Effective March 27, 2003.

Wilkes-Barre City, Luzerne County, City Hall, 40 East Market Street, Wilkes-Barre, PA 18711-0453. Authorization No. WH3131. Effective March 27, 2003.

Millennium Environmental Services Inc., P. O. Box 246, Southampton, PA 18966. Authorization No. WH3132. Effective March 27, 2003.

Millennium Fuels Corporation, 597 Glen Meadow Road, Richboro, PA 18954-1668. Authorization No. WH3133. Effective March 27, 2003.

Stuart R. Paul, 597 Glen Meadow Road, Richboro, PA 18954-1668. Authorization No. WH3134. Effective March 27, 2003.

Paul E. Runk, 1300 1st Avenue, Altoona, PA 16602. Authorization No. WH3139. Effective March 27, 2003.

Antico Trucking, P. O. Box 113, Spotswood, NJ 08884. Authorization No. WH3140. Effective March 27, 2003.

Waya Waste LLC, 70 Tracey Road, Huntingdon Valley, PA 19006. Authorization No. WH3294. Effective March 25, 2003.

Robinson Pipe Cleaning Company, P. O. Box 396, Eighty Four, PA 15330. Authorization No. WH3293. Effective March 25, 2003.

R. A. Property Services, Inc., 3440 Pennell Road, Aston, PA 19014. Authorization No. WH3274. Effective March 25, 2003.

Randal Cunfer, 59 Conyngham Drums Road, Sugarloaf, PA 18249-9739. Authorization No. WH3264. Effective March 25, 2003.

Stephen Bush, 609 Mountain View Road, Reading, PA 19607. Authorization No. WH3263. Effective March 25, 2003.

Geary's Refuse Co., 204 McGill Avenue, P. O. Box 394, Dawson, PA 15428-0394. Authorization No. WH3262. Effective March 25, 2003.

Recycle Metals Corporation, 407 Alan Wood Road, Conshohocken, PA 19428. Authorization No. WH3261. Effective March 25, 2003.

Ronald Antonelli, 1187 Dermond Road, Drexel Hill, PA 19026. Authorization No. WH3260. Effective March 25, 2003.

B. R. Kreider & Son, Inc., 63 Kreider Lane, Manheim, PA 17545-8869. Authorization No. WH3259. Effective March 25, 2003.

Municipal of Bethel Park, 3100 Piney Fork Road, South Park, PA 15129. Authorization No. WH3258. Effective March 25, 2003.

Borough of Collingdale, 800 Mac Dade Boulevard, Collingdale, PA 19023-8524. Authorization No. WH3257. Effective March 25, 2003.

Double D. Roofing & Sheet Metal, Inc., 4615 West Market Street, York, PA 17404. Authorization No. WH3255. Effective March 25, 2003.

Dan Schantz Farms & Greenhouses, LLC, 8025 Spinnerstown Road, Zionsville, PA 18092. Authorization No. WH3253. Effective March 25, 2003.

Jose L. Hernandez, 5601 Boulevard East, No. 17A, West New York, NJ 07093. Authorization No. WH3250. Effective March 25, 2003.

Juan Cabrera, 354 Main Street, Brandon, PA 19510. Authorization No. WH3249. Effective March 25, 2003.

Jefe Trucking Corporation, 21 Odell Avenue, B1, White Plains, NY 10606. Authorization No. WH3248. Effective March 25, 2003.

Silva R. Eduardo, 101 New York Avenue, Newark, NJ 07105. Authorization No. WH3246. Effective March 25, 2003.

Borough of Vandergrift, 151 Lincoln Avenue, Vandergrift, PA 15690. Authorization No. WH3244. Effective March 25, 2003.

Cleo Harris Jr., 925 West 18th Street, Erie, PA 16502. Authorization No. WH3242. Effective March 25, 2003.

Bencardino Excavating, Inc., 1423 Wells Drive, Bensalem, PA 19020. Authorization No. WH3241. Effective March 25, 2003.

Luza's Trucking LLC, 44 Ferry Street, Newark, NJ 07105. Authorization No. WH2238. Effective March 25, 2003.

Richard J. Francisco, 2157 Holland Avenue, Apt. 4M, Bronx, NY 10462. Authorization No. WH3252. Effective March 28, 2003.

D&M Grove Sanitation Inc., R. R. 1, Box 953, Mount Union, PA 17066. Authorization No. WH3203. Effective March 31, 2003.

Aetna Roofing Corporation, 1320 East State Street, Trenton, NJ 08609. Authorization No. WH3199. Effective March 31, 2003.

Tarbert Excavating & Contracting, 126 Quarry Road, Delta, PA 17314. Authorization No. WH3197. Effective March 31, 2003.

Marco A. Rosas, Apt. 3, 492 Market Street, Newark, NJ 07105. Authorization No. WH3196. Effective March 31, 2003.

Wilman A. Martinez, 130 Jackson Street, Newark, NJ 07105. Authorization No. WH3195. Effective March 31, 2003.

Whyte Enterprise, 1601 Walton Road, Blue Bell, PA 19422. Authorization No. WH3188. Effective March 31, 2003.

Cauler Containers, 245 Oak Bottom Road, Quarryville, PA 17566-9106. Authorization No. WH3183. Effective March 31, 2003.

Sewickley Hauling Corporation, Box 18, 846 Crescent Way, Sewickley, PA 15143. Authorization No. WH3182. Effective March 31, 2003.

Abatetech Inc., P. O. Box 2345, Cinnaminson, NJ 08077. Authorization No. WH0121. Effective March 31, 2003.

Driscoll Construction Company, Inc., P. O. Box 399, Spring House, PA 19477-0399. Authorization No. WH3161. Effective March 24, 2003.

Cressman Trucking, Inc., 511 Avenue A, Trevoze, PA 19053. Authorization No. WH3162. Effective March 24, 2003.

Custom Lite, Inc., 3220 Mauch Chunk Road, Coplay, PA 18037. Authorization No. WH3163. Effective March 24, 2003.

Linda Leasing Corporation, 110 Evergreen Street, Newark, NJ 07714. Authorization No. WH3166. Effective March 24, 2003.

Jesus Torres, 1959 Daly Avenue, Bronx, NY 10460. Authorization No. WH3167. Effective March 24, 2003.

Middlesex Materials Inc., Suite 1, 245 Main Street, Woodbridge, NJ 07095. Authorization No. WH3170. Effective March 24, 2003.

Ozturk Eren Trucking Inc., 1020 Woodlane Road, Beverly, NJ 08010. Authorization No. WH3173. Effective March 24, 2003.

Alexander P. Guimaraes, Apartment 2b, 301 79th Street, North Bergen, NJ 07047. Authorization No. WH3174. Effective March 24, 2003.

DJR Trucking Inc., 821 Patterson Avenue, Croydon, PA 19021. Authorization No. WH3177. Effective March 24, 2003.

Inter-Regional Disposal & Recycling, 623 Dowd Avenue, Elizabeth, NJ 07201. Authorization No. WH3178. Effective March 24, 2003.

Mid States Oil Refining Company, LLC, 3520 Fairfield Road, Baltimore, MD 21226. Authorization No. WH3179. Effective March 24, 2003.

Siembak Trucking, 443 Daniel Street, Johnstown, PA 15906. Authorization No. WH4070. Effective March 27, 2003.

Sloan Construction Company, P. O. Box 91023, Pittsburgh, PA 15221. Authorization No. WH4232. Effective March 26, 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; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

GP4-44-05002: New Holland North America, Inc. (P. O. Box 868, 36 Maple Street, Belleville, PA 1700-0868) on March 25, 2003, was authorized to operate a burn off oven under GP4 in Union Township, **Mifflin County**.

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

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

39-399-054: Agere Systems, Inc. (555 Union Boulevard, Allentown, PA 18109) on March 27, 2003, for installation of an air cleaning device to control emissions from a photoresist tool operation in Building 31 at their facility in Allentown, **Lehigh County**.

48-310-046: Chrin Brothers, Inc. (635 Industrial Drive, Easton, PA 18042) on March 27, 2003, for construction of a stone crushing plant and associated air cleaning device at their company's noncoal surface mine, Island Park Road, Williams Township, **Northampton County**.

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

06-05068A: Scranton-Altoona Terminal Corp. (P. O. Box 2621, Harrisburg, PA 17105-2621) on March 26, 2003, for construction of a bulk gasoline terminal controlled by internal floating roofs and a vapor recovery system in Sinking Spring, **Berks County**. The sources are subject to 40 CFR Part 60, Subparts Kb and XX—Standards of Performance for New Stationary Sources.

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

25-883A: Township of Millcreek (3608 West 12th Street, Erie, PA 16505) on March 24, 2003, for modification of their drum mix asphalt plant in Millcreek Township, **Erie County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

49-303-005B: Meckley's Limestone Products, Inc. (R. R. 1, Box 1682, Herndon, PA 17830) on March 19, 2003, for modification of a batch asphalt concrete plant (by using reprocessed oil as fuel) from March 31, 2003, to September 30, 2003, in Lower Mahanoy Township, **Northumberland County**. The plan approval was extended.

41-399-026: Penn Recycling, Inc. (2525 Trenton Avenue, Williamsport, PA 17701) on March 17, 2003, for operation of an automobile/metal shredding system and associated air cleaning devices (a foam injection system and a cyclone collector) on a temporary basis until July 15, 2003, in the City of Williamsport, **Lycoming County**. The plan approval has been extended.

08-318-027: Mill's Pride—Pennsylvania (100 Lamoka Road, Sayre, PA 18840) on March 20, 2003, for operation of a wood kitchen cabinet finishing line and associated air cleaning device (a thermal oxidizer), various pieces of wood working equipment and associated air cleaning devices (fabric collectors) and various other pieces of equipment on a temporary basis until July 18, 2003, in Athens Township, **Bradford County**. The plan approval was extended.

08-318-027A: Mill's Pride—Pennsylvania (100 Lamoka Road, Sayre, PA 18840) on March 20, 2003, for operation of a wood kitchen cabinet glazing line, the air contaminant emissions from which are controlled by a thermal oxidizer, on a temporary basis until July 18, 2003, in Athens Township, **Bradford County**. The plan approval was extended.

60-303-003: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889) on March 28, 2003, to remove a restriction on the amount of fiber, plastic and rubber additives which can be mixed into the asphalt concrete produced by a drum mix asphalt plant and to revise a testing requirement to require the performance of VOCs and opacity testing on the subject plant while it is processing recycled asphalt pavement within 90 days after first reprocessing the material rather than within 180 days of initial plant startup in Buffalo Township, **Union County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

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

56-282A: Rollock, Inc. (156 Rollock Road, Stoystown, PA 15563) on March 28, 2003, for construction of Scrap Burner/Baghouse Air Cleaner at Rollock in Stoystown Borough, **Somerset County**. This plan approval was extended.

PA-04-00013A: J&L Specialty Steel (1200 Midland Avenue, Midland, PA 15059) for the Steckel Mill and Melt Shop Modifications at the facility located in Midland, **Beaver County**. J&L Specialty Steel has requested that the Plan Approval be modified to identify the purchase and acquisition of ERCs. The following condition has been added to Plan Approval PA-0400013A:

- Condition 3(d)(ii) J&L Specialty Steel has secured 55 tons of NOx Emission Reduction Credits generated from the shutdown of FirstEnergy Solutions' New Castle Plant located in Lawrence County. The ERC registry has been revised to reflect the transfer of these credits to J&L.

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

37-307B: Slippery Rock Salvage (214 Gardner Avenue, New Castle, PA 16057) on March 31, 2003, for construction of cutting torches in New Castle, **Lawrence County**.

25-987B: Hanes Erie, Inc. (7601 Klier Drive, Fairview, PA 16415) on March 31, 2003, for construction of a paint spray booth in Fairview Township, **Erie County**.

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

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

21-05003: Carlisle Tire and Wheel Co. (21 North College Street, Carlisle, PA 17013) on March 25, 2003, for operation of a specialty tire manufacturing facility in Carlisle Borough, **Cumberland County**. This is a renewal of their Title V Operating Permit.

21-05026: Carlisle Syntec, Inc. (P. O. Box 7000, Carlisle, PA 17013) on March 17, 2003, for operation of a rubber roofing manufacturing facility in Carlisle Borough, **Cumberland County**. This is a renewal of their Title V Operating Permit.

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

20-00265: Reliant Energy Mid-Atlantic Power Holdings, LLC—Wayne Station (Route 178, Cochran, PA 16314) for operation of their plant in Wayne Township, **Crawford County**. Reliant Energy Mid-Atlantic Power Holdings, LLC—Wayne Station air emission source is a 1,210 mmBtu/hr combustion turbine. The facility, because it is a major source of NOx and SOx emissions, is a Title V facility and is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

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

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

07-05025: Sunoco Partners Marketing and Terminals, LP (1801 Market Street 15/10 PC, Philadelphia, PA 19103-1699) on March 24, 2003, for operation of a petroleum distribution center at their Eldorado Terminal in Allegheny Township, **Blair County**.

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

25-00929: Russell Standard Corp.—Millcreek Plant (2002 Pittsburgh Avenue, Erie, PA 16502) on March 26, 2003, for a Synthetic Minor Operating Permit for operation of their facility's air contamination sources consisting of a 250 tph asphalt batch plant in Millcreek Township, **Erie County**.

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

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

40-305-020A: Jeddo Highland Coal Co. (800 Exeter Avenue, West Pittston, PA 18643) for minor modification of an anthracite coal preparation plant (addition of a fine coal operation) and associated air cleaning device at their facility on Route 940, Hazle Township, **Luzerne County**.

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

06-05100: Calpine Construction Finance Co., Inc. (5115 Pottsville Pike, Reading, PA 19605) for operation of the Ontelaunee Energy Center in Ontelaunee Township, **Berks County**. On March 27, 2003, the Phase II Acid Rain Permit was issued which will be incorporated into the Title V Operating Permit at a later date.

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

65-00713 Greenridge Reclamation, LLC (Greenridge Reclamation Waste Services, R. R. 1, P. O. Box 716, Landfill Road, Scottdale, PA 15683) for operation of their landfill facility in East Huntingdon Township, **Westmoreland County**. Greenridge requests a minor modification for the incorporation of approved disposal procedures for asbestos containing waste into their Title V Operating Permit.

65-00713 Greenridge Reclamation, LLC (Greenridge Reclamation Waste Services, R. R. 1, P. O. Box 716, Landfill Road, Scottdale, PA 15683) for an administrative amendment to their landfill facility in East Huntingdon Township, **Westmoreland County**. This action changes the Operating Permit contact information.

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); 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). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

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

54921301R2. M & H Coal Company (P. O. Box 559, Hegins, PA 17938-0559), renewal of an existing anthracite underground mine operation in Frailey Township, **Schuylkill County**; 12.46 acres, receiving stream: Middle Creek. Application received January 16, 2003. Renewal issued March 24, 2003.

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

63921301. NPDES Permit PA0214434, UMC0 Energy, Inc. (981 Route 917, Bentleyville, PA 15314), to revise the permit for the New Century Mine in Fallowfield and Carroll Townships, **Washington County**, revision—add 50.5 acres surface for beltway, Surface Acres Proposed 50.5, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued March 21, 2003.

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

16970106 and NPDES Permit No. PA0227587. Milestone Crushed, Inc. (521 South Street, P. O. Box 644, Clarion, PA 16214). Renewal of an existing bituminous strip operation in Perry Township, **Clarion County** affecting 14.6 acres. This renewal is issued for reclamation only. Receiving streams: Dunlap Creek. Application received January 21, 2003. Permit issued March 19, 2003.

10020104 and NPDES Permit No. PA0242217. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous strip and auger operation in Clay and Cherry Townships, **Butler County** affecting 501.0 acres. Receiving streams: Findlay Run and unnamed tributaries to South Branch Slippery Rock Creek. Application received October 4, 2002. Permit issued March 25, 2003.

Noncoal Permits Actions

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

64020808. Johnston & Rhodes Bluestone Company (Box 130, 1 Bridge Street, East Branch, NY 13756), commencement, operation and restoration of a quarry operation in Scott Township, **Wayne County** affecting 3.0 acres, receiving stream: none. Application received November 12, 2002. Permit issued March 24, 2003.

64022807. Middle Creek Quarry (R. D. 2 Box 361, Hawley, PA 18428), commencement, operation and restoration of a Small Bluestone Quarry operation in Palmyra Township, **Wayne County**, affecting 5.0 acres, receiving stream: Middle Creek tributary. Application received November 25, 2002. Permit issued March 24, 2003.

64022808. Middle Creek Quarry (R. D. 2 Box 361, Hawley, PA 18428), commencement, operation and restoration of a Small Bluestone Quarry operation in Palmyra Township, **Wayne County**, affecting 5.0 acres, receiving stream: Middle Creek tributary. Application received December 13, 2002. Permit issued March 24, 2003.

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

0579201. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA, renewal of NPDES Permit No. PA0118583, Broadtop Township, **Bedford County**, receiving streams Six Mile Run (WWF). The first downstream potable water supply intake from the point of discharge is Saxton Borough Municipal Authority Raystown Branch Juniata River surface water withdrawal. NPDES renewal application received January 27, 2003. Permit issued March 24, 2003.

4174SM2. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA, renewal of NPDES Permit No. PA0009814, Shade Township, **Somerset County**, receiving streams Laurel Run (CWF) and Beaverdam Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stoneycreek surface water withdrawal. NPDES renewal application received January 27, 2003. Permit issued March 24, 2003.

4274SM7. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA, renewal of NPDES Permit No. PA0009822, Walker Township, **Huntingdon County**, receiving streams Crooked Creek (WWF). There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received January 27, 2003. Permit issued March 24, 2003.

4275SM14T. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA, renewal of NPDES Permit No. PA0124532, Warriors Mark and Snyder Townships, **Huntingdon and Blair Counties**, receiving streams Logan Spring Run; unnamed tributary to Little Juniata River (WWF) and to Little Juniata River (WWF). There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received January 27, 2003. Permit issued March 24, 2003.

4274SM28. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA, renewal of NPDES Permit No. PA0035408, Frankstown Township, **Blair County**, receiving streams unnamed tributary to New Creek (HQ-CWF). There are no potable water supply intakes within 10 miles downstream. NPDES renewal application: received January 27, 2003. Permit issued March 24, 2003.

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

20020806. Robin L. Ernst (10551 S. Watson Run Road, Meadville, PA 16335). Commencement, operation and restoration of a small noncoal shale operation in Union Township, **Crawford County** affecting 5.0 acres. Receiving streams: unnamed tributary to Conneaut Outlet. Application received December 11, 2002. Permit issued March 24, 2003.

20020303. Hasbrouck Sand & Gravel, Inc. (R. R. 4, Hasbrouck Road, Titusville, PA 16354). Commencement, operation and restoration of a sand and gravel operation in Oil Creek Township, **Crawford County** affecting 59.9 acres. Receiving streams: Oil Creek. Application received May 25, 2002. Permit issued March 24, 2003.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

36034022. Gerlach's Drilling & Blasting, Inc. (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in Manor Township, **Lancaster County** with an expiration date of April 5, 2005. Permit issued March 24, 2003.

09034004. American Rock Mechanics (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Warwick Township, **Bucks County** with an expiration date of April 9, 2004. Permit issued March 24, 2003.

13034001. MF Ronca & Sons (179 Mikron Road, Bethlehem, PA 18020) and **Bernard J. Hasara** (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting in Kidder Township, **Carbon County** with an expiration date of April 9, 2005. Permit issued March 24, 2003.

46034009. Controlled Demolition, Inc. (P. O. Box 326, Phoenix, MD 21131), construction blasting in Upper Merion Township, **Montgomery County** with an expiration date of April 18, 2003. Permit issued March 24, 2003.

09034005. Rock Work, Inc. (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting in West Rockhill Township, **Bucks County** with an expiration date of April 11, 2004. Permit issued March 25, 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 to 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(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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 to 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 Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

Permits Issued and Actions on 401 Certifications

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E45-416. Julio C. Mejia, 2053 Crow Trail, Long Pond, PA 18334. Tobyhanna Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To place fill in a de minimis area of PFO wetlands equal to 0.05 acre for the purpose of constructing a driveway to access uplands on Lot 52, Section G of the Estates at Emerald Lakes. The project is located on the eastern side of Sioux Court, approximately 0.7 mile north of the intersection of SR 4002 and Interstate 80 (Pocono Pines, PA Quadrangle N: 14.8 inches; W: 9.4 inches) (Subbasin 02A).

E35-338. Sugarman Equities, LLC, 921 Bergen Avenue, Jersey City, NJ 07306. Archbald Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To place fill in 0.22 acre of PEM wetlands within the Wildcat Creek Watershed (CWF) for the purpose of preparing the lot for commercial development. The permittee is required to provide for 0.22 acre of replacement wetlands by contributing \$2,500 to the Pennsylvania Wetland Replacement Project. The project is located approximately 400 feet northeast of the intersection of SR 1010 (Betty Street) and SR 0006 (Carbondale, PA Quadrangle N: 0.2 inch; W: 11.0 inches), Subwatershed (5A).

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

E03-413. Department of Transportation, Engineering District 10-0, P.O. Box 429, Indiana, PA 15701. Redbank Township, **Armstrong County**, ACOE Pittsburgh District.

To remove the existing bridge and to construct and maintain a precast concrete box culvert having a single waterway opening of 17 feet wide by 7 feet high (1 foot depressed invert with baffles) and 32 feet long with concrete wing walls in Nye Branch Pine Run, which is a perennial stream classified as a CWF. The project proposes to directly affect 45.0 linear feet of stream channel. No wetlands will be impacted by this project. The project is located on SR 1012 approximately 250 feet north of its intersection with T-784 (Dayton, PA Quadrangle N: 15.1; W: 13.6 inches).

E26-305. Department of Transportation, Engineering District 12-0, P.O. Box 459, Uniontown, PA 15401. Henry Clay Township, **Fayette County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a precast concrete box culvert having a single waterway opening of 15.0 feet wide by 8.0 feet high (1.0 foot depressed invert) and 130 feet long with concrete

wing walls in Tub Run (WWF). The project proposes to directly affect 184 linear feet of stream channel. The project is located on SR 0281 approximately 1,200 feet west of its intersection with T-880 (Ohiopyle, PA Quadrangle N: 5.8 inches; W: 6.4 inches).

ENVIRONMENTAL ASSESSMENTS

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

EA0913-244. Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Tincum Township, **Bucks County**, ACOE Philadelphia District.

Project proposes to modify Wildcat Dam to address existing structural inadequacies with the dam impacting a de minimis area of wetland (PEM) equal to 0.03 acre. The modifications will include regrading the dam embankment to a uniform elevation, armoring the emergency spillway with concrete block mats, installing a stone drain along the downstream embankment toe and repairing the principal spillway structure. Modifications will lower the normal pool 6 to 9 inches below the level maintained in recent years. The dam is located across a tributary to Beaver Creek (EV) approximately 2,000 feet north of the intersection of T425 and T485 (Frenchtown, NJ-PA Quadrangle N: 2.60 inches; W: 15.65 inches).

D4513-155A. East Stroudsburg Borough, 24 Analomink Street, P. O. Box 303, East Stroudsburg, PA 18301. Middle Smithfield Township, **Monroe County**, ACOE Philadelphia District.

Project proposes to construct a swale and measuring weirs at the base of the East Stroudsburg Reservoir Dam temporarily impacting approximately 0.07 acre of wetland (PEM) to monitor seepage through the dam. The dam is located across Sambo Creek (CWF, MF) approximately 500 feet northwest of the intersection of Brushy Mountain Road (T513) and Wooddale Drive (T527) (East Stroudsburg, PA Quadrangle N: 11.5 inches; W: 5.3 inches).

EA1313-001. Afran Realty, 2123 Washington Avenue, Northampton, PA 18067. Lower Towamensing Township, **Carbon County**, ACOE Philadelphia District.

Project proposes to relocate and reconstruct a nonjurisdictional dam adjacent to Borger Creek (CWF, MF) impacting a de minimis area of wetland (PEM) equal to 0.02 acre. The dam is located approximately 200 feet southwest of the intersection of Spruce Road (T369) and 57 Road (T378) (Palmerston, PA Quadrangle N: 18.3 inches; W: 0.4 inch).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

SSIP Permit No.	Applicant Name and Address	County	Municipality	Tank Type	Tank Capacity
03-39-001	Charles E. Johnson Carpenter Company 5016 Monument Avenue Richmond, VA 23220	Lehigh	Upper Macungie	Six ASTs storing toluene di-isocyanate	65,600 gallons total

SPECIAL NOTICES

Public Hearing on the East Penn Sanitation, Inc. Major Permit Modification Application Lower Nazareth Township, Northampton County

The Department of Environmental Protection will conduct a public hearing to solicit comments on East Penn Sanitation, Inc.'s Major Permit Modification Application, ID No. 101358, which consists of the implementing of a Radiation Monitoring Plan, an increase in the daily capacity and the incorporation of rail transportation at this municipal waste transfer station located in Lower Nazareth Township, Northampton County. The public hearing has been scheduled for Wednesday, May 7, 2003, at 7 p.m. at Nazareth Area Middle School, 355 Tatamy Road, Nazareth.

A copy of East Penn Sanitation, Inc.'s application may be reviewed at the Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790. For further information, contact Robert C. Wallace, (570) 826-2511. A copy of this application has been provided to Lower Nazareth Township and the Lehigh Valley Planning Commission.

Persons intending to participate in the hearing should submit a written Notice of Intent by May 5, 2003, to William Tomayko, Program Manager, Waste Management Program, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790. The written notice should include the person's name, address, telephone number and a brief statement as to the nature (oral or written) of the presentation. Persons unable to attend the hearing may submit written statements and comments to William Tomayko by May 5, 2003.

Certification to Perform Radon-Related Activities in this Commonwealth

In the month of March 2003, the Department, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to

perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
James F. Andrews	353 Loveville Road Warriors Mark, PA 16877	Mitigation
Willis Bortmas, III	370 Red Dog Road Butler, PA 16001	Mitigation
Jeffrey Calta	106 Vensel Lane P. O. Box T Chicora, PA 16025	Mitigation
Keith Carpenter	117 Stonybrook Lane Johnstown, PA 15904	Testing
Thomas Fromm The BrickKicker of Central PA	100 Lebo Road Carlisle, PA 17103	Testing
Scott Hagan	78 Hamilton Drive Abbottstown, PA 17301	Testing
George Hart	21 Deerfield Drive Pequea, PA 17565	Testing
James Hetrick	766 Magaro Road Enola, PA 17025	Mitigation
Robert J. Hoffman	29 Third Street Akron, PA 17501	Mitigation
Housemaster Home Inspections	23 North Derr Drive Suite 29 Lewisburg, PA 17837	Testing
John Jenkins, Jr.	72 Glenmaura Boulevard Moosic, PA 18507	Testing
Ludwig Kubli, II	1090 Aerie Drive North Huntingdon, PA 15642	Testing
Thomas Laurito	6006 Forest Drive Monaca, PA 15061	Testing
George Loudon, Jr.	4694 Lower Cherry Valley Road Stroudsburg, PA 18360	Testing
Tuan Nguyen American Radon Solutions, Inc.	125 Brindle Road Mechanicsburg, PA 17055	Mitigation
Michael Nowicki	414 Manordale Road Pittsburgh, PA 15241	Mitigation
Frederick Reash, Jr.	505 North Broad Street Grove City, PA 16127	Testing
Steven Roscioli	263 Birch Drive Lafayette Hills, PA 19444	Testing
Keith Rutherford	5701 Cricket Lane Harrisburg, PA 17112	Testing
Sam Sain	248 East Lake Road Acme, PA 15610	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
David Scott	417 Pikeland Avenue Spring City, PA 19475	Mitigation
William Shultz	209 Overlook Drive Chalfont, PA 18914	Testing
Peter Weber	6 Boor Cove Lane West Grove, PA 19390	Testing
Chris Willig	4 Theresa Drive Conestoga, PA 17516	Testing

[Pa.B. Doc. No. 03-671. Filed for public inspection April 11, 2003, 9:00 a.m.]

Agricultural Advisory Board Meeting Cancellation

The Agricultural Advisory Board's (Board) April 16, 2003, meeting has been cancelled. The Board's next scheduled meeting will be held on June 18, 2003, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg.

Questions concerning the June 18, 2003, meeting should be directed to Dean Auchenbach, (717) 772-5668, dauchenbac@state.pa.us. The agenda and meeting materials for this meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us>.

Persons with disabilities who require accommodations to attend the meeting should contact the Department at (717) 772-5668 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-672. Filed for public inspection April 11, 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 "January 2003 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2003.

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.

Interim Technical Guidance—Substantive Revisions to Technical Guidance

DEP ID: 550-2100-008. Title: Interim Policy for NPDES Permits for Stormwater Discharges Associated with Construction Activities at Oil and Gas Wells. Description: The interim guidance provides instruction for determining when an NPDES permit is needed for a stormwater discharge associated with construction activities at an oil and gas well. The original guidance was effective March 17, 2001. On December 20, 2002, the Environmental Protection Agency issued new guidance on common plan of development and final stabilization. In turn, this interim guidance was prepared, revising the original document to be consistent with these new guidelines, and to recognize the difference between oil and gas producing states and the size of typical drilling units in this Commonwealth. Effective Date: April 12, 2003, with a 30 day public comment period. Comment Period Ends: May 12, 2003. Contact: Ron Gilius, (717) 772-2199, rgilius@state.pa.us.

Draft Technical Guidance—Substantive Revision

DEP ID: 362-0300-007. Title: Alternate Systems Guidance. Description: The Alternate Systems Guidance applies to the siting, design and construction of alternate onlot sewage treatment systems proposed under the requirements of 25 Pa. Code § 73.72 (relating to alternate sewage systems). The Department periodically updates this technical guidance to revise existing information and to provide current technical standards for other alternate systems. The currently proposed revision adds a new listing for aerobic tank systems, expands the approved uses of the CO-OP RFS III system and makes editorial changes intended to improve the readability and accuracy of the document. Anticipated Effective Date: May 31, 2003. Comment Period Ends: May 12, 2003. Contact: Milt Lauch, (717) 787-8184, mlauch@state.pa.us.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-673. Filed for public inspection April 11, 2003, 9:00 a.m.]

Concentrated Animal Feeding Operations Stakeholders Workgroup Meeting

The Concentrated Animal Feeding Operations Stakeholders (CAFO) Workgroup will hold a meeting on April 15, 2003, at 9 a.m. in the Department of Environmental Protection (Department) Southcentral Regional Office, Susquehanna Room B, 909 Elmerton Avenue, Harrisburg. The purpose of this meeting is to review and discuss CAFO program delegation under the revised Environmental Protection Administration rules.

Questions concerning this meeting should be directed to Tom Juengst, (717) 783-7577, tjuengst@state.pa.us. The agenda and meeting materials for this meeting will be available through the Public Participation Center on the Department's website at <http://www.dep.state.pa.us>.

Persons with disabilities who require accommodations to attend the meeting should contact the Department at (717) 783-7577 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-674. Filed for public inspection April 11, 2003, 9:00 a.m.]

Mining and Reclamation Advisory Board; Orphan Mine AMD Discharge Task Force Meeting

A meeting of the Mining and Reclamation Advisory Board's task force to examine orphan mine (AMD) discharges is scheduled for April 14, 2003, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market St., Harrisburg. The purpose of the meeting is to consider proposed resolutions that would lay the framework for dealing with orphaned mine discharges throughout this Commonwealth.

Questions concerning this meeting should be directed to Joe Schueck, (717) 783-5633, jschueck@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Joe Schueck at the telephone number or e-mail address previously listed or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TTD users) or (800) 654-5988 (voice users) to discuss how the Department of Environmental Protection may accommodate their needs.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-675. Filed for public inspection April 11, 2003, 9:00 a.m.]

DEPARTMENT OF STATE

State Athletic Commission; Meeting Change

The State Athletic Commission's public meeting scheduled for April 28, 2003, has been changed to May 6, 2003, at 11 a.m., in Room 303, North Office Building, Harrisburg, PA, 17120.

Individuals having questions regarding this meeting should contact Greg Sirb, Executive Director, State Athletic Commission, (717) 787-5720 or (717) 787-6458.

GREG P. SIRB,
Executive Director

[Pa.B. Doc. No. 03-676. Filed for public inspection April 11, 2003, 9:00 a.m.]

State Plan Advisory Board Meeting

On Thursday, April 17, 2003, the State Plan Advisory Board (Board) will meet from 10 a.m. to 3 p.m. in Room 303, North Office Building, Harrisburg. The Board is responsible for developing a plan which details how the Commonwealth will use grants from the Federal government to meet the requirements of the Federal Help America Vote Act of 2002 and "to carry out other activities to improve the administration of elections." Persons wishing to attend should contact Barbara Smotherman, by April 15, 2003, bsmotherma@state.pa.us, (717) 787-3796.

PEDRO A. CONTES,
Acting Secretary of the Commonwealth

[Pa.B. Doc. No. 03-677. Filed for public inspection April 11, 2003, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Toby Creek Watershed Association, Inc. v. DEP and Rosebud Mining Company, Permittee; EHB Doc. No. 2003-075-C

Toby Creek Watershed has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Rosebud Mining Company in Horton Township, Elk County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 03-678. Filed for public inspection April 11, 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, March 27, 2003, and announced the following:

Regulation Approved

Department of Revenue #15-422: Daily Number and Big Four Game (amends 61 Pa. Code Chapter 815)

Approval Order

Public Meeting held
March 27, 2003

Commissioners Voting: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; Murray Ufberg

Department of Revenue—Daily Number and Big Four Game; Regulation No. 15-422

On February 20, 2003, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Revenue. This rulemaking amends 61 Pa. Code Chapter 815. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The amendments will allow the Department to use alternative selection methodologies for the Daily Number and Big Four Games.

We have determined this regulation is consistent with the statutory authority of the Department of Revenue (72 P. S. § 3761-303) 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. 03-679. Filed for public inspection April 11, 2003, 9:00 a.m.]

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.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-7013	State Board of Certified Real Estate Appraisers Biennial Renewal Fees and Examination Fees	3/31/03

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-680. Filed for public inspection April 11, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Advanced Financial Security under Act 143; The Brethren Mutual Insurance Company; Doc. No. AT03-03-043

A prereview telephone conference initiated by this office is scheduled for April 14, 2003, at 1:30 p.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before April 8, 2003.

A date for a review shall be determined, if necessary, at the prereview telephone conference.

At the prereview conference, the parties shall be prepared to discuss all aspects of the appeal but in particular must be prepared to address the legal issues concerning the Insurance Department's jurisdiction and the applicability of Act 143.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 8, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Answer to petitions to intervene, if any, shall be filed on or before April 10, 2003.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-681. Filed for public inspection April 11, 2003, 9:00 a.m.]

Application and Request for Approval of a Recapitalization of a Domestic Stock Insurance Company

The Insurance Company of North America, a Pennsylvania stock property insurance company, has submitted a Plan of Recapitalization, whereby it proposes to reduce the stated capital of the company. The initial filing was received on April 2, 2003, and was made under the requirements set forth in the Business Corporation Law of 1988, 15 Pa.C.S. §§ 21205—21207. Persons wishing to comment on the grounds of public or private interest to the issuance of the Insurance Department's (Department)

order approving this recapitalization are invited to submit a written statement to the Department within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the 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 to inform the Department of the exact basis of the statement and the relevant facts upon which it is based. 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. 03-682. Filed for public inspection April 11, 2003, 9:00 a.m.]

Capital Advantage Insurance Company (CAIC); Request for Approval of Medically Underwritten Individual DirectPay Preferred Provider Benefit Contract; Form Filing

Capital Advantage Insurance Company (CAIC) submitted, in filing number 03-C, both forms and rates for a medically underwritten individual direct pay preferred provider benefit program to be offered in the plan's 21 county service area for review and approval by the Insurance Department (Department).

Capital Advantage Insurance Company (CAIC) is a wholly-owned subsidiary of Capital Blue Cross.

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

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120 within 15 days upon publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-683. Filed for public inspection April 11, 2003, 9:00 a.m.]

Conseco Senior Health Insurance Company; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 20% for the long term care policy forms ATL-LTC-89, ATL-789-PA, ATL-RRA-NH-90, ATL-LTC-90-PA and the associated riders. These forms were originally issued by the American Travelers Life Insurance Company. The average premium will increase from \$1,067 to \$1,281 and will affect 4,094 policyholders in this Commonwealth.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau,

Office of Rate and Policy Regulation, 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. 03-684. Filed for public inspection April 11, 2003, 9:00 a.m.]

Export List of Insurance Coverages; Request For Comments

The Insurance Commissioner published a notice at 33 Pa.B. 947 (February 15, 2003) soliciting comments to the export list published at 32 Pa.B. 2730 (June 1, 2002). Consideration was given to all comments received. The Insurance Commissioner proposes to amend the June 1, 2002, list to add "medical malpractice liability with or without related general liability coverages," "night club liability" and "taxicab liability."

Persons wishing to comment on the Insurance Commissioner's proposals are invited to submit a written statement within 15 days from the date of this publication. Written statements must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Regulation of Companies, Insurance Department, 1345 Strawberry Square, Harrisburg, PA, 17120, fax (717) 787-8557, cbybee@state.pa.us. Formal notification of any changes will be published in the *Pennsylvania Bulletin* after the 15-day comment period or a notice will be published stating that the June 1, 2002, list remains in effect.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-685. Filed for public inspection April 11, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Douglas C. Hower; file no. 03-188-01793; Safe Auto Insurance Company; doc. no. P03-03-044; May 1, 2003, 1:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's

case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend 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. 03-686. Filed for public inspection April 11, 2003, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Montgomery County, Wine & Spirits Shoppe #4626, Park Ridge Shopping Center, 6 North Park Avenue, Norristown, PA 19403-1317.

Lease Expiration Date: September 30, 2003

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 8,000 net useable square feet of new or existing retail commercial space located in a 1 mile radius around the intersection of Ridge and Park Avenues, West Norriton Township.

Proposals due: May 2, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: Robert Jolly, (215) 482-9671

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 03-687. Filed for public inspection April 11, 2003, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Clarification Order

Public Meeting held
March 21, 2003

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr., dissenting statement follows; Terrance J. Fitzpatrick; Kim Pizzingrilli

Petition of Rural Incumbent Local Exchange Carriers for Clarification and Modification of Commission Order entered January 15, 2003; Doc. No. P-00971177

Petition of Armstrong Telecommunications, Inc. for Reconsideration and Modification of Commission Order entered January 15, 2003

Clarification Order

By the Commission:

The current matter before this Commission consists of two petitions for reconsideration, modification and clarification of the Commission's Order entered January 15, 2003, at this docket (January 15 Order), in which the Commission denied the request for relief brought by two groups of rural incumbent local exchange carriers (Rural ILECs), under section 251(f)(2) of the Telecommunications Act of 1996 (TA-96), 47 U.S.C.A. §§ 101, et seq. The Rural ILECs sought and were denied an additional 36-month suspension of interconnection obligations under section 251(b)(1) and (c) of TA-96, beyond the 5-year total suspension they had initially been granted by the Commission.

We grant reconsideration of our January 15 Order for the limited purpose of clarifying certain issues raised by the Rural ILECs with respect to the burden of proof and the "undue economic burden" test in a proceeding under section 251 of TA-96 challenging the continued rural exemption. We deny reconsideration sought by Armstrong Telecommunications, Inc. (Armstrong) and reaffirm our holding that Citizen's Communication, Inc., is entitled to the continuation of its rural exemption, unless challenged by a bona fide request for interconnection.

Rural ILECs Petition for Clarification

(1) Burden of proof in section 251 proceeding challenging the rural exemption.

The Rural ILECs maintain, and we agree, that nothing in our order should disturb the traditional burden of proof in a proceeding challenging the rural exemption. In a section 251(f)(1)(B) challenge to the rural exemption the ultimate burden of proof rests with the competitor seeking to defeat the exemption. Nothing in our January 15 Order was intended to disturb this. The statements in our January 15 Order of concern to the rural carriers merely recognized that the Rural ILECs will have the opportunity, if necessary, to present evidence to refute any challenge to their continued rural exemption.

(2) Proof sufficient to establish "undue economic burden."

The Rural ILECs maintain, and again we agree, that our January 15 Order should not and does not disturb the evidence properly considered to establish an "undue economic burden" upon a rural carrier by competitive entry. The test in section 251(f)(1)(B) is total economic burden

on ILEC, and is not meant to exclude consideration of the economic burden “typically associated with competitive entry.”

The language in our January 15 Order, to which the Rural ILECs refer, pointed out that we were unpersuaded by the speculative nature of the petitioners’ allegations of economic harm, and was intended only to point out that adverse impact on Rural ILEC so speculative and unsupported is not sufficient to warrant further suspension under section 251(f)(2). We stated that “the Rural ILECs asserted basis for the suspension is speculative and offers no quantifiable proof or firm evidence, other than supposition, that harm would result if the suspensions are lifted.” January 15 Order at p.11. By this order we clarify that “undue economic harm” is to be determined based on consideration of the entire economic burden born by the Rural ILEC.

(3) Use of the phrase “competitive advantage.”

The Rural ILECs also urge that the use of the phrase “competitive advantage” in our January 15 Order so misconstrues the intent of the steps taken by this Commission, to reduce competitive IXC rates and make up revenue losses from monopoly local service rates and USF fund, as to warrant clarification. We disagree. The steps taken clearly do amount to a competitive advantage to ILECs in the interexchange (or toll) services markets. That the competitive advantage was given for the purpose of “leveling the playing field,” does not negate the effect of “competitive advantage” to which our January 15 Order referred. In any event, the reference to “competitive advantage enjoyed by the rural ILECs” was not operative to our decision in the matter. To the contrary, our decision turned on the insufficiency of the evidence offered to support the request for an additional 36-month extension of the suspension from interconnection obligations.

Armstrong Petition for Reconsideration

We next consider the request for reconsideration filed by Armstrong. Once again Armstrong raises a question regarding the continued exemption of Citizens Telephone Company of Kecksburg (Citizens), given this Commission’s decision in *Applications of Armstrong Communications, Inc.; Petitions of Citizens Telephone Company of Kecksburg for Suspension and Streamlined form of Regulation*, Doc. Nos. A-310583F0002, A-310583F0004, P-00971229, Order entered April 28, 1999 (Armstrong/Citizens). As we noted in our January 15 Order at p. 2 fn. 1, this Commission has already considered the issue now raised by Armstrong in its petition for reconsideration when the Commission considered and rejected Armstrong’s comments offered in opposition to the Citizen petition. See, Comments of Armstrong, p. 3.

As we noted, Armstrong commented that Citizens’ request for joinder should be denied because Citizen’s standing rural exemption was terminated by our order in *Armstrong/Citizens*. However, we concluded that TA-96 intends that the exemption stand unless a bona fide request for interconnection is received and a contemporaneous offer of proof supports the termination of the exemption. We also noted that TA-96 grants this Commission authority to modify or suspend the interconnection obligations of a rural ILEC at any time. In exercise of this authority, we concluded that Citizens, like the other

petitioners, shall continue to be entitled to the exemption, unless and until challenged by bona fide request for interconnection. If a bona fide request for interconnection is made to Citizens, we found that our decision in *Armstrong/Citizens* will be relevant to termination of the exemption. However, Citizens will be afforded the opportunity to show a change in circumstances.

Thus, as Armstrong’s request for reconsideration again raises the same arguments offered in opposition to the underlying petition, which we considered and rejected and no new arguments have been raised, Armstrong fails to meet the standard established in *Duick v. Pennsylvania Gas and Water Company*, 56 Pa. P.U.C. 533 (December 17, 1982) for granting reconsideration.¹

Accordingly, we conclude that the request of the Rural ILECs for reconsideration/clarification should be granted in part and denied in part and the Armstrong petition for reconsideration should be denied²; *Therefore*,

It Is Ordered That:

1. The request of joint Petitioners: Armstrong Telephone Company—North; Armstrong Telephone Company—Pennsylvania; Bentleyville Communications Corp. d/b/a/ The Bentleyville Telephone Company; Buffalo Valley Telephone Company; Conestoga Telephone & Telegraph Company; Denver and Ephrata Telephone & Telegraph Company d/b/a D&E Telephone Company; Hickory Telephone Company; Ironton Telephone Company; Lackawaxen Telephone Company; Laurel Highlands Telephone Company; Marianna & Scenery Hill Telephone Company; The North-Eastern Pennsylvania Telephone Company; North Penn Telephone Company; North Pittsburgh Telephone Company; Palmerton Telephone Company; Pennsylvania Telephone Company; Pymatuning Independent Telephone Company; South Canaan Telephone Company; Venus Telephone Company; Yukon-Waltz Telephone Company; Citizens Telephone Company of Kecksburg; Frontier Communications of Breezewood, Inc.; Frontier Communications of Canton, Inc.; Frontier Communications of Pennsylvania, Inc.; Frontier Communications of Lakewood, Inc.; Frontier Communications of Oswayo River, Inc.; TDS TELECOM/Mahanoy and Mahantango Telephone Company; and TDS TELECOM/Sugar Valley for reconsideration/clarification of the Order entered January 15, 2003, at Docket No. P-00971177 is granted for the limited purpose of clarification consistent with the discussion in this order.

2. The petition for reconsideration of Armstrong Telecommunications, Inc. is denied.

3. The Secretary serves a copy of this Order upon all parties.

4. The Secretary publishes notice of this order in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

¹ Further, the PUC is authorized per section 703(g) of the Public Utility Code, to amend or reverse its own prior order after notice and opportunity to be heard is afforded the parties. In this case, Armstrong received notice of Citizens’ petition seeking an extension of the suspension. Armstrong availed itself of the opportunity to be heard in opposition to that petition and did in fact make the same arguments now raised as the basis for reconsideration. Thus, the requirements of 703(g) are satisfied and the Commission was authorized to alter its prior determination.

² Although the parties have petitioned for review before Commonwealth Court, the PUC retains authority to clarify the January 15 Order as long as no substantive changes are made. *Pa. Industrial Coalition v. Pa. PUC*, 653 A.2d 1336 (Pa. Cmwlth. 1995)

Dissent of Commissioner Aaron Wilson, Jr.

Today's majority seeks to bolster their decision of January 15, 2003 regarding the Petitioners' request for relief under 251(f)(2).

The Commission is issuing today's order as a "clarification" because we missed the statutory period for granting reconsideration pending further review of the merits. Reconsideration, as opposed to clarification, would have allowed the Commission to reconsider, reexamine, or modify our January 15, 2003 order.

I dissented from our January 15, 2003 Order, inter alia, because of statements about the Petitioners' failure to meet their burden of proof under Section 251(f) of the Telecommunications Act of 1996. That issue could have been addressed in a reconsideration order. However, our failure to timely preserve our authority to act precludes us from reconsidering the matter further.

Consequently, today's decision is styled as a "clarification" of our January 15, 2003 order even though, in fact, it substantively modifies or bolsters the January 15, 2003 decision. The Commission's January 15, 2003 order stated that "we find that the Petitioners have failed to sustain the burden of proof warranting continued suspension of interconnection obligations." Today's determination states that "nothing should disturb the traditional burden of proof in a proceeding challenging the rural exemption." This change alters our January 15, 2003 conclusion about the Petitioners' putative failure to meet their burden of proof under Section 251(f) in the face of court determinations, cited in my dissent, for the proposition that Petitioners do not have such a burden of proof. The Commission cannot clarify this statement by claiming that nothing disturbs the burden of proof when, in fact, the January 15, 2003 order made pronouncements about the burden of proof.

Second, today's discussion on "undue economic burden" attempts to rectify the earlier dismissal of the Petitioners' claim that costs, such as those associated with entry, may not be quantifiable but that they do constitute a cost that warrants consideration under Section 251(f). The January 15, 2003 order dismissed such cost claims as "speculative" in nature. Today's clarification statement about the intent of the January 15, 2003 order effectively bolsters the Commission's position in the event of an appeal. The purpose of a clarification is not to bolster a prior decision but, in fact, to explain that decision. Bolstering a decision is more properly the province of a reconsideration order and not a clarification order.

Finally, the discussion of "competitive advantage" contains a major substantive analysis of the Commission's universal service fund and interexchange carrier rates that is not appropriate in a clarification. Today's clarification, for the first time, makes the novel conclusion that there is a "competitive advantage" possessed by the incumbent local exchange carriers (ILECs) in the interexchange (toll) services markets. This is more than a clarification. It constitutes a substantive change in our view on the currently competitive toll markets in Pennsylvania.

I disagree.

[Pa.B. Doc. No. 03-688. Filed for public inspection April 11, 2003, 9:00 a.m.]

Order

Public Meeting held
March 6, 2003

Commissioners Present: Glen R. Thomas, Chairperson;
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;
Terrance J. Fitzpatrick; Kim Pizzingrilli

Law Bureau Prosecutory Staff v. Corecomm Pennsylvania, Inc. (2001.0352); Doc. No. C-20027758
Corecomm Pennsylvania, Inc. Petition to Reinstate;
A-310801

Order

By the Commission:

On May 23, 2002, Law Bureau Prosecutory Staff filed a Formal Complaint against Corecomm Pennsylvania, Inc. (Corecomm), an IXC reseller certificated at A-310801. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to Corecomm that its 2000 Annual Report was due. The complaint charged that Corecomm violated 66 Pa.C.S. § 504 (relating to reports by public utilities) by failing to file its 2000 Annual Report. The Complaint requested that the Commission issue an order canceling Corecomm's certificate of public convenience for failure to file its 2000 Annual Report.

According to the United States Postal Service return receipt, the Complaint was unclaimed because the forwarding order expired. As a result of Corecomm's failure to respond to the Complaint, the Commission entered a Default Order on October 29, 2002, that sustained the Complaint and cancelled Corecomm's certificate of public convenience. The notice of the Default Order was published at 32 Pa.B. 5597 (November 9, 2002).

Subsequent to the issuance of the Default Order and cancellation of Corecomm's certificate effective December 9, 2002, Corecomm filed both its 2000 and 2001 Annual Reports on December 12, 2002. After receiving these annual reports, Commission staff notified Corecomm through a telephone conversation of the option to petition for reinstatement.

On January 13, 2003, Corecomm filed a Letter-Petition to Reinstate its certificate of public convenience. In its Petition, Corecomm states that the delinquent filing of its 2000 Annual Report was due in part to the resignation of its regulatory attorney and a reorganization within its company. Corecomm states that it has taken steps to ensure that it timely complies with future filing deadlines. Corecomm requests reinstatement since it has now filed both its 2000 and 2001 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. Cmwlth. 1985). In ruling upon a reinstatement petition, it is incumbent upon this Commission to examine all relevant factors 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 viola-

tion 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.*, Docket No. A-00110601 (May 4, 1999).

In considering the first factor, we note that only approximately 5 weeks elapsed between the effective date of the cancellation on December 9, 2002, and Corecomm's request for reinstatement on January 13, 2003.

In regard to the second factor, Corecomm does not have a record of habitually violating the Public Utility Code. Corecomm has had no additional complaints issued against it since the issuance of its certificate in 1999.

In considering the third and fourth factors, Corecomm states that its failure to file its 2000 Annual Report was due to reorganizational and personnel changes. Corecomm states that it has taken steps to ensure that its regulatory compliance remains in good standing. Corecomm's excuse for the violation appears reasonable. The fact that Corecomm 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 Corecomm has no unpaid fines or assessments.

Based upon the foregoing, we grant Corecomm's petition for reinstatement. However, we caution Corecomm that in the future annual reports must be timely filed and all Commission correspondence must be answered in a timely manner. Corecomm is hereby put on notice that any future failure to submit an Annual Report may subject Corecomm to penalties under 66 Pa.C.S. § 3301 (relating to civil penalties for violations), or it may otherwise be required to file a new application along with the applicable \$350 fee. *Therefore*,

It Is Ordered That:

1. The Letter-Petition to Reinstatement filed by Corecomm Pennsylvania, Inc. at C-20027758 on January 13, 2003, is hereby granted.

2. The certificate of public convenience held by Corecomm Pennsylvania, Inc. at A-310801 is hereby reinstated.

3. The Secretary cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-689. Filed for public inspection April 11, 2003, 9:00 a.m.]

Order

Public Meeting held
March 6, 2003

Commissioners Present: Glen R. Thomas, Chairperson;
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;
Terrance J. Fitzpatrick; Kim Pizzingrilli

*Law Bureau Prosecutory Doc. No. Staff v. EZ Talk
Communications, LLC (2001.0352); C-20027739*

*Petition to Reinstatement EZ Talk Communications, LLC;
A-310691*

Order

By the Commission:

On May 23, 2002, Law Bureau Prosecutory Staff filed a Formal Complaint against EZ Talk Communications, LLC (EZ Talk), an IXC reseller certificated at A-310691. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to EZ Talk that its 2000 Annual Report was due. The complaint charged that EZ Talk violated 66 Pa.C.S. § 504 by failing to file its 2000 Annual Report. The Complaint requested that the Commission issue an order canceling EZ Talk's certificate of public convenience for failure to file its 2000 Annual Report.

According to the United States Postal Service return receipt, the Complaint was unclaimed. As a result of EZ Talk's failure to respond to the complaint, the Commission entered a Default Order on October 29, 2002, that sustained the complaint and cancelled EZ Talk's certificate of public convenience. The notice of the Default Order was published at 32 Pa.B. 5597 (November 9, 2002).

Subsequent to the issuance of the Default Order and cancellation of EZ Talk's certificate effective December 9, 2002, EZ Talk filed both its 2000 and 2001 Annual Reports, on December 12, 2002. After receiving these annual reports, Commission staff notified EZ Talk through a telephone conversation of the option to petition for reinstatement.

On January 10, 2003, EZ Talk filed a Letter-Petition to Reinstatement its certificate of public convenience. In its Petition, EZ Talk states that its 2000 Annual Report was originally filed on March 22, 2002. Furthermore, EZ Talk avers that it was unaware of the delinquency or of the default action canceling its certificate until late November of last year. EZ Talk states that upon learning of our action, it immediately refiled its 2000 Annual Report by both mailing and e-mailing a copy of its report to the Fixed Utilities Services Bureau, but avers that the report was then misplaced. EZ Talk avers that upon further contact by Commission staff, it then refiled on December 12, 2002, its 2000 Annual Report along with its 2001 Annual Report.

EZ Talk offers no explanation as to why it failed to respond to our prosecution for noncompliance nor as to why the Commission has no record of the alleged March 22, 2002, filing or November refile of its 2000 Annual Report, but argues that because it has filed its outstanding 2000 Annual Report as well as its 2001 Annual Report, its certificate should be reinstated.

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 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.*, Docket No. A-00110601 (May 4, 1999).

In considering the first factor, we note that only approximately 5 weeks elapsed between the effective date of the cancellation on December 9, 2002, and EZ Talk's request for reinstatement on January 10, 2003.

In regard to the second factor, EZ Talk does not have a record of habitually violating the Public Utility Code. Since the issuance of its certificate in 1998, EZ Talk has had one additional complaint issued against it for failure to file its initial tariff. That complaint was resolved by EZ Talk's compliance.

In considering the third and fourth factors, a review of Commission records failed to either confirm or refute EZ Talk's averment that it had timely filed and then refiled its 2000 Annual Report. However, as a result of EZ Talk's past record of compliance with Commission rules and regulations, we will at this time, give EZ Talk the benefit of the doubt with regard to its excuse. As noted earlier, EZ Talk has already filed its 2001 Annual Report and reorganized its compliance officers' duties so as to ensure that its regulatory compliance remains in good standing. The fact that EZ Talk 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 EZ Talk currently has no unpaid fines or assessments.

Based upon the foregoing, we grant EZ Talk's petition for reinstatement. However, we caution EZ Talk that in the future annual reports must be timely filed and all Commission correspondence must be answered in a timely manner. EZ Talk is hereby put on notice that any future failure to submit an Annual Report may subject EZ Talk to penalties under section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, or it may otherwise be required to file a new application along with the applicable \$350 fee. *Therefore,*

It Is Ordered That:

1. The Letter-Petition to Reinstatement filed by EZ Talk Communications, LLC at C-20027739 on January 10, 2003, is hereby granted.
2. The certificate of public convenience held by EZ Talk Communications, LLC at A-310691 is hereby reinstated.
3. The Secretary cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-690. Filed for public inspection April 11, 2003, 9:00 a.m.]

Order

Public Meeting held
March 21, 2003

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick; Kim Pizzingrilli

*Pennsylvania Public Utility Commission, Law Bureau
Prosecutory Staff v. Group Long Distance, Inc.
(2002.0398); Doc. No. C-20039289; A-310423;
A-310423F0002*

Order

By the Commission:

On January 17, 2003, Law Bureau Prosecutory Staff filed a Formal Complaint against Group Long Distance, Inc. (GLD), an interexchange telecommunications (IXC) reseller with authority at A-310423, and a competitive local exchange (CLEC) provider at A-310423F0002, alleging that that GLD violated 66 Pa.C.S. § 504 (relating to reports by public utilities) by failing to file its 2001 Annual Report for both authorities. The Complaint requested that the Commission issue an order canceling GLD's certificates of public convenience.

Service of the Complaint was perfected on January 31, 2003. GLD filed an answer on February 24, 2003, in which it stated that it has had no CLEC operations since the Commission granted its application by order entered April 10, 1998. In its answer GLD requested that its provisional authority to provide CLEC services be cancelled due to its lack of CLEC operations.

In addition to its cancellation request, GLD filed its 2001 Annual Report for its IXC reseller operations and paid the \$250 late filing penalty demanded in the Complaint. The filing of GLD's 2001 Annual Report along with the \$250 late filing fee satisfies the company's annual report requirements for 2001-2002, and GLD is now current in the filing of all annual reports.

Based upon the foregoing, it is appropriate to cancel GLD's provisional authority at A-310423F0002 to provide CLEC services, and close the Formal Complaint at C-20039289 as satisfied. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders, including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504—506 and 3301. *Therefore,*

It Is Ordered That:

1. The allegations in Law Bureau Prosecutory Staff's Formal Complaint are deemed admitted and the Complaint is hereby sustained.
2. The provisional CLEC authority currently held by Group Long Distance, Inc. at A-310423F0002 is hereby cancelled.
3. The Formal Complaint at C-20039289 is hereby closed as satisfied.
4. The Secretary's Bureau cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-691. Filed for public inspection April 11, 2003, 9:00 a.m.]

**Railroad
With Hearing**

A-00110220. Department of Transportation. Application of the Department of Transportation for approval of the alteration of the crossing where State Route 1005 (Eagle Road) crosses above three tracks of Southeastern Pennsylvania Transportation Authority's Norristown High Speed Line in Haverford Township, Delaware County, and exemption from the minimum overhead and side clearance requirements of 52 Pa. Code Chapter 33, Subchapter C (relating to clearances) and the allocation of costs and expenses incident thereto.

An initial hearing on this matter will be held on Tuesday, June 24, 2003, at 10 a.m. in an available hearing room, in the Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-692. Filed for public inspection April 11, 2003, 9:00 a.m.]

**Railroad
With Hearing**

C-20028714. Michael R. Yount t/a Krise Bus Service v. Allegheny & Eastern Railroad, Inc. The complainant is expressing concern of their school busses required to stop at railroad crossings where the inactive track of the Allegheny & Eastern Railroad, Inc. crosses, at grade, eight public highways in the Borough of Emporium and Shippen Township, Cameron County.

An initial hearing on this matter will be held on Tuesday, July 15, 2003, at 10 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-693. Filed for public inspection April 11, 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, on or before May 4, 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-00119661. PMT Enterprises, LLC t/d/b/a Toll Free Excursions (2613 Hampden Boulevard, Reading, Berks County, PA 19604), a limited liability company of the Commonwealth—persons in limousine service, between points in the County of Berks, and from points in said county, to points in Pennsylvania, and return.

A-00114133. F.2. Servelease, Inc. t/d/b/a Philly Shuttle (P. O. Box 8942, Philadelphia, PA 19135), a Pennsylvania corporation—persons in airport transfer service: (1) from points in the City and County of Philadelphia, to the Philadelphia International Airport, located in the City and County of Philadelphia and the Township of Tincum, Delaware County; and (2) from points in the County of Delaware, to the Philadelphia International Airport located in the City and County of Philadelphia and the Township of Tincum, Delaware County; with right no. 2 subject to the following conditions: That no right is granted to provide service: (a) to or from the Township of Radnor, Marple and Haverford; (b) to or from the Media Inn in the Borough of Media; (c) to or from the Saint Albans Travel Agency in the Township of Newtown; and (d) to or from points situated west of a line beginning at the intersection of State Route 252 and the Chester County Line, thence south on Route 252 to its intersection with State Route 320, thence south on Route 320 to its intersection with the Chester City Line, thence south and east along the Chester City Line to the Delaware River.

Application of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.*

A-00118453. F.1. Am-A. Albit Garcia t/d/b/a Penn Central Taxi (1225 Thompson Street, Harrisburg, Dauphin County, PA 17104)—persons upon call or demand in the Counties of Cumberland and Dauphin: *So As To Permit* the transportation of persons upon call or demand in the County of York. Application for temporary authority has been filed at A-00118453, F.1, Am-A, seeking the right previously cited.

Complaint

*Pennsylvania Public Utility Commission Bureau of
Transportation and Safety v. Falco & May, Inc.; Doc. No.
A-00104977C02; A-00104977*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Falco & May, Inc., respondent, maintains its principal place of business at 459 Country Club Road, Easton, PA 18042.

2. That respondent was issued a certificate of public convenience by this Commission on August 3, 1984, at Application Docket No. A-00104977.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 1999, 2000 and 2001.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00104977.

Respectfully submitted,

Michael E. Hoffman, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Michael E. Hoffman

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

Complaint

Pennsylvania Public Utility Commission Bureau of Transportation and Safety V. CTM Transport, Inc.; Doc. No. A-00106339C02; A-00106339

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That CTM Transport, Inc., respondent, maintains its principal place of business at 1149 Skippack Pike, Blue Bell, PA 19422.

2. That respondent was issued a certificate of public convenience by this Commission on June 11, 1986, at Application Docket No. A-00106339.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 1999, 2000 and 2001.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00106339.

Respectfully submitted,

Michael E. Hoffman, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Michael E. Hoffman

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal

arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-694. Filed for public inspection April 11, 2003, 9:00 a.m.]

Telecommunications

A-310782F7000. Verizon Pennsylvania Inc. and IDT America Corp. Joint petition of Verizon Pennsylvania Inc. and IDT America Corp. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and IDT America Corp., by its counsel, filed on March 27, 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 Pennsylvania 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. 03-695. Filed for public inspection April 11, 2003, 9:00 a.m.]

Wastewater Service

A-230062F2000. Wynnewood Sewer Corporation. Application of Wynnewood Sewer Corporation for approval of the abandonment of wastewater collection, treatment and disposal service within portions of North Whitehall Township, Lehigh 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 April 28, 2003. 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: Wynnewood Sewer Corporation

Through and By Counsel: Guy P. Beneventano, Esquire, Mette, Evans and Woodside, 3401 North Front Street, 2nd Floor, P. O. Box 5950, Harrisburg, PA 17110.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-696. Filed for public inspection April 11, 2003, 9:00 a.m.]

Water Service

A-210104F0025. Pennsylvania Suburban Water Company. Application of Pennsylvania Suburban Water Company for approval to begin to offer, render, furnish or supply water service to additional area in Canaan Township, Wayne 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 April 28, 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, Vice President, Corporate Counsel, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-697. Filed for public inspection April 11, 2003, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for the following projects:

Project #03-078.P—Purchase of Maritime Power Module(s). Bid document will be available April 15, 2003. There will be no prebid meeting. Bid closing 2 p.m., Thursday, April 24, 2003.

Project #03-033.4—Renovations to the South Reefer Bank at Packer Avenue Marine Terminal (PAMT). Bid document will be available April 15, 2003. There will be a mandatory prebid meeting 10 a.m., April 24, 2003. Meet at the PAMT (south gate)—Delaware Ave. Service Road—1 mile south of Packer Ave., Philadelphia, PA 19148. Bid closing 2 p.m., Thursday, May 1, 2003.

The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 03-698. Filed for public inspection April 11, 2003, 9:00 a.m.]

STATE REAL ESTATE COMMISSION

Bureau of Professional and Occupational Affairs v. John Emerson High; Doc. No. 1426-56-01

On September 13, 2002, the State Real Estate Commission (Commission) denied the application for reinstatement of the broker's license of John Emerson High, license number RB-045291-A.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Commission decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of the petition for review. The Commission contact for receiving service of appeals is the previously named Commission counsel.

GEORGE E. MEAGHER, III
Chairperson

[Pa.B. Doc. No. 03-699. Filed for public inspection April 11, 2003, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Nathan Maclay; Doc. No. 1008-56-01

On October 29, 2002, the State Real Estate Commission (Commission) revoked the salesperson license of Nathan Maclay, license number RS-222380-L.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Commission decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of the petition for review. The Commission contact for receiving service of appeals is the previously named counsel.

GEORGE E. MEAGHER, III
Chairperson

[Pa.B. Doc. No. 03-700. Filed for public inspection April 11, 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.

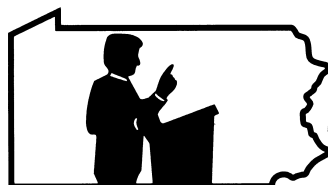
30 days after the later of the receipt of a proper invoice or receipt of goods or services.

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

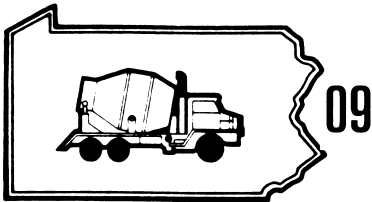
GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

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. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." 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, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

SERVICES



Construction & Construction Maintenance

401-BL-694 Renovations to Columbia Residence Hall Restroom: Two primes (General/Plumbing) - Project includes conversion of two public restrooms for handicap accessibility, and replacement of lavatories, faucets, counters, mirrors and lighting in nine student restrooms. Also includes in two of the student restrooms is conversion of tubs into handicap accessible showers. To obtain a copy of the bid documents, submit a \$25.00 non-refundable deposit to Bloomsburg University, 400 East Second Street, Bloomsburg, PA 17815, ATTN: Diann Shamburg, Phone (570) 389-4312 - all info related to the prebid and bid requirements will be included in package.

Department: State System of Higher Education
Location: Bloomsburg University
Duration: August 21, 2003 & 90 days
Contact: Diann Shamburg, (570) 389-4312

MI-846 Gordinier Canopy and Drop-off Drive Construct a new entrance canopy and a one-lane vehicular drop-off drive. To request a bid packet go to http://muweb.millersville.edu/purchase/current_bid_opportunities.html or email request to Bernadette.Wendler@millersville.edu.

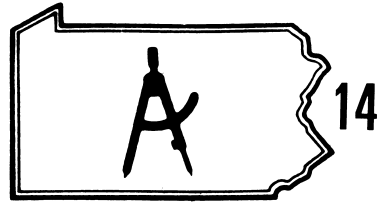
Department: State System of Higher Education
Location: Main Campus, Millersville University
Duration: 90 calendar days, anticipated start date is July 7, 2003.
Contact: Bernadette Wendler, (717) 872-3829

ME 07800223 Repair Roof - Pocono Hall. Contractor to remove existing shingles and furnish and install replacement shingle roof. Interested vendors should fax request for bid package ME 07800223 to 570-443-4177. Please include company name, mailing address and telephone number.

Department: Public Welfare
Location: White Haven Center, R. R. 2, Box 2195, White Haven, PA 18661
Contact: Michelle Stanton, PA, (570) 443-4233

ME 07800222 Repair Roof - Hemlock Hall. Contractor to remove existing shingles and furnish and install replacement shingle roof. Interested vendors should fax request for bid package ME 07800222 to 570-443-4177. Please include company name, mailing address and telephone number.

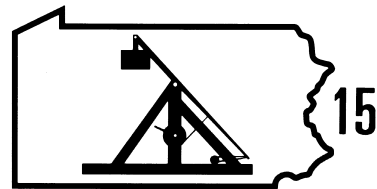
Department: Public Welfare
Location: White Haven Center, R. R. 2, Box 2195, White Haven, PA 18661
Contact: Michelle Stanton, PA, (570) 443-4233



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



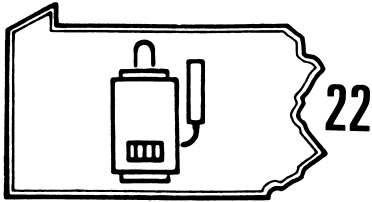
Environmental Maintenance Service

OSM 17(7069)101.1 Abandoned Mine Reclamation Project, Bigler. The principal items of work and approximate quantities are 24,600 c.y. grading, 4 acres seeding, 500 l.f. subsurface drain and 1,415 s.y. erosion matting. This project issues April 11, 2003 and bids will be opened May 1, 2003 at 2:00 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Boggs Township, Clearfield County
Duration: 120 calendar days after notice to proceed.
Contact: Construction Contracts Section, (717) 783-7994

OSM 10(3760)102.1 Abandoned Mine Land Reclamation Project, Annandale Southwest. The principal items of work and approximate quantities include pond construction, 414,200 c.y. grading, 1,940 l.f. subsurface drain, 44 acres seeding and wetland construction that includes 810 c.y. topsoil, 50 c.y. spent mushroom substrate and wetland plants. This project issues on April 11, 2003 and bids will be opened May 1, 2003 at 2:00 p.m. Payment in the amount of \$15.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Cherry and Marion Townships, Butler County
Duration: 300 calendar days after notice to proceed.
Contact: Construction Contracts Section, (717) 783-7994



HVAC Services

461477 Vendor to provide electrical services and materials, to include repair/replacement to existing system. Contract will be for estimated regular and premium hours.

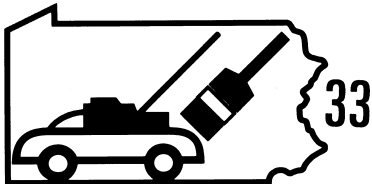
Department: Transportation
Location: Equipment Division, 17th St. and Arsenal Blvd., Harrisburg, PA 17120
Duration: 5 Year Contract
Contact: Sherri Linen, (717) 787-3959

MI-878 Lyte Sound modules: demolish existing partitions, column wallcovering, ceiling system, ductwork, and electrical fixtures; furnish and install replacements for all; plus tile floor; HVAC controls, motors, air handlers, etc.; relocate light switch, modify lighting configuration, and provide electrical connections and date equipment and connections. To request a bid packet got to http://muweb.millersville.edu/purchase/current_bid_opportunities.html or email Bernadette.Wendler@millersville.edu.

Department: State System of Higher Education
Location: Main Campus, Millersville University
Duration: 73 calendar days, anticipated start date is beginning of June 2003
Contact: Bernadette Wendler, (717) 872-3829

CN00002374 The Contractor shall provide emergency service for walk-in freezer and refrigerators on an as needed basis, if authorized by the Facility, to include service and parts. The Contractor will be required to be available twenty-four (24) hours per day, seven (7) days a week to respond to the Facility's need for emergency repairs or corrections. The bid opening will be held on Thursday, 01 May 2003. Contractor must be registered in the SAP system with the Commonwealth (www.vendorregistration.state.pa.us/). If you would like a bid packet, please either e-mail or fax your request, along with your SAP Vendor number, to the information below.

Department: Military Affairs
Location: Hollidaysburg Veterans Home, RT 220 and Meadows Intersection, PO Box 319, Hollidaysburg, PA 16648-0319
Duration: Approximately 01 July 2003, through 30 June 2004, with renewals.
Contact: Becky J. Clapper, FAX # (814) 696-5395, bclapper@state.pa.us



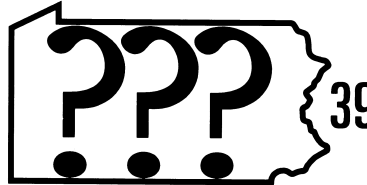
Property Maintenance

10817 Furnish and install two sets of kitchen cabinets, countertops and back splashes in the kitchens of Cottages 24 and 26.

Department: Military Affairs
Location: Scotland School for Veterans' Children, 3583 Scotland Rd., Scotland, PA 17254-0900
Duration: May 1, 2003, through June 30, 2003
Contact: Marion Jones, (717) 264-7187 Ext. 661

CL-568, Renovations, Gemmell Student Center Clarion University of Pennsylvania is soliciting bids for renovations to the student center second floor to include installations of new partitions, doors, windows, ceilings and associated finishes. Selected portions of the HVAC and electrical systems will also be associated. Contract will be awarded for general, HVAC and electrical construction. BID PACKAGES WILL NOT BE AVAILABLE UNTIL THE WEEK OF APRIL 14TH. Plans cost: \$20 non-refundable by check payable to the university and mailed to the attention Judy McAninch, Contract Specialist, 218 Carrier Hall, Clarion University, Clarion, PA 16214. Pre-Bid meeting: 10:00 A.M., April 23, 2003. Bids Due: 2:00 P.M., May 7, 2003.

Department: State System of Higher Education
Location: Clarion University, Clarion County, Clarion, PA
Duration: 75 Days from Notice to Proceed
Contact: Judy McAninch, Contract Specialist, (814) 393-2240



Miscellaneous

KURFP-0055 KURFP-0055: Kutztown University is seeking proposals from qualified vendors capable of providing cable TV services for both resident and non-resident buildings on campus. A minimum of 1,750 connections will be required. Interested vendors must submit a request (in writing) for a copy of the Request for Proposal (RFP) packet to: Kutztown University, Attn: Craig Kleinsmith, Purchasing Dept., P O Box 730, Kutztown, PA 19530; fax (610) 683-4674; or e-mail to kleinsmi@kutztown.edu. RFP packets will be available from 8:00 AM on Monday, April 14, 2003 through 12:00 Noon on Wednesday, April 23, 2003. Questions requiring clarification prior to proposal submission must be submitted in writing prior to 12:00 Noon on Friday, May 2, 2003. Proposals are due by 12:00 Noon on Monday, May 12, 2003. Late submissions will not be accepted.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA
Duration: 36 months after NTP
Contact: Craig Kleinsmith, FAX: (610) 683-4674

RFP No. 03-R-1921102000 On behalf of the Patient Safety Authority, the Department of State requests proposals to satisfy the need for the design, development and implementation of a statewide reporting system related to the Patient Safety Authority pursuant to Act 13 of 2002.

Department: State
Location: Bureau of Finance and Operations, Room 308, North Office Building, Harrisburg, PA 17120
Contact: Judith L. Holjes, (717) 783-7210

[Pa.B. Doc. No. 03-701. Filed for public inspection April 11, 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

Special Notice

Effective February 1, 2003, the contract awards issued by the Department of General Services (Department), Bureau of Purchases, will no longer be published in the *Pennsylvania Bulletin*. This information will continue to be available on the Department's website at www.dgs.state.pa.us, DGS KEYWORD "Procurement Awards."

DONALD T. CUNNINGHAM, Jr.,
Secretary

[Pa.B. Doc. No. 03-702. Filed for public inspection April 11, 2003, 9:00 a.m.]
