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PENNSYLVANIA BULLETIN

Volume 31
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Number 5
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Department of Community and Economic
Development
Department of Conservation and Natural
Resources
Department of Environmental Protection
Department of General Services
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Insurance Department
Liquor Control Board
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 315, February 2001

PENNSYLVANIA



BULLETIN

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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 2001.

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THE GENERAL ASSEMBLY

SENATE OF PENNSYLVANIA

Committee Designation Under Regulatory Review Act—Senate

Under the provisions of Act 181 of 1982, as amended and reenacted, known as the Regulatory Review Act, as President Pro Tempore of the Senate, I hereby designate the following standing committees for the purpose of regulatory review as authorized in the act.

The designated standing committee for any departmental board, commission, committee, and other agency not listed herein shall be the standing committee listed for that department. The Committee on Rules and Executive Nominations shall be the designated standing committee for the purpose of regulatory review for any other agency not specifically listed.

ROBERT C. JUBELIRER,
President Pro Tempore

<i>Agency</i>	<i>Committee</i>	<i>Agency</i>	<i>Committee</i>
Governor and Office of the Governor	State Government	Secretary and Department of Public Welfare	Public Health and Welfare
Attorney General and Office of the Attorney General	Judiciary	Secretary and Department of Revenue	Finance
Auditor General and Office of Auditor General	Finance	Commissioner and PA State Police	Law and Justice
State Treasurer and Treasury Department	Finance	Secretary and Department of Transportation	Transportation
Adjutant General and Dept. of Military and Veterans' Affairs	Military and Veterans Affairs	Secretary and Office of Administration	State Government
Secretary and Department of Aging	Aging and Youth	General Counsel and Office of General Counsel	Judiciary
Secretary and Department of Agriculture	Agriculture and Rural Affairs	Secretary and Office of Budget	Appropriations
Secretary and Department of Banking	Banking and Insurance	Commissioner and Bureau of Professional and Occupational Affairs	Consumer Protection and Professional Licensure
Secretary and Department of Community and Economic Development	Community and Economic Development	Executive Board	State Government
Secretary of the Commonwealth and Department of State	State Government	Armory Board	Military and Veterans Affairs
Secretary and Department of Conservation and Natural Resources	Environmental Resources and Energy	Ben Franklin\IRC Partnership Advisory Board	Community and Economic Development
Secretary and Department of Corrections	Judiciary	Board of Claims	Finance
Secretary and Department of Education	Education	Board of Finance and Revenue	Finance
Secretary and Department of Environmental Protection	Environmental Resources and Energy	Board of Governors of State System of Higher Education	Education
Secretary and Department of General Services	State Government	Board of Pardons	Judiciary
Secretary and Department of Health	Public Health and Welfare	Board of Probation and Parole	Judiciary
Commissioner and Department of Insurance	Banking and Insurance	Civil Service Commission	State Government
Secretary and Department of Labor and Industry	Labor and Industry	Constable Education and Training Board	Judiciary
		PA Commission on Sentencing	Judiciary
		Coroners' Education Board	Local Government
		Council on the Arts	State Government
		Deputy Sheriffs' Education and Training Board	Local Government
		Environmental Hearing Board	Environmental Resources and Energy
		Environmental Quality Board	Environmental Resources and Energy
		Harness Racing Commission	State Government
		Health Care Cost Containment Council	Public Health & Welfare
		Higher Education Assistance Agency	Education
		Higher Education Facilities Authority	Education
		Historical and Museum Commission	State Government
		Horse Racing Commission	State Government
		Human Relations Commission	Labor and Industry
		Independent Regulatory Review Commission	Rules and Executive Nominations

<i>Agency</i>	<i>Committee</i>	<i>Agency</i>	<i>Committee</i>
Industrial Board	Labor and Industry	State Board of Private Licensed Schools	Education
Joint Committee on Documents	Rules and Executive Nominations	State Ethics Commission	Rules and Executive Nominations
Labor Relations Board	Labor and Industry	State Health Care Policy Board	Public Health and Welfare
Liquor Control Board	Law and Justice	State Public School Building Authority	Education
Lobbying Disclosure Act Regulation Promulgation Committee	Rules and Executive Nominations	State Tax Equalization Board	Finance
Medical Professional Liability Catastrophic Loss Fund	Banking and Insurance	State Transportation Commission	Transportation
Milk Marketing Board	Agriculture and Rural Affairs	Turnpike Commission	Transportation
Municipal Employees Retirement Board	Local Government	Underground Storage Tank Indemnification Board	Banking and Insurance
Municipal Police Officers Education and Training Commission	Law and Justice	Unemployment Compensation Board of Review	Labor and Industry
PA Commission on Crime and Delinquency	Judiciary	Veterans' Commission	Military and Veterans Affairs
PA Economic Development Financing Authority	Community and Economic Development	Workers' Compensation Appeals Board	Labor and Industry
PA Emergency Management Agency	State Government	State Workers' Insurance Board	Labor and Industry
PA Energy Development Authority	Environmental Resources and Energy	State Board of Accountancy	Consumer Protection and Professional Licensure
PA Housing Finance Agency	Urban Affairs and Housing	Architects Licensure Board	Consumer Protection and Professional Licensure
PA Industrial Development Authority	Community and Economic Development	State Board of Auctioneer Examiners	Consumer Protection and Professional Licensure
PA Infrastructure Investment Authority	Environmental Resources and Energy	Barber Examiners Board	Consumer Protection and Professional Licensure
PA Minority Business Development Authority	Community and Economic Development	State Board of Chiropractic	Consumer Protection and Professional Licensure
PA Public Television Network Commission	State Government	State Board of Cosmetology	Consumer Protection and Professional Licensure
Public Employee Retirement Commission	Finance	State Board of Dentistry	Consumer Protection and Professional Licensure
Public School Employees Retirement Board	Finance	Funeral Directors Board	Consumer Protection and Professional Licensure
Professional Standards and Practices Commission	Education	Landscape Architects Board	Consumer Protection and Professional Licensure
Public Utility Commission	Consumer Protection and Professional Licensure	State Board of Medicine	Consumer Protection and Professional Licensure
Securities Commission	Banking and Insurance	State Board of Certified Real Estate Appraisers	Consumer Protection and Professional Licensure
State Athletic Commission	State Government	State Board of Motor Vehicle Manufacturers, Dealers and Salespersons	Consumer Protection and Professional Licensure
State Board of Education	Education		
State Employees Retirement Board	Finance		
State Board for Certification of Sewage Enforcement Officers	Environmental Resources and Energy		
State Board for Certification of Sewage Treatment Plant and Waterworks Operators	Environmental Resources and Energy		
State Board of Private Academic Schools	Education		

<i>Agency</i>	<i>Committee</i>	<i>Agency</i>	<i>Committee</i>
Navigation Commission for the Delaware River and its Navigable Tributaries	Consumer Protection and Professional Licensure	State Board of Podiatry	Consumer Protection and Professional Licensure
State Board of Nursing	Consumer Protection and Professional Licensure	State Board of Psychology	Consumer Protection and Professional Licensure
State Board of Examiners of Nursing Home Administrators	Consumer Protection and Professional Licensure	Registration Board for Professional Engineers	Consumer Protection and Professional Licensure
Occupational Therapy Education and Licensure Board	Consumer Protection and Professional Licensure	Real Estate Commission	Consumer Protection and Professional Licensure
State Board of Optometry	Consumer Protection and Professional Licensure	State Board of Examiners in Speech-Language and Hearing	Consumer Protection and Professional Licensure
State Board of Osteopathic Medical Examiners	Consumer Protection and Professional Licensure	PA State Board of Veterinary Medicine	Consumer Protection and Professional Licensure
State Board of Pharmacy	Consumer Protection and Professional Licensure	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors	Consumer Protection and Professional Licensure
State Board of Physical Therapy	Consumer Protection and Professional Licensure		

[Pa.B. Doc. No. 01-162. Filed for public inspection February 2, 2001, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

[210 PA. CODE CH. 25]

Amendment of Pa.R.A.P. 2541; No. 126 Appellate
Procedural Rules Doc. No. 1

Order

Per Curiam:

And Now, this 22nd day of January, 2001 upon the recommendation of the Appellate Court Procedural Rules Committee, this recommendation having been submitted without publication in the interest of justice pursuant to Pa.R.J.A. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the proposed amendment to Pa.R.A.P. 2541 is adopted in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective July 1, 2001.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 25. POST-SUBMISSION PROCEEDINGS

APPLICATION FOR REARGUMENT

Rule 2541. Form of Papers; Number of Copies.

All papers relating to applications for reargument shall be prepared in the manner prescribed by Rule 2171 (method of reproduction) through Rule 2174 (table of contents and citations). An original and eight copies of each application for reargument shall be filed with the Supreme Court. An original and 23 copies of each application for reargument shall be filed with the Superior Court [along with one copy of each brief previously filed with Superior Court]. An original and 11 copies of each application for reargument shall be filed with Commonwealth Court.

* * * * *

[Pa.B. Doc. No. 01-163. Filed for public inspection February 2, 2001, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL
[231 PA. CODE CH. 200]

Amendment of Note to Rule 237.3 Governing Relief from Judgment of Non Pros or by Default; No. 349 Civil Procedural Rules Doc. No. 5

Order

Per Curiam:

And Now, this 19th day of January, 2001, Pennsylvania Rule of Civil Procedure 237.3 is amended as follows:

I. The note to Rule 237.3 is amended to read as attached hereto.

II. The Explanatory Comment—1994 is amended to read as attached hereto.

III. The Explanatory Comment—2001 is added to read as attached hereto.

Whereas prior distribution and publication of the amendments would otherwise be required, it has been determined that immediate promulgation of the amendments is required in the interest of justice and efficient administration.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2001.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

§ 237.3. Relief from Judgment of Non Pros or by Default.

* * * * *

Official Note: A defendant who seeks to file a pleading other than an answer is not entitled to the benefit of this rule but must comply with the requirements of *Schultz v. Erie Insurance Exchange*, supra. See Rules 206.1 through 206.7 governing petition practice.

Explanatory Comment—1994

Rule 237.3. Relief from Judgment of Non Pros or by Default

Rule 237.3 governs relief from a judgment by default or of non pros. Subdivision (a) requires that a verified copy of the complaint or answer sought to be filed be attached to the petition for relief from the judgment. This enables the court to determine from the actual [pleading] complaint or answer to be filed whether it alleges a meritorious cause of action or defense.

Subdivision (b) eases the burden of a party against whom judgment has been entered and who moves promptly for relief from that judgment. If the petitioner files a petition for relief from the judgment within ten days after entry of the judgment on the docket, the rule requires the court to open the judgment if the proposed [pleading] complaint or answer states a meritorious cause of action or defense. The rule provides a date certain from which to measure the ten-day period and the language establishing the beginning of that period is derived from Rule 1308 governing appeals in compulsory arbitration.

Case law has imposed three requirements for opening a judgment by default: a petition timely filed, a reasonable explanation or legitimate excuse for the inactivity or delay and a showing of a meritorious defense. Rule of Civil Procedure 3051 similarly states these three requisites for opening a judgment of non pros, substituting the showing of a meritorious cause of action rather than a meritorious defense. Rule 237.3(b) presumes that a petition filed within the required ten-day period is both

timely and with reasonable explanation or legitimate excuse for the inactivity or delay. In this context, subdivision (b) requires that the judgment be opened if the petitioner attaches to the petition a verified complaint or answer which states a meritorious cause of action or defense. A note to the rule cautions that the rule is not intended to change the law relating to the opening of judgments in any way or to impose a new standard of timeliness in cases outside the limited circumstances set forth in the rule. Illustrations

[The] In illustrations 1 through 3, the defendant has failed to plead within the required time to a complaint containing a notice to plead.

1. Prior to receiving a notice of intention to enter a default judgment, defendant seeks an agreement with the plaintiff for an extension of time in which to plead. The parties may certainly agree to an extension of time and proceed in accordance with their agreement. However, such an agreement is really unnecessary since the plaintiff cannot enter judgment without giving the ten-day notice required by the rule and the ten-day notice cannot be waived. Defendant may plead within the time up to receiving the notice plus ten days. This period of time may be more than might be provided by any agreement. In addition, there is no danger of a judgment being entered as the required notice has not been given.

2. Defendant has received the ten-day notice but cannot file the pleading within the ten-day period. Now, as provided by Rule 237.2, it is appropriate to seek an agreement to extend the time in which to plead since the plaintiff has given the notice which is prerequisite to the entry of judgment and actual entry of the judgment is imminent.

3. Defendant has received the ten-day notice and obtained an agreement extending the time to plead. However, defendant does not plead within the agreed time. Plaintiff may enter judgment by default without further notice as provided by Rule 237.2 and the form of agreement set forth in Rule 237.6.

In illustrations 4 through 6, the plaintiff has entered a valid judgment by default against the defendant and the prothonotary has entered the judgment in the docket and noted the date thereof. Thereafter, the defendant files a petition to open the judgment.

4. [Plaintiff has entered a valid judgment by default against the defendant. The prothonotary has entered the judgment in the docket and noted the date thereof. Within ten days of that date, the defendant files a petition to open the judgment. The petitioner need demonstrate to the court only that the filing of the petition was within the ten-day period specified by Rule 237.3(b) and that the verified pleading attached to the petition states a meritorious cause of action or defense. In such case, Rule 237.3(b) requires the court to open the judgment.]

The defendant files the petition to open the judgment within ten days of the date on which the prothonotary entered the judgment on the docket and seeks leave to file the answer attached to the petition. The defendant is entitled to the benefit of Rule 237.3(b) by timely filing the petition and attaching an answer. Rule 237.3(b) requires the

court to open the judgment upon the defendant demonstrating to the court that the filing of the petition was within the ten-day period and that the answer attached to the petition states a meritorious defense.

5. [Again, plaintiff has entered a valid judgment by default against the defendant. Also, the prothonotary has entered the judgment on the docket, noting the date of the docket entry. However, plaintiff does not file a petition to open the judgment until more than ten days after that date. The petition to open is not within the scope of Rule 237.3(b) and the petitioner needs to demonstrate to the court, as required by case law, not only that the verified pleading attached to the petition states a meritorious defense but also that the filing of the petition was timely and that there was a reasonable explanation or legitimate excuse for the delay or inactivity.]

The defendant files the petition to open the judgment within ten days of the date on which the prothonotary enters the judgment on the docket and seeks leave to file the preliminary objections attached to the petition. The defendant is not entitled to the benefit of Rule 237.3(b) because, although the petition is timely filed, the rule does not provide for preliminary objections to be attached to the petition. A defendant who wishes to file preliminary objections upon the opening of a judgment must proceed pursuant to case law and meet the standards set forth in *Schultz v. Erie Insurance Exchange*, 505 Pa. 90, 477 A.2d 471 (1984), cited in the note to the rule.

6. The defendant files a petition to open the judgment more than ten days after the date of entry of the judgment on the docket. The petition to open is not within the scope of Rule 237.3(b) which requires that the petition be "filed within ten days after the entry of the judgment on the docket". The defendant must proceed pursuant to case law and meet the standards of *Schultz v. Erie Insurance Exchange*, 505 Pa. 90, 477 A.2d 471 (1984).

Although these illustrations use the example of the entry of a judgment by default and a petition to open the judgment, they are adaptable and thus equally applicable to the entry of a judgment of non pros for failure to file a complaint and a petition to open such a judgment.

Explanatory Comment—2001

The amendment to the Note clarifies the procedure when a defendant, upon the opening of a default judgment, intends to file preliminary objections, a pleading not encompassed by this rule. Contrary to the holding of the Commonwealth Court in *Peters Township Sanitary Auth. v. American Home and Land Dev. Co.*, 696 A.2d 899 (Cmwlth Ct. 1997), preliminary objections are not an appropriate attachment to a petition to open a default judgment under Rule 237.3.

Clarifying amendments have been made to the 1994 Explanatory Comment.

REA BOYLAN THOMAS,
Chair

[Pa.B. Doc. No. 01-164. Filed for public inspection February 2, 2001, 9:00 a.m.]

**Promulgation of New Rule of Civil Procedure 207.1
Governing Motion to Exclude Expert Testimony
Which Relies Upon Novel Scientific Evidence;
No. 351 Civil Procedural Rules Doc. No. 5**

Order

Per Curiam:

And Now, this 22nd day of January, 2001, new Pennsylvania Rule of Civil Procedure 207.1 is promulgated to read as attached hereto.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2001.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

**Rule 207.1. Motion to Exclude Expert Testimony
Which Relies Upon Novel Scientific Evidence**

(a) If a party moves the court to exclude expert testimony which relies upon novel scientific evidence, on the basis that it is inadmissible under Pa.R.E. 702 or 703,

(1) the motion shall contain:

(i) the name and credentials of the expert witness whose testimony is sought to be excluded,

(ii) a summary of the expected testimony of the expert witness, specifying with particularity that portion of the testimony of the witness which the moving party seeks to exclude,

(iii) the basis, set forth with specificity, for excluding the evidence, (iv) the evidence upon which the moving party relies, and

(v) copies of all relevant curriculum vitae and expert reports;

(2) any other party need not respond to the motion unless ordered by the court;

(3) the court shall initially review the motion to determine if, in the interest of justice, the matter should be addressed prior to trial. The court, without further proceedings, may determine that any issue of admissibility of expert testimony be deferred until trial; and

(4) the court shall require that a response be filed if it determines that the matter should be addressed prior to trial.

Official Note: This rule establishes procedures for motions to exclude expert testimony which relies upon novel scientific evidence. The rule does not address the requirements for the admission of expert testimony under Pa.R.E. 702 and 703, which are governed by case law. It also does not address motions under those rules on other grounds.

The court has discretion in the manner in which it determines the motion. While depositions of expert witnesses and evidentiary hearings are available to the court for this purpose, they should be utilized in limited circumstances. See the limitations set forth in Rule 4003.5 governing discovery of expert testimony.

In deciding whether to address prior to trial the admissibility of the testimony of an expert witness, the following factors are among those which the court should consider: the dispositive nature or significance of the issue to the case, the complexity of the issue involved in

the testimony of the expert witness, the degree of novelty of the proposed evidence, the complexity of the case, the anticipated length of trial, the potential for delay of trial, and the feasibility of the court evaluating the expert witness' testimony when offered at trial.

When a ruling on a pre-trial motion to exclude the testimony of an expert witness is deferred until trial, the trial judge may choose to decide the motion (1) before the expert witness testifies on the basis of evidence offered outside the presence of the jury or (2) after the expert witness testifies on the basis of testimony offered at trial, in which event the trial judge will strike the testimony of the expert witness if it is found to be inadmissible under Pa.R.E. 702 or 703. However, hearings on preliminary matters must be conducted outside the presence of the jury "when the interests of justice require." See Pa.R.E. 104.

(b) A party is not required to raise the issue of the admissibility of testimony of an expert witness prior to trial unless the court orders the party to do so.

Explanatory Comment

The purpose of new Rule 207.1 is to provide the procedure for pre-trial motions concerning the admissibility of expert testimony which relies upon novel scientific evidence.

[Pa.B. Doc. No. 01-165. Filed for public inspection February 2, 2001, 9:00 a.m.]

[231 PA. CODE CH. 1500]

**Rescission of Rule of Civil Procedure 1503 Govern-
ing Venue in Actions in Equity and Promulga-
tion of New Rule 1503; No. 350 Civil Procedural
Rules Doc. No. 5**

Order

Per Curiam:

And Now, this 19th day of January, 2001, Pennsylvania Rule of Civil Procedure 1503 is rescinded and new Rule 1503 is promulgated to read as attached hereto.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2001.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1500. ACTION IN EQUITY

Subchapter A. RULES

Rule 1503. Venue

An action may be brought in any county in which a civil action may be brought or, if the subject matter of the action is property, in the county in which the property is located.

Official Note: See Rule 1006 governing venue in a civil action.

Explanatory Comment

Rule 1503 governing venue in an action in equity has been rescinded and new Rule 1503 has been promulgated. The new rule provides for an action in equity to be

brought in any county in which a civil action may be brought or, if property is involved, in the county in which the property is located.

By its simplicity, the new rule contains several changes from the former rule:

First, former Rule 1503(a)(1) required the action to be brought in a county in which the defendant or a principal defendant may be served. The new rule broadens this provision to include all counties of venue under Rule 1006, including the cause of action county and the transaction or occurrence county. Also, the reference to a "principal defendant" has been deleted. If venue is based upon the presence of a defendant in the forum county, the presence of any defendant is sufficient to create venue as to all defendants. The doctrine of forum non conveniens is available for venue which may be inappropriate.

Second, former Rule 1503(a) contained a clause relating to the effect of a judgment or decree as personally binding. This language has been deleted as it did not pertain to venue and, in addition, stated an outmoded principle of law.

Third, former Rule 1503(b) and (c) relating to venue in actions by or against the Commonwealth, its agencies, instrumentalities and officers have not been retained. Venue in actions against the Commonwealth in the courts of common pleas is governed by Rule 2103(a) which provides for an action to be brought in "any county permitted by a rule of the Supreme Court."

Finally, former Rule 1503(d) relating to the administration of a trust or the removal of a trustee has not been carried over to the new rule because as stated it was not a matter of venue but, rather, one of jurisdiction. Further, matters relating to trusts are within the jurisdiction of the orphans' court division of the court of common pleas, which is governed by its own rules of procedure. However, should such matters come within the scope of these rules, no special procedures are required as new Rule 1503 will suffice.

REA BOYLAN THOMAS,
Chair

[Pa.B. Doc. No. 01-166. Filed for public inspection February 2, 2001, 9:00 a.m.]

Title 237—JUVENILE RULES

Appointments to the Juvenile Court Procedural Rules Committee and Designation of Chair and Vice-Chair; No. 265 Supreme Court Rules Doc. No. 1

Order

Per Curiam:

And Now, this 22nd day of January, 2001, the following are hereby appointed as members of the Juvenile Court Procedural Rules Committee:

For a term of one year, commencing February 1, 2001

The Honorable Robert J. Colville
Allegheny County

John Patrick Delaney, Jr., Esquire
Philadelphia

The Honorable Thomas J. Doerr
Butler County

For a term of two years, commencing February 1, 2001

Francis Barry McCarthy, Jr., Esquire
Allegheny County

The Honorable Carol K. McGinley
Lehigh County

The Honorable Patrick R. Tamilia
Allegheny County

For a term of three years, commencing February 1, 2001

The Honorable Bruce L. Castor, Jr.
Montgomery County

Jason P. Kutulakis, Esquire
Cumberland County

The Honorable Abram Frank Reynolds
Philadelphia

Francis Barry McCarthy, Jr., Esquire, is hereby designated as Chair and The Honorable Carol K. McGinley as Vice-Chair of the Committee.

[Pa.B. Doc. No. 01-167. Filed for public inspection February 2, 2001, 9:00 a.m.]

Establishment of the Juvenile Court Procedural Rules Committee; No. 264 Supreme Court Rules Doc. No. 1

Order

Per Curiam:

And Now, this 22nd day of January, 2001, pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania, the Court hereby establishes the Juvenile Court Procedural Rules Committee.

The Committee shall be composed of nine members of the bench or bar of the Commonwealth. One of the members shall be designated by the Court as Chair and one as Vice-Chair of the Committee. Initial appointments shall be for one, two or three-year terms and shall commence on the 1st day of February, 2001. Thereafter appointments shall be for three years and members shall serve no more than two consecutive three-year terms.

[Pa.B. Doc. No. 01-168. Filed for public inspection February 2, 2001, 9:00 a.m.]

Title 252—ALLEGHENY COURT RULES

ALLEGHENY COUNTY

Rules of the Court of Common Pleas; No. 4 of 2001 Rules Docket

Order of Court

And Now, to-wit, this 18 day of January, 2001, pursuant to action of the Board of Judges, and effective thirty days after publication in the *Pennsylvania Bulletin*, the following Allegheny County Rules of the Family Division are hereby amended;

- Rule 1910.6 Service. Proof of Service.
- Rule 1910.7 No Pleading by Defendant Required. Question of Jurisdiction or Venue or Statute of Limitations in Paternity.
- Rule 1910.12 Office Conference. Hearing. Record. Exceptions. Order.
- Rule 1910.15 Paternity.
- Rule [1910.21-3] 1910.25-2 Civil Contempt: Office Conference. Agreement. Alternative Procedures Upon Failure to Agree.
- Rule [1910.23-1] 1910.24 Judgement for Arrearages. Execution.
- Rule 1915.1(a)1 Scope.
- Rule 1915.1(b) Definitions.
- Rule 1915.3(c) Commencement of Action. Complaint/Waiver. Fees. Refunds.
- Rule 1915.3(d) Confirmation of Custody.
- Rule 1915.3(e) Grandparents. Third Parties.
- Rule 1915.4(a) Service. Rescheduling.
- Rule 1915.4-3 Orientation. Mediation. Confidentiality. Mediator. Qualifications. Conciliation. Psychological Evaluation and Home Study.
- Rule 1915.14(a) Noncompliance. Contampt. Arrest.
- Rule 1920.12 Complaint. Contents and Filing.
- Rule 1920.33 Joinder of Related Claims. Distribution of Property. Resolution of Claims for Equitable Distribution of Marital Property and Alimony.
- Rule 1920.42 Affidavit of Decree Under Section 3301(c) or 3301(d) of the Divorce Code. Obtaining Decrees.
- Rule 1920.46 Representation of Defendant in Military Service.
- Rule 1920.51 Hearing by the Court. Appointment of Master. Notice of Hearing. Contested and Uncontested Divorce Claims Under §§ 3301(a) and 3301(b) of the Divorce Code.
- Rule 1920.55 Master's Report. Notice. Exceptions. Final Decree.
- Rule 1920.62 Proceedings by Indigent Parties.
- Rule 1920.71 Form of Notice.
- Rule 1920.73 Date of Service.
- Rule 1930 Domestic Relations Matters Generally.

By the Court

ROBERT A. KELLY,
President Judge

Revisions to the Local Rules of the Family Division of the Court of Common Pleas of Allegheny County

The following are revisions to the local rules of the Family Division. Additions are **underlined** and deletions are [**bracketed**]. Existing rules which do not appear here remain unchanged.

Rule 1910.6 Service. Proof of Service. **Rescinded.**

[**(a)(2)(I) Service shall be deemed complete when the registered mail addressed to the defendant at his or her current residence is returned unclaimed and the ordinary mail addressed to the defendant at his or her current residence has not been returned.**]

Rule 1910.7 No Pleading by Defendant Required. Question of Jurisdiction or Venue or Statute of Limitations in Paternity.

(b)[*](1) If preliminary objections challenging venue or jurisdiction **in a support matter** are filed, the proceedings shall be [**stayed and**] listed for argument in conformity with Local Rule 1930(b). **The filing of preliminary objections shall not automatically stay the support proceedings. A party or counsel may present a motion requesting a stay pending decision on the preliminary objections.**

Rule 1910.12 Office Conference. Hearing. Record. Exceptions. Order.

(b)(1)[*](a) ***

(c)[*](3) ***

(e)[*](1) ***

[*](h)(1) Any party filing exceptions shall serve them upon all other parties and file **the original and one [a]** copy with the Exceptions Clerk [**in Room 616, City-County Building**] by the end of the next business day following the filing of the exceptions with the Prothonotary.

* * * * *

[*](i) Exceptions shall be placed on the next available "Support Argument List" occurring more than 13 days after the transcript of testimony and exceptant's brief are filed with the Exceptions Clerk [**in Room 616, City-County Building**]. The court shall serve notice on all parties of the date and place of the argument. If the respondent files a brief, it shall be filed at least seven calendar days prior to argument, with the [**Hearing Officer's Secretary**] **Exceptions Clerk [in Room 616, City-County Building]**.

[*](j) ***

[*](k) ***

[*](l) ***

Rule 1910.15. Paternity. **Rescinded.**

[**(b)*(1) Before terminating the conference, the domestic relations counselor may obtain an order of court directing the parties to submit to blood testing.**]

Note: Procedure for obtaining genetic testing is set forth in Pa.R.C.P, 1910.15.

Rule [1910.21-3] 1910.25-2 Civil Contempt; Office Conference. Agreement. Alternative Procedures Upon Failure to Agree.

[*](e) In all cases of civil contempt for failure to comply with an order of support, if no agreement is reached at the domestic relations office conference, further proceedings shall be conducted pursuant to the alternative hearing procedures of Pa.R.C.P. [**No. 1910.21-5**] **1910.25-4**

Rule [1910.23-1] 1910.24. Judgment for Arrearages. Execution.

(a)[*](1) Any party at any time may obtain [**from Suite 200, Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219,**] a statement of arrears accord-

ing to the records of [**the Collection and Disbursement Division**] **Family Division, as provided in the Family Division Court Manual.**

Rule 1915.1(a)1 Scope.

This rule shall be applicable to all actions for custody, partial custody and visitation whether filed as an independent cause of action or as a count in a related proceeding.

i. All individuals with standing to pursue an action for custody, partial custody or visitation with children from birth to age 17 shall complete the custody education program for adults [**(“Lighthouse”)**].

ii. All children ages 6 to [**17**] **15** who are in the care of a party[**(ies)**] or **parties** shall participate in an interactive group program for children [**(“Sandcastles”)**].

iii. Parties also shall participate [**fully**] in the mediation **orientation** program [**(“Generations”)**] **operated by Family Division**]. Additionally, step-parents, step-children, grandparents and [**the like**] **others closely involved with the custody of the children** may also participate in [**Lighthouse or Sandcastles**] **the education programs**, upon consent of all parties.

Rule 1915.1(b) Definitions.

i. “Generations” means **the education programs for adults and children**, the [**orientation**] mediation **orientation** program **operated [established]** by the Allegheny County Family Division pursuant to 23 Pa.C.S. § 3901-3904. [**This**] **The “Generations Center”** is located at Suite 400, 4th Floor, Allegheny Building, Pittsburgh, Pennsylvania, 15219, telephone (412) 350-4311, **and [which]** serves as the Family Division Administrative Office for the Generations Program.

ii. [**“Lighthouse”**] **“Generations education”** means the custody education program for adults pursuing claims for custody **and the interactive education program for children ages 6 to 15.**

iii. [**“Sandcastles”**] means **the interactive educational program for children 6 to 17, run in conjunction with the Lighthouses program for adults.** [**“Generations Mediation Orientation”**] means **the custody mediation program for adult pursuing claims for custody.**

[**iv. “Family Services”**] means **the organization which provides the educational components for Lighthouse and Sandcastles and is located at 921 Penn Avenue Plaza, 4th Floor, Pittsburgh, PA 15222, telephone (412) 261-3623 extension 48 or 32, which serves as the administrative office for Lighthouse and Sandcastles.**]

Rule 1915.3(c) Commencement of Action.[/] Complaint/Waiver.[/] Fees.[/] Refunds.

i. Prior to the filing of any divorce complaint containing a count for custody or any complaint for custody, shared custody, partial **custody** or visitation, or any other court papers seeking to initiate or **reinstate** any proceeding to compel, modify, terminate or otherwise affect[,] contact between children and parties, the moving party shall deliver the original of the court paper initiating the custody action to the Generations Center. The Center

shall immediately provide the moving party with an order of court (“Scheduling Order”) setting forth the dates and times when the adults and children shall attend [**Lighthouses, Sandcastles**] **the education programs and [Generations]** Meditation[/] Orientation [**(the “Programs”)**], a Domestic Violence Waiver form, and program descriptions. The Scheduling Order shall also specify the location for the adult and children’s educational programs[, **Lighthouse and Sandcastles**]. The mediation **orientation [program, Generations,]** shall always take place in the “Center”. This Scheduling Order is then attached to the original complaint or petition for filing.

ii. **Any custody matter in which there has been no activity, as reflected by the docket, for 120 days shall be deemed a new action for purposes of this rule.**

iii. **Parties to an action to modify or enforce a final order of court for custody, partial custody or visitation, as well as parties to an action deemed to be new, must complete the Generations program, if they not already done so, before they will be permitted to praecipe for any proceeding before the court .**

iv. **Notwithstanding the parties previous completion of the Generations program, all parties to actions referenced in iii. of this local rule shall be required to participate in another mediation orientation, as provided by these rules, before they will be permitted to praecipe for any proceeding before the court.**

[**ii.**] v. ***

[**iii.**] vi. ***

[**iv.**] **vii.** No party shall be compelled to attend any portion of these Programs with the opposing party, or to [**attend Generations at all**] **participate in the mediation orientation**, in cases where either party, or a child of either party, is or has been the subject of domestic violence or child abuse **allegedly perpetrated by the opposing party** at any time within the past 24 months. In such cases, appropriate arrangements for separate sessions for [**Lighthouses or Sandcastles**] **the education programs** should be made **with the Center.** [**These arrangements must be made by calling Family Services.**] The Center shall **also** be notified personally or by mail through the use of a [**supplied**] **domestic violence** waiver form that the victim of abuse elects not to attend the mediation orientation session. The opposing party shall have the opportunity to contest cancellation of **the mediation orientation** through Motions Court. If mediation does not occur, the case will be set down promptly for a custody/partial custody conciliation before a Domestic Relations Officer.

[**v.**] **viii.** All other requests to waive attendance at any portion of the Programs will require an order of court which may be sought through Motions Court.[, **but which**] **Waivers** will be granted only in exigent circumstances. The moving party shall be responsible for filing any order entered in response to such request, and for service upon the [**appropriate Programs**] **the Generations Center** and the opposing party.

[**vi.**] **ix.** All moving parties who are required to participate in the [**Lighthouse, Sandcastles or Gen-**

erations] education and mediation orientation [Program] shall pay all fees required for those Programs.

[vii.] x. The moving party shall pay all of his or her fees for the [Lighthouse, Sandcastles and Generations] education and mediation orientation programs prior to receiving a Scheduling Order.

[viii.] xi. ***

[ix.] xii. The fee for [Lighthouse] adult education is \$40 for each party. The fee for [Sandcastles] children's education is \$30 for each child. Each party shall pay one-half of each child's total fee. The fees for [Lighthouses and Sandcastles shall be payable to Family Services of Western Pennsylvania by cashiers' check, money order or credit card, which may be provided by telephone. No cash or personal checks will be accepted. The moving party may, but is not required, to use Visa to pay for Lighthouse and/or Sandcastles. To do so, they shall call Family Services prior to obtaining a Scheduling Order to arrange for such payment and request that Family Services notify the Generations Center of payment by credit card.] education shall be payable to the Allegheny County Treasurer by certified check or money order. No cash or personal checks will be accepted.

[x.] xiii. The fee for [Generations] mediation orientation shall be \$100 for each party. The fee for [Generations] mediation orientation shall be made payable to the Allegheny County Treasurer [named in the Scheduling Order] by cashiers' check or money order[, delivered to the Center]. No cash or personal checks will be accepted.

[xi.] xiv. Under exigent circumstances, the court will consider waiver, [or] reduction or assessment of fees to the other party for those unable to pay. Any such request must be presented through Motions Court and must be accompanied by a verified affidavit of indigence or other proof of economic hardship in accordance with Pa.R.C.P. 240 and 1920.62.

* * * * *

[xii.] xv. ***

[xiii.] xvi. In accordance with the Generations Program Description and Instruction Package, which are available at the Generations Center, fees for the education/mediation program are non-refundable with the following exceptions:

1. The parties are excused from participation in mediation orientation because a Domestic Violence Waiver[s] has been filed by either or both parties.
2. A signed [Signed] Custody Consent Order of Court [with seven days notice] is filed and served on the Generations Center seven days before the scheduled education program or the scheduled mediation orientation.
3. Petitioner['s withdrawal of pleadings with seven days notice] withdraws the pleadings seven days prior to the scheduled education or mediation orientation.

4. Respondent's fees are refunded when Petitioner fails to appear for education and /or mediation.

Rule 1915.3(d) Confirmation of Custody

- i. ***
- ii. ***

(a) A Complaint for Custody must be prepared properly in accordance with Pa.R.C.P. 1915.3 and 1915.15[, and a true and correct copy must be attached to the Petition for Confirmation of Custody as an exhibit]. All of the information required by Rule 1915.15 must be provided. Additionally, a copy of the most recent custody order relating to the child or children must be attached, if any exists.

(b) All parties must be served in accordance with Pa.R.C.P. 1930.4 with movant's Complaint for Confirmation of Custody together with the exhibits. The complaint is deemed filed when notice of its presentation is given.

- (c) ***
- (d) ***
- (e) ***

Rule 1915.3(e). Grandparents[/]. Third Parties.

- i. ***
- ii. The partial custody claims of grandparents or other third party shall not be scheduled for [Lighthouse/Generations] education, mediation or for a conference/hearing without [obtaining] an Order from a Family Division judge through regular or pro se motions.

* * * * *

Rule 1915.4(a) Service[/]. Rescheduling.

- i. ***
- ii. ***
- iii. ***
- iv. ***

v. Any party [desiring] seeking to reschedule [Lighthouse or Sandcastles] the education sessions must [shall] contact [Family Services' office at (412) 261-3623 ext. 48 or 32] the Center at 412-350-4311 to determine [several] available dates [and times].

vi. ***

Rule 1915.4-3 Orientation.[-]Mediation[/]. Confidentiality[/]. Mediator. Qualifications[/]. Conciliation[/]. Psychological Evaluation and Home Study.

i. Mediators shall have a college degree and either an advanced degree or equivalent experience. Additionally, all mediators without exception shall take a basic 40 hour domestic mediation training seminar conducted by trainers who have been approved by the American Academy of Family Mediators and a basic domestic violence training seminar which has been approved by the American Academy of Family Mediators. All mediators shall carry liability insurance. Mediators shall adhere to the standards of practice adopted by the American Academy of Family Mediators and the American Bar Association.

- a) ***
- b) ***
- ii. ***
- iii. ***
- iv. ***
- v. ***
- vi. ***
- vii. ***
- viii. ***

ix. Custody cases which are not resolved by the DROs may be referred by the DRO for psychological evaluations **[and home study]**. After the evaluation[s are] is completed, the parties may praecipe for conciliation before a judge.

- x. ***
- xi. Parties who have never been through the **[Lighthouse and Generations]** Programs and wish to proceed directly to a conciliation must obtain an order permitting them to do so from the judge in either regular or pro se motions.
- xii. ***
- xiii. ***
- xiv. ***

Rule 1915.14(a) Noncompliance[/]. Contempt[/]. Arrest.

i. If the moving party fails to pay fees as specified, fails to appear for **[Lighthouse or Generations] education and/or mediation orientation** or fails to insure that any child within their physical custody appears for **[Sandcastles] education**, the custody action shall be dismissed without prejudice, and any fees paid by **[such] the moving party** shall be forfeited.

ii. **[Should]** If the non-moving party fail to pay fees as specified, fail to appear for **[Lighthouse or Generations] education and/or mediation orientation** or fail to insure that any child within their physical custody appears for **[Sandcastles] education**, an immediate rule to show cause why **[such] the non-moving party** should be not held in contempt shall issue from this court. Such rule will be returnable on a date certain within 14 days.

* * * * *

Rule 1920.12 Complaint. **Contents and Filing.**
[Local Rules Governing Contents and Filing of the Complaint.]

[*I.] (a) The Complaint

- [(A)] (1) *****
- [(B)] (2) *****

[(C)] (3) *** These sheets may be obtained from **[Room 621 of the City-County Building] the Intake Office or the Screening Window in Family Division.**

[*II.] (b) Filing the Complaint

- [(A)] (1) *****
- [(B)] (2) *****

[(C)] (3) If the divorce proceeding includes a claim for support, alimony pendente lite or counsel fees, any party seeking a conference/hearing on said claim shall file a praecipe **[in Room 603 of the City-County Building] at the screening window in Family Division** requesting that a conference/hearing date be scheduled and further stating that there is not existing order of support and/or alimony pendente lite providing for the support of a spouse. The party seeking the conference/hearing shall provide a copy of the pleading raising the claim for support, alimony pendente lite or counsel fees and the Family Division Support/Alimony Pendente Lite/Alimony Information Sheet to the clerk **[in Room 603] at the screening window** at the time the praecipe for conference/hearing is filed.

* * * * *

Rule 1920.33 Joinder of Related Claims[;]. Distribution of Property. **Resolution of Claims for Equitable Distribution of Marital Property and Alimony.**

[Local Rules for the Resolution of Claims for Equitable Distribution of Marital Property and Alimony]

[*I.] (a) Scheduling conciliations for Contested Claims Raised Under §§

- [(A)] (1) *****
- [(B)] (2) *****
- [(C)] (3) *****
- [(D)] (4) *****
- [(E)] (5) *****

[*II.] (b) Action to be Taken Where A Party Fails to Comply With Rules 1920.31(a) or 1920.33(a)

- [(A)] (1) *****
- [(1)] (i) *****
- [(a)] a. *****

[(2)] (ii) The praecipe shall be filed in [Room 621 of the City-County Building] the Administrative Office of Family Division.

[*III.] (c) Scheduling Hearings for Uncontested Claims Raised Under Sections 3501 and 3701 of the Divorce Code

- [(A)] (1) *****
- [(B)] (2) A hearing is scheduled by filing a praecipe with the Family Division Docket Clerk [in Room 611 of the City-County Building]. *****
- [(C)] (3) *****
- [(D)] (4) *****
- [(E)] (5) *****
- [(F)] (6) *****

Rule 1920.42. Affidavit and Decree Under Section 3301(c) or 3301(d) of the Divorce Code. **Obtaining Decrees.**

[Local Rule for Obtaining Decrees for Divorce Claims Under Section 3301(c) or 3301(d) of the Divorce Code]

- (a) **[*3(A)]** If a complaint.

* * * * *

(b) ***

(c) [***(3)**] In all cases the moving.

* * * * *

(d) ***

Rule 1920.46. Representation of Defendant in Military Service.

[*](c) ***

Rule 1920.51. Hearing by the Court. Appointment of Master. Notice of Hearing. **Contested and Uncontested Divorce Claims Under §§ 3301(a) and 3301(b) of the Divorce Code**

[**Local Rule Regarding Contested and Uncontested Divorce Claims Under Sections 3301(a) and 3301(b) of the Divorce Code**]

[*](f) (1) All contested actions for divorce or annulment shall be first conciliated by the court. A conciliation date may be obtained from the Family Division Docket Clerk [**in Room 611 of the City-County Building**]. ***

(2) ***

(3) ***

(4) ***

(5) ***

(6) *** The exceptant shall, on the date of filing of the exceptions, give a copy of the exceptions to the Docket Clerk [**in Room 611 of the City-County Building**] in order to obtain an argument date.

(7) ***

(8) ***

[*](g). Uncontested Actions Under §§ 3301(a) and (b) of the Code.

(1) ***

(2) The praecipe of hearing shall be in the following form:

Praecipe of Hearing Date
(Caption)

1. Kindly list the above captioned action for hearing.

2. Defendant was served under Rule **1930.4 [412 or 403]**. Serve notice of hearing upon Defendant by ordinary mail addressed as follows: (address)

or

2. Defendant was served under Rule 430. Service notice of hearing upon Defendant by registered mail at defendant's last known address: (address)

with a copy by ordinary mail to each of the following:
(list names and addresses of persons named in the investigation affidavit under **Rule 430** as likely to know the present whereabouts of the defendant).

or

2. An appearance has been entered for Defendant. Serve notice of hearing upon Defendant's attorney of record.

Attorney for Plaintiff

(3) ***

(4) ***

(5) ***

(6) ***

(7) ***

(8) ***

(9) *** Also the exceptant shall provide a copy of the exceptions to the **Docket Clerk [docket clerk in Room 611 of the City-County Building]** in order to obtain an argument date.

Rule 1920.55. Master's Report. Notice. Exceptions. Final Decree.

[**Local Rule Governing Exceptions**]

(c) [*1.] (1) ***

[*2.] (2) ***

Rule 1920.62. Proceedings by Indigent Parties.

[*1.] (a) ***

[*2.] (b) ***

[*3.] (c) ***

[*4.] (d) ***

Rule 1920.71 Form of Notice. **Rescinded.**

Note: The form of Notice of Intention to Request Decree is prescribed in Pa.R.C.P. 1920.73(a).

Rule 1920.73. Date of Service. **Rescinded.**

Note: Pa.R.C.P. 1920.73(b) prescribes the form of the Praecipe to Transmit Record, which includes the affidavit of service of the Notice of Intention to Request Decree formerly required by this local rule.

Rule 1930 Domestic Relations Matters Generally.

[*] (a) Family Division Motions

[1.] (1) Family Division motions may be presented to the motions judge at 1:30 p.m. on each court day, **unless notice that motions will not be heard, or that motions will be heard at a different time, is published in the Pittsburgh Legal Journal.**

[2.] (2) ***

[3.] (3) ***

[4.] (4) ***

[5.] (5) Any motion which involves support payments that are assigned to the Pennsylvania Department of Public Welfare **or in which the plaintiff is not represented by private counsel** shall [**include Notice of Presentation to counsel for the Department of Public Welfare, 1403 State Office Bldg., 300 Liberty Ave., Pittsburgh, PA 15222**] be served on the **IV-D Attorney, Fort Pitt Commons Building, Third Floor, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219** as well as on the plaintiff.

[6.] (6) Any motion which involves [**a matter under RURESA**] support payments or any other matter which is governed by the **Uniform Interstate Family Support Act (UIFSA)** or the **Intrastate Family Support Act (IFSA)** and in which the plaintiff is not

represented by private counsel shall be served [include Notice of Presentation] on the IV-D Attorney, Fort Pitt Commons Building, Third Floor, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219 as well as on the plaintiff.

[*] (b) Procedure for Preliminary Objections and Motions for Judgment on the Pleadings or Summary Judgment

[**1. Preliminary Objections**] (1) Preliminary Objections shall be scheduled on the next available Friday Support Exception Argument List occurring more than 13 days after the Preliminary Objections are filed with the Prothonotary and the [**Hearing Officer's secretary in Room 616, City-County Building**] Exceptions Clerk. Objector shall serve notice on all parties of the time and place of argument. No preliminary objections shall be accepted for filing by the [**Hearing Officer's secretary**] Exceptions Clerk unless accompanied by a brief. Failure to file a brief with the Preliminary Objections shall be cause for dismissal of the Preliminary Objections. If Respondent files a brief it shall be filed with the [**Hearing Officer's Secretary**] Exceptions Clerk at least seven days prior to argument. **Except as provided by Local Rule 1910.7, [The]** the scheduling of Preliminary Objections shall stay all proceedings.

Note: Local Rule 1910.7 relates to support proceedings. Divorce and custody proceedings are stayed upon scheduling of preliminary objections.

[**2. Motions for Judgment on the Pleading or Summary Judgment**] (2) Motions for Judgment on the Pleading on the Pleading....

[*] (c) Scheduling Conciliations: Matters that are tried by a judge will not be listed for trial until they have been conciliated by a judge.

The following matters may be scheduled for a conciliation by filing a praecipe with the **Docket Clerk [docket clerk in Room 611 of the City-County Building]**: conciliation on § 3301(d) divorce claims; custody claims with order of court attached, see Pa.R.C.P. 1915(a) and (c); partition and equity claims and equitable distribution and alimony claims (provided that both parties have filed an inventory, appraisal, income and expense statement and that either (a) the parties are divorced, (b) both parties have filed an affidavit under [**Section**] § 3301(c) of the Divorce Code or (c) both parties agree that they have lived separate and apart for at least two years and that the marriage is irretrievably broken). [**Form 1930*C1 is to accompany the praecipe for equitable distribution conciliation. In all cases where a party requests a conciliation on a claim for custody the party or counsel must sign a certification that a genuine issue involving physical custody for more than 50 percent of the time is involved. (Form 1930*C2) All parties involved in custody proceedings are directed by the court to view a film on custody prior to the first scheduled conference or hearing**].

Note: A detailed description of the procedures, as well as the necessary forms, can be found in the Family Division Court Manual, see (g) of this Rule.

For other matters, a party may present a petition to the motions judge which contains the factual background, the relief sought, and a request for conciliation.

[*] (d) Continuances . **Rescinded.**

[**Effective April 29, 1991, in accordance with the Prothonotary Fee Bill, no Order of Court continuing a conference hearing in the Adult Section of the Family Division, at the request of an attorney or party, will be accepted by the Prothonotary for docketing and filing without payment of the required \$15 fee.**]

[**1. Continuances of Conciliation, Arguments or Hearings before a Judge, Hearing Officer or Domestic Relations Officer.**]

[**No conciliation, argument or hearing before a judge, hearing officer or domestic relations officer will be continued without an order of court. Notice of presentation of the request must be given to the opposing party, including an opposing party who is not represented by counsel in conformity with Local Rule 1930*(a).**]

[**A scheduled DRO conference or hearing before a Hearing Officer may be "continued generally" by order of court or a stipulation signed by both parties or their counsel (Court Manual, Form 14). Any matter which is continued generally will not be relisted without a court order signed by the motions judge.**]

[**A copy of any court order or stipulation continuing a Family Division matter must be immediately given to the Family Division Docket Clerk in Room 611, City-County Building to prevent dismissal of the scheduled action.**]

[**Whenever a new date is obtained through a court order, counsel for the party obtaining the court order is responsible for notifying all parties of the time and date of the rescheduled conference or hearing. In a RURESA case, the County Solicitor's Office must be given notice at Fort Pitt Commons, 3rd Floor, 445 Fort Pitt Blvd., Pittsburgh, PA 15219.**]

[**A party unrepresented by counsel may obtain a continuance of a DRO conference and hearing before a Hearing Officer in the manner outlined above.**]

[**In addition, an unrepresented party seeking to continue or reschedule a DRO conference or hearing before a Hearing Officer may report to Room 603 of the City-County Building to meet with a screening DRO. The unrepresented party shall present information explaining why the conference or hearing should be continued. IN the event that the screening DRO determines that a continuance is necessary, the DRO will obtain a court order continuing and /or rescheduling the conference or hearing. ONLY NON-WELFARE CASES CAN BE CONTINUED AS EXPLAINED ABOVE. Any request by an unrepresented party must be made at least five days prior to the date set for the hearing so that the other side may receive sufficient notice of the continuance.**]

Note: Procedure of obtaining a continuance in Family Division matters is set forth in detail in the Family Division Court Manual.

[*] (e) ***

[*] (f) [Use of] Case Numbers [in the Adult Section of the Family Division]. Suffixes.

(1) All pleadings filed with the Adult Section of the Family Division shall be filed under the originally assigned case number for the involved family. After an original case number has been assigned to all pleadings, regardless of the caption or nature of the case, **all pleadings** shall be filed under the originally assigned number. The caption shall reflect the appropriate party initiating each original action as the plaintiff [, **regardless of the previous filings each caption shall remain the same during the pendency of each action**].

(2) If counsel or a party believes that there may be a previously assigned case number, but the number is not known, the information may be obtained from the Prothonotary's Office [**in the City-County Building**].

(3) **In addition to the docket number assigned to all matters involving the family, the Prothonotary shall assign a three digit suffix designating the judge to whom the case is assigned. All pleadings must include the suffix as well as the docket number.**

(4) **All motions, exceptions, conciliations, hearings and other matters shall be listed only before the judge to whom the case is assigned, absent a compelling emergency or the long term unavailability of the designated judge.**

(5) **Cases in which the initial pleading was filed before May 1, 1997, may be amended to add the suffix of the judge most familiar with the case.**

(6) **In the event that a defendant in a support matter has more than one case, the captions of all of the cases shall be amended to assign them to the judge assigned to the case filed first in time. If there is not judge assigned to the case filed first in time, the cases will be assigned to the next judge in the rotation for assigning suffixes.**

[*] (g) Family Division Court Manual

Except as otherwise provided by the Pennsylvania Rules of Civil Procedures (Pa.R.C.P.) or by [**general**] local rule adopted by the Court of Common Pleas of Allegheny County (**Local Rules**), practice in the Adult Section of the Family Division shall be governed by the Court Manual for the Adult Section of Family Division of the Court of Common Pleas of Allegheny County. Current copies of the Court Manual shall be available at the office of the Administrator, Adult Section of Family Division.

Local Rule 1930.1 Electronic Filing in Family Division Matters

(a) **Except as otherwise provided by subsection (b) of this rule, parties may file legal papers, including original process, with the Prothonotary by means of electronic filing in any Family Division matter or proceeding brought in this court. In general, any legal paper which can be filed in hard copy directly with the Prothonotary, and without first processing through Family Division, may be filed electronically.**

Note: A "legal paper" as used in this rule means a pleading or other paper filed in any Family Division action.

(b) **The following legal papers, must be filed in accordance with established procedure for filing**

hard copy documents and may not be filed with the Prothonotary by means of electronic filing:

(1) **Legal papers relating to Protection From Abuse matters which must be processed with the PFA Office in Family Division before they can be filed.**

(2) **Legal papers relating to custody, partial custody or visitation matters which must be processed through the Generations Office before they can be filed.**

(3) **Legal papers relating to spousal or child support which must be processed through Family Division before they can be filed.**

(4) **Legal papers relating to divorce which contain or address counts or counterclaims for support, alimony pendente lite, alimony or custody, partial custody and visitation, which must be processed through the offices to which reference is made in (1), (2) or (3) of this subsection.**

Note: Divorce pleadings which do not include or address any of the counts enumerated above may be filed electronically, including but not limited to, § 3301(c) or § 3301(d) affidavits of consent, § 3301(c) or § 3301(d) counter-affidavits, waiver of notice of intention to request entry of a decree, notice of intention to request a divorce decree, and praecipe to transmit the record.

(5) **Any and all legal papers which must be presented to a Family Division judge in motions before filing with the Prothonotary.**

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

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

(e) **The web site address of the Prothonotary is as follows: Prothonotary.County.Allegheny.PA.US.**

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

(g) **The Prothonotary shall maintain an electronic and a hard copy file for the legal papers described in the first sentence of section (a).**

(h) **Procedures for payment of the fees and costs of the Prothonotary shall be set forth on the Prothonotary's web site.**

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

Note: A filing party accepts the risk that a document filed by means of electronic filing may not be

properly or timely filed with the Prothonotary. See Pa.R.C.P. 205.4(e)(2). One of the risks is that the Prothonotary—either correctly or incorrectly—determines that the filing party has not met its obligation for payment of the necessary fees and costs.

(j) This rule shall be rescinded on December 31, 2001 unless Pa.R.C.P. 205.4(h) is modified or rescinded.

Note: Pa.R.C.P. 205.4(h) provides that this rule shall be rescinded on December 31, 2001.

[Pa.B. Doc. No. 01-169. Filed for public inspection February 2, 2001, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CARBON COUNTY

Amendment of Local Rules L1308 (1) Relating to Compensation and Appeal; No. 01-0180

Administrative Order No. 11-2001

And Now, this 22nd day of January, 2001, it is hereby Ordered, Adjudged, and Decreed effective thirty (30) days after publication in the *Pennsylvania Bulletin*, that the Carbon County Court of Common Pleas hereby Amends the Local Rule of Civil Procedure L1308(1) to apply arbitration hearings, which are initially scheduled on or after March 1, 2001, as follows:

(1) Each member of the board of arbitrators who has signed the award shall receive as compensation for services a fee of \$125.00 for all cases involving three (3) hours or less, plus \$25.00 for each hour over three (3) hours hearing time. (Awards in companion cases heard together count as one award for purposes of this Rule). In cases requiring hearings of unusual duration or involving questions of unusual complexity, the Court on petition of the members of the board and for cause shown, may allow additional compensation. In cases where an award is to be entered by the arbitrators pursuant to an agreement of settlement before the hearing, each member of the board shall receive as compensation \$75.00.

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 Civil 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 in the Prothonotary's Office.

By the Court

JOHN P. LAVELLE,
President Judge

Rule L1308. Compensation and Appeal.

(1) Each member of the board of arbitrators who has signed the award shall receive as compensation for services a fee of \$125.00 for all cases involving (3) hours or less, plus \$25.00 for each hour over three (3) hours hearing time. (Awards in companion cases heard together count as one award for purposes of this Rule). In cases requiring hearings of unusual duration or involving questions of unusual complexity, the Court on petition of the members of the board and for cause shown, may allow additional compensation. In cases where an award is to be entered by the arbitrators pursuant to an agreement of settlement before the hearing, each member of the board shall receive as compensation \$75.00.

(2) Appellant's counsel shall provide a copy of the Notice of Appeal from the Award of the Board of Arbitrators to the Court Calendar Officer. An appeal duly taken from the Award of the Board of Arbitrators shall be automatically placed on the next available Pre-Trial List by the Court Calendar Officer, upon receipt of the copy of the Notice of Appeal.

(3) Within ten (10) days of the filing of such appeal, a pre-trial memorandum shall be lodged by the Appellant, and Appellant shall deliver a copy to opposing counsel immediately thereafter. Within twenty (20) days after receipt of such copy of the pre-trial memorandum, opposing counsel shall lodge with the Prothonotary a pre-trial memorandum and deliver a copy to Appellant.

[Pa.B. Doc. No. 01-170. Filed for public inspection February 2, 2001, 9:00 a.m.]

CARBON COUNTY

Data Processing Fees; No. 01-0062

Administrative Order No. 7-2001

And Now, this 15th day of January, 2001, it is hereby

Ordered, Adjudged, and Decreed that the data processing fee for all judgments and initial pleadings filed by any party in the Prothonotary's Office, on or after March 1, 2001, shall be increased to \$15.00. In addition, all petitions, motions, and applications for continuance filed in the Prothonotary's Office after the initial pleadings shall be charged a data processing fee of \$7.50. The funds generated by these data processing fees shall be collected by the Prothonotary and remitted monthly to the County of Carbon, and shall be used for, but not limited to, the development, training, implementation and maintenance of an integrated case management, document management and electronic filing system for the Court of Common Pleas of Carbon County.

This Administrative Order is promulgated in accordance with Pa.R.C.P. No. 205.4, and in accordance with the October 27, 1997 Order of the Supreme Court of Pennsylvania Eastern District, No. 178, Judicial Administration Docket No. 2, and shall become effective March 1, 2001. The original shall be filed with the Prothonotary and copies shall be submitted to the Administrative Office of

Pennsylvania Courts, the Legislative Reference Bureau and the Pennsylvania Civil Rules Committee.

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 Civil 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 in the Prothonotary's Office.

By the Court

JOHN P. LAVELLE,
President Judge

[Pa.B. Doc. No. 01-171. Filed for public inspection February 2, 2001, 9:00 a.m.]

CARBON COUNTY

Data Processing Fees; No. 01-9013

Administrative Order No. 8-2001

And Now, this 15th day of January, 2001, it is hereby

Ordered, Adjudged, and Decreed that the data processing fee on all initial pleadings filed by a party in the Orphans' Court Office on or after March 1, 2001, shall be increased to \$15.00. In addition, all petitions which are not initial pleadings, motions, applications for continuance and applications for marriage license filed in the Orphans' Court Office shall be charged a data processing fee of \$7.50. The funds generated by these data processing fees shall be collected by the Orphans' Court and remitted monthly to the County of Carbon, and shall be used for, but not limited to, the development, training, implementation and maintenance of an integrated case management, document management and electronic filing system for the Court of Common Pleas of Carbon County.

This Administrative Order is promulgated in accordance with Pa.R.C.P. No. 205.4, and in accordance with the October 27, 1997 Order of the Supreme Court of Pennsylvania Eastern District, No. 178, Judicial Administration Docket No. 2, and shall become effective March 1, 2001. The original shall be filed with the Orphans' Court Office and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Pennsylvania Orphans' Court Rules Committee.

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 Orphans' Court 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 in the Orphans' Court Office.

By the Court

JOHN P. LAVELLE,
President Judge

[Pa.B. Doc. No. 01-172. Filed for public inspection February 2, 2001, 9:00 a.m.]

CARBON COUNTY

Data Processing Fees; No. 006MI00

Administrative Order No. 9-2001

And Now, this 15th day of January, 2001, it is hereby

Ordered, Adjudged, And Decreed that the data processing fee for all new criminal cases and initial pleadings filed by a party in the Clerk of Courts' Office on or after March 1, 2001, shall be increased to \$15.00. In addition, all petitions, motions, and applications for continuance filed in the Clerk of Courts' Office shall be charged a data processing fee of \$7.50. The funds generated by these data processing fees shall be collected by the Carbon County Collection Bureau and remitted monthly to the County of Carbon, and shall be used for, but not limited to, the development, training, implementation and maintenance of an integrated case management, document management and electronic filing system for the Court of Common Pleas of Carbon County.

This Administrative Order is promulgated in accordance with Pa.R.C.P. No. 205.4, and in accordance with the October 27, 1997 Order of the Supreme Court of Pennsylvania Eastern District, No.178, Judicial Administration Docket No.2, and shall become effective March 1, 2001. The original shall be filed with the Clerk of Courts' Office in a docket and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Pennsylvania Criminal Rules Committee.

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 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 in the Clerk of Courts' Office.

By the Court

JOHN P. LAVELLE,
President Judge

[Pa.B. Doc. No. 01-173. Filed for public inspection February 2, 2001, 9:00 a.m.]

YORK COUNTY

Fee Schedule Approval under HB 1635 Session of 1999 Act 36—2000; No. 19 Miscellaneous Action 2001

Administrative Order

And Now, To Wit this 9th day of January 2001, pursuant the provisions of 42 P. S. § 1725.4, the fee bill of the Clerk of Court of York County, Pennsylvania, is amended to reflect the following Fee Schedule. Additionally, an automation fee as indicated on the proposed fee bill within Petition shall be added. The automation fee imposed by the Clerk of Courts of York County, Pennsylvania, shall be used solely for the purpose of automation and continued automation update of the Office of the Clerk of Courts. The fee bill shall be effective the first day March 1, 2001, upon due advertisement as required by the Administrative Rules of Court.

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

- (a) File seven (7) copies hereof with the Administrative Office of Pennsylvania Courts;
- (b) Distribute two (2) certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
- (c) Cause a copy hereof to be published in the York Legal Record once a week for two (2) successive weeks at the expense of the County of York;
- (d) Supervise the distribution thereof to all Judges and members of the Bar of this Court.

By The Court

JOHN H. CHRONISTER,
President Judge

2001 Fee Schedule

Clerk Fees

Jury Trial	\$164.00*
Non-Jury Trial or Guilty Plea	123.00*
ICC Hearing	123.00
Summary Hearing	24.00

Copies

Photostatic Copies	.50
Certified Copies	8.00

Filing Fees

Appeal to Appellate Court (Superior Court fee to accompany appeal \$55.00)	49.00*
Constable's Bond	15.00*
Tax Collector's Bond	15.00*
Road Cases	15.00*
Supervisor Resolution	15.00*
Miscellaneous Action Papers	15.00*

Private Detective

Petition for License	50.00*
License (Individual)	200.00
License (Partnership, Corporate, Association)	300.00
Renewal Application	15.00*

Miscellaneous Fees

Bail Pieces	10.00
Record Checks	5.00*

* An additional \$5.00 Automation Fee will be collected as per Act 36 of 2000.

[Pa.B. Doc. No. 01-174. Filed for public inspection February 2, 2001, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Gary Scott Silverman, having been suspended from the practice of law in the State of Maryland for a period of 30 days, the Supreme Court of Pennsylvania issued an Order dated January 22, 2001 suspending Gary Scott Silverman from the practice of law in this Commonwealth, for period of 30 days, effective February 21, 2001. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside 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. 01-175. Filed for public inspection February 2, 2001, 9:00 a.m.]

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 64]

[L-00990140]

Cramming and Slamming

The Pennsylvania Public Utility Commission (Commission) on July 20, 2000, adopted a final rulemaking order standardizing local exchange company responses to customer contacts alleging cramming and slamming. The contact persons are Janice Ragonese, Bureau of Consumer Services (717) 772-4835 and Terrence Buda, Law Bureau (717) 787-5755.

Executive Summary

Over the last 2 years, hundreds of residential customers have filed informal telecommunications industry-related complaints with the Commission regarding certain practices identified as "cramming," which is adding an unauthorized charge to a customer's telephone bill, and "slamming," which is changing a customer's telecommunications service provider without authorization. As a result of this situation, on January 27, 1999 the Commission issued a Proposed Rulemaking Order at Docket No. L-00990140 and Final Interim Guidelines at Docket No. M-00981063 to standardize local exchange company responses to customer contacts alleging unauthorized billing charges and unauthorized changes in telecommunications service providers. The purpose of the regulation is to standardize local exchange company responses to customer contacts alleging these practices. By standardizing these responses, the procedures will reduce the need for customers to seek Commission intervention to resolve cramming and slamming complaints. Thus, by having the local exchange company place the responsibility for resolving the complaint on the interexchange carrier, information service provider, or billing clearinghouse, the party responsible for the problem will have to expend time and effort to resolve the matter, as opposed to the local exchange company and the Commission's Bureau of Consumer Services.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 19, 1999, the Commission submitted a copy of the notice of proposed rulemaking, published at 29 Pa.B. 2779 (May 29, 1999), to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees for review and comment.

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

Under section 5.1(d) of the Regulatory Review Act (71 P.S. § 745.5a(d)), on October 11, 2000, these final-form regulations were deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 19, 2000, and approved the final-form regulations.

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Public Meeting held
July 20, 2000

Final Rulemaking Order

By the Commission:

At public meeting of January 14, 1999, the Pennsylvania Public Utility Commission (Commission) issued an order at this docket adopting and directing publication of proposed regulations to standardize local exchange company responses to customer contacts alleging unauthorized changes to the customer's telecommunications service provider and unauthorized charges added to the customer's bill. In addition, the Commission adopted the proposed regulations as Final Interim Guidelines at M-00981063 to be used by jurisdictional utilities, on a voluntary basis, to provide guidance until such time as final regulations are approved. The proposed regulations were published on May 29, 1999, at 29 Pa.B. 2779, and a 30-day comment period set. The proposed rulemaking was served on all jurisdictional telecommunications utilities, the Office of Trial Staff, the Office of Consumer Advocate, the Small Business Advocate, and all commentators to the Tentative Order at M-00981063. The 30-day comment period ended June 28, 1999.

We received written comments from Bell Atlantic-Pennsylvania, Inc. (BA-PA); the Office of Consumer Advocate (OCA); the Pennsylvania Telephone Association (PTA); Conectiv Communications, Inc. (Conectiv); the Office of Trial Staff (OTS), and the Independent Regulatory Review Commission (IRRC).

We have considered all these comments. We appreciate and thank the commentators for suggestions to improve the proposed regulations.

Cramming

1. General Comments

The PTA comments that the Commission's action is a step in the right direction toward elimination of this illegal and reprehensible conduct. PTA clarifies their previous comments emphasizing that "consistent with the concept of regulatory parity, the Final Regulations should be applicable to both ILECs and CLECs." PTA also emphasizes that the local exchange carrier (LEC) is not responsible for the ultimate actions taken by service providers, and believes, therefore, that the Commission should limit LEC responsibilities.

BA-PA applauds the Commission's efforts to protect consumers, supports the adoption of the proposed cramming regulations with one exception (see comment to subsection (a)(5)), and believes that they are appropriate and should be adopted. The OCA states that the regulations are a "step in the right direction" and commends the Commission for taking a proactive stance. OCA supports the guidelines but believes that the rules could be strengthened. The OCA also believes that the Commission should consider steps to prevent slamming and cramming.

Response to General Comments

We appreciate industry support for our rulemaking initiative. However, while we hope that the implementation of these regulations will have the effect of deterring

future cramming occurrences, the purpose of the proposed regulations is to standardize the LEC's response to the customer contact once the unauthorized charge appears on the bill. Consistent with the concept of regulatory parity, the proposed regulations would apply to all companies providing local exchange service.

2. Comments on Subsection (a)—Billing period

In its comments, IRRC requests an explanation as to why the cramming provisions do not reference specific billing periods like the slamming provisions. IRRC points out that subsection (a) sets forth the LEC's responsibilities when the customer alleges that cramming has occurred "on the bill rendered to the customer" while subsection (b) establishes the LEC's responsibilities in a specific time frame when a customer alleges "slamming has occurred on one or both of the past two bills." IRRC recommends that for consistency, the same reference to billing periods should be included in subsection (a).

Response to Comments on Subsection (a)

We understand IRRC's concern. Nevertheless, we disagree with their recommendation that, for consistency, the reference to billing periods that appears in subsection (b) should also be included in subsection (a). Given that slamming and cramming are different, we made a conscious decision not to reference a specific billing period in subsection (a). We did not want to limit the time frame in which a customer could bring a cramming allegation to the attention of the LEC. We believe that entities that engage in cramming appear to rely heavily on consumer confusion over telephone bills in order to mislead consumers into paying for services that were not authorized or received. Cramming is not as evident on bills as slamming and, therefore, can be more easily overlooked by a consumer. Because the cramming charge often appears as a single line item with a general label such as "monthly fee," it can be difficult to detect without careful review of every bill. By using language in our regulation that refers to a general time frame, stated as "on the bill rendered to the customer," we believe that we are providing additional protection to the consumer and, therefore, are not changing the wording in subsection (a).

3. Comments on Subsection (a)(2)—Removing Charges from LEC Bill and Recursing to Service Provider or Billing Agent

The OCA recommends in its comments that in addition to informing the customer that the charges will be removed and recursed, the LEC should also inform the customer that failure to pay crammed charges cannot result in termination of basic service. IRRC also comments that customers may not be aware that basic service cannot be terminated for failure to pay non-basic charges and recommends that we adopt OCA's recommendation.

Response to Comment on Subsection (a)(2)

Having reconsidered our position on this issue, we agree with IRRC and the OCA that we should improve the consumer protection provision of this rulemaking by adding the requirement that the LEC explicitly disclose, upon the initial cramming complaint, that the customer's local basic service cannot be terminated for failure to pay the crammed charges. We now believe that even though termination of basic local service in these instances is prohibited, consumers may be concerned that their local service can be disconnected for failure to pay these unauthorized charges. Therefore, we have changed the language in the regulation to require that LECs explicitly disclose this information.

4. Comments on Subsection (a)(5)—LEC Informing the Customer of the Right to Contact the Pennsylvania Office of Attorney General, the Federal Communications Commission, and the Federal Trade Commission

In its comments, IRRC points out that subsection (a)(5) requires the LEC, at the customer's request, to provide information on how to file a complaint with the Pennsylvania Office of Attorney General (OAG), the Federal Communications Commission (FCC), and the Federal Trade Commission (FTC). IRRC states that it is concerned that this information may be valuable to customers, but customers may not be aware they can ask for it. The OCA also submits in its comments that the requirement to provide complaint information to customers should not be limited to customers who specifically request it, emphasizing that it may be especially important for customers alleging cramming to have the information they need to protect themselves if further collection action is taken.

Conectiv suggests that this provision should specify that the carrier may provide information "orally or in writing" about pursuing a complaint with the OAG, FCC, or FTC.

BA-PA suggests in its comments that this rule should be clarified to "properly limit complaint disclosure information to that pertaining to the appropriate complaint forum, depending on the nature of the cramming charges complained about." BA-PA expresses concern that the language as written suggests that the customer receive information about how to file complaints with all three of the entities listed. BA-PA suggests that this rule be clarified by changing the language to read "the Pennsylvania Office of Attorney General, the Federal Communications Commission, or the Federal Trade Commission, as appropriate."

Response to Comments on Subsection (a)(5)

We agree with IRRC and OCA and, therefore, will amend this provision to require LECs to disclose to their customers information on filing a complaint with other agencies. We believe that consumers should be fully informed about their options. Finally, we do not believe that requiring LECs to disclose this information would be excessively burdensome.

We disagree with the Conectiv and BA-PA suggestions to change the language under subsection (a)(5). In response to Conectiv's suggestion that the language should specify that the contact information can be "oral or written," we believe that the language can be interpreted to allow oral or written information and it is not necessary to specifically state the form in which the information can be provided.

Furthermore, we shall not adopt BA-PA's recommendation to limit the complaint disclosure information. We do not want to burden the LEC with having to make judgment calls, and we believe that requiring the LEC to provide the customer with the information relevant to contacting all three agencies or only the agency for which the customer requests information is in the best interest of the customer. We disagree that the word "and" acts as an encouragement to file complaints with multiple agencies. It is the consumer's prerogative to file a complaint with any agency that the consumer wishes, and the agency will then redirect the consumer if there is a more appropriate forum for that complaint.

5. *Comments on Subsection (a)(6)—Record Maintenance to Monitor Adherence to Billing Contract*

Both the OTS and the PTA commented on this subsection relating to record maintenance. The OTS proposed language changes that it believes would facilitate the performance of duties and responsibilities delegated to the OTS to investigate and prosecute incidents of customer complaints of both cramming and slamming. The additional language proposed by the OTS would require the LEC to submit quarterly reports to OTS and BCS summarizing the records of all customer complaints of cramming. The PTA suggested that the reporting rules be similar to the FCC's. In its comments, the PTA said "periodic reporting of cramming and slamming complaints, like that presently proposed before the FCC, would provide the Commission with pertinent information upon which it could base an investigation or take appropriate penal action." The PTA also commented that it believes the 3-year record retention period is too lengthy and should be shortened.

Response to Comments on Subsection (a)(6)

As indicated earlier, the overall intent of this rule-making in regard to cramming is to provide a customer with a means to eliminate crammed charges by standardizing the LEC's response to a customer alleging cramming. However, as pointed out by OTS and the PTA, with a periodic reporting requirement, the Commission may have the opportunity to further investigate some of these entities and even to take action against them with periodic reporting. We believe that quarterly reports would provide pertinent information upon which we could base such action. Therefore, we have amended subsection (a)(6) to require quarterly reports to the Commission.

In response to the PTA's suggestion that the 3-year record retention period is too lengthy, we see no supporting evidence that this is the case. We reiterate our response to the first round of comments, settling on 3 years consistent with the statute of limitations provision at 66 Pa.C.S. § 3314.

Slamming

1. General Comments

Comments made by BA-PA indicate that their major concern is that the proposed regulations are inconsistent with the FCC rules on slamming. The PTA also comments that the Commission should reconsider finalizing the proposed rules until the FCC's slamming rules are final so that they are not inconsistent with the FCC's. On this point, PTA agrees with BA-PA. IRRC, in its comments, questioned why it is necessary for the Commission to proceed with its own slamming rules prior to final implementation of the FCC rules. IRRC noted that commentators have questioned the need for the Commission to put the proposed subsection (b) slamming rules in place "at a time when the FCC liability rules on slamming are pending." IRRC referenced commentators' assertions that "if both sets of rules are in place at the same time and contain conflicting requirements, it will be virtually impossible for them to comply."

IRRC recommended that if the Commission does finalize these slamming regulations, it should ensure that the final-form regulation does not conflict with the FCC requirements and that any inconsistencies be eliminated "to avoid potential compliance problems and additional recordkeeping and paperwork requirements."

Conectiv supports the Commission's efforts, but cautioned that "any rules promulgated by the Commission be

consistent with any cramming and slamming rules which the FCC may adopt in response to the May 17, 1999 stay of the liability provisions of the FCC's slamming rules by the U.S. Court of Appeals for the District of Columbia Circuit." Conectiv adds that it supports the Commission's development of a process for responding to consumer complaints if no consistent liability scheme is implemented at the federal level.

The OCA points out that the Commission should expand the rules to encompass local service slamming. The OCA submits that "the PUC should use the authority pursuant to the Public Utility Code to take action against slammers." OCA comments that while they support the broad definition of slamming, Chapter 64 does not contain any specific reference to slamming and cramming.

As indicated above, BA-PA recommends that the Commission reconsider the adoption of its proposed slamming regulations or defer such adoption pending the FCC's implementation of comprehensive liability slamming rules. In presenting the basis for its position, BA-PA asserts that there are conflicts between the proposed state rules and the federal rules that would make it impossible for BA-PA and other Pennsylvania LECs and interexchange carriers (IXCs) to comply with both sets of rules. PTA agrees with this position that the Commission should re-evaluate its decision to move forward with this rulemaking so that carriers are not subjected to two differing sets of slamming regulations.

BA-PA explains that the FCC has both adopted and proposed comprehensive slamming rules to enforce the Telecommunications Act of 1996 prohibition of slamming. 47 U.S.C. § 258; *In Re Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers*, Second Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 94-129 (Released Dec. 23, 1998). BA-PA maintains that the FCC's slamming liability rules conflict with proposed Section 64.23(b)(3), (4), and (5).

The liability rules were stayed by the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit). *MCI WorldCom, Inc. v. FCC*, No. 99-125 (D.C. Cir. May 18, 1999). However, the D.C. Circuit on June 27 granted the FCC's motion to dissolve the stay of the slamming rules. In its *First Order on Reconsideration* at CC Docket No. 94-129 (Released May 3, 2000), the FCC revised the liability rules so as to provide for slamming disputes to be brought before state commissions and modified the liability rules that apply when a customer has paid charges to a slamming carrier.

According to BA-PA's comments, the Commission's proposed regulations require LECs to remove alleged slammer IXC charges from a customer's bill and recourse them back to the IXC. In contrast, BA-PA believes that the FCC liability rules set forth different procedures to determine slamming liability along with refund and payment responsibility. As an example, BA-PA points out that the Commission's rules require BA-PA to remove and recourse up to 2 months of a customer's billed charges from an alleged slammer IXC. However, under the FCC's liability rules the customer is absolved of liability for unpaid charges imposed by the slammer IXC for services provided during the first 30 days after the unauthorized change.

BA-PA also alleges further inconsistencies involving the FCC regulations and, in summary, believes that we

should defer adopting our proposed rules pending the FCC's implementation of its slamming liability rules. If necessary, BA-PA suggests that the Commission can modify its regulations to be consistent with the rules finally implemented by the FCC.

Response to General Comments

We have been persuaded by BA-PA's comments that the proposed regulations as they apply to slamming are in need of some modification to forestall any potential conflicts with Federal requirements. However, we do not anticipate the need to generally postpone the adoption of final regulations as they apply to a LEC's response to slamming complaints.

Our position is grounded in the basic belief that these proposed regulations do not affect or even address liability for instances of slamming. Whereas the FCC's rules provide a comprehensive scheme for determining liability for unpaid charges and paid charges between the customer, authorized IXC and slammer IXC, the Commission's proposed regulations address merely the LEC's response to the slam and the charges that the LEC will be allowed to bill. In other words, these regulations do not determine liability or require the LEC to take any action with respect to disposition of the charges. Rather, the Commission's proposed regulations simply require the LEC to refrain from billing for charges on one or both of the past two bills. 52 Pa. Code § 64.23(b). Our regulations specifically contemplate that an IXC or billing agent may attempt to directly bill the customer. 52 Pa. Code § 64.23(b)(5).

Therefore, given our intention that the LEC will only remove charges from the LEC bill and not determine liability, it will be necessary to delete the reference in Section 64.23(b)(3) that requires the LEC to recourse the charges. This phrase "and [charges] returned to the IXC or its billing agent" implies that a disposition of the charges has been made by the LEC. Clearly, this is not our intention and we shall delete this language so that subparagraph (b)(3) limits the LEC's action to removing the charges from the bill. Although this issue was not raised with respect to cramming, we shall, for the same reasons, delete the reference to "recourse" in subsections (a)(2) and (a)(4).

In taking this action, we are mindful that a LEC may have had contractual responsibilities for the billing services it provides and that the FCC's rules propose to impose on carriers, including LECs, the responsibility to enforce the slamming liability rules. In order to comply with this regulation the LEC will not be able to bill for the second month in which slamming has occurred. Therefore, to the extent that the LEC's billing contract with the IXC would require that these charges be placed on the LEC bill, the contract would have to be modified to recognize the regulation. It is hoped that the residual effect of this modification will be to deter the unauthorized switch in the first instance. Finally, compliance with the regulation by the LEC would not prevent the executing carrier from implementing the FCC's rules by informing the subscriber of the 30-day absolute period or the subscriber's liability for any other charges. The proposed regulation will merely prohibit the LEC from billing for any unauthorized charges that pertain to the last two bills after the slam has occurred.

2. Comments on Subsection (b)—Time Period for Filing a Slamming Complaint

Conectiv comments that this section establishes a procedure for addressing a customer's allegation that "slam-

ming has occurred on one or both of the past two bills rendered to the customer," but should specify the carrier's responsibilities in the event that charges by an unauthorized carrier appeared on the customer's bill prior to the last two bills. In other words, Conectiv wants the proposed regulations to address situations where a customer might delay informing the local carrier that their service was slammed. Conectiv recommends that the Commission establish a time period after which the customer could not have the service switched back without charge. Conectiv presents a potential situation of a customer intentionally switching carriers, using the new carrier for 6 months and then informing the LEC that the service had been slammed thereby entitling the customer to a change back to the original carrier without charge because the slammed charges appeared on the last two bills. Conectiv recommends that the regulations specify clearly that a customer who acquiesces in the carrier change for more than 90 days would not receive the protections provided by the rules.

Response to Comments on Subsection (b)

Based on documentation from our Bureau of Consumer Services' (BCS) regarding IXC slamming complaints, we decline to adopt Conectiv's recommendation. The case documentation from those complaints filed by customers with BCS does not offer any evidence that customers make allegations of slamming to avoid a charge for switching carriers. Therefore, we do not believe it is necessary to specify a limit after which a customer complaining that his or her service was slammed would not be entitled to the protections set forth in the regulations.

3. Comments on Subsection (b)(2)—Account Safeguard

Both IRRC and the OCA comment about the LEC's role in providing customers with the optional safeguard to protect an account from being slammed again in the future. IRRC expresses concern that although subsection (b)(2) requires the LEC to put a safeguard on the customer's account at the customer's request, the customer may not request such a measure because he or she may not be aware that a safeguard is an option. IRRC recommends that the Commission amend subsection (b)(2) to require the LEC to inform the customer that a safeguard can be placed on the account.

The OCA, in its comments, states that it supports the Commission's clarifying change to make this provision state that the safeguard is to be placed on the account by the LEC "at the request of the customer." The OCA reiterates that this change helped to alleviate concerns about the potential anti-competitive use of such safeguards.

IRRC, in further comments on this provision, brings up a clarity issue. IRRC states that it is not clear what constitutes the customer's "express authorization" and recommends that, for improved clarity, we amend this subsection to specify what constitutes "express authorization."

Response to Comments on Subsection (b)(2)

We agree with IRRC that customers may not be aware that requesting a safeguard on their account is an option. We believe that we can rectify the problem without resurrecting concerns about possible anti-competitive use of such safeguards. This can be done by requiring that the LEC inform the customer about the option of having a safeguard put on the account. We believe that as long as the customer, not the LEC, makes the choice to safeguard

the account from future slamming, consumer interests will be served without impeding competition.

For clarity and continuity, we have accepted, in part, IIRC's recommendation regarding express authorization. We will use the term "express consent" rather than "express authorization" to reflect the terminology used in the FCC's regulations regarding slamming. We will also add a reference to the FCC's rules or procedures for lifting preferred carrier freezes. A preferred carrier freeze prevents a change in a customer's preferred carrier selection unless the customer gives the carrier from whom the freeze was requested his or her express consent. Once a freeze is placed on the account, no one, including the customer, will be able to make a change in carrier selection unless the customer lifts the preferred carrier freeze. Therefore, the express consent needed to make a change in the customer's preferred carrier selection would be the customer's written and signed authorization stating the customer's intent to lift a preferred carrier freeze; or the customer's oral authorization stating his or her intent to lift the freeze. The oral authorization must be done using a three-way conference call between the customer, the submitting carrier, and the carrier administering the freeze, whereby the carrier administering the freeze can confirm appropriate verification data.

4. Comments on Subsection (b)(3)—Informing Customer that Isolated Charge Will Be Removed and Returned to the IXC or Billing Agent

IIRC questioned the reasonableness of requiring the LEC to return the charges to the IXC or its billing agent. Conectiv also commented on this requirement. Conectiv recommended that this provision be changed to require the LEC simply to remove the charges from the LEC bill. Conectiv presented a two-pronged argument in support of this change. First, Conectiv contends that not all carriers' billing systems have the ability to return the usage to the IXC or its billing agent. Second, Conectiv states that "this information is one of the internal mechanics of billing between companies." IIRC recommended that we should require only that the LEC remove the charge from the customer's bill and that the LEC and the IXC can determine how these charges should be handled.

Response to Comments on Subsection (b)(3)

We agree with IIRC and Conectiv and have changed the language in this provision to omit the requirement to "return" charges to the IXC or its billing agent.

5. Comments on Subsection (b)(6)—Provide Customer with Right to Contact the PA OAG and FCC

This subsection substantially mirrors subsection (a)(5) in the cramming section and elicited the same comments. The OCA and IIRC both maintain that customers may be unaware that complaint disclosure information is available and therefore would not know to ask for it. IIRC comments that subsection (b)(6) should require LECs to inform customers that complaint information is available upon request. IIRC notes that subsection (b)(6) requires the LEC, at the customer's request, to provide information on how to file a complaint with the Pennsylvania OAG and the FCC. IIRC states that it is concerned that this information may be valuable to customers, but customers may not be aware they can ask for it. In the case of slamming, the OCA has an additional suggestion. The OCA recommends that slamming complainants should also be advised that they may file complaints with the Commission, as well as the FCC or the Attorney General's Bureau of Consumer Protection. The OCA presents, as a basis for this recommendation, that "most

telephone bills involve both intrastate and interstate toll charges, and in such cases, the PUC certainly has jurisdiction to act."

Response to Comments to Subsection (b)(6)

We agree with the recommendation made by IIRC and the OCA that customers should be informed that complaint information is available upon request. Therefore, we have added this requirement. As with subsection (a)(5), we believe that it would not be burdensome to require LECs to disclose to customers that information on filing their complaint with other agencies is available. We believe that fully informing consumers about their options realizes the consumer protections intended by this section.

In addition, we agree with the OCA that complainants should be advised that they may file complaints with the Public Utility Commission, as well as with the FCC or the Attorney General's Bureau of Consumer Protection. There is nothing more that the Commission would be able to do at the informal level for an individual customer beyond making sure that the LEC removed the charges from the local bill and returned the customer to the authorized provider. However, a person complaining of slamming should be informed of the right to file a formal complaint with the Commission. Therefore, we have changed this section accordingly to include advising complainants that they may file complaints with the Commission.

6. Comments on Subsection (b)(7)—Record Maintenance

Both the OTS and the PTA commented on this subsection relating to record maintenance. The OTS proposed language changes that it believes will facilitate the performance of duties and responsibilities delegated to the OTS to investigate and potentially prosecute incidents of customer complaints of slamming. The additional language proposed by the OTS would require the LEC to submit quarterly reports to OTS and BCS summarizing the records of all customer complaints of slamming. The PTA suggested that the reporting rules be similar to the FCC's.

In its comments, the PTA said "periodic reporting of cramming and slamming complaints, like that presently proposed before the FCC, would provide the Commission with pertinent information upon which it could base an investigation or take appropriate penal action." Finally, the PTA commented that it believes the 3-year record retention period is too lengthy and should be shortened.

Response to Comments on Subsection (b)(7)

The overall intent of this rulemaking in regard to slamming is to provide a customer with a means to eliminate slammed charges from the LEC bill and to return to the authorized carrier. We believe we have accomplished this by standardizing the LEC's response to a customer alleging slamming. However, as pointed out by OTS and the PTA, the Commission may have the opportunity, with periodic reporting, to further investigate IXC service providers and take action against them as appropriate. We believe that quarterly reports would provide this pertinent information upon which we could base such action. Therefore, we have amended subsection (a)(7) to require quarterly reports to the Commission.

In response to the PTA's suggestion that the 3-year period is too lengthy, we see no supporting evidence that this is the case. We reiterate our response to the first round of comments—3 years is consistent with the statute of limitations in the Public Utility Code.

Conclusion

We believe that the final-form regulations promulgated by this order are extremely important to consumers. The regulations provide standards for LECs responding to allegations of cramming and slamming, thereby requiring the LEC to address the customer's immediate problem and help the customer to safeguard his or her rights after cramming or slamming has occurred.

Interested parties have had an opportunity to provide public comment; first, on the Interim Guidelines at M-00981063, and then on the proposed regulations originally published May 29, 1999 at 29 Pa. B. 2779. We have carefully considered these comments and have also taken into consideration developments at the Federal level.

Finally, we have made additional changes to Annex A, but consider them to be purely editorial. In particular, we have reversed the order of cramming and slamming in the title.

Accordingly, under 66 Pa.C.S. §§ 501, 504—506, 1301, and 1501, and the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201—1208), and regulations promulgated thereunder at 1 Pa. Code §§ 7.1—7.4, the Commission hereby adopts final regulations to standardize local exchange company responses to customer contacts alleging unauthorized charges added to the customer's bill and unauthorized changes to the customer's telecommunications service provider, as noted and set forth in Annex A; *Therefore,*

It Is Ordered that:

1. The Commission's regulations, 52 Pa. Code Chapter 64, are amended by amending § 64.2 and by adding § 64.23 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

2. The Secretary shall submit this order and Annex A to the Office of Attorney General for approval as to legality.

3. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of the fiscal impact.

4. The Secretary shall submit this order and Annex A for formal review by the designated standing committees of both houses of the General Assembly, and for formal review and approval by the Independent Regulatory Review Commission.

5. The Secretary shall deposit the original certified order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

6. A copy of this order and Annex A shall be served upon all persons who submitted comments in this rule-making proceeding.

7. The regulations adopted with this order are effective upon publication in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

Fiscal Note: Fiscal Note 57-204 remains valid for the final adoption of the subject regulations.

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 30 Pa.B. 5807 (November 4, 2000).)

Annex A

TITLE 52. PUBLIC UTILITIES
PART I. PUBLIC UTILITY COMMISSION
Subpart C. FIXED SERVICE UTILITIES
CHAPTER 64. STANDARDS AND BILLING
PRACTICES FOR RESIDENTIAL TELEPHONE
SERVICE

Subchapter A. PRELIMINARY PROVISIONS**§ 64.2. Definitions.**

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

* * * * *

Cramming—The submission or inclusion of unauthorized, misleading or deceptive charges for products or services on an end-user customer's local telephone bill.

* * * * *

Service provider—Facilities-based interexchange carrier, interexchange reseller or information service provider initiating the service or charges to end-user customers.

Slamming—The unauthorized changing of a customer's telecommunications provider, whether for local exchange service, intraLATA toll or interLATA toll.

* * * * *

Subchapter B. PAYMENT AND BILLING STANDARDS

§ 64.23 Standardizing LEC responses to customer contacts alleging unauthorized charges added to the customer's bill (cramming) and unauthorized changes to the customer's long distance carrier (slamming).

(a) *Cramming.* Upon contact from a customer alleging that cramming has occurred on the bill rendered to the customer by the LEC, the LEC shall do the following:

(1) Identify the charges, and clarify that the customer's complaint is that the customer did not authorize the charges or order or use of the services or products associated with the charges.

(2) Inform the customer that the charges will be removed from the LEC bill and that basic local service cannot be disconnected for failure to pay cramming charges.

(3) Inform the customer that the LEC will instruct the billing agent or service provider, or both, to take the steps necessary to prevent further billing of those charges or types of charges to the customer's account.

(4) Inform the customer that removal of the charges from the LEC bill does not guarantee that the service provider or its billing agent will not use other collection remedies, including direct billing of the removed charges or use of a collection agency.

(5) Provide notice of a customer's right to pursue a complaint. To customers who indicate a desire to receive complaint disclosure information, the LEC shall provide information about how to pursue the complaint against the service provider or billing agent by contacting the Bureau of Consumer Protection, (800) 441-2555, of the Pennsylvania Office of Attorney General, the Federal Communications Commission (FCC), and the Federal Trade Commission.

(6) Maintain for a minimum of 3 years records of all customer complaints of cramming in order to monitor adherence to the terms of the billing contract the LEC has with the service provider or billing agent, or both, relating to cancellation of the contract for excessive cramming complaints. Submit quarterly reports summarizing the records to the Commission's Office of Trial Staff and Bureau of Consumer Services in a format prescribed by those bureaus.

(b) *Slamming*. Upon contact from a customer alleging that slamming has occurred on one or both of the past two bills rendered to the customer by the LEC, regardless of dates of charges, the LEC shall do the following:

(1) Identify the name of the alleged unauthorized service provider, isolate the charge, and clarify that the customer's complaint is that the customer did not authorize the switch to that particular service provider.

(2) Offer to restore the customer's account, at no charge, to the service provider the customer had received service from prior to the unauthorized switch, and inform the customer of the option to request that a safeguard be placed on the customer's account to prevent the LEC from processing a service provider request for a switch without the LEC obtaining express consent from the customer, consistent with FCC rules or procedures for lifting preferred carrier freezes.

(3) Inform the customer that the isolated charges will be removed from the LEC bill.

(4) Inform the customer that the LEC will instruct the service provider or billing agent, or both, to take the steps necessary to prevent further billing to the customer's account.

(5) Inform the customer that removal of the charges from the LEC bill does not guarantee that the service provider or its billing agent will not use other collection remedies, including direct billing of the charges or use of a collection agency.

(6) Provide notice of a customer's right to pursue a complaint against the service provider or billing agent and, to customers who indicate a desire to receive complaint disclosure information, information about how to pursue a complaint against the service provider or billing agent, or both, by contacting the FCC, the Commission or the Bureau of Consumer Protection, (800) 441-2555, of the Office of Attorney General.

(7) Maintain for a minimum of 3 years records of all customer allegations of slamming and submit quarterly reports summarizing the records to the Commission's Office of Trial Staff and Bureau of Consumer Services in a format prescribed by those bureaus.

[Pa.B. Doc. No. 01-176. Filed for public inspection February 2, 2001, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

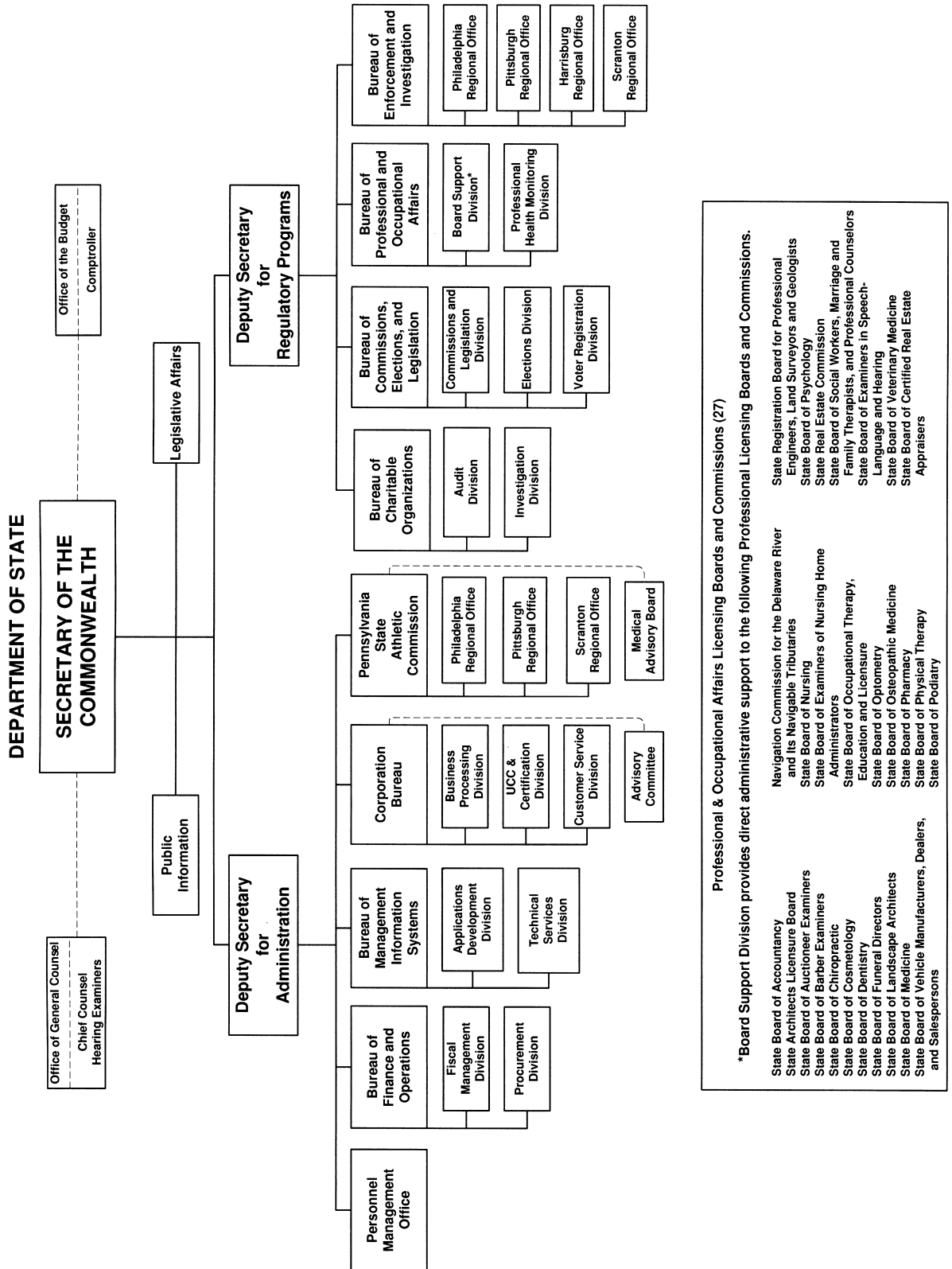
Reorganization of the Department of State

The Executive Board approved a reorganization of the Department of State effective December 20, 2000.

The organization chart at 31 Pa.B. 649 (February 3, 2001) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code).

[Pa.B. Doc. No. 01-177. Filed for public inspection February 2, 2001, 9:00 a.m.]



Professional & Occupational Affairs Licensing Boards and Commissions (27)

*Board Support Division provides direct administrative support to the following Professional Licensing Boards and Commissions.

State Board of Accountancy	Navigation Commission for the Delaware River and Its Navigable Tributaries	State Registration Board for Professional Engineers, Land Surveyors and Geologists
State Architects Licensee Board	State Board of Nursing	State Board of Psychology
State Board of Auctioneer Examiners	State Board of Examiners of Nursing Home Administrators	State Real Estate Commission
State Board of Barber Examiners	State Board of Occupational Therapy, Education and Licensure	State Board of Social Workers, Marriage and Family Therapists, and Professional Counselors
State Board of Chiropractic	State Board of Optometry	State Board of Examiners in Speech-Language and Hearing
State Board of Cosmetology	State Board of Osteopathic Medicine	State Board of Veterinary Medicine
State Board of Dentistry	State Board of Pharmacy	State Board of Certified Real Estate Appraisers
State Board of Funeral Directors	State Board of Physical Therapy	
State Board of Landscape Architects	State Board of Podiatry	
State Board of Medicine		
State Board of Vehicle Manufacturers, Dealers, and Salespersons		

Title 17—CONSERVATION AND NATURAL RESOURCES

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

[17 PA. CODE CH. 44]

Conservation Areas

The Department of Conservation and Natural Resources (Department) has adopted a statement of policy under the authority of sections 302(a) and 303(a) of the Conservation and Natural Resources Act (71 P. S. §§ 1340.302(a) and 1340.303(a)). This statement of policy, Chapter 44 (relates to conservation areas).

Summary

This statement of policy defines a “conservation area” and sets forth the considerations and procedures involved in accepting donations of land for designation as conservation areas. It also states how conservation areas will be managed and lists examples of possible uses of conservation areas.

Background

A proposed statement of policy was published at 30 Pa.B. 5454 (October 21, 2000). The Department invited written comments from the public, to be submitted within 30 days from the date of publication. The Department received comments from 45 individuals and entities, including nonprofit organizations, agencies, municipalities, conservation districts, planning commissions, universities and other organizations. An overwhelming majority of the commentators supported the statement of policy. The comments, as well as a document prepared by the Department summarizing and responding to the comments, are on file with the Department and available for review by the public.

As a result of comments on the proposed statement of policy, the Department made the following changes in the final statement of policy:

Section 44.1—Added “nonmotorized” to describe activities on conservation areas.

Section 44.3—Rephrased the paragraph introducing the list of considerations in the Department’s review of possible donations of land for designation as conservation areas. Added four factors to be evaluated by the Department in its review:

(v) The appropriateness of assimilating the land into an existing State park or State forest classification.

(vi) The existence of an unfulfilled public recreational need in the area.

(vii) The need for outdoor classrooms in the area.

(viii) The appropriateness of receipt of the property by a local community or conservation organization.

Section 44.4(c)—Added “nonmotorized” to describe use of conservation areas and added “fishing” as an example of that use.

Contact person

For further information, contact Roger Fickes, Director, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105, (717) 787-6640. Persons with a disability may use

the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

JOHN C. OLIVER,
Secretary

(Editor’s Note: The regulations of the Department, 17 Pa. Code, are amended by adding a statement of policy in §§ 44.1—44.4 to read as set forth in Annex A.)

Fiscal Note: Fiscal Note 7B-2 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 17. CONSERVATION AND NATURAL RESOURCES

PART I. DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Subpart D. RESOURCE CONSERVATION

CHAPTER 44. CONSERVATION AREAS

Sec.

44.1.	Defined.
44.2.	Designation.
44.3.	Consideration of land for designation.
44.4.	Management.

§ 44.1. Defined.

A conservation area is a designation for land that has been donated to the Department and managed by the Department for the purposes of:

- (1) Preserving open space.
- (2) Conserving natural resources.
- (3) Providing an opportunity for passive, nonmotorized, low-density outdoor recreation and environmental education activities.

§ 44.2. Designation.

(a) Offers of land donations to the Department will be reviewed by a Department team to determine acceptance and assignment to either the Bureau of State Parks or the Bureau of Forestry. The team will consider characteristics of the land under § 44.3 (relating to consideration of land for designation), costs of management of the land, benefits to the Department and benefits to the public.

(b) Depending on the designation at the time of acquisition, a conservation area will be considered as either a State park or a State forest for the purpose of applicability of statutes and regulations.

(c) To provide the donor with an opportunity to participate in conservation efforts, the Department may accept restrictive covenants in the deed of conveyance.

(d) Designation as a conservation area will be made by letter to the donor accepting the gift. The letter will be signed by the Secretary. It will describe a purpose, characteristic or feature of the land upon which the designation of conservation area is based.

§ 44.3. Consideration of land for designation.

The Department will conduct a judicious review of a potential donation of land for possible designation as a conservation area. The review will include, but not be limited to, the following considerations:

- (1) Large, significant, contiguous acreage is generally a desirable characteristic. Small areas of land with special or unique features may also be desirable.
- (2) Land that is close to urban areas will be actively considered.

(3) The following factors will be evaluated:

- (i) The accessibility of the land to the public.
- (ii) The suitability of the land for passive low-density recreation.
- (iii) The existence or potential for development of unusual or significant natural features.
- (iv) The extent to which the land has been developed.
- (v) The appropriateness of assimilating the land into an existing State park or State forest classification.
- (vi) The existence of an unfulfilled public recreational need in the area.
- (vii) The need for outdoor classrooms in the area.
- (viii) The appropriateness of receipt of the property by a local community or conservation organization.

(4) Lands with significant environmental liability will not be accepted for designation as conservation areas.

§ 44.4. Management.

(a) Conservation areas will be actively managed to protect natural resources.

(b) The following are examples of possible uses of conservation areas:

- (1) Protection of habitats of species of special concern.

(2) Protection of types of resources and land forms that have been diminished by developmental sprawl, such as large tracts of wetlands, vernal ponds and unfragmented forests.

(3) Protection of flora and fauna on large tracts of open space near urban areas.

(4) Protection of viable ecosystems.

(5) Outdoor classrooms for schools and environmental education and interpretation programs.

(6) Research areas for scientists.

(7) Experimental resource management laboratories for demonstrating techniques to enhance natural diversity, maintain early successional seres or control invasive species.

(8) Demonstration areas for forest management practices.

(9) Management of old growth forests.

(c) Conservation areas will be open to the public. Recreational facilities and activities will be limited to passive, nonmotorized, low-density uses such as hiking, bird watching, fishing and hunting.

[Pa.B. Doc. No. 01-178. Filed for public inspection February 2, 2001, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, 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 January 23, 2001.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-19-01	FleetBoston Financial Corporation, Boston, Massachusetts, to acquire 100% of the voting shares of Summit Bancorp, Princeton, New Jersey, and thereby indirectly acquiring First Valley Corporation, Bethlehem, Pennsylvania, and its subsidiary, Summit Bank, Bethlehem, Pennsylvania	Boston, MA	Approved

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-19-01	Commonwealth Bank (Federal Savings Bank) Norristown Montgomery County <i>To:</i> Commonwealth Bank (Pennsylvania Savings Bank) Norristown Montgomery County	Norristown	Approved

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

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-19-01	Sun Bank Selinsgrove Union County Purchase of assets/assumption of liabilities of one branch office of Mellon Bank, Pittsburgh, located at: 311 Market Street Lewisburg Union County	Selinsgrove	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-2000	The Madison Bank Blue Bell Montgomery County	Summit Square Shopping Center Route 413 and Doublewoods Road Langhorne Bucks County	Opened
1-9-01	The Madison Bank Blue Bell Montgomery County	One Abington Plaza Suites 101 & 103 Jenkintown Montgomery County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-17-01	Northside Bank Pittsburgh Allegheny County	2000 Corporate Dr. Franklin Park Allegheny County	Approved
1-18-01	Lafayette Ambassador Bank Easton Northampton County	2045 City Line Road Bethlehem Lehigh County	Opened
1-19-01	Abington Savings Bank Jenkintown Montgomery County	1515 The Fairway Rydal Abington Township Montgomery County (Limited Service Facility)	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-23-01	Leesport Bank Leesport Berks County	<i>To:</i> 100 Plaza Drive Blandon Maidencreek Twp. Berks County <i>From:</i> U.S. Route 222 Blandon Maidencreek Twp. Berks County	Approved

Savings Institutions

No activity.

Credit Unions

No activity.

JAMES B. KAUFFMAN,
Acting Secretary

[Pa.B. Doc. No. 01-179. Filed for public inspection February 2, 2001, 9:00 a.m.]

**DEPARTMENT OF
COMMUNITY AND
ECONOMIC DEVELOPMENT**

**Statement of Inadequate Capacity to Comply with
the Lead Safe Housing Regulation**

Organization: PA Department of Community and
Economic Development
Address: DCED
Center for Community Building
Office of Community Development
Room 502 Forum Building
Harrisburg, PA 17120
Date: October 23, 2000

David E. Jacobs, Deputy Director
Office of Healthy Homes and Lead Hazard Control
U.S. Department of Housing and Urban Development
451 Seventh Street, S.W., Room P-3206
Washington, DC 20410

Dear Mr. Jacobs:

Subject: New HUD Lead-Based Paint Regulations

The U.S. Department of Housing and Urban Development (HUD) promulgated a new regulation on September 15, 1999 (64 FR 50140) establishing requirements for notification, evaluation and reduction of lead-based paint hazards in federally owned residential property and hous-

ing receiving Federal assistance (Lead Safe Housing Regulation). The Lead Safe Housing Regulation, which is at 24 CFR Part 35, takes effect on September 15, 2000 at which time all affected parties must comply. A transition assistance process has been established to accommodate situations where trained contractors and licensed personnel, qualified to carry out required lead-based paint activities, are unavailable or not available at a reasonable cost in the jurisdiction. If the chief elected or appointed official of the local government, State or Indian Tribe, or a senior official designated to act on his or her behalf, such as the official who signs the Annual Consolidated Action Plan submitted to HUD for the jurisdiction, makes a statement of inadequate capacity to HUD by November 15, 2000, HUD will conclude that the jurisdiction is not required to comply with the Lead Safe Housing Regulation during a transition assistance period which begins on September 15, 2000 and ends on March 15, 2001. If the claim is based on unreasonable cost, such request must be documented by an analysis of actual bids.

The Commonwealth of Pennsylvania hereby (jurisdiction of general local government, State or Indian Tribe) states the following:

1. As of the date of this letter, the types of trained, licensed (certified) or accredited personnel or firms checked below are either not available in sufficient numbers or are not available at a reasonable cost in this jurisdiction to make it practicable to comply with the lead-based paint hazard evaluation and reduction requirements of the Lead Safe Housing Regulation.

(Check services that apply. If different designations are used in your State, please check those that most closely

correspond.)

- Interim controls workers trained in accordance with the new HUD requirements at 24 CFR § 35.1330(a)(4).
- Trained or certified lead paint sampling technicians or clearance technicians
- Certified lead-based paint inspectors or risk assessors.
- Certified lead-based paint abatement supervisors.
- Trained or certified lead-based paint abatement workers
- Other personnel or firms (specify) _____

It is recognized that there are a number of HUD assisted programs covered by 24 CFR Part 35 and the availability of trained or certified staff may affect one requirement in one program or type of assistance and not the requirements in another program or type of assistance. Capacity does not exist to comply with the following requirements in the following programs or types of assistance:

Trained, licensed(certified) or accredited personnel and firms for testing, assessments, inspections, interim controls, safe work practices, abatement, and clearance activities in all of the Commonwealth's HUD Programs that trigger applicability to the lead based paint requirements of 24 CFR Part 35, September 15, 1999.

2. The Local or State government or Indian Tribe acknowledges:

(a) that the cost of training staff and contractors in skills necessary to comply with the rule or to obtain certification to satisfy the requirements of Federal or State lead-based paint requirements is an eligible expense under the Community Development Block Grant (CDBG) program and the Home Investment Partnerships (HOME) program;

(b) that the Lead Listing, which is a State-by-State listing of firms providing certified lead-based paint personnel, including inspectors, risk assessors, abatement supervisors, and abatement workers, can be accessed via a toll-free telephone number (1-888-LEADLIST) or an Internet web site (www.leadlisting.org);

(c) that assistance in determining what lead-based paint personnel are required and in identifying trained and/or certified firms or personnel can be obtained from HUD lead-based paint hazard control grantees, the State agency responsible for certifying lead-based paint personnel, or (for States that do not have an EPA-authorized program) the U.S. Environmental Protection Agency (see attached listing of Lead-Based Paint Grantees and State and EPA offices).

(d) that a wide variety of training courses are available through the HUD website (www.hud.gov/lea), including: courses on lead-safe work practices for renovators, remodelers, and maintenance personnel developed in collaboration with the National Apartment Association, the National Association of the Remodeling Industry, the National Environmental Training Association and others; a course on clearance testing procedures, developed with the Environmental Protection Agency; a web-based training course on visual assessment of paint condition; and training programs on the Lead Safe Housing Regulation for HUD assisted housing, such as Section 8 housing and housing receiving funds from the Community Development Block Grant program and others.

(e) that the transition period ends on March 15, 2001. And that if at the end of the Transition Period, there remains a lack of capacity by trained or licensed professionals to conduct activities required by the Lead Safe Housing Regulation, the jurisdiction will provide documentation, for HUD's consideration, to justify an extension of the transition period consistent with their Annual Consolidated Action Plan schedule.

3. The Commonwealth of Pennsylvania [Local or State government or Indian Tribe] will take the necessary steps to ensure that an adequate supply of personnel or contractors will be available no later than March 15, 2001 so that the jurisdiction can comply with the requirements of the Lead Safe Housing Regulation at that time. These steps will be explained in the Transition Implementation Plan which will be submitted to HUD by December 15, 2000 at the latest. The plan must include the following: (1) an assessment of actual existing capacity and the additional number and type of personnel that need to be trained and/or certified; (2) how training will be obtained; (3) how assisted housing with the greatest risks and greatest opportunity to control lead-based paint hazards will be prioritized using existing personnel or contractors; (4) how coordination with the State agency responsible for certification of lead hazard control personnel will be achieved; and (5) a schedule of activities that will enable the jurisdiction to obtain compliance as rapidly as possible, but no later than March 15, 2001. The jurisdiction agrees to make the plan publicly available.

4. A copy of this statement and the Transition Implementation Plan will be sent to the State agency responsible for the lead-based paint certification program or to the regional EPA office if EPA is operating the lead-based paint certification program directly at the same time it is sent to HUD.

5. The Commonwealth of Pennsylvania (Local or State government or Indian Tribe) will take the necessary steps to ensure that this statement and the Transition Implementation Plan will be circulated to and reviewed by local officials with responsibility for housing and public or environmental health in the State or locality.

6. Between September 15, 2000, and March 15, 2001, the local or State government or Indian Tribe will comply with the relevant requirements of the HUD lead-based paint regulations that were effective before September 15, 2000. It will also comply with the parts of the new Lead Safe Housing Regulation covering prohibited methods of paint removal (at 24 CFR 35.140) and occupant protection (at 24 CFR 35.1350).

I hereby state that trained, licensed (certified) or accredited personnel or firms are either not available in sufficient numbers or are not available at a reasonable cost in Commonwealth of Pennsylvania [Local or State government or Indian Tribe] to make it practicable to comply with the lead-based paint hazard evaluation and reduction requirements of the Lead Safe Housing Regulation. between September 15, 2000 and March 15, 2001.

Sincerely,

(signature of chief elected or appointed official of the jurisdiction of general local government, State or Indian Tribe, or a senior official designated to act on his or her behalf)

Samuel A. McCullough

typed name of official of the jurisdiction of general local government, State or Indian Tribe, or a senior official designated to act on his or her behalf)

Secretary, Department of Community & Economic
Development
(title)

(if the jurisdiction is a State or Indian Tribe, signature of individual responsible for the EPA-authorized lead-based paint certification program (if the State or Indian Tribe has such a program))

Johnny Butler
(typed name of individual)

Secretary, Department of Labor & Industry
(title)

TRANSITION IMPLEMENTATION PLAN

Needs Assessment

A. *Analysis of Current Capacity*

To assess the current capacity in Pennsylvania to comply with the new lead based paint regulations, three attachments are included which indicate the number of risk assessors and companies certified by the Pennsylvania Department of Labor & Industry (L&I), the companies in Pennsylvania providing lead hazard evaluation services, and the HUD lead hazard control grantees.

Other than the southeastern and southwestern parts of the state, there are not nearly the number of accessible individuals or companies available relative to the foreseen need to assess, test, complete the required work, and clear the properties to achieve compliance with the new lead based paint lead hazard reduction regulations. And even in the southeastern and southwestern parts of the state, the capacity is not sufficient to meet the demand for all the HUD programs where the regulations are applicable.

In Pennsylvania, the PA Department of Community and Economic Development (DCED) administers the CDBG Program for non-entitlement areas of the Commonwealth on a state mandated formula (only one in the nation), similar to the direct federal entitlements. Over 200 grant contracts are executed every fiscal year, to grantees located in 54 of the Commonwealth's 67 counties. Over 2,000 housing rehabilitation projects are completed each year by these state entitlement grantees, through CDBG or HOME Program funding. Consequently, there is an enormous need to provide accessible capacity in all areas of the state to bring these properties into compliance with the new lead based paint regulations. In addition, the Commonwealth provides some HOME Program funding to some grantees in the 13 metropolitan counties. Also, the Pennsylvania Housing and Finance Agency (PHFA), receives a portion of the Commonwealth's allocation of HOME funds through DCED for multifamily and single family housing, serves as contract administrator for Section 8 projects, and allocates federal low income housing tax credits where units with households holding Section 8 vouchers or certificates must comply with the new regulations. The magnitude of these PHFA programs and projected number of units is detailed in the attachment titled PHFA Programs.

B. *Estimate of Needed Capacity*

To determine what capacity is actually needed across the entire state to comply with the new regulations is the task that will be completed in the next few months.

DCED will be conducting task force meetings across the state to receive input on the number of risk assessors/inspectors, clearance technicians and companies that will be needed. It is envisioned that in rural counties (in some instances several counties working together) that one to three risk assessors/inspectors, three to five clearance technicians, and as many contractors that can be attracted into completing the training will be needed to comply with the requirements. The more urban counties will require more of each of these given the increased number of units that will require compliance.

Implementation Plan to Achieve Capacity

DCED, in cooperation with Pennsylvania's Departments of Public Welfare, Labor & Industry and Health, will be exploring ways to utilize existing certified training providers and to provide incentives to expand the pool of providers across the Commonwealth. Presently, the Department of Public Welfare operates a Lead Abatement Training Center in Danville that provides training in all facets of compliance with the EPA regulations dealing with lead based paint, and participants completing the training then process through the L&I for licensing and certification. This Center trains state and municipal government agencies and nonprofit community based programs, not private companies. Through expansion of this Center, contracting with private sector training providers or HUD contracted trainers, we will locate additional training providers. Pennsylvania's CDBG 1% TA set-aside, our local grantees' CDBG funds, and any existing or additional funds HUD may make available, will be considered for financing costs to expand the training providers.

Training opportunities will be provided at various locations across the state for risk assessors, inspectors, clearance technicians, workers and supervisors. Outreach to promote the training will occur through DCED and the other state agencies to local CDBG, HOME and ESG grantees and to local housing and redevelopment agencies across the state. Because the overwhelming number of affected housing units that are affected by the new regulations are assisted with \$25,000 or less of federal funds, the training of contractors can be accomplished with a minimal time and cost, utilizing one day courses like The Remodeler's and Renovator's Lead Based Paint Training. This is in contrast to the two to four days to be trained as workers and supervisors in accordance with the EPA regulations, and then licensed and certified as abatement contractors through the L&I.

Where cooperation is feasible with the few local HUD Lead Hazard Control grantees, this will be explored. Also, as progress is made in getting the appropriate individuals and contractors trained, and we are better able to assess our capacity, consideration will be given to assisted housing with the greatest risks.

The Commonwealth has developed a projected schedule to achieve capacity by March 15, 2001. The upcoming lead based paint training by HUD, through Dennison Associates at five sites in November and December 2000, and the task force meetings mentioned previously will help us to assess with the grantees in Pennsylvania the capacity needs and options to address those needs.

We envision expanding the pool of training providers in the next few months and then conducting the training for

risk assessors, inspectors, workers, supervisors, and clearance technicians. HUD has agreed to conduct this training, however the earliest time frame was the spring of 2001. Obviously this will be too late as it closely coincides with the March 15, 2001 deadline to achieve capacity. Discussions with HUD continue to try to accomplish this training earlier. It is optimistic to believe that by March 15th there will be sufficient numbers of individuals trained or certified as risk assessors, inspectors, clearance technicians, and contractors in all areas of the state. Every effort will be made however to accomplish this and to keep HUD informed of our progress and needs.

Providers Who Offer Lead Evaluation Services in PA

[The U. S. Environmental Protection Agency (EPA) certifies lead service providers in states that do not operate their own EPA-authorized lead program. Consumers should confirm that the service providers they hire have current applicable certifications for the work they are to perform. See *Part 6 of the Reference Guide for additional information.*] [Note that certified Risk Assessors can also perform Lead Inspections.]

Affordable Services, Inc. Phone: (877) 346-3532, (412) 401-8160 Fax: (877) 586-9476 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	OH, PA, WV
Risk Assessor	OH, PA, WV
ALC Environmental Consultants Phone:(215) 732-9499, (888) 789-8378 Fax: (215) 732-9559 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	DE, MD, NJ, NY, PA
Risk Assessor	NJ
Bevilacqua Home Inspection Inc. Phone: (800) 864-2674, (570) 348-5088 Fax: (570) 341-8775 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	PA
Risk Assessor	PA
Pro-Tech Environmental, Inc. (Pittsburgh) Phone: (724) 933-6010 Fax: (724) 933-6003 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	OH, PA
Risk Assessor	OH, PA
ENSPEC Environmental Safety Consultants, Inc. Phone:(412) 279-9212, (412) 429-8582 Fax: (412) 279-9213 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	OH, PA, WV
Risk Assessor	OH, PA, WV
D-Tech Phone:(215) 233-5888 Fax: (215) 233-9499 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	PA
Risk Assessor	PA

Atlantic Lead Consultants (Elkins Park) Phone:(215) 379-5323 Fax: (215) 379-0941 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	DE, NJ, PA
Risk Assessor	DE, NJ, PA
Arc Environmental, Inc. Phone:(800) 999-5323 Fax: (410) 962-1065 Location of Telephone Number: MD	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	DC, MD, PA, VA
Risk Assessor	DC, MD, PA, VA
Environmental Options Group, Inc. Phone:(610) 929-2883 Fax: (610) 929-5388 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	PA
Risk Assessor	PA
NORAC Laboratory, Inc. Phone:(814) 536-8506 Fax: (814) 535-2286 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	PA
Risk Assessor	PA
LeadCo Inc. Phone: (610) 359-9919 Fax: (610) 359-9918 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	PA
Risk Assessor	PA
Northwest Environmental Services Inc. Phone:(215) 549-4246, (215) 549-3586 Fax: (215) 549-4246 Location of Telephone Number: PA	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	PA
Risk Assessor	PA
Mircon, Inc. d/b/a Connor Environmental Services & Engineering Assessments Phone: (800) 296-7971, (410) 296-7971 Fax: (410) 296-3419 Location of Telephone Number: MD	
Lead Services Provided	State(s) where Certifications are held by Provider
Inspector	AK, AZ, CA, DC, DE, FL, GA, IL, MD, MT, NC, ND, NE, NJ, NM, NV, NY, PA, SC, SD, TN, TX, VA, WA, WY
Risk Assessor	AK, AZ, CA, DC, DE, FL, GA, IL, MD, MT, NC, ND, NE, NJ, NM, NV, NY, PA, SC, SD, TN, VA, WA, WY

Criterion Laboratories, Inc. Phone: (215) 244-1300 Fax: (215) 244-4349 Location of Telephone Number: PA		
Lead Services Provided	State(s) where Certifications are held by Provider	
Inspector	NJ, PA	
Risk Assessor	NJ, PA	
LEW Corporation (NJ) Phone: (800) 783-0567, (973) 535-1973 Fax: (973) 994-9528 Location of Telephone Number: NJ		
Lead Services Provided	State(s) where Certifications are held by Provider	
Inspector	DE, NJ, NY, PA, VI	
Risk Assessor	DE, NJ, NY, PA, VI	
E & M Environmental, Inc. Phone: (724) 942-8311, (724) 542-7580 Fax: (724) 942-0645 Location of Telephone Number: PA		
Lead Services Provided	State(s) where Certifications are held by Provider	
Inspector	PA	
Risk Assessor	PA	

HUD Lead-Based Paint Grantees

Allegheny County	Bruce L. Good		Allegheny County Health Dept.		1300 Brighton Rd.	Pittsburgh	PA	15233	4123236853
Borough of Palmerton (Cat. B)	Delores Ziegenfus	Program Coordinator	Borough of Palmerton, Lead Reduction Program	Palmerton Env. Task Force	443 Delaware Ave., P. O. Box 198	Palmerton	PA	18071	6108264804
City of Harrisburg	Angela C. Smith	Deputy Director for Housing	Department of Building and Housing Development	10 North Second Street	Martin Luther King, Jr., City Government Center	Harrisburg	PA	17101	7172556428
City of Philadelphia	Court Daspit	Energy Program Manager	Office of Housing & Community Development		1234 Market St., 17th Floor	Philadelphia	PA	19146	2156869781
Commonwealth of Pennsylvania	Jennifer Hightower	Lead Hazard Control Project Manager	Dept of Health, Childhood Lead Poisoning Prevention Prgm.	Division of Maternal & Child Health	PO Box 90, Health & Welfare Bldg., Room 725	Harrisburg	PA	17108	7177838451

PHFA PROGRAMS

The following provides a general overview of multifamily and single family housing programs and properties involving the Pennsylvania Housing Finance Agency which may trigger the need for skilled entities and workers versed in the protocols set forth in the Final Rule. The Agency has been evaluating its existing and prospective portfolios and has undertaken a review of its records to determine when, how and to what degree its funding programs and existing portfolios will be impacted by the Final Rule.

Of immediate concern is that a number of properties will require the identification of skilled/trained/certified workers for each of the various stages of the Final Rule all at the same time. Our analysis has shown that in many jurisdictions, no expertise or experience exists. In our opinion, no jurisdiction of the Commonwealth has an adequate supply of any of the various classes of skilled workers dictated by the Final Rule protocol. Even in some of the participating jurisdictions which have a number of certified companies or individuals, the actual number of workers does not begin to address the demand, the competition for such workforce will be fierce and such competition will effectively prevent many affected properties from having access to workers.

We have attempted to identify with specificity the number of units which will be directly or indirectly impacted. Because PHFA is a statewide housing provider, all areas of the Commonwealth (including both participating and nonparticipating jurisdictions) are covered by this analysis. Please note, we have attempted to include only those units we believe may be impacted by the Final Rule, but we may not have adequate records on site to determine actual applicability (based on age of housing stock or the type of occupancy.)

Specific programs discussed include - PHFA's Section 8 program, PHFA's production programs (PennHOMES and Tax Credits) and the HOME funded Single Family Closing Cost Assistance program.

We have also attached several spreadsheets delineating characteristics of the Commonwealth's housing stock. These statistics are derived from 1990 census data and are broken out by county.

PHFA Section 8 Portfolio

PHFA has approximately 150 Section 8 projects for which we serve as contract administrator. Of this portfolio, we have identified approximately 30 properties that will be immediately impacted by the Final Rule (because the buildings were originally constructed prior to 1978 and the properties are available for general occupancy.)

The Agency has statewide housing jurisdiction for the Section 8 set aside program. The affected projects are located throughout the Commonwealth, in both participating and nonparticipating jurisdictions.

PennHOMES Multifamily Housing Program

PHFA provides funding for the renovation, rehabilitation, and new construction of affordable multifamily housing units each year through tax exempt and taxable mortgage financing and through a subsidized loan program funded with a combination of PHFA resources and federal HOME funds.

Since its inception in 1988, this program has provided funding for 10,240 units of affordable housing. Each year, approximately 900 apartment units of affordable housing throughout the Commonwealth are funded. A large num-

ber of these involve the rehabilitation of existing buildings. Some of these apartment units are not federally subsidized, and therefore, the Final Rule is not directly triggered. Many of the units funded in nonparticipating jurisdictions are assisted through the federal HOME program, and the Final Rule will be directly applicable.

Regardless of funding source, however, all affordable units funded through this programs must be made available for eligible households holding Section 8 certificates or vouchers. Accordingly, as a practical matter, all PHFA funded properties involving buildings originally constructed prior to 1978 must meet the requirements of the Final Rule and PHFA will require compliance with the new lead reduction standards to ensure ongoing project feasibility and that qualified persons with TBRA are not discriminated against.

Tax Credit Program

Each year the Agency allocates approximately \$15,000,000 in federal tax credits to qualified multifamily housing units. The Tax Credit Program requires that owners receiving funding through the Program may not discriminate against eligible households holding Section 8 vouchers or certificates. Any unit in a building which was constructed prior to 1978 and occupied by an eligible household (with a child) holding a voucher or certificate must meet the new protocol set forth in the Final Rule.

Attached as TC-1 is a geographic breakdown of the units funded through the Tax Credit Program in Pennsylvania which may eventually be monitored for compliance with the Final Rule. (The Agency does not currently know which of these properties may be comprised of buildings built prior to 1978.) As the Final Rule becomes applicable to properties with TBRA, some of these units will require assessment, relevant reduction activity and clearance testing. (Please note, there is some overlap between the PHFA PennHOMES portfolio and the tax credit program portfolio.)

NonPHFA multifamily housing portfolios

As DCED, PHFA and other state and local governments begin to struggle with the implementation pressures of the Final Rule within their own housing programs and portfolios of properties, other properties will also be clamoring for the skills of certified assessors and workers. There are more than 48,736 federally subsidized housing units in Pennsylvania. Of this total, 11,816 are assisted under the Section 202 program (and may be exempt from the Final Rule). A yet to be determined number of these total units will require assessment, reduction and clearance activity under the Final Rule.

In addition, 317 multifamily apartment properties are assisted under the Rural Housing Programs. Again, a yet to be determined number of these rural properties will require assessment, reduction and clearance activity using the same workforce.

Single Family Closing Cost Assistance Loan Program

In addition to administering federal HOME funds for multifamily housing rehabilitation, the Agency provides closing cost and down payment assistance to persons of low income purchasing new and existing housing in nonparticipating jurisdictions throughout the Commonwealth. These loans do not exceed \$15,000 per household. Although these loans may be provided to support the acquisition of new homes, the vast majority of the program funding supports the purchase of existing homes. (As in most areas of the country, existing homes may be

more affordable than newly constructed housing.) The bulk (88%) of existing housing stock in Pennsylvania was built prior to 1979 (see the attached spreadsheet). Hence, we expect the impact of the Final Rule will be felt dramatically in the closing cost assistance program.

Our analysis shows that 71 of the 81 homes funded through the program last year would have been affected by Final Rule. The location of these homes is set forth on the attached map marked SF-1.

Number of Renter Occupied Housing Units in Pennsylvania Counties by Year Built—1990

Source: U. S. Census Bureau Prepared by: PHFA Strategic Planning and Policy

County	Total # R. O. Hous- ing Units	% R. O. of Total Hous- ing Stock	Renter Occupied Housing Units					Pre- 1979	% R. O. Pre- 1979 Hous- ing Units
			1970-1979	1960- 1969	1950- 1959	1940- 1949	1939 or earlier		
Pennsylvania	1,319,273	27%	241,430	182,514	137,719	127,581	474,037	1,163,281	88%
Adams	7,489	25%	1,149	642	448	500	3,415	6,154	82%
Allegheny	183,235	32%	30,005	25,594	22,474	25,365	60,821	164,259	90%
Armstrong	6,694	21%	1,221	760	673	790	2,644	6,088	91%
Beaver	19,210	25%	3,664	1,980	2,394	3,795	5,751	17,584	92%
Bedford	3,770	17%	708	412	256	248	1,726	3,350	89%
Berks	33,313	25%	6,043	3,989	3,129	2,073	14,627	29,861	90%
Blair	13,815	25%	3,169	1,415	1,035	1,256	5,496	12,371	90%
Bradford	5,562	21%	1,409	579	258	167	2,526	4,939	89%
Bucks	46,351	23%	12,317	11,590	5,073	2,173	7,034	38,187	82%
Butler	12,854	22%	3,207	1,508	973	1,136	3,837	10,661	83%
Cambria	16,549	25%	2,746	1,690	2,028	1,844	6,912	15,220	92%
Cameron	643	15%	127	64	72	125	223	611	95%
Carbon	4,861	18%	665	330	335	455	2,195	3,980	82%
Centre	17,154	37%	4,516	3,224	1,542	934	3,148	13,364	78%
Chester	33,908	24%	8,625	6,094	2,338	1,720	9,447	28,224	83%
Clarion	4,120	23%	857	310	351	306	1,517	3,341	81%
Clearfield	6,394	19%	1,268	465	468	566	2,787	5,554	87%
Clinton	3,761	23%	1,235	310	236	301	1,226	3,308	88%
Columbia	6,230	24%	1,036	443	412	525	2,938	5,354	86%
Crawford	8,558	21%	1,845	900	658	718	3,659	7,780	91%
Cumberland	20,743	27%	4,635	2,838	1,923	1,343	6,143	16,882	81%
Dauphin	34,556	34%	8,517	5,702	3,902	3,602	8,647	30,370	88%
Delaware	54,969	26%	9,115	11,770	8,883	7,556	12,705	50,029	91%
Elk	2,664	15%	492	212	133	59	1,412	2,308	87%
Erie	31,859	29%	6,476	2,426	2,822	3,747	11,986	27,457	86%
Fayette	15,515	25%	2,695	1,470	1,813	1,806	5,914	13,698	88%
Forest	362	4%	55	51	22	21	164	313	86%
Franklin	12,482	26%	1,990	1,422	890	852	4,884	10,038	80%
Fulton	1,090	18%	240	150	54	114	363	921	84%
Greene	4,021	25%	735	510	298	327	1,618	3,488	87%
Huntingdon	3,682	19%	786	411	303	222	1,549	3,271	89%
Indiana	8,396	24%	2,155	875	548	665	2,669	6,912	82%
Jefferson	4,023	19%	823	355	254	319	1,841	3,592	89%
Juniata	1,713	20%	301	95	127	132	756	1,411	82%
Lackawanna	27,903	30%	4,196	2,842	1,938	2,811	13,844	25,631	92%
Lancaster	46,204	30%	8,846	5,204	3,339	2,942	18,478	38,809	84%

County	Total # R. O. Hous- ing Units	% R. O. of Total Hous- ing Stock	Renter Occupied Housing Units						% R. O. Pre- 1979 Hous- ing Units
			1970-1979	1960- 1969	1950- 1959	1940- 1949	1939 or earlier	Pre- 1979	
Pennsylvania	1,319,273	27%	241,430	182,514	137,719	127,581	474,037	1,163,281	88%
Adams	7,489	25%	1,149	642	448	500	3,415	6,154	82%
Allegheny	183,235	32%	30,005	25,594	22,474	25,365	60,821	164,259	90%
Armstrong	6,694	21%	1,221	760	673	790	2,644	6,088	91%
Beaver	19,210	25%	3,664	1,980	2,394	3,795	5,751	17,584	92%
Lawrence	8,679	22%	1,596	866	758	1,095	3,557	7,872	91%
Lebanon	12,373	28%	2,733	1,174	856	842	4,970	10,575	85%
Lehigh	34,639	29%	8,594	5,381	2,533	2,441	10,798	29,747	86%
Luzerne	39,374	28%	9,501	2,654	2,607	3,499	18,349	36,610	93%
Lycoming	13,617	27%	1,887	1,166	921	1,162	6,861	11,997	88%
McKean	4,636	22%	739	492	341	367	2,257	4,196	91%
Mercer	11,407	23%	2,684	1,731	1,260	928	3,076	9,679	85%
Mifflin	4,810	24%	825	506	407	409	2,216	4,363	91%
Monroe	8,301	15%	1,652	905	736	577	2,246	6,116	74%
Montgomery	70,747	27%	15,839	15,154	9,053	5,015	16,512	61,573	87%
Montour	1,857	27%	434	157	90	75	759	1,515	82%
Northampton	23,952	25%	3,686	2,924	2,441	1,849	9,954	20,854	87%
Northumber- land	10,337	25%	2,167	763	494	613	5,422	9,459	92%
Perry	3,060	18%	465	255	233	174	1,364	2,491	81%
Philadelphia	229,135	34%	24,497	34,343	31,128	26,690	96,764	213,422	93%
Pike	1,761	6%	385	117	147	154	484	1,287	73%
Potter	1,539	14%	221	76	106	98	756	1,257	82%
Schuylkill	13,312	20%	2,199	1,241	599	1,048	6,899	11,986	90%
Snyder	2,916	21%	443	284	258	122	1,091	2,198	75%
Somerset	6,693	19%	1,295	676	587	574	2,751	5,883	88%
Sullivan	489	9%	92	12	14	12	235	365	75%
Susquehanna	3,100	15%	585	222	93	79	1,374	2,353	76%
Tioga	3,676	20%	1,115	461	174	256	1,301	3,307	90%
Union	2,970	23%	595	265	156	124	1,359	2,499	84%
Venango	5,716	21%	1,193	547	370	412	2,370	4,892	86%
Warren	3,933	18%	697	354	278	224	2,030	3,583	91%
Washington	19,165	23%	3,665	2,166	1,935	1,514	7,627	16,907	88%
Wayne	3,038	11%	467	199	138	104	1,581	2,489	82%
Westmoreland	34,077	22%	7,453	4,726	3,594	2,994	10,929	29,696	87%
Wyoming	2,315	20%	540	249	135	105	886	1,915	83%
York	32,996	24%	5,317	3,816	2,875	2,510	12,357	26,875	81%

[Pa.B. Doc. No. 01-180. Filed for public inspection February 2, 2001, 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

Pursuant to the Federal Clean Water Act and the Pennsylvania 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 below, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for five 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 all new permit applications, renewal application with major changes or applications for permits not waived by 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 below. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise below, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6(d).

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted above 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 above 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 1-800-654-5984.

NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream (Watershed)</i>	<i>EPA Waived (New/Renewal)</i>
PA0111414	McEwensville Municipal Authority P. O. Box 50 McEwensville, PA 17749-0050	Northumberland, McEwensville Borough	10-D	Renewal
PA0029831	Sullivan County School District General Delivery Laporte, PA 18626	Sullivan County Laporte Borough	10-B	Renewal
PA0032361	Williamsport Area School Dist 201 West 3rd St Williamsport, PA 17701	Lycoming Cnty Woodward Twp	10-A	Renewal
PA0032352	Williamsport Area School Dist 201 W 3rd St. Williamsport PA 17701	Lycoming Cnty Hepburn Twp	10-B	Renewal

II. Applications for New Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

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

PA0058297, Sewage, **Harrison L. Thompson**, 331 Echo Valley Lane, Newtown Square, PA 19073.

This application is for issuance of an NPDES permit to discharge treated sewage from a single residence sewage treatment plant in Newtown Township, **Delaware County**. This is a new discharge to an unnamed tributary to Lewis Run.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	Monitor/ Report	Monitor/ Report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	Within limits of 6.0—9.0 Standard Units at all times	

The EPA waiver is in effect.

No. PA0056472, Industrial Waste, **DeVault Foods, Inc.**, 1 DeVault Lane, DeVault, PA 19432.

This application is for renewal of an NPDES permit to discharge untreated stormwater from DeVault Foods, Inc. Outfalls 1, 2 and 3 in Charlestown Township, **Chester County**. This is an existing discharge to Valley Creek Watershed.

The receiving stream is classified for the following uses: exceptional value waters, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, 002, 003, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids		Monitor/Report	
Oil & Grease		Monitor/Report	
pH	Within limits of 6.0—9.0 Standard Units at all times		
CBOD ₅		Monitor/Report	
COD		Monitor/Report	
Total Kjeldahl Nitrogen		Monitor/Report	
Total Phosphorus		Monitor/Report	
Iron, Dissolved		Monitor/Report	

Other Conditions:

The EPA Waiver is in effect.

No. PA0052779, Sewage, **Al Wulff**, 206 River Road, Gladwyne, PA 19035.

This application is for renewal of an NPDES permit to discharge treated sewage from a single residence STP in Lower Merion Township, **Montgomery County**. This is an existing discharge to Schuylkill River.

The receiving stream is classified for the following uses: warm water fishery, aquatic life, water supply and recreation.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	25	50
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	20	40
(11-1 to 4-30)	20	40
Total Residual Chlorine	Monitor/Report	
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 2 mg/l at all times	
pH	Within limits of 6.0—9.0 Standard Units at all times	

Other Conditions:

The EPA Waiver is in effect.

No. PA0058190, Sewage, **Mark and Brenda Phelan**, 191 Hill Road, Green Lane PA 18054.

This application is for Issuance of an NPDES permit to discharge treated sewage from Phelan Residence STP in Salford, **Montgomery County**. This is a new discharge to unnamed tributary of Unami Creek.

The first downstream potable water supply intake from the point of discharge is Philadelphia Suburban Water Company in Upper Providence Township.

The receiving stream is classified for the following uses: high quality trout stocking fishery, quatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 400 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Total Suspended Solids	20	40
Total Nitrogen	10	20
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	Within limits of 6.0—9.0 Standard Units at all times	

Other Conditions:

The EPA Waiver is in effect.

No. PA0012891, Industrial Waste, **TTT Realty, Inc.**, 600 East Center Street, P. O. Box 606, Shenandoah, PA 17976-0606.

This application is for renewal of an NPDES permit to discharge treated process wastewater from industrial wastewater treatment plant in Upper Hanover Township, **Montgomery County**. This is an existing discharge to Perkiomen Creek.

The receiving stream is classified for the following uses: trout stocking fishery, high quality trout stocking fishery,

The proposed effluent limits for Outfall 001, based on an average flow of 60,000 gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50	63
Suspended Solids	30	60	75
Ammonia (as N)			
(5-1 to 10-31)	5	10	13
(11-1 to 4-30)	15	30	38
Total Phosphorus as P	1	2	2.5
Total Dissolved Solids	1,000	2,000	2,500
Total Residual Chlorine	0.5		1.3
Fecal Coliform	200 No. Col/100 ml as a geometric average		
Copper, Total	0.55	1.1	1.37
Lead, Total	Monitor	Monitor	Monitor
pH	Within limits of 6.0—9.0 Standard Units at all times		

The EPA Waiver is in effect.

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

PA0096466, Sewage, **Pennsylvania Services Corporation**, P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370.

This application is for renewal of an NPDES permit to discharge treated sewage from the Administration Building STP in Franklin Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Smith Creek, which are classified as a warm water fishery 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.

Outfall 005: existing discharge, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
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	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0031895, Sewage, **Nemacolin Country Club**, P. O. Box 134, Beallsville, PA 15313-0134.

This application is for renewal of an NPDES permit to discharge treated sewage from Nemacolin Country Club STP in Centerville Borough, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Drainage Swale to North Branch Fishpot Run, which are classified as a warm water fishery 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: PA American Water Company, Brownsville Plant.

Outfall 001: existing discharge, design flow of 0.006 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
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				
(1st month—36th month)	Monitor and Report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0046019, Industrial Waste, SIC, 5541, 5812, 5399, **J.D.Q.L.L.C.**, R. R. # 1, Box 10, Smithton, PA 15479.

This application is for issuance of an NPDES permit to discharge treated sewage, stormwater runoff and garage floor drainage from Penn Station Travel Plaza in South Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, drainage swale to unnamed tributary (Dutch Hollow) to Youghiogheny River (001, 002, 003), classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply (PWS) is McKeesport Municipal Water Authority, located on the Youghiogheny River.

Outfall 001: existing discharge, design flow of 0.020 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅			25		50
Suspended Solids			30		60
Ammonia Nitrogen					
(5-1 to 10-31)			3		6
(11-1 to 4-30)			9		18
Fecal Coliform					
(5-1 to 9-30)	100/100 ml as a geometric mean				
(10-1 to 4-30)	2,000/100 ml as a geometric mean				
Total Residual Chlorine			1.4		3.3
Dissolved Oxygen	not less than 5.0 mg/l				
pH	not less than 6.0 nor greater than 9.0				

PA0095524, Sewage, **Tri-Community Water and Sewer Authority**, P. O. Box 86, Bolivar, PA 15923.

This application is for renewal of an NPDES permit to discharge treated sewage from the Tri-Community Water and Sewer Authority STP in West Wheatfield Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Conemaugh River, which are classified as a warm water fishery 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: Saltsburg Municipal Water Works.

Outfall 001: existing discharge, design flow of 0.25 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
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			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine	1			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0002275, Sewage, **Keystone Coal Mining Corporation**, P. O. Box 219, Shelocta, PA 15774.

This application is for renewal of an NPDES permit to discharge treated sewage from Emilie Mine # 3 STP in Plumcreek Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary to Crooked Creek, which are classified as a warm water fishery 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: Buffalo Township Municipal Authority Freeport.

Outfall 003: existing discharge, design flow of 0.0018 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	20			40
Suspended Solids	25			50
Ammonia Nitrogen (5-1 to 10-31)	6.0			12.0
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 (1st month—36th month)	Monitor and Report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0203777, Sewage, **Ductmate Industries**, 1502 Industrial Drive, East Monongahela, PA 15063.

This application is for renewal of an NPDES permit to discharge treated sewage from Ductmate Industries STP in Forward Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a warm water fishery 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: Pennsylvania American Water Company.

Outfall 001: existing discharge, design flow of 0.006 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
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	20,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0204463, Sewage, **Robert T. Dunn**, 205 Frary Drive, New Kensington, PA 15068.

This application is for renewal of an NPDES permit to discharge treated sewage from Dunn Single Residence STP in Upper Burrell Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Pucketa Creek, which are classified as a trout stock fishery 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: Oakmont Borough Municipal Authority.

Outfall 001: existing discharge, design flow of 0.0004 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform	200/100 ml as a geometric mean			
(5-1 to 9-30)	2,000/100 ml as a geometric mean			
(10-1 to 4-30)	Monitor and Report			
Total Residual Chlorine	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0217972-A2, Industrial Waste, **The Waterfront Partners**, LLC, Homestead, PA 15120.

This application is for amendment of an NPDES permit to discharge storm water from the Waterfront Development in Munhall, Homestead and West Homestead, **Allegheny County**.

The following effluent limitations are proposed for a new discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply (PWS) is Pennsylvania American, located at Becks Run, 3 miles below the discharge point.

Outfall 011: new storm water discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			Monitor and Report		
Total Dissolved Solids			Monitor and Report		
Sulfate			Monitor and Report		
Chromium, tot			Monitor and Report		
Chromium, hex			Monitor and Report		
Copper			Monitor and Report		
Lead			Monitor and Report		
Nickel			Monitor and Report		
Zinc			Monitor and Report		
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
Tetrachloroethylene			Not Detectable		
PCBs			Not Detectable		
Acrolein			Not Detectable		
Benzene			Not Detectable		
Chloroform			Not Detectable		
Ethylbenzene			Not Detectable		
Toluene			Not Detectable		
Trichloroethylene			Not Detectable		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Other Conditions: Part C conditions pertaining to Erosion and Sedimentation Controls, Best Management Practices, and PPC Plans.

**WATER QUALITY MANAGEMENT PERMITS
 CONTROLLED INDUSTRIAL WASTE AND SEWAGE
 WASTEWATER
 APPLICATIONS UNDER THE PENNSYLVANIA
 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 any of the applications are invited to submit a statement to the office noted

above 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.

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. 0901401. Sewerage, **Buckingham Township**, PO Box 413, Buckingham, PA 18912. Applicant is requesting approval for the construction of a lagoon/spray irrigation wastewater treatment facility to serve Stoneymead Subdivision located in Buckingham Township, **Bucks County**.

WQM Permit No. 2301401. Sewerage. **Concord Township Sewer Authority**, 664 Concord Road, Glen Mills, PA 19342. Applicant is requesting approval for the construction of a new pump station to serve Windmill Creek Subdivision located in Concord Township, **Delaware County**.

WQM Permit No. 2301402. Sewerage. **Southern Delaware County Authority**, 101 Beech Street, Boothwyn, PA 19061. Applicant is requesting approval for the construction and operation of a sewage pump station and force main to intercept existing wastewater flows located in Lower Chichester Township, **Delaware County**.

WQM Permit No. 4601401. Sewerage. **Richard Maurer**, 807 Ridge Road, Telford, PA 18969. Applicant is requesting approval for the construction and operation to replace the failing on site sewage system at the Maurer Residence located in Telford Borough, **Montgomery County**.

WQM Permit No. 4601402. Sewerage. **Father Patrick O'Neill**, 8901 Dickens Avenue, Miami Beach, FL 33154. Applicant is requesting approval for the construction and operation of a 500 gpd STP to serve the O'Neil Property located in Douglass Township, **Montgomery County**.

WQM Permit No. 4601403. Sewerage. **Lower Gwynedd Township**, 1130 North Bethlehem Pike, Spring House, PA 19477. Applicant is requesting approval for the construction of a pump station to serve the proposed Gwynedd Gardens located in Lower Gwynedd Township, **Montgomery County**.

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

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

WQM Permit No. 6201402, Sewerage, **Sheffield Township**, P. O. Box 821, Sheffield, PA 16347-0821.

This proposed facility is located in Sheffield Township, **Warren County**.

Description of Proposed Action/Activity: This project is for the addition of a sludge holding tank to the existing sewage treatment facilities.

WQM Permit No. 3301403, Sewerage, **Borough of Punxsutawney**, 301 East Mahoning Street, Punxsutawney, PA 15767.

This proposed facility is located in Borough of Punxsutawney, **Jefferson County**.

Description of Proposed Action/Activity: This project is for the addition of a sewage pump station and other modifications to an existing sewage treatment facility.

WQM Permit No. 2501402, Sewerage, **City of Erie**, 626 State Street, Erie, PA 16501-1128.

This proposed facility is located in City of Erie, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction of the Peach Street Relief Sewer.

WQM Permit No. 3701402, Sewerage, **North Beaver Township**, 861 Mt. Jackson Road, New Castle, PA 16102.

This proposed facility is located in North Beaver Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for an upgrade to the existing Hickory View wastewater treatment facility and expansion of the existing sewage collection system service area.

WQM Permit No. 1001401, Sewerage, **Borough of Prospect**, P. O. Box 308, 159 Monroe Street, Prospect, PA 16052.

This proposed facility is located in Borough of Prospect and Franklin Township, **Butler County**.

Description of Proposed Action/Activity: This project is for modifications to an existing sanitary sewer collection system.

WQM Permit No. 2501403, Sewerage, **City of Corry Municipal Authority**, 36 West Main Street, Corry, PA 16407.

This proposed facility is located in City of Corry, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction of a pump station and improvements to an existing facility.

WQM Permit No. 4301402, Industrial Waste, **Dennis Shadron**, 1293 S. Perry Highway, Mercer, PA 16137.

This proposed facility is located in Springfield Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction of a Single Residence Sewage Treatment Plant.

WQM Permit No. 2001401, Sewerage, **Deborah A. Sedler**, 150 Earl Drive, Erie, PA 16509.

This proposed facility is located in Cambridge Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for the construction of a Single Residence Sewage Treatment Plant.

WQM Permit No. 2501404, Sewerage, **Elmer W. and Bridget E. Knobloch**, 10657 Route 19, Waterford, PA 16441.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction of a Single Residence Sewage Treatment Plant.

WQM Permit No. 4201401, Sewerage, **George Marks**, 7950 Lanier Drive, Cumming, GA 30041.

This proposed facility is located in Keating Township, **McKean County**.

Description of Proposed Action/Activity: This project is for the construction of a Single Residence Sewage Treatment Plant.

WQM Permit No. 4301403, Sewerage, **James R. Sarson**, 431 Fredonia Road, Greenville, PA 16125.

This proposed facility is located in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction of a Single Residence Sewage Treatment Plant.

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 (BMPs) 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 above 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 DEP 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 disturbance activity, are on file and may be inspected at the office identified in this notice.

Persons with a disability that 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.

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 Rd., Allentown, PA 18104, (610) 391-9583.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q215	Edward Hartman 6582 Central Rd. New Tripoli, PA 18066	Lehigh County Heidelberg Twp.	UNT to Jordan Creek HQ-CWF,MF

Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10V034	Samall Assoc., Inc, Richard Snyder P. O. Box 297 Milford, PA 18337	Pike County Westfall Twp.	UNT to Delaware River HQ-CWF

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

NPDES Permit PAS10F095, Stormwater. **LETWO, LLC**, 270 Walker Dr., State College, PA 16804 has applied to discharge stormwater associated with a construction activity located in College Township, **Centre County** to Spring Creek a HQ-CWF stream.

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10F095	LETWO, LLC 270 Walker Dr. State College, PA 16804	Centre County College Township	HQ-CWF

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone (412) 442-4000.

NPDES Permit PAS10X095, Stormwater. **Derry Township Municipal Authority**, PO Box 250, New Derry, PA 15671 has applied to discharge stormwater associated with a construction activity located in Derry Township, **Westmoreland County** to McGee Run (TSF), Union Run (WWF) and Shirey Run (HQ-CWF).

Westmoreland Conservation District, RR #12, Box 202B Donohoe Ctr, Greensburg, PA 15601, (724) 837-5271.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10X095	Derry Township Municipal Authority PO Box 250 New Derry, PA 15671	Westmoreland County Derry Township	McGee Run (TSF) Union Run (WWF) Shirey Run (HQ-CWF)

SAFE DRINKING WATER

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

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

Permit No. 1501501, Public Water Supply.

Applicant	Modern Mushroom Farms
Township	New Garden
Responsible Official	Richard O'Brien PO Box 340 Avondale PA 19311
Type of Facility	Public Water Supply
Consulting Engineer	Betz Dearborn 3331 Street Road, Suite 151 Bensalem PA 19020
Application Received Date	January 12, 2001
Description of Action	Corrosion Control Treatment

Permit No. 1501502, Public Water Supply.

Applicant	Philadelphia Suburban Water Co.
Township	East Bradford
Responsible Official	Morris Coulter, President 762 W Lancaster Avenue Bryn Mawr PA 19010
Type of Facility	Public Water Supply
Consulting Engineer	CET Engineering Services 1240 N Mountain Road Harrisburg PA 17112
Application Received Date	January 16, 2001
Description of Action	Modifications to Ingrams Mill Water Treatment Plant

MINOR AMENDMENT

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

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

Application No. Minor Amendment.

Applicant	City of DuBois
City	City of DuBois, Clearfield County
Responsible Official	Benjamin R. O'Shane
Type of Facility	Public Water Supply
Consulting Engineer	The EADS Group, Inc. P. O. Box 684 15392 Route 322 Clarion, PA 16214
Application Received Date	January 16, 2001
Description of Action	Addition of alum coagulant and zinc orthophosphate inhibitor

Application No. 4146292-A12. Minor Amendment.

Applicant **Danone Waters of North America, Inc.**
 Township Boggs Township, **Centre County**
 Responsible Official Shirley A. Bonsell, Quality Assurance Manager
 Type of Facility Bottled Water Plant
 Consulting Engineer Sweetland Engineering and Associates, Inc.
 Application Received Date January 11, 2001
 Description of Action New labels for all 1/2 gallon and larger bottles.

Application No. 4146292-T2. Minor Amendment.

Applicant **Danone Waters of North America, Inc.**
 Township Boggs Township, **Centre County**
 Responsible Official Shirley A. Bonsell, Quality Assurance Manager
 Type of Facility Bottled Water Plant
 Consulting Engineer Sweetland Engineering and Associates, Inc.
 Application Received Date January 11, 2001
 Description of Action Request to transfer permit for Aqua Penn Spring source (to be known as Diamond Spring).

Application No. 4146292A6-T1. Minor Amendment.

Applicant **Danone Waters of North America, Inc.**
 Township Boggs Township, **Centre County**
 Responsible Official Shirley A. Bonsell, Quality Assurance Manager
 Type of Facility Bottled Water Plant
 Consulting Engineer Sweetland Engineering and Associates, Inc.
 Application Received Date January 11, 2001
 Description of Action Request to transfer permit approving Aqua Penn Bottling Facility in Boggs Township, Centre County.

Application No. 4146292A8-T1. Minor Amendment.

Applicant **Danone Waters of North America, Inc.**
 Township Boggs Township, **Centre County**
 Responsible Official Shirley A. Bonsell, Quality Assurance Manager
 Type of Facility Bottled Water Plant
 Consulting Engineer Sweetland Engineering and Associates, Inc.
 Application Received Date January 11, 2001
 Description of Action Request to transfer permit covering pump station and treatment at spring source in Huntingdon County.

Application No. 4146292A9-T1. Minor Amendment.

Applicant **Danone Waters of North America, Inc.**
 Township Boggs Township, **Centre County**
 Responsible Official Shirley A. Bonsell, Quality Assurance Manager
 Type of Facility Bottled Water Plant
 Consulting Engineer Sweetland Engineering and Associates, Inc.
 Application Received Date January 11, 2001
 Description of Action Request to transfer permit covering 25,000 feet of transmission main between the Gamble Mill in Bellefonte and the Boggs Township bottling plant.

Application No. 4146292A10-T1. Minor Amendment.

Applicant **Danone Waters of North America, Inc.**
 Township Boggs Township, **Centre County**
 Responsible Official Shirley A. Bonsell, Quality Assurance Manager
 Type of Facility Bottled Water Plant
 Consulting Engineer Sweetland Engineering and Associates, Inc.

Application Received Date	January 11, 2001
Description of Action	Request to transfer permit covering 1,500 feet of transmission main from the Bellefonte Big Spring and the Gamble Mill in Bellefonte along with the Bellefonte Big Spring source.
Application No. 4146292A11-T1. Minor Amendment.	
Applicant	Danone Waters of North America, Inc.
Township	Boggs Township, Centre County
Responsible Official	Shirley A. Bonsell, Quality Assurance Manager
Type of Facility	Bottled Water Plant
Consulting Engineer	Sweetland Engineering and Associates, Inc.
Application Received Date	January 11, 2001
Description of Action	Request to transfer permit covering miscellaneous labels.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471.

New Applications Received

Environmental Transport Group, Inc., P. O. Box 296, Flanders, NJ 07836. Received on November 13, 2000.

Pet Memorial Services, Corp., 319 Westtown Road, Suite Q, Westchester, PA 19382. Received on December 7, 2000.

Municipal Waste General Permits

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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, Floor 14, 400 Market Street, Harrisburg, PA 17101-2301.

General Permit Application No. WMGM008. Moyer Packing Company, P. O. Box 395, Souderton, PA 18964-0395.

General Permit Number WMGM008 for the use of animal fat/vegetable oil as an alternative fuel at its facility located in Franconia Township, **Montgomery County**. This application was published in error under Previously Unpermitted Class of Special Handling Waste—Infectious or Chemotherapeutic Waste (see *Pennsylvania Bulletin*, Vol. 31, No. 1, January 6, 2001). This notice is being published to correct this error. The Department determined the application to be administratively complete on December 20, 2000.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits

and Beneficial Use Section, Division of Municipal and Residual waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. 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.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Request for Determination of Applicability 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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, Floor 14, 400 Market Street, Harrisburg, PA 17101-2301.

Permit No. WMGR046D001. Summit Anthracite, Inc., R. D.# 1—Vista Road, Box 12A, Klingertown, PA 17941.

General Permit Number WMGR046 authorizes the processing and beneficial use of the following wastes: drinking water treatment sludges, yard waste, bark ash, coal ash, agricultural residues, waste cardboard and paper, sludge generated by paper or pulp mills (SIC Code 2621 and 2611), waste from vegetable food processing, unused sands, and spent mushroom substrate. The processing is limited to separation, size reduction (grinding), mixing, windrow composting, static composting, and screening prior to beneficial use as manufactured soil or soil amendments.

The Department accepted the request as administratively complete on January 24, 2001.

AIR QUALITY

NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NONMAJOR SOURCES AND MODIFICATIONS

The Pennsylvania Department of Environmental Protection (DEP) has developed an "integrated" plan ap-

proval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for DEP, 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.

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities. Although the sources covered by these applications may be located at a major facility, the sources being installed or modified do not trigger major new source review or prevention of significant deterioration requirements.

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 DEP 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 DEP 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. Any comments or protests filed with DEP 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 DEP 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 below. 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.

OPERATING PERMITS

Notice of Intent to Issue Title V Operating Permits

Pursuant to 25 Pa. Code § 127.521 and § 127.424, notice is hereby given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V Operating Permits).

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management using

the appropriate Regional Office telephone number noted below. For additional information, contact the appropriate Regional Office noted below.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the Regional Office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

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 below. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

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

09-00015: Rohm and Haas Co. (100 PA Route 413, Bristol, PA 19007) in Bristol Township, **Bucks County**. The facility's major emission points include two boilers, two generators and various acrylate polymerization processes to produce emulsions, plastics, resins and coatings which emit major levels of volatile organic compounds (VOCs) and nitrogen oxides (NOx).

Applications Received and Intent to Issue Operating Permits Under the Air Pollution Control Act (35 P. S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).

Northeast Region: Air Quality Program, 2 Public Square, Wilkes Barre, PA 18711-0790, (570) 826-2531.

39-318-104: Acme Cryogenics, Inc. (P. O. Box 445, Allentown, PA 18105) for operation of two paint spray booths and associated air cleaning devices at 1 West Allen Street in Allentown, **Lehigh County**.

39-399-048: Acme Cryogenics, Inc. (P. O. Box 445, Allentown, PA 18105) for operation of a steel shot blast booth and associated air cleaning device at 1 West Allen Street in Allentown, **Lehigh County**.

35-302-098A: Community Central Energy Corp. (1220 North Washington Avenue, Scranton, PA 18509) for operation of a natural gas fired boiler in Scranton, **Lackawanna County**.

39-00046: Eastern Industries, Inc. (619 Schantz Road, Allentown, PA 18104) for the asphalt plant and associated air pollution control devices in Lower Macungie Township, **Lehigh County**.

40-00053: Barletta Materials and Construction (P. O. Box 10, Hazleton, PA 18201) for the hot mix asphalt plant and associated air pollution control devices in the City of Hazleton, **Luzerne County**.

40-00054: Barletta Materials and Construction (P. O. Box 10, Hazleton, PA 18201) for the sand and gravel plant, asphalt plant and associated air pollution control devices in Nescopeck Township, **Luzerne County**.

48-00047: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) for the hot mix asphalt plant and associated air pollution control devices in Upper Nazareth Township, **Northampton County**.

64-00006: Hanson Aggregates, Inc. (P. O. Box 127, Lake Ariel, PA 18436) for the asphalt plant and associated air pollution control devices in Lake Township, **Wayne County**.

35-00029: Mercy Hospital (746 Jefferson avenue, Scranton, PA 18501) for boilers and generators in city of Scranton, **Lackawanna County**.

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

33-125A: Energy Resources Inc.—Brockway Tipple (Route 219, Brockway, PA 15824) for operation of a portable crusher/screener in Snyder Township, **Jefferson County**.

37-399-005A: Kasgro Rail Car (320 East Cherry Street, New Castle, PA 16102) for operation of a dust collector in Taylor Township, **Lawrence County**.

37-023B: Orion Power Midwest LP (Route 168, New Castle, PA 16101) for operation of low NOx burners in Taylor Township, **Lawrence County**.

PLAN APPROVALS

Applications Received and Intent to Issue Plan Approvals Under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).

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

46-0024A: McNeil Consumer Healthcare (7050 Camp Hill Road, Fort Washington, PA 19034) for installation of three dust collectors in Whitmarsh Township, **Montgomery County**.

46-0060A: Norristown State Hospital DPW (1001 East Sterigere Street, Norristown, PA 19401) for installation of two Natural Gas No. 2 Oil Fired Boilers in Norristown Borough, **Montgomery County**.

23-0066A: Pyropure, Inc. t.a. Pyromet (5 Commerce Drive, Aston, PA 19014) for a minor amendment to three Crucible and three Rotary Furnaces in Chester Township, **Delaware County**.

09-0110A: Riverside Construction Materials (7900 Radcliffe Street, Bristol, PA 19007) for modification of cement handling in Bristol Township, **Bucks County**.

46-0037I: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) for modification of sources in Building 55 in Douglass Township, **Montgomery County**.

46-0037H: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) for modification of sources in Building 74 in Douglass Township, **Montgomery County**.

46-0037G: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) for modification of a boiler house in Douglass Township, **Montgomery County**.

46-0037F: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) for modification of sources in Building No. 47/101 in Douglass Township, **Montgomery County**.

46-0037E: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) for modification of sources in Building No. 49 in Douglass Township, **Montgomery County**.

46-0037D: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) for modification of sources in Building 19 in Douglass Township, **Montgomery County**.

09-0124B: S.W.E.C., LLC (USX Industrial Park, Fairless Hills, PA 19030) for installation of combined cycle combustion turbines in Falls Township, **Bucks County**.

15-0041: Eastern Shore Natural Gas Co. (604 Street Road, Cochranville, PA 19330) for construction of two (2) natural gas internal engines in Londonberry Township, **Chester County**.

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

06-05078D: F R & S, Inc. (727 Red Lane Road, Birdsboro, PA 19508) for construction of a municipal solid waste landfill expansion controlled by a gas collection system and enclosed ground flare in Exeter Township, **Berks County**. This source is subject to 40 CFR Part 60, Subpart M—National Emission Standard for Asbestos.

07-05023A: A. P. Green Refractories, Inc. (600 Grant Street, Pittsburgh, PA 15219) for installation of Kemco rotapactor crusher to be controlled by an existing fabric collector at their Sproul Plant in Greenfield Township, **Blair County**.

36-03099: Southdown, Inc. (P. O. Box 220, Thomasville, PA 17364) for installation of an additional dust collection system at their Paradise Plant in Paradise Township, **Lancaster County**.

67-05016D: R. H. Sheppard Co., Inc. (P. O. Box 877, Hanover, PA 17331-0877) for construction of two tundish ladles controlled by an existing fabric collector at Plant No. 7 in Hanover Borough, **York County**.

28-310-002G: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809) for installation of a 24" Telsmith 24FC cone crusher to the finishing plant for stone processing operations in Guilford Township, **Franklin County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4174.

63-00616A: Therm-O-Rock East, Inc. (P. O. Box 429, New Eagle, PA 15067) for operation of a Pneumatic Transfer System at Plant 1 in New Eagle Borough, **Washington County**.

63-0066A: Wheeling Pittsburgh Steel Corp. (1 Wheeling Pittsburgh Steel Drive, Allenport, PA 15412) for their cold finished steel products facility in Allenport Borough, **Washington County**. Wheeling Pittsburgh Steel is a major facility subject to Title V permitting requirements. The installation of the scrubber will result in a decrease of HCl emissions. The plan approval and

operating permit will contain conditions limiting HCl emissions and additional monitoring, testing, reporting, recordkeeping, and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

65-00938A: Amerikohl Mining, Inc.—Short Surface Mine (P. O. Box 427, Acme, PA 15601) for operation of a Portable Coal Crusher in Derry Township, **Westmoreland County**.

26-00488B: Laurel Aggregates, Inc.—Wymps Gap Quarry/Lake Lynn Quarry (P. O. Box 23, Gans, PA 15439) for operation of Crushing and Screening in Springhill Township, **Fayette County**.

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

NOTICE OF INTENT TO ISSUE A PLAN APPROVAL AND AMEND A TITLE V OPERATING PERMIT

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue two plan approvals to Advanced Cast Products (18700 Mill Street, Meadville, PA 16335), for the ductile iron foundry located in Vernon Township, Crawford County. The facility was issued a Title V permit No. TV-20-00040 on December 14, 1999. These plan approvals will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

Plan approval No. 20-0040C is for the construction of an induction holding furnace, a 9,000 pound transfer ladle, two 6,000 pound tundish/treatment ladles and associated ductwork and baghouse. The additions will result in an increase in production from 50,000 TPY to 60,000 TPY and increases in Potential PM-10, VOC, HAP, NOx, SOx, CO and lead emissions of 4.68 TPY, 3.96 TPY, 1.23 TPY 0.18 TPY, 1.06 TPY, 24.3 TPY, and 0.22 TPY, respectively. The PM-10 emissions from the outlet of the new baghouse will be limited to 0.10 gr/dscf, 0.82#/hr and 0.216TPY. The use of the baghouse at the above emission concentrations is considered BAT. The permit contains limitations pertaining to fugitive, odor, and visible emissions. The Plan Approval contains a 60,000-ton metal charged production limit. The Plan Approval and Operating Permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Plan approval No. 20-0040D is for the relocation of existing grinding stations, installation of a continuous shot blast machine, and installation of associated ductwork and baghouse. The changes will not result in increased emissions. The PM-10 emissions from the outlet of the new baghouse will be limited to 0.10 gr/dscf, 2.1 #/hr, and 0.187 TPY. The use of the baghouse at the above emission concentrations is considered BAT. The permit contains limitations pertaining to fugitive, odor, and visible emissions. The Plan Approval contains a 60,000-ton metal charged production limit. The Plan Approval and Operating Permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Con-

trol Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such 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 above 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 such certification.

Written comments or 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 below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. Such NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52, and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity, and pH. In addition to the above, 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 above-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

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

54851332R3. R.S. & W. Coal Company (R. R. 1 Box 36, Klingerstown, PA 17941), renewal of an existing anthracite underground mine operation in Norwegian

Township, **Schuylkill County**, affecting 2.1 acres, receiving stream—West Branch of Schuylkill River. Application received January 17, 2001.

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

26743202. Carbon Fuel Resources, Inc. (200 College Drive, Suite 300, Lemont Furnace, PA 15456). Application received to renew permit for continued operation and reclamation of a bituminous surface mine located in Dunbar and North Union Townships, **Fayette County**, affecting 113 acres. Receiving stream—Rankin Run. Application received January 16, 2001.

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

32900102. Mears Enterprises, Inc. (P. O. Box 157, Clymer, PA 15728), Permit renewal for reclamation only for continued restoration of a bituminous surface mine in Cherryhill Township, **Indiana County**, affecting 90.3 acres, receiving stream—Dixon Run, Buck Run, Two Lick Creek and an unnamed tributary to Dixon Run. Application received January 16, 2001.

Noncoal Applications Received

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

45900301C3. Haines & Kibblehouse, Inc., (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit #PA0595241 in Ross Township, **Monroe County**, receiving stream—Buckwha Creek. Application received January 11, 2001.

64900302C3. Ciccone Construction, Inc., (R. R. 2 Box 1575, Honesdale, PA 18431), renewal of NPDES Permit #PA0595047 in Palmyra Township, **Wayne County**, receiving stream—unnamed tributary to Middle Creek. Application received January 12, 2001.

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

31950301. Glass Bagging Enterprises, Inc. (P. O. Box 120, Duncansville, PA 16635), renewal of NPDES Permit #PA02113268 in Hopewell Township, **Huntingdon County**, receiving stream—unnamed tributaries to Shy Beaver Creek. Application received January 16, 2001.

32919391. John P. Shawley (R. R. 1, Box 93A, Saltsburg, PA 15681-9505), commencement, operation and restoration of bituminous surface mine in Conemaugh Township, **Indiana County**, affecting 85.4 acres, receiving stream—unnamed tributary to Big Run (CWF) to Blacklegs Creek (CWF) and Sulphur Run (CWF) to Kiskiminetas River. Application received January 10, 2001.

Noncoal Bond Release Applications

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

28960802. Machine Tool Rebuild Specialists, Inc., (8546 McClays Mill Road, Newburg, PA 17249), Stage I & II bond release of a small quarry operation in Lurgan Township, **Franklin County** affecting 1.8 acres for \$2,000 on property owned by Machine Tool Rebuild Specialists, Inc. Application received December 4, 2000.

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. 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 any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above 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 the hours of 8 a.m. and 4 p.m. on each working day at the office noted above 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

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

E15-657. West Bradford Township. To place and maintain, by directional drilling, six sanitary sewer force mains crossing Broad Run (EV), unnamed tributaries to Broad Run (EV), and an unnamed tributary to the West Branch of Brandywine Creek (WWF/MF) for the construction of a wastewater collection system for the Village of Marshallton and the proposed Tattersall Development located (Unionville, PA Quadrangle N: 12.9 inches; W: 10.95 inches) in West Bradford Township, **Chester County**.

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4700.

E67-695. Mark Burkhead, PennDOT 8-0, 2140 Herr Street, Harrisburg, PA 17103 in West Manchester and Dover Townships, **York County**, ACOE Baltimore District, (West York, PA Quadrangle N:12.4 inches; W:11.0 inches; and N:12.8 inches; W:10.9 inches respectively)

To (1) remove an existing culvert and to construct and maintain a 54-foot long reinforced concrete box culvert having a span of 7.0 feet and a rise of 5.0 feet in Honey Creek (TSF) on Emigs Mill Road (SR 4003); (2) extend an existing single span bridge having a clear span of 22.25 feet and an underclearance of about 9.0 feet over Honey Creek by 11.0 feet at its inlet on the south side of East Berlin Road (SR 0234); (3) place R-5 riprap revetment at the bridge's inlet abutment walls; and, (4) construct a temporary stream diversion and sandbag cofferdam to facilitate the construction of the culvert and bridge for the purpose of handling the increased traffic from the West Manchester Corporate Center located near the intersection of SR 4003 and SR 0234.

E36-702. Mark Burkhead, PennDOT 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Clay and West Cocalico Townships, **Lancaster County**, ACOE Baltimore District, (Womelsdorf, PA Quadrangle N:6.5 inches; W:7.0 inches).

To (1) replace and to construct and maintain nine corrugated metal pipes along SR 0897, (2) place wingwall rock protection and inlet/outlet maintenance to existing structure curb, headwalls and wingwalls across unnamed tributaries to Cocalico Creek located at the intersection of SR 0897 and SR 272 north to the county line on SR 0897 at various points.

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

E02-1330. Allegheny County Sanitary Authority. Allegheny County Sanitary Authority Wastewater Treatment Plant clarifier in the City of Pittsburgh, **Allegheny County**, ACOE Pittsburgh District, (Pittsburgh West, PA Quadrangle N: 19.2 inches; W: 6.6 inches). To construct and maintain a 141 foot diameter final clarifier with associated apertures and approximately 470 feet of sheet pile wall and bank slope protection along the right bank of the Ohio River (WWF). The project is located within the existing Allegheny County Sanitary Wastewater Treatment Plant at the end of Preble Avenue in the City of Pittsburgh.

E02-1332. Pennsylvania Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. Fort Pitt Bridge project in the City of Pittsburgh, **Allegheny County**, ACOE Pittsburgh District, (Pittsburgh West, PA Quadrangle N: 11.6 inches; W: 1.5 inches). To rehabilitate, operate and maintain the Fort Pitt Bridge spanning the Monongahela River (WWF) located on SR 0279, Section A06, just upstream from Point State Park.

E02-1178. Pasquale Construction Company, Inc., 802 Wenzell Avenue, Pittsburgh, PA 15216. Pasquale Construction Company, Inc. Culvert, in the City of Pittsburgh, **Allegheny County**, ACOE Pittsburgh District, (Pittsburgh West, PA Quadrangle N: 6.1 inches; W: 4.5 inches). To construct and maintain a 11.5 feet diameter corrugated metal pipe extension 100 feet to the upstream end of an existing culvert in Little Saw Mill Run (WWF) for the purpose of constructing a restaurant/commercial facility. The project is located on the east side of Banksville Road (Route 19) approximately 700 feet northeast of its intersection with Wenzell Avenue.

E03-393. Ronald Kepple, 151 Cornplanter Road, Sarver, PA 16055. Kepple Residence Bridge, in South Buffalo Township, **Armstrong County**, ACOE Pittsburgh District, (Worthington, PA Quadrangle N: 2.5 inches; W: 8.85 inches). To construct and maintain a single span bridge having a normal span of 25.0 feet and an

underclearance of 3.6 feet across Cornplanter Run (HQ-TSF) for the purpose of providing access to a proposed dwelling.

E03-395. Pennsylvania Department of Transportation, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701-0429. Pennsylvania Department of Transportation Bridge on S.R. 4007, Section 150, in Sugarcreek Township, **Armstrong County**, ACOE Pittsburgh District, (Chicora, PA Quadrangle N: 10.3 inches; W: 4.4 inches). To remove the existing structure and to construct and maintain an underclearance of 7.0 feet in Patterson Creek (HQ-TSF). The invert of the culvert will be depressed 1.0 feet. The project is located on S.R. 4007 approximately 1.5 miles south of Frogtown.

E04-275. PMAC, LTD., 4023 4th Avenue, Beaver Falls, PA 15010. PMAC Industrial Park in Big Beaver Borough, **Beaver County**, ACOE Pittsburgh District, (Beaver Falls, PA Quadrangle N: 13.3 inches; W: 9.5 inches). To place and maintain fill in 0.68 acre of wetlands (PEM) located within the Stockman Run (WWF) and Beaver River (WWF) watersheds for the purpose of developing PMAC Industrial Park, located on the Northeast side of the Route 18 exit of the Pennsylvania Turnpike (State Route 76).

E32-420-A1. Reliant Energy Mid-Atlantic Power Holdings, LLC, 1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907. Seward Power Plant Phase II & III Remediation Project, in East Wheatfield Township, **Indiana County**, ACOE Pittsburgh District (New Florence, PA Quadrangle N: 4.26 inches; W: 5.25 inches). To amend Permit No. E32-420 to include the remediation of existing abandoned coal refuse located along the Conemaugh River (WWF) for the purpose of creating a base for a future power plant expansion located off of Power Plant Road, approximately 2 miles from its intersection with Route 711. The proposed project will impact 0.30 acre of wetlands.

E56-303. Pennsylvania Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. Pennsylvania Department of Transportation Culvert on SR 0160, Section 014 in Stoneycreek Township, **Somerset County**, ACOE Pittsburgh District, (Central City, PA Quadrangle N: 1.9 inches; W: 14.7 inches). To remove the existing structure and to construct and maintain a reinforced concrete box culvert having a normal clear span of 15.0 feet and an invert of the culvert will be depressed 1.0 feet below the streambed. The project is located on SR 0160 near its intersection with Lake Shortcut Road (Township Road T-542).

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6945.

E20-494. Vernon Township, 16678 McMath Avenue, Meadville, PA 16335. Middle Road Across Watson Run, in Vernon Township, **Crawford County**, ACOE Pittsburgh District (Harmonsborg, PA Quadrangle N: 2.3 inches; W: 1.7 inches). To remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear, normal span of 33.5 feet and an average underclearance of 9 feet across Watson Run on T-487 (Middle Road) approximately 300 feet east of S.R. 4007.

E33-201. Borough of Brookville, Two Jefferson Court, Brookville, PA 15825. Aulenbaugh Run Flood Protection Project, in Brookville Borough, **Jefferson County**, ACOE Pittsburgh District (Brookville, PA Quad-

rangle N: 6.5 inches; W: 9.5 inches). To construct and maintain four metal trash racks in a tributary to North Fork Creek (Aulenbaugh Run) between Short Street and S.R. 968.

E37-136, City of New Castle, 230 North Jefferson Street, New Castle, PA 16101. North Hills Sanitary Sewer Diversion Project, in City of New Castle, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 0.75 inch; W: 14.65 inches). To install and maintain 10-inch and 16-inch diameter ductile iron pipe sanitary sewer siphon lines across the Shenango River approximately 350 feet upstream of the Grant Street Bridge.

ENVIRONMENTAL ASSESSMENTS

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

EA55-001CO. David Delbaugh, 34 Gale Road, Camp Hill, PA 17011 and Sydney Witmer, R.D. #1, Box 496B, Liverpool, PA 17045, Perry and Susquehanna Townships, **Snyder and Juniata Counties**, ACOE, Baltimore District. To remove the remains of the breached Meiser's Mill Dam across West Branch Mahantango Creek (TSF) for the purpose of restoring the stream channel. The dam is located approximately 1,300 feet northeast of the intersection of S.R. 2023 and T301 (Richfield, PA Quadrangle N: 3.6 inches; W: 0.7 inch).

D12-013EA. Emporium Water Company, R. R. 4, Box 488, Emporium, PA 15834, Shippen Township, **Cameron County**, ACOE, Baltimore District. To breach and remove the Picric Dam across Driftwood Branch Sinnemahoning Creek (TSF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 3,500 feet northwest of the intersection of State Route 120 and State Route 46 (Rich Valley, PA Quadrangle N: 3.25 inches; W: 0.80 inch).

ACTIONS

FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PROGRAM (NPDES)

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

Persons aggrieved by this 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, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717)

787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions under the Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

WQM Permit No. 1795408A41, Sewerage. **Bradford Township/Allan D Luzier**, Box 79, Woodland, PA 16881. Approval to construct a Bradford Township design 2-A surface water discharge sewage treatment facility. Located in Bradford Township, **Clearfield County**.

WQM Permit No. 1795408A42, Sewerage. **Bradford Township/Ray A Maines**, Box 79, Woodland, PA 16881. Approval to construct a Bradford Township design 2-A surface water discharge sewage treatment facility. Located in Bradford Township, **Clearfield County**.

WQM Permit No. 5500403, Sewerage. **Penn Township Municipal Authority**, 12 Clifford Road, Selinsgrove, PA 17870. Approval granted to construct and operate sanitary sewer service along Salem Road from Clifford Road to Walters Lane, approximately 1,700 feet of sewer. A new grinder pumping station at the intersection of Walters Lane and Salem Road. Project to serve 10 existing residence, located in Penn Township, **Snyder County**.

WQM Permit No. 1900407, Sewerage. **Ulderico Margani**, 1341 3rd Avenue, Berwick, PA 18606. Approval to construct and maintain a single residence sewage treatment system, located in Briar Creek Township, **Columbia County**.

WQM Permit No. 4100404, Sewerage. **Greg & Lauri Welteroth**, P. O. Box 265, Montoursville, PA 17754. Approval to construct and maintain a single residence sewage treatment system, located in Fairfield Township, **Lycoming County**.

WQM Permit No. 1400407, Sewerage. **Dayne & Carrie Brower**, 1827 Old 220 Road, Howard, PA 16841. Approval to construct and maintain a single residence sewage treatment system, located in Union Township, **Centre County**.

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

NPDES Permit No. PA0042561. Sewage. **Upper Stonycreek Joint Municipal Authority**, P. O. Box 24, Hooversville, PA 15936 is authorized to discharge from a facility located at Upper Stonycreek Joint Municipal Authority STP, Quemahoning Township, **Somerset County** to receiving waters named Stony Creek.

NPDES Permit No. PA0000434. Industrial. **Manor Township Joint Municipal Authority**, 2310 Pleasant View Drive, Ford City, PA 16226-1535 is authorized to discharge from a facility located at the Water Treatment Plant, Manor Township, **Armstrong County** to receiving waters named Allegheny River.

NPDES Permit No. PA0000906. Amendment No. 1. Industrial. **Westinghouse Electric Company, LLC** is authorized to discharge from a facility located at Waltz Mill Facility, Madison Borough, **Westmoreland County**, to receiving waters named unnamed tributary to Calleys Run and Sewickley Creek.

NPDES Permit No. PA0001732. Industrial. **Freeport Brick Company**, Drawer F (Mill Street), Freeport, PA

16229-0306 is authorized to discharge from a facility located at Freeport Brick Mine, South Buffalo Township, **Armstrong County** to receiving waters named Buffalo Creek.

Permit No. 0400202. Industrial Waste. **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001. Construction of Industrial Water Treatment Plant located in the City of Aliquippa, **Beaver County** to serve Aliquippa Water Treatment Facility.

NPDES Permit No. PA0096971. Industrial. **West Carroll Township Water and Sewer Authority**, P. O. Box 328, Elmora, PA 15737-0374 is authorized to discharge from a facility located at Bakerton Water Treatment Plant, West Carroll Township, **Cambria County** to receiving waters named Tributary to West Branch Susquehanna River.

NPDES Permit No. PA0204145. Industrial. **Guttman Oil Company**, 200 Speers Street, Belle Vernon, PA 15012 is authorized to discharge from a facility located at Speers Borough, **Washington County** to receiving waters named the Monongahela River.

NPDES Permit No. PA0217484. Industrial. **Consolidated Truck Stops, Inc.**, P. O. Box 487, Claysville, PA 15323 is authorized to discharge from a facility located at Interstate 70—Exit 2 Truck Stop, Donegal Township, **Washington County** to receiving waters named Dutch Fork.

NPDES Permit No. PA0218278. Industrial. **Westinghouse Plasma Center**, P. O. Box 410, Madison, PA 15663-0410 is authorized to discharge from a facility located at Westinghouse Waltz Mill Site-Plasma Center, Madison Borough, **Westmoreland County** to receiving waters named unnamed tributary of Calleys Run (Outfall 001), Calleys Run (Outfall 002) (Colloquial name).

NPDES Permit No. PA0218511. Industrial Waste. **Municipal Water Authority of Aliquippa**, 160

Hopewell Avenue, Aliquippa, PA 15001 is authorized to discharge from a facility located at the Aliquippa Water Filtration Plant, Aliquippa Borough, **Beaver County** to receiving waters named Logstown Run.

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

WQM Permit No. 2700402, Sewerage. **Carl R. Schwing**, 154 Star Route, Sheffield, PA 16347.

WQM Permit No. 4300416, Sewerage. **Robert H. Jama**, 777 East Lake Road, Transfer, PA 16154.

WQM Permit No. 4300417, Sewerage. **Dean C. Gosnell**, 53 Werner Road, Greenville, PA 16125.

NPDES STORMWATER INDIVIDUAL PERMITS

(PAS)

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

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under 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). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10A114	Pennsylvania Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Allegheny Etna Borough Aspinwall Borough Fox Chapel Borough Sharpsburg Borough O'Hara Township Shaler Township City of Pittsburgh	Pine Creek (TSF) Squaw Run (HQ-WWF)

<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS108300	Norfolk Southern Railway Company 600 West Peachtree Street Ste 1840 Atlanta, GA 30308	Allegheny County Aspinwall Borough Avalon Borough Bellevue Borough Ben Avon Borough Blawnox Borough Brackenridge Borough Cheswick Borough East Deer Township Emsworth Borough Etna Borough Glenfield Borough Harmar Township Harrison Township Haysville Borough Kilbuck Township Leet Township Leetsdale Borough Millvale Borough O'Hara Township Osbourne Borough Pittsburgh City Reserve Township Sewickley Borough Shaler Township Sharpsburg Borough Springdale Borough Tarentum Borough	Allegheny River (WWF) Bailey Run (WWF) Big Sewickley Creek (TSF) Bull Creek (WWF) Campbell Run (WWF) Crawford Run (WWF) Deer Creek (WWF) Guys Run (WWF) Jacks Run (WWF) Kilbuck Run (CWF) Little Sewickley Creek (HQ-TSF) Lowries Creek (WWF) Ohio River (WWF) Pine Creek (TSF) Powers Run (WWF) Riddle Run (WWF) Spruce Run (WW F) Squaw Run (HQ-WWF) Tawney Run (WWF) Toms Run (WWF) Tributary to Allegheny River (WWF) Tributary to Ohio River (WWF)
PAS108300	Norfolk Southern Railway Company 600 West Peachtree Street Ste 1840 Atlanta, GA 30308	Armstrong County Freeport Borough Kiskiminetas Township South Buffalo Township	Allegheny River (WWF) Buffalo Creek (WWF) Kiskiminetas River (WWF) Long Run (WWF)
PAS108300	Norfolk Southern Railway Company 600 West Peachtree Street Ste 1840 Atlanta, GA 30308	Beaver County Ambridge Borough Baden Borough Conway Borough Daugherty Township East Rochester Borough Eastvale Borough Economy Borough Freedom Borough Harmony Township New Brighton Borough North Sewickley Township Rochester Borough Rochester Township	Beaver River (WWF) Bennett Run (WWF) Blockhouse Run (WWF) Crows Run (WWF) Dutchman Run (WWF) Lacock Run (WWF) Legionville Run (WWF) McKinley Run (WWF) Ohio River (WWF) Thompson Run (WWF) Tributary to Beaver River (WWF) Tributary to Ohio River (WWF)

<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS108300	Norfolk Southern Railway Company 600 West Peachtree Street Ste 1840 Atlanta, GA 30308	Cambria County Cassandra Borough Cresson Borough Croyle Township East Conemaugh Township East Taylor Township Gallitzin Borough Johnstown City Lilly Borough Lower Yoder Township Portage Township Sankertown Borough South Fork Borough Summerhill Township Tunnelhill Borough Washington Township Wilmore Borough	Bradley Run (CWF) Little Conemaugh River (CWF) North Branch Little Conemaugh River (CWF) Spring Run (CWF) St. Clair Run (CWF) Tributary to Bradley Run (CWF) Tributary to Clearfield Creek (CWF) Tributary to Little Conemaugh River (CWF) Trout Run (CWF)
PAS108300	Norfolk Southern Railway Company 600 West Peachtree Street Ste 1840 Atlanta, GA 30308	Indiana County Burrell Township Conemaugh Township White Township West Wheatfield Township	Blacklegs Creek (CWF) Conemaugh River (WWF) Conemaugh River/Lake (WWF) Elders Run (CWF) Kiskiminetas River (WWF) Roaring Run (CWF) Sulphur Run (CWF) Toms Run (CWF) Tributary to Blacklegs Creek (CWF) Tributary to Conemaugh River (CWF) Tributary to Kiskiminetas River (WWF)
PAS108300	Norfolk Southern Railway Company 600 West Peachtree Street Ste 1840 Atlanta, GA 30308	Westmoreland County Allegheny Township Bell Township Derry Township East Vandergrift Borough Fairfield Township Hyde Park Borough New Florence Borough Oklahoma Borough Seward Borough St. Clair Township Vandergrift Borough Washington Township West Leechburg Borough	Allegheny River (WWF) Baldwin Run (HQ-CWF) Beaver Run (TSF) Big Spring Run (CWF) Conemaugh River (WWF) Conemaugh River/Lake (WWF) Kiskiminetas River (WWF) Penn Run (WWF) Pine Run (WWF) Tributary to Conemaugh River (CWF) Tributary to Conemaugh River/Spruce Run (HQ-CWF) Tributary to Kiskiminetas River (WWF) Walford Run (WWF)

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent (NOIs) 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.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.24.

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
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
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 & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lehigh County Upper Saucon Township	PAR10Q149	Southern Lehigh School Dist. John Helwig, III 5775 Main St. Center Valley, PA 18034	Saucon Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Centre County Patton Township	PAR10F132	State College Wal Mart Expansion Temple Family Partnership Wal Mart Inc 2001 SE 10th St. Bentonville, AR 72712	Unt. Spring Creek CWF	Centre Conservation CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Columbia County Scott & Orange Twps	PAR102146	Brentwood Estates Forgarty Custom Built Homes 750 US Hwy 15 S. Lewisburg, PA 17837	Fishing Creek CWF	Columbia County CD 702 Sawmill Rd. Suite 105 Bloomsburg, PA 17815 (570) 784-1310

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lackawanna County Archbald Borough	PAR802241	General Dynamics Land Systems 175 East St. Eynon, PA 18403-1319	Wildcat (Tinklepaugh) Creek	DEP NERO Water Mgmt. 2 Public Sq. Wilkes-Barre, PA 18711
Northampton County Palmer Township	PAR212223	Frank Casilio & Sons, Inc. (Easton Plant) 1035 Mauch Chunk Rd. Bethlehem, PA 18016	Lehigh River WWF	DEP NERO Water Mgmt. 2 Public Sq. Wilkes-Barre, PA 18711

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lycoming County Muncy Township	PAG044862	Gregory L Gilbert 181 Worthington Ln. Pennsdale, PA 17756	10-D	Northcentral Regional Office (570) 327-3666
Tioga County Brookfield Township	PAG044881	Joseph Cochran R. D. 4 Box 140 Westfield, PA 16950	4-A	Northcentral Regional Office (570) 327-3666

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Centre County Union Township	PAG045109	Dayne & Carrie Brower 1827 Old 220 Rd. Howard, PA 16841		Northcentral Regional Office (570) 327-3666
Lycoming County Fairfield Township	PAG045107	Greg Welteroth 1062 Brushy Ridge Rd Montoursville, PA 17754	10-D	Northcentral Regional Office (570) 327-3666
Tioga County Richmond Township	PAG044904	Thomas Fahsbener R. D. 1 Box 513 Mansfield, PA 16933	4-A	Northcentral Regional Office (570) 327-3666
Clearfield County Bradford Township	PAG045111	Ray A Maines R. R. 1 Box 165 Woodland, PA 16881	8-C	Northcentral Regional Office (570) 327-3666
Clearfield County Bradford Township	PAG045110	Allan D Luzier R. R. 1, Box 299C Clearfield, PA 16830		Northcentral Regional Office (570) 327-3666
Columbia County Briar Creek Township	PAG045108	Ulderico Margani 1341 3rd Avenue Berwick, PA 18606	5-D	Northcentral Regional Office (570) 327-3666
Pymatuning Township Mercer County	PAG048705	Robert H. Jama 777 East Lake Road Transfer, PA 16154	Tributary Shenango Reservoir	DEP NWRO Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Sugar Grove Township Mercer County	PAG048706	Dean C. Gosnell 53 Werner Road Greenville, PA 16125	Tributary Little Shenango River	DEP NWRO Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Howe Township Forest County	PAG048704	Carl R. Schwing 154 Star Route Sheffield, PA 16347	Unnamed Spring Run Discharging into Tionesta Creek	DEP NWRO Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-5</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
O'Shell's Service Station PA State Rt. 53 Irvona, PA 16656 Irvona Borough Clearfield County	PA054819	Arnold O'Shell P. O. Box 156 Irvona, PA 16656	Clearfield Creek	Northcentral Regional Office Environmental Cleanup 208 W. Third St., Ste 101 Williamsport, PA 17701-6448 (570) 321-6525

SAFE DRINKING WATER

Actions taken 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, (570) 826-2511.

Permit No. 4500506, Public Water Supply.

Applicant: Stillwater Lakes Water Corporation, P. O. Box 786, Pocono Summit, PA 18346. Borough or Township: Coolbaugh Township. County: Monroe

County. *Type of Facility: Public Water Supply. Consulting Engineer: Russel D. Scott. Permit to Construct Issued: January 3, 2001.*

Permit No. 4500504, Public Water Supply.

Applicant: Pocono Manor Inn, P. O. Box 158, Pocono Manor, PA 18349. Borough or Township: Pocono Township. County: Monroe County. Type of Facility: Public Water Supply. Consulting Engineer: John A. Miller. Permit to Construct Issued: January 3, 2001.

Operations Permit 2520042 issued to: Mr. Irvin H. Peifer, Peifer & Gross Inc., PO Box 506, Elizabethtown, PA 17022, Rustic Acres Mobile Home Park, Green Township, Pike County on January 4, 2001.

Operations Permit 3390089 issued to: Hometown Li'l Wolf L.L.C., 150 North Wacker Drive, Suite 700, Chicago, IL, 60606, Li'l Wolf Mobile Home Park, North Whitehall Township, Lehigh County on December 27, 2000.

Operations Permit 3480046 issued to: Bethlehem Authority, 10 East Church Street, Bethlehem, PA 18018, Lehigh Township, Northampton County on December 14, 2000.

Operations Permit 2580023 issued to: PAWC, 800 West Hersheypark Drive, Hershey, PA 17033, Montrose Water Treatment Plant, Bridgewater Township, Susquehanna County on December 13, 2000.

Permit Minor Amendment. Public Water Supply.

Applicant: Harold Pudliner, Borough of Weatherly, 10 Wilbur St, Weatherly, PA 18255. Borough or Township: Weatherly Borough. County: Carbon County. Type of Facility: Public Water Supply. Consulting Engineer: Richard B. Kresge, Jr., Quad Three Group, Inc. Permit to Construct Issued: January 8, 2001.

Permit Minor Amendment. Public Water Supply.

Applicant: Lehigh Township Municipa Authority, 1069 Municipal Road, Walnutport, PA 18088. Borough or Township: Lehigh Township. County: Northampton. Type of Facility: Public Water Supply. Consulting Engineer: Spotts, Stephens & McCoy. Permit to Operate Issued: January 8, 2001.

Permit Minor Amendment. Public Water Supply.

Applicant: Wesley W. Valkenburg, Wallenpaupack Lake Estates Property Owners Association, 100 Wallenpaupack Lake Estates, Lake Ariel, PA 18436. Borough or Township: Paupack Township. County: Wayne. Type of Facility: Public Water Supply. Consulting Engineer: Frederick C. Spotts and Associates, Inc. Permit to Operate Issued: December 17,2000.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Kidder Township	P. O. Box 576 Lake Harmony, PA 18624	Carbon

Plan Description: The Plan provides for Kidder Township to purchase the existing Split Rock treatment plant from Summit Management Utilities, Inc., and expand/upgrade the treatment facility, and construct a sewage collection system to serve portions of the Split Rock/Lake Harmony area that presently utilize on-lot sewage disposal. The permitted capacity of the treatment plant will be increased to 0.400 MGD, from its present capacity of 0.150 MGD. The receiving stream is Shingle Mill Run. The plan includes an arrangement to provide for a portion of the effluent from the treatment plant to be seasonally land-applied at the Split Rock Golf Course. The owner of the golf course will secure the necessary permits for and own and operate the golf course spray

irrigation system. The plan also provides for Kidder Township to implement an on-lot sewage management program in remaining areas of the Township.

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

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mount Wolf Borough	345 Chestnut St Mt.Wolf, PA 17347	York County

Plan Description: The approved plan provides for the replacement of a sanitary sewer interceptor, currently 12 and 15 inch lines, from Maple Street to the Northeastern York County Sewer Authority Wastewater Treatment Plant with 14, 18, and 21 inch sewer lines. The capacity of the interceptor is expected to increase from 1.95 MGD to 8.40 MGD. The project area is located along Chestnut Street in Mount Wolf Borough, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Spring Garden Township	558 S. Ogontz St, York, PA 17403	York County

Plan Description: The approved plan provides for an extension of public sewer to 176 existing residential lots on 230 acres with total estimated sewage flows of 63,000 gpd to be tributary to the York City Waste Water Treatment Plant. The project area is located in the existing Wyndam Hills development approximately 1.63 miles south and 0.30 miles west of the Market Street and George Street intersection in Spring Garden Township, York County.

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

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hollidaysburg Borough	401 Blair Street Hollidaysburg, PA 16648	Blair

Plan Description: The approved Act 537 Special Study, approved on January 8, 2001, provides for the replacement and enlargement of the Brush Run Interceptor in Hollidaysburg Borough, Blair County. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Snyder Township	R. R. #3, Box 119 Tyrone, PA 16686	Blair

Plan Description: The approved plan provides for a revision to the Official Sewage Plan of Snyder Township, Blair County, approved January 16, 2001. Project involves construction of a small flow sewage treatment facility to serve a proposed single-family dwelling, the Alfred Peterman single residence STP, located .5 mile west of Decker Hollow Road on the right side of Woods Road, in Snyder Township, Blair County. Treatment effluent is to be discharged to an unnamed stream of Decker Hollow Run. Any required NPDES Permits or WQM Permits must be obtained in the name of the property owner 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 non-residential 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, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under 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:

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

Cole Office Environments, Springettsbury Township, **York County**. ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 on behalf of Cresticon, Inc., 21240 Burbank Boulevard, Woodland Hills, CA 91637 and Litton Systems, 185 Ridgedale Avenue, Cedar Knolls, NJ 07927-1812, has submitted a combined remedial investigation/final report concerning remediation of site soils contaminated with solvents. The report is intended to document remediation of the site to a combination of the Statewide health and site specific standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, 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 Land Recycling and Environmental Remediation Standards Act. 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. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. 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 non-residential 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. 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, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under 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 final reports:

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

Moen of Pennsylvania, Pine Grove Township, **Schuylkill County**. ENSR, 35 Nagog Park, Acton, MA 01720 submitted a Final Report (on behalf of its client, Moen of PA, Rt. 645 and Roberts Road, Pine Grove, PA 17963-0098) concerning the characterization and/or remediation of site soils, groundwater, surface water, and sediments found or suspected to have been contaminated with solvents (chlorinated volatile organic compounds). The report documented attainment of the site-specific standard and was approved on January 9, 2001.

PPL Electric Utilities Corporation—Former Honesdale Manufactured Gas Plant, Honesdale Borough, **Wayne County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA, 18101-1179 submitted a Final Report concerning the characterization and/or remediation of site soils and groundwater found or suspected to have been contaminated with polycyclic aromatic hydrocarbons and BTEX (benzene, toluene, ethylbenzene and xylene) compounds. The report demonstrated attainment of the site-specific standard, and was approved on January 4, 2001.

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

Cole Office Environments, Springettsbury Township, **York County**. ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047

on behalf of Cresticon, Inc., 21240 Burbank Boulevard, Woodland Hills, CA 91637 and Litton Systems, 185 Ridgedale Avenue, Cedar Knolls, NJ 07927-1812, submitted a combined remedial investigation/final report concerning remediation of site soils contaminated with solvents. The final report demonstrated attainment of the Statewide health and site-specific standards, and was approved by the Department on December 14, 2000.

Ramon Rivera Residence, Borough of Carlisle, **Cumberland County**. Restoration Network, 900 Big Mount Road, Thomasville, PA 17364 on behalf of Ramon Rivera, 125 East Hillcrest Drive, Carlisle, PA 17013; Edmill Fuels, Inc., 1035 Longs Gap Road, Carlisle, PA 17013; and Action Environmental, Suite F, 2848 I-85 South, Charlotte, NC 28208, submitted a final report concerning the remediation of site soils contaminated with BTEX and PAHs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on January 17, 2001.

PPL Distribution Pole 40449S26363 (Site 116), City of Lancaster, **Lancaster County**. PPL Generation LLC, Two North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on January 19, 2001.

PPL Distribution Pole 21180S33244 (Site 124), Hampden Township, **Cumberland County**. PPL Generation LLC, Two North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on January 22, 2001.

PPL Distribution Pole 25017S33555 (Site 74), City of Harrisburg, **Dauphin County**. PPL Generation LLC, Two North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on January 22, 2001.

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

Tops Markets, Inc., City of Bradford, **McKean County**. Raymond F. LaPort, of GZA Geo Environmental, 364 Nagel Drive, Buffalo, NY on behalf of Tops Markets, Inc., 6363 Main St., Amherst, NY 14221, has submitted a Baseline Environmental Report concerning the remediation of site soils and groundwater contaminated with lead, heavy metals, solvents, BTEX and PAHs. The report was approved. The report demonstrated attainment of the site specific standard and was approved by the Department on January 17, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE

Hazardous Waste Transporter License issued, renewed or amended under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

HAZARDOUS WASTE TRANSPORTER LICENSE RENEWED

Autumn Industries, Inc., 518 Perkins-Jones Road, Warren, OH 44483. **License No. PA-AH 0267**. Effective January 2, 2001.

DTC Environmental Services, Inc., 2450 Congo Road, Newell, WV 26050. **License No. PA-AH 0612**. Effective January 17, 2001.

H.M.H.T.T.C. Response Team, Inc., P. O. Box 5215, Parsippany, NY 07054. **License No. PA-AH 0554**. Effective January 5, 2001.

Ross Transportation Services, Inc., 36790 Giles Road, Grafton, OH 44044. **License No. PA-AH 0133**. Effective January 17, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE AMENDED

Eco-Tron Transportation, Inc., 1906 Perry Drive, S.W., Canton, OH 44706. **License No. PA-AH 0393**. Effective January 11, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE

Hazardous Waste Transporter License voluntarily terminated or expired under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

HAZARDOUS WASTE TRANSPORTER LICENSE EXPIRED

Ferrick Construction Co., Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. **License No. PA-AH 0473**. Effective January 2, 2001.

Gulf Coast Vacuum Services, Inc., P. O. Box 2504, Pearland, TX 77588-2504. **License No. PA-AH 0606**. Effective January 2, 2001.

Lincoln Environmental, Inc., 333 Washington Highway, Smithfield, RI 02917. **License No. PA-AH S024**. Effective January 2, 2001.

Secure Environmental Transporters, Inc., 2307 Russenberger Road, Little Rock, AR 72206. **License No. PA-AH 0607**. Effective January 2, 2001.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Infectious and Chemotherapeutic Waste Transporter License issued, renewed or amended under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE ISSUED

Environmental Transport Group, Inc., P. O. Box 296, Flanders, NJ 07836. **License No. PA-HC 0023**. Effective December 18, 2000.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE RENEWED

Pet Memorial Services, Corp., 319 Westtown Road, Suite Q, West Chester, PA 19382. **License No. PA-HC 0195**. Effective January 3, 2001.

AIR QUALITY

General Plan Approval and Operating Permit usage authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

AQ-SE-0014: Haines & Kibblehouse, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) on January 17, 2001 for a Portable Crushing Plant in Hilltown Township, **Bucks County**.

Administrative Operating Permit Amendments issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450 (relating to administrative operating permit amendments).

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6000.

15-0014A: Saint Gobain Performance Plastics Corp. (57 Morehall Road, Frazer, PA 19355) on January 12, 2001, for Facility VOC/NOx RACT in East Whiteland Township, **Chester County**.

09-320-042: Webcraft Inc. (181 Rittenhouse Circle, Bristol, PA 19007) on January 12, 2001, for Lithographic Printing Press in Bristol Township, **Bucks County**.

46-0018A: Brown Printing Co. (668 Gravel Pike, East Greenville, PA 18041) on January 18, 2001, for Facility VOC/NOx RACT in Upper Hanover Township, **Montgomery County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

65-00207: OMNOVA Solutions, Inc. (OMNOVA Solutions, Inc., Chambers Avenue, Jeanette, PA 15644) in Jeannette, **Westmoreland County** has been administratively amended to correct the Title V Operating Permit expiration date to February 01, 2005.

De Minimis increases approved under 25 Pa. Code § 127.449 (relating to de minimis emission increases).

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

65-00163: Torrance State Hospital (P. O. Box 111, Torrance, PA 15719) for a de minimis emission increase due to the installation of the following emergency power generators: 50 KW Katolight D50FPJ4; 50 KW Onan DGBC 3381202; 50 KW Katolight D50FPJ4; 200 KW Onan DGFC 4478873 and 150 KW Onan DGFA 3381230 in Derry Township, **Westmoreland County**.

Minor Operating Permit Minor Modifications issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

55-00002: Department of Public Welfare—Selinsgrove Center (Box 500, Selinsgrove, PA 17870) issued a revised Title V Operating Permit on January 9, 2001, as a Minor Modification of the permit to extend the compliance dates necessary for Selinsgrove Center to

install and operate emissions control equipment on three coal-fired utility boilers in Penn Township, **Snyder County**.

41-00008: Sunoco Inc. (R&M) (1801 Market Street—26/10 PC, Philadelphia, PA 19103-1699) issued a revised Title V Operating Permit on November 20, 2000, as a Minor Modification of the permit to extend the stack test dates for the Vapor Recovery Unit in Loyalsock Township, **Lycoming County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6945.

62-00017: United Refining Co.—Warren (P. O. Box 780, Warren, PA 16365) in Warren Township, **Warren County**, intends to modify the Title V Operating Permit issued December 26, 2000, for inclusion of conditions from plan approval 62-312-014A (the installation of the Vapor Combustion Unit). Plan Approval 62-312-014A conditions are as follows:

1. This source is subject to 25 Pa. Code § 129.62 pertaining to the general standards for bulk gasoline terminals, bulk gasoline plants, and small gasoline storage tanks.

2. This source is subject to Subpart CC of the Standards of the National Emission Standards for Hazardous Air Pollutants and shall comply with all applicable requirements of this Subpart.

3. The flare is subject to Subpart J of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart.

4. The owner or operator of the loading racks shall comply with the requirements in 40 CFR 60.502 except for paragraphs (b), (c), and (j) of that section.

5. The emissions to the atmosphere from the vapor collection and processing systems due to the loading of gasoline cargo tanks shall not exceed 10 milligrams of total organic compounds (TOC) per liter of gasoline loaded. (The definition of TOC in 40 CFR 63.641 excludes methane and ethane).

6. The H₂S content in the fuel gas (as defined in 40 CFR 60.101) combusted in the flare shall not exceed 0.10 gr/dscf.

7. The owner or operator of the bulk gasoline terminal shall keep records in accordance with 40 CFR 63.428(b), (c), (g)(1), & (h).

8. The emissions from the bulk gasoline terminal shall not exceed the following (as proposed in the application):

Pollutant	emission rate in #/hr	emission rate (TPY)
Particulate	0.64	2.8
Sox	0.81	0.76
NOx	7.5	15.4
CO	18.8	38.4
VOC	18.8	38.4

9. The loading racks shall not process more than 225,000 gallons per hour and 21,900,000 barrels per year (based on a 12-month rolling total) as stated in the application.

10. The vapor combustion unit shall be designed in accordance with the provisions of 40 CFR 63.11(b) pertaining to the design of flares.

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

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4700.

05-05006: Columbia Gas Transmission Corp. (1700 MacCorkle Avenue SE, Charleston, WV 25325) on January 16, 2001, for a Title V Operating Permit—Revision 1 in Mann Township, **Bedford County**.

06-03005: Morton International, Inc. (150 Columbia Street, P. O. Box 15209, Reading, PA 15209) on January 15, 2001, for a Natural Minor Operating Permit in City of Reading, **Berks County**.

06-05019: Hofmann Industries, Inc. (P. O. Box 2147, Sinking Spring, PA 19608) on January 19, 2001, for a Synthetic Minor Operating Permit in Sinking Spring, **Berks County**.

06-05088: EJB Paving & Materials Company (1119 Snyder Road, West Lawn, PA 19612) on January 15, 2001, for a Synthetic Minor Operating Permit in Ontelaunee Township, **Berks County**.

21-05044: Dairy Farmers of America, Inc. (4825 Old Gettysburg Road, Mechanicsburg, PA 17055) on January 19, 2001, for a Synthetic Minor Operation Permit in Lower Allen Township, **Cumberland County**.

67-05043: Crown Cork & Seal Company, Inc. (1650 Broadway, Hanover, PA 17331) on January 16, 2001, for a Title V Operating Permit—Revision 2 in Penn Township, **York County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

59-00004: Ward Manufacturing, Inc. (115 Gulick Street, Blossburg, PA 16912) on January 8, 2001, for operation of their iron foundry facility, which includes a large iron melting cupola, sand handling equipment, natural gas fired ovens, product handling, sanding and grinding operations, conveying equipment, and small combustion sources in Blossburg Borough, **Tioga County**.

18-00002: International Paper—Lock Haven Mill (1801 Market Street, 26/10 PC Philadelphia, PA 19103-1699) on January 5, 2001, for operation of their paper production facility which includes two large bituminous/TDF fired boilers, a bleach plant, an onsite landfill, wastewater treatment facility, and starch conveying equipment in Castanea Township, **Clinton County**.

60-00008: Pennsylvania House—Lewisburg (137 North Tenth Street, Lewisburg, PA 17837) on December 27, 2000, for their wood furniture manufacturing facility that includes surface coating operations, five boilers, an incinerator and various woodworking operations in East Buffalo Township, **Union County**.

60-00009: Pennsylvania House—White Deer (137 North Tenth Street, Lewisburg, PA 17837) on December 27, 2000, for wood furniture manufacturing facility that includes surface coating operations and various woodworking operations in White Deer Township, **Union County**.

49-00013: Foster Wheeler Mt. Carmel, Inc. Greenhouse (P. O. Box 490-D, Marion Heights Road, Marion Heights, PA 17832-0490) on January 18, 2001, for their greenhouse facility that includes two # 2 fuel oil/natural gas/propane-fired boilers in Mt. Carmel Township, **Northumberland County**.

41-00022: The Hon Co. (1201 West Third Street, Williamsport, PA 17701) on December 29, 2000, for their wood office furniture manufacturing facility that includes nine spray booths, cleanup and washoff operations, gluing operations, wood milling and sanding operations, and combustion sources in Williamsport, **Lycoming County**.

59-00003: Osram Sylvania Products, Inc. (1 Jackson Street, Wellsboro, PA 16901) on January 12, 2001, for their incandescent light bulb facility that includes a regenerative glass furnace, associated manufacturing processes and natural gas-fired processes, bulk material handling operations, a ceramic coating process, a chrome plating operation and solvent processes in Wellsboro Borough, **Tioga County**.

49-00005: Hoeganaes Corp. (River Road and Taylors Lane, Cinnaminson, NJ 08077) on January 19, 2001, for their primary metal products manufacturing facility that includes metal powder blending and bonding operations, metal powder coating operations, metal powder manufacturing operations and combustion units in Delaware Township, **Northumberland County**.

49-00001: Foster Wheeler Mt. Carmel, Inc. Cogen (P. O. Box 490-D, Marion Heights Road, Marion Heights, PA 17832-0490) on January 18, 2001, for their cogeneration facility (Cogen) and associated culm processing plant that includes a circulating fluidized bed culm-fired boiler (Cogen), associated flyash and material handling systems, storage silos, culm crushing/conveying equipment and combustion sources in Mount Carmel Township, **Northumberland County**.

49-00024: Celotex Corp. (1400 Susquehanna Avenue, Sunbury, PA 17801) on December 11, 2000, for their fiberboard manufacturing facility which includes two steam boilers, a fiberboard production process and a fiberboard dryer in Sunbury Borough, **Northumberland County**.

18-00011: Croda Inc. (P. O. Box 178, Mill Hall, PA 17751-0178) on January 2, 2001, for their synthesized organic chemical intermediates manufacturing facility which includes natural gas/# 2 oil fired boilers and heaters, a super refined oils process and reactor room processes producing chemical intermediates for the personal care, household, pharmaceutical and manufacturing industries in Bald Eagle Township, **Clinton County**.

41-00005: Textron Lycoming (652 Oliver Street, Williamsport, PA 17701) on January 12, 2001, for their aircraft engine manufacturing and rework facility which includes engine testing, spray booth painting of engines and degreasing of engine parts in Williamsport Borough, **Lycoming County**.

60-00005: Yorktowne, Inc. (8th and Walnut Streets, Mifflinburg, PA 17844) on January 12, 2001, for their wood kitchen cabinet manufacturing facility (8th & Walnut Street plant and 10th Street plant, Industrial Park plant) which includes three wood fired boilers, a # 2 fuel oil fired boiler, three # 2 fuel oil fired heaters and a wood coating operation in Mifflinburg Borough, **Union County**.

19-00006: Heinz Pet Products (6670 Low Street, Bloomsburg, PA 17815) on December 1, 2000, for their dog and cat food manufacturing facility that includes five natural gas/# 6 and # 2 fuel oil fired boilers, a scrap meat storage operation, a wastewater treatment operation and combustion sources in South Centre Township, **Columbia County**.

18-00009: Clinton County Solid Waste Authority (P. O. Box 209, SR 1005, Landfill Lane, McElhatten, PA 17748) January 9, 2001, for a municipal solid waste landfill that includes a landfill-gas fired flare, dirt screening operation, diesel-engine powered equipment and small combustion sources in Wayne Township, **Clinton County**.

41-00002: Koppers Industries Inc. Cogen, (P. O. Box 189, Montgomery, PA 17752) on January 9, 2001, for a cogeneration plant that includes a creosoted wood waste fired boiler, small combustion sources and a gasoline engine powered pump in Clinton Township, **Lycoming County**.

41-00019: Grumman Olson Industries (914 Saeger Station Road, Montgomery, PA 17752) on December 8, 2000, for a truck and van body manufacturing facility that includes truck and van body assembly operations, surface coating operations, cleanup operations, small combustion sources and diesel-engine powered equipment in Clinton Township, **Lycoming County**.

41-00025: Lycoming County Resource Management Services (P. O. Box 187, Montgomery, PA 17752) on January 8, 2001, for a municipal solid waste landfill that includes a landfill-gas fired cogeneration plant and flares, stone crushing operations, diesel-engine powered equipment and small combustion sources in Brady Township, **Lycoming County**.

59-00001: Westfield Tanning Co. (360 Church Street, Westfield, PA 16950) on January 18, 2001, for a leather tanning and finishing facility that includes natural gas/#2 oil fired boilers, leather tanning/dyeing/treating/waterproofing/finishing operations, above-ground storage tanks and small combustion sources in Westfield Borough, **Tioga County**.

41-00028: Koppers Industries, Inc. (P. O. Box 189, Montgomery, PA 17752) on January 11, 2001, for a railroad crosstie treatment plant that includes a #6 fuel oil fired boiler, creosote treatment cylinders, above-ground storage tanks, diesel-engine powered equipment, crosstie sorters and cutoff saws, and a mill shop in Clinton Township, **Lycoming County**.

14-00002: Graymont (PA) Inc. (965 East College Avenue, Pleasant Gap, PA 16823) on November 28, 2000, for their five bituminous coal/petroleum coke-fired lime kilns, lime bagging, loading, handling, crushing, screening, production and loadout operations, pulverizer separators, lime hydrating operations, glass stone drying/screening operations, coal crushing/conveying operations and combustion sources in Spring Township, **Centre County**.

Plan Approvals extensions issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.13 (relating to extensions).

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4700.

21-05041A: ADM Milling Co. (Box 3100, Camp Hill, PA 17011) on January 1, 2001, for operation of a truck grain receiving station controlled by a fabric filter, covered under this Plan Approval until April 30, 2001, at Spangler Road in Camp Hill Borough, **Cumberland County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

08-302-040: Taylor Packing Co., Inc. (P. O. Box 188, Wyalusing, PA 18853) on January 16, 2001, to incorporate conditions established in Plan Approval 08-302-040A for a 24.5 million BTU per hour natural gas/#2 fuel oil-fired boiler equipped with a low NOx burner incorporating flue gas recirculation in Wyalusing Township, **Bradford County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

65-857A: Saint-Gobain Advanced Ceramics (55 Hillview Avenue, Latrobe, PA 15650) on January 18, 2001, for operation of a Tunnel Kiln at Derry Plant in Derry Township, **Westmoreland County**.

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6000.

15-0108: Refractory Minerals Co., Inc. (150 South Jennersville Road, West Grove, PA 19390) on January 19, 2001, for operation of a Gas Fired Dryer in Penn Township, **Chester County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4700.

21-05001A: Lear East LP (50 Spring Road, Carlisle, PA 170130) on January 18, 2001, for construction of the KJ automotive carpet backing molding line in Carlisle Borough, **Cumberland County**.

29-03005: NES Rebuild Center, Inc. (3885 Coleman Road, Paducah, KY 42001) on January 19, 2001, for construction of metal parts surface coating operation controlled by fabric collectors and two paint spray booths and dry filter media located at the McConnellsburg Plant in Ayr Township, **Fulton County**.

36-310-013E: Compass Quarries, Inc. (47 McIlvaine Road, Paradise, PA 17562) on January 19, 2001, for modification of the stone crushing plant in Paradise Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

63-911A: Twilight Industries (212 State Street, Belle Vernon, PA) on January 16, 2001, for operation of a Coal Crusher at the Lustik Surface Mine in Somerset Township, **Washington County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6945.

37-314A: Natural Sand Co., Inc. (Plain Grove Road, Slippery Rock, PA 16057) on January 18, 2001, for construction and operation of a soils blending and drying facility in Plain Grove and Scott Townships, **Lawrence County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); the Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); 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. Mining activity permits issued in response to such 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 Issued

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

03950110R. Rosebud Mining Company (R. D. 9, Box 379A, Kittanning, PA 16201). Permit renewal issued for continued reclamation only of a bituminous surface/auger mine located in Mahoning Township, **Armstrong County**, affecting 82.9 acres. Receiving streams—unnamed tributaries to Mahoning Creek. Application received November 1, 2001. Reclamation only renewal issued January 18, 2001.

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

3279103. Kent Coal Mining Company (P. O. Box 219, Shelocata, PA 15774), renewal of NPDES Permit # PA0079791, Young Township, **Indiana County**, receiving stream—unnamed tributary to Big Run. NPDES renewal application received October 25, 2000. Issued January 16, 2001.

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

33980104. Cookport Coal Company, Inc. (425 Market Street, Kittanning, PA 16201), revision to an existing bituminous strip operation to change the post-mining land use from forestland to pastureland/land occasionally cut for hay on Dennis Woodrow and the Hames & Ruby Goss properties in Perry Township, **Jefferson County**, receiving streams—unnamed tributary to McCracken Run. Application received November 15, 2000. Permit Issued January 9, 2001.

Noncoal Permits Issued

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

64000802. J. S. Stone Company, Inc., (HC 1 Box 1601, Starlight, PA 18461), commencement, operation and restoration of a small quarry operation in Scott Township, **Wayne County** affecting 1.0 acres, receiving stream—none. Permit issued January 16, 2001.

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

26980601. Commercial Stone Company, Inc. (2200 Springfield Pike, Connellsville, PA 15425-9503), permit revised to add 93.1 acres of additional underground

mining at an existing noncoal surface mining site (limestone quarry) located in Bullsken Township, **Fayette County**, now affecting 559.1 acres, receiving streams—unnamed tributaries of Polecat Holly Run, then into Breakneck Run, then into Mounts Creek, then into the Youghiogheny River. Application received September 8, 2000. Revision issued January 28, 2001.

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.

Any person aggrieved by this 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, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

E23-403. Radnor Township. To replace and maintain an existing bridge with a precast concrete arch bridge with a clear span of 34 feet and an underclearance of 9 feet. This work also includes the placement of R-6 rock protection along 80 linear feet of stream. The proposed bridge spans the Little Darby Creek (CWF-MF) and is located at the Willows Park located off of Darby Paoli

Road (Valley Forge, PA Quadrangle N: 3.60 inches; W: 2:65 inches) in Radnor Township, **Delaware County**.

E46-865. Pennsylvania Department of Transportation. To construct, improve, modify, and maintain U. S. Route 202 (S. R. 0202), Section 400, (Phase 3, Section 405). The limit of this work will begin south of the intersection of I-76 and Route 202 (Valley Forge, PA Quadrangle; N: 14.95 inches; W: 0.6 inch) and will end west of the intersection of I-76 and Croton Road (Valley Forge, PA Quadrangle; N: 14.25 inches; W: 0.6 inch) in Upper Merion Township, **Montgomery County**.

Work will consist of improvements to the I-76 and U.S. Route 202 Interchange, replacing the existing railroad bridge over I-76 and construction of additional collector distributor ramps. The proposed work will include the following:

1. To install and maintain a single span 25-foot wide by 8-foot high spread box beam superstructure with U-shaped cast-in-place reinforced concrete culvert substructure in and along Crow Creek (WWF) (a.k.a. Abrams Run), beneath the proposed Ramps D and H at Station 17+50. The culvert is located approximately 38 feet downstream from the existing I-76 bridge over Crow Creek. Work will also include placing concrete retaining walls between the existing bridge and proposed culvert (Valley Forge, PA Quadrangle, N: 14.75 inches; W: 2.2 inches).
2. To remove an existing 125 linear-foot section of arch bridge over Crow Creek, under the existing railroad, and replace with a 70 linear-foot single span 25-foot wide by 8-foot high, spread box beam superstructure with U-shaped cast-in-place reinforced concrete culvert substructure in and along Crow Creek (WWF) (a.k.a. Abrams Run) beneath the proposed Ramp L at Station 557+00. The culvert is located approximately 95 feet upstream from the existing I-76 bridge over Crow Creek (Valley Forge, PA Quadrangle N: 14.50 inches; W: 2.2 inches). Work also includes the temporary impact to Crow Creek and adjacent wetlands for temporary access.
3. To construct and maintain a non-jurisdictional dam across an unnamed tributary to Crow Creek (WWF) to facilitate a stormwater management basin. This site is located north of I-76, left of Station 17+75 to Station 19+50 (Valley Forge, PA Quadrangle N: 14.25 inches; W: 0.7 inch).

E46-877. Borough of Trappe. To replace and maintain an existing culvert with 40 linear feet of 12-foot by 4.5-foot reinforced concrete box culvert in and along Donny Brook Run (TSF). The work includes the installation of wingwalls and the placement and maintenance of R-7 riprap outlet protection. This culvert occurs beneath Clayhor Avenue (Collegeville, PA Quadrangle N: 11.65 inches; W: 14.2 inches) in Trappe Borough, **Montgomery County**.

E46-879. Montgomery County Parks Department. To install and maintain a 77-foot long by 6-foot wide pre-fabricated pedestrian bridge across the Pennypack Creek (TSF), located approximately 75 feet downstream from the previously existing bridge that was destroyed by Hurricane Floyd, which was situated in Lorimer Park (Frankford, PA-NJ Quadrangle N: 17.8 inches; W: 10.2 inches) in Abington Township, **Montgomery County**. Work will also include the installation and maintenance of an 18-inch CPEP stormwater outfall in the vicinity of this bridge.

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4700.

E01-216. Pennsylvania Department of Natural Resources, 435 State Park Road, Schellsburg, PA 15559 in Menallen Township, **Adams County**, ACOE Baltimore District, (Arendtsville, PA Quadrangle N: 2.16 inches; W: 15.63 inches).

To construct and maintain a bridge having a clear span of 83-feet with an average underclearance of 5-feet over Mountain Creek (HQ-CWF) and to place fill for the bridge access ramps in the floodway for all terrain vehicles (ATV) and park hikers. The purpose of the bridge is to connect an existing trail located in Forest District # 1, Michaux State Forest about 1.6 miles northwest of the Celebration Hill Road and Wenksville Road intersection.

E31-162. Pennsylvania Department of Natural Resources, 435 State Park Road, Schellsburg, PA 15559 in Menallen Township, **Adams County**, ACOE Baltimore District, (Arendtsville, PA Quadrangle N: 2.16 inches; W: 15.63 inches).

To construct and maintain a bridge having a clear span of 83-feet with an average underclearance of 5-feet over Mountain Creek (HQ-CWF) and to place fill for the bridge access ramps in the floodway for all terrain vehicles (ATV) and park hikers. The purpose of the bridge is to connect an existing trail located in Forest District # 1, Michaux State Forest about 1.6 miles northwest of the Celebration Hill Road and Wenksville Road intersection.

E34-098. Delaware Township, R. R. 1 Box 410, Thompsonstown, PA 17094 in Delaware Township, **Juniata County**, ACOE Baltimore District, (Beaver Springs, PA Quadrangle N: 0.6 inch; W: 11.0 inches).

To remove an existing bridge and restore the channel across the channel of Cocolamus Creek (TSF) at a point at T-464.

E44-101. McVeytown Borough, P. O. Box 321, McVeytown, PA 17051 in Oliver Township, **Mifflin County**, ACOE Baltimore District, (McVeytown, PA Quadrangle N: 21.8 inches; W: 16.5 inches).

To construct and maintain an 18-inch diameter outfall pipe in Musser Run (HQ-CWF) a wild trout stream for a discharge point for a storm sewer project in the Borough of McVeytown.

E44-104. Armagh Township, P. O. Box 396, Milroy, PA 17063 in Armagh Township, **Mifflin County**, ACOE Baltimore District, (Burnham, PA Quadrangle N: 21.6 inches; W: 1.4 inches).

To remove an existing structure and to construct and maintain a bridge having a clear normal span of 48 feet and an underclearance of 6.2 feet across the channel of Treaster Run (HQ-CWF) at a point at T-467.

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

E41-466. Pennsylvania Department of Transportation, 715 Jordan Avenue, Montoursville, PA 17754. Box beam bridge, in Limestone Township, **Lycoming County**, ACOE Baltimore District (Linden, PA Quadrangle N: 7.06 inches; W: 13.19 inches). To remove the existing bridge and to construct and maintain a single span pre-stressed concrete adjacent box beam bridge having a 91.5-foot clear span and a 13-foot average underclearance across Antes Creek on SR 0044/027 located 1,400 feet southeast from the SR 0880 & SR0044 intersection in Limestone Township, Lycoming County. This permit was issued

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

E47-069. Pennsylvania Department of Transportation, Engineering District 3-0, 715 Jordan Avenue, Montoursville, PA 17754. Single span bridge, in Mahoning Township, **Montour County**, ACOE Baltimore District (Danville, PA Quadrangle, N: 7.3 inches, W: 11.1 inches). To remove the existing bridge structure and construct, operate and maintain a new single span bridge over Sechler Run. The permit authorizes the structure to have a normal span of 32.97 feet and an underclearance of 7.3 feet. This permit also authorizes 150 feet of channel realignment. The channel shall have smooth transition between existing and proposed sections of the realignment and the low flow channel shall not exceed original width. All material and debris removed from new streambed shall be moved entirely out of the flood plain area. The new channel stream banks will be armored with riprap and have indigenous plantings installed to restore the riparian corridor. The plantings will occur on the left bank (oriented: facing downstream) upstream of the riprap armament. The project is located 0.5 mile east on SR 0011 from Danville in Mahoning Township, Montour County. This permit also includes 401 Water Quality Certification

E53-348. Harrison Township Supervisors, P. O. Box 92, Harrison Valley, PA 16927. Public road crossing, in Harrison Township, **Potter County**, ACOE Baltimore District (Harrison Valley, PA Quadrangle N: 17.6 inches; W: 13.2 inches). To operate and maintain a public road crossing Marsh Creek. The public road crossing shall be operated and maintained with a corrugated metal culvert pipe that has a minimum diameter of 7-feet and a 0.5-foot depression into the streambed. The project is located along the eastern right-of-way of SR 1010 approximately 200-feet north of T-489 and SR 1010 intersection in Harrison Township, Potter County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E60-144. Pennsylvania Department of Transportation, Engineering District 3-0, 715 Jordan Avenue, Montoursville, PA 17754. Box beam bridge, in East Buffalo Township, **Union County**, ACOE Baltimore District (Lewisburg, PA Quadrangle, N: 9.8 inches; W: 6.8 inches). To maintain a single span prestressed concrete box beam bridge with a 58-foot clear span, an underclearance of 9.8 feet and a 65-degree skew to carry S. R. 2007 (Old School House Road) over Turtle Creek located 4,500 feet north of the S. R. 2004 (Furnace Road) intersection in East Buffalo Township, Union County. This permit also includes 401 Water Quality Certification.

E60-146. Gary Gill, RR 2, Box 26, New Columbia, PA 17856. Spoil dike, in White Deer Township, Union County, ACOE Baltimore District (Allenwood, PA Quadrangle, N: 4.5 inches, W: 1 inch). To operate and maintain a spoil dike along an unnamed tributary to the West Branch of the Susquehanna River measuring 2.5 feet high, 450 feet long and 2 feet wide. This permit only authorizes the operation and maintenance of the existing

dike and does not authorize any new or additional construction. The upstream most end of the dike ties in with the Township Road embankment. This project is located .5 miles north on Milroy Road from the intersection with Crossroads Drive in White Deer Township, **Union County**. This permit was issued under Section 105.13(e) "Small Projects."

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

E26-271. Georges Township, R. D. # 3, Box 170-G, Uniontown, PA 15401. Georges Township Fayette County Bridge T-331 in an unnamed tributary to Mountain Creek in Georges Township, **Fayette County**, ACOE Pittsburgh District (Smithfield, PA Quadrangle N: 3.15 inches; W: 3.00 inches). To remove the existing structure and to construct and maintain a 11.8 foot by 7.6 foot steel arch pipe culvert (invert depressed 1 foot) in an unnamed tributary to Mountain Creek (CWF) located on T-331 (Clark Road) at a point approximately 200 feet south of intersection T-331 and T-918.

E26-277. Westmoreland County Industrial Development Corporation, Courthouse Square, Suite 601, 2 North Main Street, Greensburg, PA 15601. Southwest Pennsylvania Railroad to Lake Erie Track Change in Everson Borough and Tyrone Township, **Fayette County**, ACOE Pittsburgh District (Connellsville, PA Quadrangle N: 17.1 inches; W: 12.6 inches). To reconstruct, restore and maintain approximately 3100 LF of an existing railroad track located along and in the floodplain of Jacobs Creek (WWF) starting at a point approximately 600 feet upstream of the railroad bridge and continues downstream.

On January 6, 2001, the Department of Environmental Protection published, in the *Pennsylvania Bulletin*, notice of the following application received in the Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

It has come to the Department's attention that the permit was issued without proper public notice. As a result, the permit has been suspended. The following notice will provide proper notice. Persons wishing to question or comment on the permit application must submit such comments or questions to the office noted above within 30 days of the date of this notice.

E02-1326. Encroachment. Glacial Sand and Gravel Company, P. O. Box 1022, Kittanning, PA 16201-1022. To perform commercial sand and gravel dredging in select areas of the Allegheny River (WWF) within Pools 2, 3, 4, 5, 7 and 8 (River Mile Post 0 to 28.5), subject to review of mussel surveys and prescribed set backs (starting at Pittsburgh West, PA Quadrangle N: 7.8 inches; W: 9.4 inches, ending at East Brady, PA Quadrangle N: 14.7 inches; W: 6.8 inches) in **Allegheny, Armstrong and Westmoreland Counties**. For a site-specific location of the dredging location refer to attachments 1 (Allegheny County) and 2 (Armstrong County). Note this permit application incorporates DEP Permit No. E03-322.

NOTICES

Attachment No. 1. Approved Dredging Areas Based on Mussel Survey Reviews.

County	River	Pool	River Miles	Municipalities	Amendment Date
Allegheny	Allegheny	2	11.4 to 11.85	Oakmont Borough O'Hara Township	
			12.27 to 12.6	Oakmont Borough Harmar Township	
		3	15.0 to 17.0	Cheswick Borough Springdale Borough Plum Borough	
			17.7 to 20.0	Plum Borough Springdale Township East Deer Township City of New Kensington (Westmoreland County) City of Arnold (Westmoreland County)	
			20.9 to 21.5	East Deer Township Tarentum Borough City of Arnold (Westmoreland County)	
		4	25.0 to 28.5	Harrison Township City of Lower Burrell (Westmoreland County) Allegheny Township (Westmoreland County)	

Attachment No. 2. Approved Dredging Areas Based on Mussel Survey Reviews.

County	River	Pool	River Miles	Municipalities	Comments/ Restrictions	Amendment Date
Armstrong	Allegheny	5	31.5 to 32.3	Gilpin Township South Buffalo Township		
			1000 feet upstream of the most upstream point of Murphy's Island to 33.0	Gilpin Township South Buffalo Township		
			33.3 to 35.15	Gilpin Township South Buffalo Township		
		7	46.0 to 46.8	Kittanning Borough East Franklin Township		
			47.0 to 49.0	Kittanning Borough Rayburn Township	Avoid right descending bank at River Mile 47.1 and 47.4, avoid left descending bank at River Mile 47.7 and 48.4.	
			49.7 to 52.4	East Franklin Township Rayburn Township Boggs Township Washington Township		
		8	53.3 to 54.6	Washington Township Boggs Township Pine Township		

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>Amendment Date</i>
			55.2 to 55.5	Washington Township Pine Township		
			56.4 to 58.0	Washington Township Madison Township		
			58.1 to 58.6	Madison Township Washington Township	Avoid right descending bank throughout.	

Note: "Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

On January 6, 2001 the Department of Environmental Protection published, in the *Pennsylvania Bulletin*, notice of the following application received in the Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

It has come to the Department's attention that the permit was issued without proper public notice. As a result, the permit has been suspended. The following notice will provide proper notice. Persons wishing to question or comment on the permit application must submit such comments or questions to the office noted above within 30 days of the date of this notice.

E02-584. Encroachment Pioneer Mid-Atlantic, Inc., 400 Industrial Boulevard, New Kensington, PA 15068. To perform commercial sand and gravel dredging in select areas of the Allegheny River (WWF) within Pools 2, 3, 4, 5, 7 and 8 and in the Ohio River (WWF) within the Dashield, Montgomery and New Cumberland Pools, subject to review of mussel surveys and prescribed set backs (starting at East Brady, PA Quadrangle N: 147 inches; W: 6.8 inches and ending at East Liverpool North, OH-PA-WV Quadrangle N: 2.3 inches; W: 2.3 inches) in **Allegheny, Armstrong, Beaver and Westmoreland Counties**. For a site-specific location of the dredging locations refer to attachments 1 (Allegheny County), 2 (Beaver County), and 3 (Armstrong County). Note this permit application incorporates DEP Permits E03-202 and E04-103.

Attachment No. 1. Approved Dredging Areas Based on Mussel Survey Reviews.

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Amendment Date</i>
Allegheny	Ohio	Dashields	7.0 to 7.7	Emsworth Borough Neville Township Kilbuck Township	
			8.8 to 9.5	Glenfield Borough Neville Township	
			11.9 to 12.5	Edgeworth Borough Sewickley Borough Moon Township	
		Montgomery	13.8 to 15.38	Leetsdale Borough Crescent Township	
	Allegheny	2	11.4 to 11.85	Oakmont Borough O'Hara Township	
			12.27 to 12.6	Oakmont Borough Harmar Township	
		3	15.0 to 17.0	Cheswick Borough Springdale Borough Plum Borough	
			17.7 to 20.0	Plum Borough Springdale Township East Deer Township City of New Kensington (Westmoreland County) City of Arnold (Westmoreland County)	

NOTICES

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Amendment Date</i>
			20.9 to 21.5	East Deer Township Tarentum Borough City of Arnold (Westmoreland County)	
		4	25.0 to 28.5	Harrison Township City of Lower Burrell (Westmoreland County) Allegheny Township (Westmoreland County)	

Attachment No. 2. Approved Dredging Areas Based on Mussel Survey Reviews.

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Amendment Date</i>
Beaver	Ohio	Montgomery	21.6 to 23.52	Monaca Borough Freedom Borough Conway Borough Center Township	
			26.2 to 27.1	Beaver Borough Potter Township Center Township	
			29.3 to 30.4	Industry Borough Potter Township	
			30.8 to 31.4	Industry Borough Potter Township	
		New Cumberland	32.0 to 33.1	Shippingport Borough Industry Borough Raccoon Township	
			33.75 to 34.3	Industry Borough Shippingport Borough	
			37.9 to 38.9	Ohioville Borough Georgetown Borough Greene Township	

Attachment No. 3. Approved Dredging Areas Based on Mussel Survey Reviews.

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>Amendment Date</i>
Armstrong	Allegheny	5	31.5 to 32.3	Gilpin Township South Buffalo Township		
			1000 feet upstream of the most upstream point of Murphy's Island to 33.0	Gilpin Township South Buffalo Township		
			33.3 to 35.15	Gilpin Township South Buffalo Township		
		7	46.0 to 46.8	Kittanning Borough East Franklin Township		
			47.0 to 49.0	Kittanning Borough Rayburn Township	Avoid right descending bank at River Mile 47.1 and 47.4, avoid left descending bank at River Mile 47.7 and 48.4.	
			49.7 to 52.4	East Franklin Township Rayburn Township Boggs Township Washington Township		

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>Amendment Date</i>
		8	53.3 to 54.6	Washington Township Boggs Township Pine Township		
			55.2 to 55.5	Washington Township Pine Township		
			56.4 to 58.0	Washington Township Madison Township		
			58.1 to 58.6	Madison Township Washington Township	Avoid right descending bank throughout.	

Note: "Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

On December 30, 2000 the Department of Environmental Protection published, in the *Pennsylvania Bulletin*, notice of the following application received in the Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

It has come to the Department's attention that the permit was issued without proper public notice. As a result, the permit has been suspended. The following notice will provide proper notice. Persons wishing to question or comment on the permit application must submit such comments or questions to the office noted above within 30 days of the date of this notice.

E02-494. Encroachment. The Lane Construction Company, 1 Rutgers Road, Second Floor, Pittsburgh, PA 15205. To perform commercial sand and gravel dredging in select areas of the Allegheny River (WWF) within pool 2, 3, 4, 5, 7, and 8 and in the Ohio River (WWF) within the Dashield Pool and Montgomery Pool, subject to review of mussel surveys and prescribed set backs (Starting at Ambridge, PA Quadrangle N: 14.7 inches; W: 6.8 inches) in **Allegheny, Armstrong and Westmoreland Counties**. For a site-specific location of the dredging locations refer to attachments 1 (Allegheny County) and 2 (Armstrong County). Note this permit application incorporates DEP Permit No. E03-174. Note the East Brady PA Quadrangle location is at Lock No. 9.

Attachment No. 1. Approved Dredging Areas Based on Mussel Survey Reviews.

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Amendment Date</i>
Allegheny	Ohio	Dashields	7.0 to 7.7	Emsworth Borough Neville Township Kilbuck Township	
			8.8 to 9.5	Glenfield Borough Neville Township	
			11.9 to 12.5	Edgeworth Borough Sewickley Borough Moon Township	
		Montgomery	13.8 to 15.38	Leetsdale Borough Crescent Township	
	Allegheny	2	11.4 to 11.85	Oakmont Borough O'Hara Township	
			12.27 to 12.6	Oakmont Borough Harmar Township	
		3	15.0 to 17.0	Cheswick Borough Springdale Borough Plum Borough	
			17.7 to 20.0	Plum Borough Springdale Township East Deer Township City of New Kensington (Westmoreland County) City of Arnold (Westmoreland County)	

NOTICES

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Amendment Date</i>
			20.9 to 21.5	East Deer Township Tarentum Borough City of Arnold (Westmoreland County)	
		4	25.0 to 28.5	Harrison Township City of Lower Burrell (Westmoreland County) Allegheny Township (Westmoreland County)	

Attachment No. 2. Approved Dredging Areas Based on Mussel Survey Reviews.

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>Amendment Date</i>
Armstrong	Allegheny	5	31.5 to 32.3	Gilpin Township South Buffalo Township		
			1000 feet upstream of the most upstream point of Murphy's Island to 33.0	Gilpin Township South Buffalo Township		
			33.3 to 35.15	Gilpin Township South Buffalo Township		
		7	46.0 to 46.8	Kittanning Borough East Franklin Township		
			47.0 to 49.0	Kittanning Borough Rayburn Township	Avoid right descending bank at River Mile 47.1 and 47.4, avoid left descending bank at River Mile 47.7 and 48.4.	
			49.7 to 52.4	East Franklin Township Rayburn Township Boggs Township Washington Township		
		8	53.3 to 54.6	Washington Township Boggs Township Pine Township		
			55.2 to 55.5	Washington Township Pine Township		
			56.4 to 58.0	Washington Township Madison Township		
			58.1 to 58.6	Madison Township Washington Township	Avoid right descending bank throughout.	

Note: "Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

On January 6, 2001 the Department of Environmental Protection published, in the *Pennsylvania Bulletin*, notice of the following application received in the Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

It has come to the Department's attention that the permit was issued without proper public notice. As a result, the permit has been suspended. The following notice will provide proper notice. Persons wishing to question or comment on the permit application must submit such comments or questions to the office noted above within 30 days of the date of this notice.

E02-919. Encroachment. **Tri-State River Products, Inc.**, P. O. Box 218, Beaver, PA 15009-0218. To perform commercial sand and gravel dredging in select areas of the Ohio River (WWF) within the Dashiels, Montgomery and New Cumberland Pools, subject to review of mussel surveys and prescribed set backs (starting at Pittsburgh West, PA Quadrangle N: 7.8 inches; W: 9.4 inches ending at East Liverpool North OH-PA-WV Quadrangle N: 2.3 inches; W: 2.6 inches) in **Allegheny and Beaver Counties**. For a site specific location of the dredging locations refer to Attachments 1 (Allegheny County) and 2 (Beaver County). Note this permit application incorporates DEP Permit No. E04-184.

Attachment No. 1. Approved Dredging Areas Based on Mussel Survey Reviews.

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Amendment Date</i>
Allegheny	Ohio	Dashiels	7.0 to 7.7	Emsworth Borough Neville Township Kilbuck Township	
			8.8 to 9.5	Glenfield Borough Neville Township	
			11.9 to 12.5	Edgeworth Borough Sewickley Borough Moon Township	
		Montgomery	13.8 to 15.38	Leetsdale Borough Crescent Township	

Attachment No. 2. Approved Dredging Areas Based on Mussel Survey Reviews.

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Amendment Date</i>
Beaver	Ohio	Montgomery	21.6 to 23.52	Monaca Borough Freedom Borough Conway Borough Center Township	
			26.2 to 27.1	Beaver Borough Potter Township Center Township	
			29.3 to 30.4	Industry Borough Potter Township	
			30.8 to 31.4	Industry Borough Potter Township	
		New Cumberland	32.0 to 33.1	Shippingport Borough Industry Borough Raccoon Township	
			33.75 to 34.3	Industry Borough Shippingport Borough	
			37.9 to 38.9	Ohioville Borough Georgetown Borough Greene Township	

Environmental Assessments

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

D36-259EA. PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-4797. Clay Township, **Lancaster County**, ACOE Baltimore District. To modify Middle Creek Dam by constructing a toe drain impacting a de minimus area of wetland (PEM) equal to 0.04 acres. The dam is located across Middle Creek (TSF) at the Middle Creek Wildlife Refuge (Womelsdorf, PA Quadrangle, N: 2.90 inches, W: 15.75 inches).

EA46-032CO. Talamore at Oak Terrace, 723 Talamore Drive, Ambler, PA 19002. Horsham Township, **Montgomery County**, ACOE Philadelphia District. To

remove a partially breached dam across a tributary to Park Creek (WWF, MF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1100 feet northeast of the intersection of Talamore Drive and State Route 63 (Ambler, PA Quadrangle N: 12.75 inches; W: 10.75 inches).

D24-022EA. Saint Marys Area Water Authority (429 Ridgway Road, P. O. Box 33, Saint Marys, PA 15857). Fox Township, **Elk County**, To breach and remove the Laurel Run Reservoir Dam across Laurel Run (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 2000 feet upstream of the Route 255 bridge crossing Laurel Run (Saint Marys, PA, Quadrangle N: 1.4 inches; W: 7.2 inches).

DAM SAFETY

Actions on applications filed 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)).

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

D15-381. Dam. **East Marlborough Township**, 721 Unionville Road, Kennett Square, PA 19348. To construct, operate, and maintain Walker Farm Lagoon Dam adjacent to a tributary of West Branch Red Clay Creek (TSF),

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-02-015	Marcia L. Harris Koppers Industries, Inc. 300 North State Street Clairton, PA 15025	Allegheny	Clairton	1 AST Storing Refined Chemical Oil	600,000 gallons
01-54-002	Jennifer L. Mikovich Silberline Manufacturing Co., Inc. P. O. Box B 130 Lincoln Drive Tamaqua, PA 18252-0420	Schuylkill	Rush Township	2 ASTs storing- Exxate 600/Exxate 700 mix 2 ASTs storing- Ethyl Acetate 2 ASTs storing- Mineral Spirits	14,000 gallons each 4,500 gallons each 4,500 gallon each

SPECIAL NOTICES

Plan revision being reviewed under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

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

Location: **Frazer Township, Allegheny County**, 2129 Butler Logan Road, Tarentum, PA 15084.

The plan revision proposes the development of four major department stores, movie theater, food court and approximately 105 small shops. A power center is also proposed which will include 11 stores. Out parcels are planned for a hotel and additional eating establishments. An area for office building development is also provided. The estimated sanitary sewage flow will be 271,420 gallons per day or 775 equivalent dwelling units. Sewage will be collected on-site by a gravity line which in turn will flow to a proposed 3,500 gallon per minute pump station. The sewage will then be pumped via a 10-inch force main approximately 2,500 feet long across Route 28 and up to a point along Murray Hill Road. A new 18-inch gravity line approximately 6,500 feet long will then convey the sewage to the Upper Allegheny Joint Sanitary Authority's existing 42 interceptor which connects directly to the wet well of the sewage treatment plant located on Old Route 28.

BUREAU OF DEEP MINE SAFETY

The Bureau of Deep Mine Safety has received a request for variance from Rosebud Mining Company. The following notification contains a summary of this request. A

for the purpose of upgrading the Wollaston Road Wastewater Treatment Plant by providing a new storage lagoon (Coatesville, PA, PA Quadrangle N: 0.2 inches; W: 0.1 inches) in East Marlborough Township, **Chester County**.

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 Watershed Conservation, Director, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-5267.

complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to: Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act, 52 P. S. §§ 701—702, provides a mechanism for operators to obtain variances from specific requirements of the Act to accommodate the adoption of new machinery, equipment, tools, supplies, methods, or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the request: Rosebud Mining Company requests a variance to use point carbon monoxide early warning fire detection system and entries in common with the belt conveyor entry in short term panels at the Twin Rocks Mine.

NOTICE OF PERMIT TRANSFERS FOR FACILITIES

The Department of Environmental Protection proposes to transfer certain permits, licenses and approvals at the

following facilities. Certain permits, licenses and approvals previously issued to PECO Energy Company are proposed to be transferred to Exelon Generation Company, LLC. A complete listing of the permits, licenses and approvals proposed for transfer is listed below. Questions should be directed to the contact identified below. This list is also available on the web through PA PowerPort at www.state.pa.us or directly at www.dep.state.pa.us (directLINK "PECO permit transfer").

Persons wishing to comment on the proposed permit transfers are invited to submit their comments to the contact identified below within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding the proposed transfers. 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 the comment and

the relevant facts upon which it is based. A public hearing may be held if the Department considers the public response significant.

Following the 30-day comment period, the Department will make a final decision concerning the permit, license and approval transfers. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

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

Southeast Region: Assistant Regional Director, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6000.

<i>Facility</i>	<i>Permit, License, Approval</i>	<i>Permit or ID #</i>	<i>Municipality</i>	<i>County</i>
Barbadoes Island	Water Obstruction & Encroachment Permit	10146	W. Norriton	Montgomery
Bradshaw	NPDES Permit	PA0052221	Bedminster	Bucks
Bradshaw	WQM Part II Permit	0989204	Bedminster	Bucks
Bradshaw	Limited Power Permit	D 09-181A	Bedminster	Bucks
Bradshaw	E. Branch Perkiomen—Encroachment Permit	E 09-77A	Bedminster	Bucks
Bradshaw	E. Branch Perkiomen Transmission Main	E 09-51A	Bedminster	Bucks
Perkiomen Creek Intake Structure	Water Obstruction & Encroachment Permit	19615	Bedminster	Bucks
Chester Generating Station	Title V Permit	23-00018	Chester	Delaware
Conowingo Generating Station	Limited Power Permit	D 36-211	Darlington	Harford
Cromby Generating Station	Notification of Regulated Waste Activity	PAD000796276	E. Pikeland	Chester
Cromby Generating Station	NPDES Permit	PA0011631	E. Pikeland	Chester
Cromby Generating Station	Registration/Permitting of Storage Tanks	15-02635	E. Pikeland	Chester
Cromby Generating Station	Title V Permit	15-00019	E. Pikeland	Chester
Cromby Generating Station	Submerged Land License Agreement/Permit	E 15-231	E. Pikeland	Chester
Cromby Generating Station	Water Obstruction & Encroachment Permit	E 15-018	E. Pikeland	Chester
Cromby Generating Station	Water Obstruction & Encroachment Permit	E 15-028	E. Pikeland	Chester
Cromby Generating Station	Water Obstruction & Encroachment Permit	E 15-060	E. Pikeland	Chester
Cromby Generating Station	Water Obstruction & Encroachment Permit	E 15-082	E. Pikeland	Chester
Cromby Generating Station	Water Obstruction & Encroachment Permit	11312	E. Pikeland	Chester

<i>Facility</i>	<i>Permit, License, Approval</i>	<i>Permit or ID #</i>	<i>Municipality</i>	<i>County</i>
Cromby Generating Station	Water Obstruction & Encroachment Permit	20490	E. Pikeland	Chester
Cromby Generating Station	Water Obstruction & Encroachment Permit	11070	E. Pikeland	Chester
Cromby Generating Station	Dam Permit	D 46-27	E. Pikeland	Chester
Croydon Generating Station	Notification of Regulated Waste Activity	PAD000796284	Bristol	Bucks
Croydon Generating Station	NPDES Permit	PAR900003	Bristol	Bucks
Croydon Generating Station	Registration/Permitting of Storage Tanks	09-02638	Bristol	Bucks
Croydon Generating Station	Title V Permit	09-00016	Bristol	Bucks
Croydon Generating Station	Water Obstruction & Encroachment Permit	E09-659	Bristol	Bucks
Croydon Generating Station	Water Obstruction & Encroachment Permit	E09-394	Bristol	Bucks
Delaware Generating Station	NPDES Permit	PA0011622	Philadelphia	Philadelphia
Delaware Generating Station	Submerged Land License Agreement w/Permit	E 51-134	Philadelphia	Philadelphia
Delaware Generating Station	Notification of Regulated Waste Activity	PAD000796292	Philadelphia	Philadelphia
Delaware Generating Station	Registration/Permitting of Storage Tanks	51-02642	Philadelphia	Philadelphia
Eddystone Generating Station	Notification of Regulated Waste Activity	PAD000796318	Eddystone	Delaware
Eddystone Generating Station	NPDES Permit	PA0013714	Eddystone	Delaware
Eddystone Generating Station	WQM Part II Permit	2389201	Eddystone	Delaware
Eddystone Generating Station	Registration/Permitting of Storage Tanks	23-02643	Eddystone	Delaware
Eddystone Generating Station	Title V Permit	23-00017	Eddystone	Delaware
Eddystone Generating Station	RACT Permit	23-0017A	Eddystone	Delaware
Eddystone Generating Station	Water Obstruction & Encroachment Permit	E23-309	Eddystone	Delaware
Eddystone Generating Station	Submerged Land License Agreement w/Permit	E 23-200	Eddystone	Delaware
Eddystone Generating Station	Water Obstruction & Encroachment Permit	E 23-023	Eddystone	Delaware
Fairless Hills Steam Generating Station	NPDES Permit	PA0057088	Falls	Bucks
Fairless Hills Steam Generating Station	Title V Permit	09-00066	Falls	Bucks
Fairless Hills Steam Generating Station	RACT Permit	09-0066	Falls	Bucks
Fairless Hills Steam Generating Station	Notification of Regulated Waste Activity	PAR000026617	Falls	Bucks

<i>Facility</i>	<i>Permit, License, Approval</i>	<i>Permit or ID #</i>	<i>Municipality</i>	<i>County</i>
Fairless Hills Steam Generating Station	Registration/Permitting of Storage Tanks	09-37252	Falls	Bucks
Limerick Generating Station	Notification of Regulated Waste Activity	PAD000797951	Limerick	Montgomery
Limerick Generating Station	NPDES Permit	PA0051926	Limerick	Montgomery
Limerick Generating Station	Registration/Permitting of Storage Tanks	46-00320	Limerick	Montgomery
Limerick Generating Station	Title V Permit	46-00038	Limerick	Montgomery
Limerick Generating Station	Public Water Supply Permit	4696507	Limerick	Montgomery
Limerick Generating Station	Public Water Supply Permit	4696508	Limerick	Montgomery
Limerick Generating Station	Water Obstruction & Encroachment Permit	19161	Limerick	Montgomery
Limerick Generating Station	Water Obstruction & Encroachment Permit	19194	Limerick	Montgomery
Limerick Generating Station	Water Obstruction & Encroachment Permit	19972	Limerick	Montgomery
Limerick Generating Station	Water Obstruction & Encroachment Permit	19616	Limerick	Montgomery
Pottstown—Limerick Airport	NPDES Permit	PA0054089	Limerick	Montgomery
Falls Unit Substation	Title V Permit	09-00017	Falls	Bucks
Moser Unit Substation	Registration/Permitting of Storage Tanks	46-02634	Lower Pottsgrove	Montgomery
Moser Unit Substation	Title V Permit	46-00039	Lower Pottsgrove	Montgomery
Muddy Run Recreation Park	Registration/Permitting of Storage Tanks	36-18522	Holtwood	Lancaster
Muddy Run Recreation Park	Notification of Regulated Waste Activity	PAD982661696	Holtwood	Lancaster
Muddy Run Pumped Storage Facility	Notification of Regulated Waste Activity	PAD000798116	Drumore	Lancaster
Muddy Run Pumped Storage Facility	NPDES Permit	PA0009741	Drumore	Lancaster
Muddy Run Pumped Storage Facility	Registration/Permitting of Storage Tanks	36-60413	Drumore	Lancaster
Muddy Run Pumped Storage Facility	Limited Power Permit	D 36-255	Drumore	Lancaster
Muddy Run Pumped Storage Facility	Limited Power Permit	D 36-256	Drumore	Lancaster
Peach Bottom Atomic Power Station	Notification of Regulated Waste Activity	PAD000798132	Peach Bottom	York
Peach Bottom Atomic Power Station	NPDES Permit	PA0009733	Peach Bottom	York
Peach Bottom Atomic Power Station	Public Water Supply Permit	6791502	Peach Bottom	York
Peach Bottom Atomic Power Station	Public Water Supply Permit	6786502	Peach Bottom	York

<i>Facility</i>	<i>Permit, License, Approval</i>	<i>Permit or ID #</i>	<i>Municipality</i>	<i>County</i>
Peach Bottom Atomic Power Station	Registration/Permitting of Storage Tanks	67-60412	Peach Bottom	York
Peach Bottom Atomic Power Station	Title V Permit	67-05020	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	E 36-693	Peach Bottom	York
Peach Bottom Atomic Power Station	Submerged Land License Agreement w/Permit	E 67-503	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	E 67-133	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	E 67-391	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	E 67-612	Peach Bottom	York
Peach Bottom Atomic Power Station	Dam Permit	D 67-492	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	16968	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	16969	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	17333	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	18092	Peach Bottom	York
Peach Bottom Atomic Power Station	Water Obstruction & Encroachment Permit	18093	Peach Bottom	York
Pennsbury Power Station	Notification of Regulated Waste Activity	PAR000023945	Falls	Bucks
Pennsbury Power Station	Operating Permit	09-0077	Falls	Bucks
Pennsbury Power Station	Synthetic Minor Permit		Falls	Bucks
Richmond Generating Station	NPDES Permit	PA0011649	Philadelphia	Philadelphia
Richmond Generating Station	Submerged Land License Agreement w/Permit	E 51-134	Philadelphia	Philadelphia
Richmond Generating Station	Notification of Regulated Waste Activity	PAD000798462	Philadelphia	Philadelphia
Richmond Generating Station	Registration/Permitting of Storage Tanks	51-18525	Philadelphia	Philadelphia
Schuylkill Generating Station	Notification of Regulated Waste Activity	PAD982579807	Philadelphia	Philadelphia
Schuylkill Generating Station	NPDES Permit	PA0011657	Philadelphia	Philadelphia
Schuylkill Generating Station	Registration/Permitting of Storage Tanks	51-02644	Philadelphia	Philadelphia
Schuylkill Generating Station	Submerged Land License Agreement w/Permit	E51-134	Philadelphia	Philadelphia
Schuylkill Generating Station	Water Obstruction & Encroachment Permit	E 51-069	Philadelphia	Philadelphia

[Pa.B. Doc. No. 01-181. Filed for public inspection February 2, 2001, 9:00 a.m.]

Corrections to Notice of Public Meeting on Existing Use Classifications of Streams

On January 20, 2001 (31 Pa.B. 467) the Department published notice of a public meeting on the classification of certain streams for existing use protection under the Department's antidegradation program. The Department has become aware of a number of errors in the listing of streams included in that notice.

The designated use and segment limits for Letort Spring Run, Cumberland County were listed incorrectly. The designated use that was included in the table was for the segment immediately upstream of the segment under consideration, rather than the segment to be protected as High Quality-Cold Water Fishes (HQ-CWF). In addition, the upper segment limit should have been the same as the current listing in the Water Quality Standards (25 Pa. Code § 93.9o). The correct entry for Letort Spring Run is:

<i>County</i>	<i>Stream Code</i>	<i>Water Body</i>	<i>Designated Use</i>	<i>Existing Use</i>	<i>Qualifier</i>	<i>Location</i>	<i>Date of Evaluation</i>
Cumberland	10261	Letort Spring Run	CWF	HQ-CWF	Designated Class A Wild Trout	Basin, Railroad Bridge at Letort Park to Post Road Bridge	6/15/00

Three streams/segments on the list have been determined to have uses less restrictive than the designated use. These streams should not be included because they must be protected at their designated use until it is revised by the Environmental Quality Board and subject to public participation. These streams/segments have been deleted from the list: Grimes Run, Clearfield County, basin; Furnace Run, Lebanon/Lancaster Counties, basin—SR 1026 to mouth; Swatara Creek, Lebanon/Schuylkill Counties, main stem—confluence of Lower Little Swatara Creek to Green Point Station (River Mile 46.9).

The public meeting to explain the Department's existing use protection program and respond to questions will be held at 1 p.m. on Monday, February 12, 2001 in the auditorium (2nd floor) of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 01-182. Filed for public inspection February 2, 2001, 9:00 a.m.]

DEPARTMENT OF HEALTH

Notice of Requests for Exceptions; Long-Term Care Nursing Facilities

Under 28 Pa. Code § 51.33 (relating to exceptions), the Department of Health (Department), gives notice that the following long-term care facilities have requested exceptions to specific requirements of the regulations for long-term care facilities, 28 Pa. Code Part IV, Subpart C.

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Transitional Care Unit
1800 East Park Avenue
State College, PA 16803

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Southwestern Nursing Center
500 Lewis Run Road
Pittsburgh, PA 15206

Presbyterian Medical Center of Oakmont
1215 Hulton Road
Oakmont, PA 15139-1196

Presbyterian Medical Center of Washington, PA, Inc.
835 South Main Street
Washington, PA 15301

Mt. Hope Dunkard Brethren Church Home
3026 Mount Hope Home Road
Manheim, PA 17545

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a)(b)(c) (relating to utility rooms):

Dunmore Health Care Center
900 Mill Street
Dunmore, PA 18512

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Dunmore Health Care Center
900 Mill Street
Dunmore, PA 18512

The requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, Fax: (717) 772-2163, E-Mail Address: PAEXCEPT@HEALTH.STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, E-Mail, or facsimile to the division and address listed above.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department

and require an auxiliary aide service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-183. Filed for public inspection February 2, 2001, 9:00 a.m.]

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Revised Income Restriction for Admission to a Pennsylvania State Veterans' Home

Effective immediately, the allowable income for a single domiciliary care applicant is \$25,284 per year plus \$1,452 per year per dependent, the maximum income paid to a 100% disabled veteran by the United States Department of Veterans Affairs. An income below \$25,284 will demonstrate the applicant may be incapable of self-support and demonstrate a financial need. An amount above the \$25,284 may qualify an applicant for admission on his/her ability to pay the full per diem cost. See 43 Pa. Code § 7.3 (relating to qualifications for admission).

MAJOR GENERAL WILLIAM B. LYNCH,
Adjutant General

[Pa.B. Doc. No. 01-184. Filed for public inspection February 2, 2001, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Payments to Nursing Facilities January 1, 2001 Proposed Rates

The purpose of this notice is to announce the proposed changes in payment rates based on case-mix index (CMI) adjustments only, for nursing facilities beginning January 1, 2001, and to identify the methodology and justification for these proposed rates. Under 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997 (Pub.L. No. 105-33) a state must use a public process when it proposes to make changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan. The Department of Public Welfare (Department) is not proposing to amend its State Plan or to change its regulations, 55 Pa. Code Chapter 1187, relating to the rate-setting methodology used to set nursing facility payment rates. Rather, the Department is proposing to make changes in its nursing facility payment rates based on CMI adjustments as required by the rate-setting methodology contained in its approved State Plan and regulations.

Rates

The proposed January 1, 2001, rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout the Commonwealth, on the Office of Medical Assistance

Programs' web site at www.dpw.state.pa.us/omap, or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2525.

Methodology

The methodology that the Department used to set the proposed rates based on CMI adjustments is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

Justification

The justification for the proposed rates is that they were set under the rate-setting methodology required by the Commonwealth's approved State Plan and the current regulations.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 2000-2001 is \$2.772 million (\$1.284 million in State funds).

Interested persons are invited to submit written comments only concerning case-mix index adjustments to the proposed rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Attention: Suzanne Love, Room 515 Health and Welfare Building, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (Voice Users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-271. (1) General Fund; (2) Implementing Year 2000-01 is \$1,284,000; (3) 1st Succeeding Year 2001-02 is \$1,401,000; 2nd Succeeding Year 2002-03 is \$1,401,000; 3rd Succeeding Year 2003-04 is \$1,401,000; 4th Succeeding Year 2004-05 is \$1,401,000; 5th Succeeding Year is \$1,401,000; (4) 1999-00 Program—\$693,625,000; 1998-99 Program—\$721,631,000; 1997-98 Program—\$617,252,000; (7) Medical Assistance-Long Term Care; (8) recommends adoption. Funds are included in the budget for this purpose.

[Pa.B. Doc. No. 01-185. Filed for public inspection February 2, 2001, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

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

I. Approved Speed Timing Devices

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

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

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

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

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

(4) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66214.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Pennsylvania 17701.

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

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

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Pennsylvania 17701.

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

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

Under 75 Pa.C.S. § 3368(c)(1) and § 3368(c)(3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code, Chapter 105, Mechanical, Electrical and Electronic Speed-Timing Devices. The Department issues an approved speed-timing device certificate for the device, as required by Section 105.72. The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy which was issued within sixty (60) days of the citation and an approved speed-timing certificate issued by the Department of Transportation, Bureau of Motor Vehicles.

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

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

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

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

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

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

II. *Appointment—Maintenance and Calibration Stations*

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

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

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

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103 (Appointed: 09/19/96, Station R10).

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

YIS, Incorporated, 1049 North Hartley Street, York, York County, PA 17404 (Appointed: 01/14/75, Station R3).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reading Mack Distributors, Incorporated, 4226 Pottsville Pike, Reading, Berks County, PA 19605 (Appointed: 05/15/79, Station S48).

S & D Calibration Services, 134 Camp Lane, McMurray, Washington County, PA 15317—Also authorized to use mobile units (Appointed: 03/22/83, Station S35).

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

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

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

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

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station EL20).

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

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

S & D Calibration Services, 132 Fawn Valley Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EL11).

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

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

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Thomas Associates R. & E. Incorporated, 65 South Mountain Boulevard, Mountain Top, Luzerne County, PA 18707 (Appointed: 11/27/79, Station EL6).

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

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

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

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

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station W2).

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

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

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

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

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

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

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

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

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

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

S & D Calibration, 132 Fawn Valley Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units (Appointed: 10/10/89, Station W61).

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

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

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station W64).

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

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

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

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station EM20).

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

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

S & D Calibration, 132 Fawn Valley Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EM6).

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

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

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station EM21).

Thomas Associates R. & E. Incorporated, 65 South Mountain Boulevard, Mountaintop, Luzerne County, PA 18707 (Appointed: 10/06/80, Station EM3).

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

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-186. Filed for public inspection February 2, 2001, 9:00 a.m.]

Fee Schedule and Change of Address for Administrative Docket

The Department of Transportation (Department), acting through its Office of Chief Counsel, by this notice extends the existing schedule of fees for administrative filings published on December 23, 1999, at 29 Pa.B. 6533 through calendar year 2001, or until the next list is published at the end of the calendar year, for use in calendar year 2002.

The Administrative Docket Filing Fee Schedule prescribes the filing fee not otherwise provided for by statute or regulation for all requests for a hearing in appeals of Department actions under 2 Pa.C.S. §§ 501—508 and §§ 701—704 (relating to Administrative Law).

The Department has reviewed its existing filing fee schedule and has determined that no amendment is

needed at this time. The Department will continue to review and, where appropriate, revise this fee schedule to reflect the costs of adjudication.

Comments, questions, or suggestions concerning appeals from the Department's denial or recall of occupational limited licenses; appeals from the Department's cancellation, denial or recall of probationary licenses, or requests for record reviews under Section 1516 of the Motor Vehicle Code; and hearings to request credit toward serving driving privilege or vehicle registration suspensions shall be directed to Terrie L. Prayer, Administrative Docket Clerk, Safety Administration, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104-2516, (717) 705-2492.

Comments, questions or suggestions relating to all other matters subject to administrative hearings shall be directed to Mary L. Sumpman, Administrative Docket Clerk, Office of Chief Counsel, Pennsylvania Department of Transportation, 9th Floor, Commonwealth Keystone Building, P.O. Box 8212, Harrisburg, PA 17105-8212, (717) 772-8397.

Administrative Docket Filing Fee Schedule

- 1. Basic filing fee \$100
Includes proceedings regarding the following matters:
 - (a) Application for credit toward suspension of operating privilege.
 - (b) Minimum use driveway permits (25 vehicles, or less per day).
 - (c) Occupational limited license privilege denial.
 - (d) School bus/hazardous walking routes.
 - (e) Probationary license denial.
 - (f) Miscellaneous matters (including Petitions to Intervene, Formal and Informal Complaints, and Protests).
- 2. Level II filing fee \$150
Includes proceedings regarding the following matters:
 - (a) Low volume driveway permits (25 to 750 vehicles per day).
 - (b) Municipal reimbursement matters.
 - (c) Overweight or oversize truck hauling permits.
 - (d) Private airport permits.
- 3. Level III filing fee \$250
Includes proceedings regarding the following matters:
 - (a) Medium volume driveway permits (750 to 1,500 vehicles per day).
 - (b) Highway beautification/outdoor advertising matters.
- 4. Level IV filing fee \$500
Includes proceedings regarding the following matters:
 - (a) High volume driveway permits (1,500 vehicles per day).
 - (b) Public airport permits.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-187. Filed for public inspection February 2, 2001, 9:00 a.m.]

**Finding
Pike County**

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to widen, reconstruct, rehabilitate and resurface S.R. 2001 between S.R. 2006 and S.R. 0739. The total length of the improvements will be approximately 19,140 feet (3.6 Miles). The subject project is located in Delaware and Dingman Townships, Pike County.

The proposed project is subject to a 2002 Evaluation due to the use of land within the boundary of the Delaware Water Gap National Recreation Area.

Mitigation measures to be taken to minimize harm to the Section 2002 resource will include tree plantings, parkland replacement and parking lot construction as described in the CEE/Section 2002 Evaluation and the executed Memorandum of Understanding.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effects.

No adverse environmental effect is likely to result from the project.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-188. Filed for public inspection February 2, 2001, 9:00 a.m.]

**FISH AND BOAT
COMMISSION**

Change to Wilderness Trout Stream Designation

Notice is hereby given that Fish and Boat Commission (Commission) has extended the wilderness trout stream designation of East Hickory Creek in Warren County. Previously, a 5.6 mile section of East Hickory Creek from the headwaters downstream to the confluence with Middle Hickory Creek was managed for wild trout under 58 Pa. Code § 57.4 (relating to wilderness trout streams). This section of stream is located within the boundaries of the Allegheny National Forest and is part of the Hickory Creek Wilderness Area. The lower boundary of the Hickory Creek Wilderness Area is the Allegheny National Forest Road 119 Bridge, which is located 1.6 miles downstream of the confluence with Middle Hickory Creek. In the interest of providing a common boundary for wilderness management programs, the United States

Forest Service requested that the Commission extend the length of its wilderness trout stream designation on this water. Accordingly, the Commission has extended the wilderness trout stream designation on East Hickory Creek downstream for a distance of 1.6 miles to the Allegheny National Forest Road 119 Bridge. The revised limits extend from the headwaters downstream to the Allegheny National Forest Road 119 Bridge, for a dis-

tance of 7.2 miles. This change will go into effect upon publication of this notice in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 01-189. Filed for public inspection February 2, 2001, 9:00 a.m.]

GOVERNOR'S OFFICE

Regulatory Review

Executive Order 1996-1, which was signed by Governor Ridge on February 6, 1996, requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the tenth publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ADMINISTRATION			
No regulations being developed or considered at this date.			
AGING			
PA Code Title VI Chapter 11 Older Adult Daily Living Centers	May 2002, as proposed.	This regulation is being reviewed for consolidation with regulations from DPW and DOH with the intent to publish as part of regulations to be proposed as Adolescent and Adult Day Center Licensing Regulations. Review is also occurring as a result of passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1.	Robert Hussar (717) 783-6207
PA Code Title VI Chapter 15 Protective Services For Older Adults	March 2001, as final.	This regulation is being reviewed as a result of the passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1.	Robert Hussar (717) 783-6207
PA Code Title VI Chapter 21 Domiciliary Care Services for Adults	October 2002, as proposed.	Review is continuing as part of a Departmental evaluation in response to Executive Order 1996-1. The review will be coordinated with the Adult Residential Facilities initiative being led by the Office of Licensing and Regulatory Management, Department of Public Welfare.	Robert Hussar (717) 783-6207
PA Code Title VI Chapter 3 Fair Hearings and Appeals	January 2002, as proposed.	This regulation has been initially reviewed by stakeholders in response to passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1. The completion of any proposed changes is dependent on the promulgation of final adult protective services regulations.	Robert Hussar (717) 783-6207
AGRICULTURE			
"Clean and Green" Regulations 7 Pa. Code Chapter 137	April 2001, as final.	Act 156 of 1998 revised the "Clean and Green" Law (72 P. S. §§ 5490.1—5490.13) and afforded the Department until April 30, 2001 by which to promulgate regulations to implement these revisions. The regulations will promote uniform and consistent interpretation and enforcement of the Act Statewide.	Raymond Pickering (717) 783-3167

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Agricultural Conservation Easement Purchase Program	May 2001, as proposed.	Act 138 of 1998 amended the Agricultural Area Security Law by permitting local government unit participation in agricultural conservation easement purchases. The regulations at 7 Pa. Code Chapter 138e must be revised to implement this statutory change.	Raymond Pickering (717) 783-3167
Consolidation/Update of Retail Food Store Regulations	May 2001, as proposed.	This regulation would provide the retail food industry needed and requested guidance for the safe handling of food. The Food Act (31 P. S. §§ 20.1—20.18) is the statutory basis for this regulation.	Lenchen Radle (717) 772-3234
Agricultural Security Areas	July 2001, as proposed.	This regulation will revise the current regulation at 7 Pa. Code Chapter 138 to address revisions to the statute on which that regulation is premised: the Agricultural Area Security Law (3 P. S. §§ 901—915).	Raymond Pickering (717) 783-3167
Maple Products	March 2001, as proposed.	This regulation is required by the Maple Products Act (3 Pa.C.S. §§ 6101—6112). This regulation would establish standards, product quality practices and facility requirements relating to the production of maple syrup and maple products.	Lenchen Radle (717) 772-3234
Amusement Rides	April 2001, as proposed.	This regulation will update the current regulation at 7 Pa. Code Chapter 139 to reflect changes to the Amusement Ride Inspection Act (4 P. S. §§ 401—418).	Charles Bruckner (717) 787-9089
Harness Racing Commission	July 2001, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions, which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186—190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Anton J. Leppler (717) 787-5196
Land application of soil and groundwater contaminated with agricultural chemicals	April 2001, as proposed.	This regulation is required under the Land Recycling and Environmental Remediation Standards Act, at 35 P. S. § 6026.101 et seq. This regulation would allow soil and groundwater contaminated with agricultural chemicals to be treated and re-applied upon agricultural lands. Numerous comments have been received with respect to drafts of this regulation, and will be addressed as the regulation proceeds.	Phillip M. Pitzer (717) 772-5206
Farm Safety and Occupational Health Grant Program	April 2001, as final.	This regulation is needed to replace an existing statement of policy published in the March 16, 1996 <i>Pennsylvania Bulletin</i> . This regulation would formalize the statement of policy by which the Farm Safety and Occupational Health Grant Program operates. The Program awards grants to fund projects to increase the knowledge and awareness of farm safety measures and occupational health issues among the Commonwealth's rural youth. The proposed regulation was published at 30 Pa.B. 781 (February 12, 2000).	Phillip M. Pitzer (717) 772-5206
Farm Safety Tuition Assistance Grant Program	April 2001, as final.	This regulation will establish a program to provide individual grants of up to \$100 toward tuition charged by an approved farm safety course provider. The proposed regulation was published at 30 Pa.B. 771 (February 12, 2000).	Phillip M. Pitzer (717) 772-5206

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Farm Safety Developmental and Instructional Program	April 2001, as final.	This regulation will establish a program to provide grants totaling up to \$30,000 for the development or implementation of farm safety courses. The proposed regulation was published at 30 Pa.B. 776 (February 12, 2000).	Phillip M. Pitzer (717) 772-5206
Sustainable Agriculture Grant and Loan Programs	April 2001, as final.	This regulation establishes grant and loan programs to implement best management practices. These programs are required under the Sustainable Agriculture Act (3 P. S. §§ 2101—2107).	Dave Bingaman (717) 772-5208
Fruit Tree Improvement Program	July 2001, as proposed.	This regulation would facilitate interstate and international export of Pennsylvania-grown fruit tree nursery stock. This regulation would amend 7 Pa. Code Chapter 120, which provides testing and inspection standards and procedures pursuant to which fruit tree nursery stock can be certified as to quality, consistency and disease/insect-free status. The regulation would be a technical update of current provisions, would bring this program into greater conformity with programs in other states and would provide more practical assistance to participating growers.	Ruth Welliver (717) 787-5609
Certification of Virus-Tested Geraniums	May 2001, as proposed.	This regulation would amend the current regulatory authority to update the voluntary program pursuant to which geranium producers may obtain the Department's certification of virus-tested geraniums. This amendment would establish an inspection fee to help cover the Department's costs in inspecting and testing geraniums offered for certification. This regulation would amend 7 Pa. Code Chapter 122 to: 1) expand the certification of virus-tested geraniums to include Culture-Indexed Geraniums, which are free from certain economically-important bacterial and fungal pathogens; and 2) establish a reasonable fee for the Department's inspection and certification services.	Ruth Welliver (717) 787-5609
Dog Law	May 2001, as proposed.	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 21, 23, 25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ 459-10 et seq.) is the statutory basis for this regulation.	Richard Hess (717) 787-4833
Domestic Animals	July 2001, as proposed.	This long-term project is intended to update the Department's regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301-2389).	John Enck, DVM (717) 772-2852
Pseudorabies Disease 7 Pa. Code Chapter 10	July 2001, as proposed.	The planned revisions of this chapter will assist the Department in attaining "Pseudorabies-free" status under the joint Federal-State Industry Pseudorabies Eradication Program, and will bring the current regulation into greater conformity with the requirements of the Domestic Animal Law.	John Enck, DVM (717) 772-2852
Aquaculture Development	April 2001, as proposed.	This Aquacultural Development Law requires the Department to develop an "Aquaculture Development Plan" through regulation.	Leo Dunn (717) 783-8462

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<i>BANKING</i>			
Continuing education regulations for residential first mortgage lender and broker industry.	June 2001, as proposed.	The Mortgage Bankers and Brokers Act ("MBBA") is Act 90 of 1989, and has been amended by Act 131 of 1998. Amended section 4(e) of the MBBA provides that the Secretary of Banking shall delineate the requirements for continuing education regulations for licensees (i.e., mortgage bankers, mortgage brokers, and loan correspondents) by regulation within 3 years of the effective date (February 19, 1999) of the amendments to the MBBA. Therefore, continuing education regulations are required to be promulgated by February 19, 2002.	Carter D. Frantz (717) 787-1471
Amendments to Banking regulations in 10 Pa. Code Part II to comply with amendments to the Banking Code made by Act 89 of 2000.	June 2001, as proposed.	Act 89 of 2000 substantially amended the Banking Code. Accordingly, some regulations will need to be amended in order to conform to the statutory amendments.	Laurie S. Kennedy (717) 787-1471
<i>BUDGET</i>			
Fiscal Notes 4 Pa. Code Chapter 7, Subchapter R	March 2001, as final.	Section 612 of the Administrative Code of 1929, as amended, 71 P. S. § 232, provides the authority for the Office of the Budget to promulgate regulations regarding the preparation of fiscal notes. The modified regulation prescribes the process agencies must implement to ensure a fiscal note is written for each proposed, final, and final omitted regulation.	Pamela F. Cross (717) 787-5311 Ext. 3070
<i>COMMUNITY & ECONOMIC DEVELOPMENT</i>			
Industrialized Housing and Components 12 Pa. Code Chapter 145	Spring 2001, as proposed.	The regulation will further clarify and strengthen the Department's and third party's role in monitoring the installation of industrialized housing; adopt the ICC International Building Code; update definitions to bring them into conformance with current terminology and with proposed changes to the placement of insignia of certification; place the determination regarding the frequency of inspection reports on the inspection agency; require manufacturers to ensure that instructions for installation are given to those installing industrialized housing; and increase the fees charged by the Department to offset increases in the cost of administering and enforcing the industrialized housing program.	Jill B. Busch (717) 720-7314
Certified Provider	Spring 2001, as proposed.	In accordance with the Job Enhancement Act of 1996, the regulation will establish professional and organizational standards that must be met in order for providers to continue packaging loans on behalf of the Department.	Jill B. Busch (717) 720-7314
<i>COMMISSION ON CRIME AND DELINQUENCY</i>			
Deputy Sheriffs' Education and Training Board Amendments to 37 Pa. Code Chapter 421	February 2001, as proposed.	To amend existing regulation to further increase hours of basic training that were increased by Statement of Policy in 2000. Proposed pursuant to the Deputy Sheriffs' Education and Training Act, 71 P. S. §§ 2105—2106, this rulemaking would add law enforcement-related duties to the basic training curriculum.	Stephen Spangenberg (717) 705-3693 ext. 3040

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Bureau of Victims' Services, Victims Compensation Division (formerly Crime Victim's Compensation Board)-Deletion of 37 Pa. Code Chapter 191, replacement with new Chapter 211	March 2001, as proposed.	To create a new chapter reflecting elimination of Crime Victim's Compensation Board and inclusion of its functions under PCCD pursuant to Act 1995-27 of the Special Session on Crime; changes in terminology and operations brought about by that act and by section 4 of Act 1997-57; and citation changes resulting from Act 1998-111 and its relocation of the Crime Victims Act from Title 71 of Purdon's Statutes Title 18. The act at 18 P. S. § 11.312(3) gives the Bureau of Victims' Services the authority, subject to the approval of PCCD, to promulgate regulations to carry out the purposes of the act as it relates to compensation. Also to be revised are monetary ceilings that are obsolete due to inflation and restrictions that are antiquated or that limit flexibility in carrying out the statutory purposes.	Lynn Shiner (717) 783-5153 ext. 3210
Commission on Crime and Delinquency-Amendments to 37 Pa. Code Chapter 401 (General Provisions), Chapter 405 (Grant Management) and Chapter 407 (Administrative Proceedings)	Summer 2001, as proposed.	To update existing regulations to reflect current operations and eliminate language that is obsolete due to operational or statutory change.	Gerard Mackarevich (717) 705-0888 ext 3034
CONSERVATION & NATURAL RESOURCES			
State Parks Rules and Regulations	April 2001, as proposed.	This revision to state parks rules and regulations will take place after extensive public outreach. Updates are necessary to reflect changes for more efficient operations, increase opportunities for public recreation, and an effort to improve visitor services and to promote good stewardship of public parks. Eight statewide regional public meetings were held in the summer of 2000 to begin to gather input on possible regulatory changes. Parks also conducted roundtable discussions. Legal basis for these regulations is Act 18 of 1995.	Gary Smith (717) 783-3303
Conservation of Native Wild Plants	June 2001, as proposed.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect fieldwork completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Chris Firestone, Mike Lester and Dan Devlin (717) 783-3227
CORRECTIONS			
Review and/or revision of all current Department of Corrections regulations contained in Title 37 of the Pennsylvania Code.	Spring 2001, as proposed.	The purpose of the review is to ensure that the Department's regulations are consistent with current legal standards concerning prison administration and operation. The legal basis for the action is found at Section 506 of The Administrative Code of 1929, 71 P. S. § 186, which grants the Commissioner of Corrections the authority to prescribe regulations for the Department that are not inconsistent with law.	J.D. Shutt (717) 975-4860

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
EDUCATION			
22 Pa. Code Chapter 155—Board of State College and University Directors—Personnel	March 2001, as final-omitted.	Chapter 155—This chapter was issued under Section 2 of the Act of February 1970 (P. L. 24, No. 13) (24 P. S. § 20-2002) (Repealed). It was adopted June 12, 1975, 5 Pa. B. 1548.	Ernest Helling (717) 787-5500
Chapter 161—School Administrators Handbook		Chapter 161—Statutory authority for this chapter is 71 P. S. § 352.	
Chapter 181—Mentally Retarded Exceptional Children		Chapter 181—Taken from the PA Bulletin (Vol. 3, No. 39-9/15/73, p. 2069), the authority was contained in the Act of January 14, 1970, P. L. (1969) 468 (24 P. S. § 13-1372).	
Chapter 251—Postsecondary Education Planning Commission—Rules & Regulations		Chapter 251—The Postsecondary Education Planning Commission, formerly known as the 1202 Commission and also known as the 1203 Commission, was authorized by 20 U.S.C., Section 1143 and established by the Governor upon recommendation of the State Board of Education through its resolution of March 15, 1974.	
Chapter 329—Computation of Subsidy		Chapter 329—This chapter provided procedures for calculating the instruction subsidy described in Sections 2502, 2502.5 and 2502.6 of the School Code.	
Special Education Services and Programs 22 Pa. Code, Chapter 14 and 22 Pa. Code, Chapter 342	March 2001, as final.	These regulations are necessary to establish procedures for the identification of students who are in need of special education services and programs and to set forth requirements and procedures for the delivery of those services and programs. The revisions of these current regulations will focus on current federal and state law regarding special education services and programs to ensure compliance, consistent and accurate terminology and application of existing provisions. These regulations will be published as a single regulation, Chapter 14. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) (24 P. S. § 1-101—26-2606-B).	Peter Garland (717) 787-3787
Higher Education General Provisions, Foreign Corporation Standards, Institutional Approval, Program Approval 22 Pa. Code, Chapters 31, 36, 40, 42	April 2001, as proposed.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions are necessary to clarify the intent of the chapters, modify the time frame during which new institutions must achieve accreditation, update provisions for library and learning resources, and amend regulations to accommodate for-profit baccalaureate and higher education. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Certification of Professional Personnel 22 Pa. Code, Chapter 49	May 2001, as final-omitted.	Revisions to these regulations are necessary to incorporate provisions of Act 48 of 1999, which requires continuing professional development for all certificated educators. Since these revisions will be technical to incorporate a statutory change, they will be promulgated as final rulemaking with the public comment phase omitted.	Peter Garland (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
College and University Security 22 Pa. Code, Chapter 33	February 2001, as final.	These regulations govern the responsibility of institutions of higher education for the provisions of college and university security information and the collection and reporting of crime statistics. Revisions are necessary to incorporate provisions for the establishment of and access to daily campus crime logs. These regulations are promulgated under authority of the College and University Security Information Act (P. L. 443, No. 73) (24 P. S. § 2502-1 to 2502-5).	Peter Garland (717) 787-3787
Community Colleges 22 Pa. Code, Chapter 35	April 2001, as proposed.	These regulations govern the establishment and operation of community colleges and technical institutes. Revisions to reflect current practice are proposed in the formula calculating Full-Time Equivalent (FTE) Enrollments for reimbursement purposes. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Charter School Services and Programs for Children With Disabilities 22 Pa. Code, Chapter 711	March 2001, as final.	The proposed regulations are promulgated to facilitate compliance with Federal statute, regulation and court decrees that apply in the Commonwealth to children with disabilities. The purposes of proposed Chapter 711 are to develop procedures for special education in charter schools and adopt by reference applicable Federal regulations. These regulations will be promulgated under the authority of the Charter School Law, 24 P. S. § 17-1701-A et seq. 1949, March 10, P. L. 30, No. 14, Article XVII-A, § 1701-A, added 1997, June 19, P. L. 225, No. 22, § 1.	Dale Baker (717) 705-2343
Charter School Services, General Provisions	May 2001, as proposed.	These regulations will clarify a number of provisions to the Charter School Law, which have been the subject of questions from charter school applicants and school districts. These regulations will be promulgated under the authority of the Charter School Law, 24 P. S. § 17-1701-A et seq. 1949, March 10, P. L. 30, No. 14, Article XVII-A, § 1701-A, added 1997, June 19, P. L. 225, No. 22, § 1.	Dale Baker (717) 705-2343
Academic Standards (Science & Technology, Environment & Ecology) 22 Pa. Code, Chapter 4	February 2001, as proposed.	Chapter 4 sets forth requirements for instruction, graduation, strategic planning and assessment based on academic standards. When initially promulgated in 1999, Chapter 4 contained academic standards in reading, writing, speaking and listening, and mathematics. Additional sets of standards were anticipated. This revision to Chapter 4 seeks to establish academic standards in Science and Technology, and Environment and Ecology.	Peter Garland (717) 787-3787
General Provisions - State Board of Private Licensed Schools 22 Pa. Code, Chapter 73	July 2001, as proposed.	The proposed revisions to the regulations of the State Board of Private Licensed Schools will amend Section 73.1 (Definitions) to add a new definition of the term "Seminar" and modify the current definition of the term "Nonresident" and amend Section 73.151 relating to fees to allow the Board to raise sufficient revenue to offset its projected expenditures for fiscal year 2000-01 and 2001-02. These regulations are promulgated under the authority of the Private Licensed Schools Act, Act 174 of 1986 (1986, Dec. 15, P. L. 1585, No. 174, § 1, effective Jan. 1, 1987)(24 P. S. §§ 6501-6518).	Sharon Lane (717) 783-8228

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Vocational Education Standards 22 Pa. Code, Chapter 339	September 2001, as proposed.	Educational institutions offering vocational programming have evolved substantially since their inception. Many of the standards defining and governing those institutions were conceived over 30 years ago. A revision of Chapter 339 is necessary to assist schools in developing, funding and maintaining programs that will provide the Commonwealth with a competent workforce. Discussions with the State Board of Vocational Education, as well as practitioners in that field, will be initiated to revise these standards. These regulations are promulgated under the authority of the Pennsylvania School Code, Article 18 on Vocational Education and section 2502.8 on Vocational Education Funding. These standards are also provided for under Chapter 4 of Title 22 of the Pennsylvania Code, section 4.32(a).	John C. Foster (717) 787-5530
22 Pa. Code, Chapter 191	Spring 2001, as final.	A new chapter in Pa. Code 22 will provide for procedures for calculating state subsidies for the National School Lunch and School Breakfast programs. These procedures are necessary to incorporate provisions of Act 16 of May 3, 2000, amending the Public School Code of 1949 (P. L. 30, No. 14)(24 P. S. § 1337.1)	Pat Birkenshaw (717) 783-6556
22 Pa. Code, Chapters 233 and 237 Professional Standards and Practices Commission By-laws; Definitions	Spring 2001, as proposed.	The statements of policy and regulations defining specific terms are issued under the Professional Educator Discipline Act (24 P. S. § 2070.1 et seq.), which was recently amended by HB 2189 or Act 123 of 2000.	Carolyn Angelo (717) 787-6576
EMERGENCY MANAGEMENT AGENCY			
4 Pa. Code Chapter 118 "Reductions of Major Water Use in the Delaware River Basin Drought Emergency Area"	June 2001, as proposed.	Needed to improve and streamline administration of regulations	Mark Goodwin (717) 651-2010
4 Pa. Code Chapter 119 "Prohibition of Nonessential Water Uses in a Commonwealth Drought Emergency"	June 2001, as proposed.	Needed to improve and streamline administration of regulations	Mark Goodwin (717) 651-2010
4 Pa. Code Chapter 120 "Local Water Rationing Plans"	June 2001, as proposed.	Needed to improve and streamline administration of regulations	Mark Goodwin (717) 651-2010
4 Pa. Code Chapter 119a "Philadelphia Drought Water Emergency Plan"	June 1, 2001, as proposed.	Regulations are outdated and no longer needed	Mark Goodwin (717) 651-2010
ENVIRONMENTAL HEARING BOARD			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ENVIRONMENTAL PROTECTION			
Stream Redesignations— Little Bush Kill, et al. Clean Streams Law	March 2001, as proposed.	This stream redesignation package includes five streams or portions thereof that were evaluated for redesignation as High Quality (HQ) or Exceptional Value (EV) Waters. The Little Bush Kill (Pike Co.) was evaluated in response to a petition from Bushkill Falls. West Penn Township (Schuylkill Co.) petitioned for redesignation of Lizard Creek. Smithtown Creek (Bucks Co.) was studied as a result of a petition from the Smithtown Creek Watershed Association. The Pennsylvania Fish and Boat Commission requested evaluation of Oswayo Creek (Potter Co.) and Browns Run (Warren Co.). Minor corrective amendments are also included for Buck Hill Creek (Monroe Co.) and Slate Run (Lycoming Co.).	Bob Frey, (717) 787-9637
Stream Redesignations Clean Streams Law	Dates undetermined.	DEP has an ongoing program to evaluate streams for possible redesignation in the Water Quality Standards in Chapter 93. Evaluations are undertaken in response to petitions to the EQB as well as requests from the Pennsylvania Fish and Boat Commission or DEP staff. DEP publishes a notice of assessment in the <i>Pennsylvania Bulletin</i> and a local newspaper and requests technical information on each stream. A list of evaluations undertaken or needed and the status of each one can be found on the Bureau of Watershed Conservation web page on DEP's website at www.dep.state.pa.us . Following completion of a draft evaluation report, and if a redesignation is proposed, the recommendations will be presented to the EQB either individually or as part of a group of streams.	Bob Frey, (717) 787-9637
Chapter 109—Disinfectants and Disinfection Byproducts Rule Safe Drinking Water Act	April 2001, as final.	This proposal incorporates the provisions of the Federal Disinfectants and Disinfection Byproducts Rule, promulgated in December 1998, into the Safe Drinking Water regulations in Chapter 109. The rule regulates disinfection practices at public water systems by implementing standards to eliminate or minimize harmful byproducts of disinfection treatment processes in public drinking water. The Technical Assistance Center for Small Water Systems (TAC) and Water Resources Advisory Committee (WRAC) reviewed the draft final rulemaking.	Ed Rawski, (717) 783-3796
Chapter 109—Interim Enhanced Surface Water Treatment Rule Safe Drinking Water Act	April 2001, as final.	This proposal incorporates the provisions of the Federal Interim Enhanced Surface Water Treatment Rule, promulgated in December 1998, into the Safe Drinking Water regulations in Chapter 109. The rule applies to public water systems that serve 10,000 or more people and that use surface water or ground water under the direct influence of surface water. Implementation of the rule will significantly reduce the level of Cryptosporidium in finished drinking water supplies through improvements in filtration. The filtration provisions of the rule are also expected to increase the level of protection from other pathogens as well. The TAC and WRAC reviewed the draft final rulemaking.	Ed Rawski, (717) 783-3796

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Chapter 109—Safe Drinking Water Amendments Safe Drinking Water Act	July 2001, as proposed.	This proposal will incorporate into DEP's Safe Drinking Water regulations recently adopted federal initiatives, including the provisions of the Federal Consumer Confidence Report (CCR) Rule, revisions to the Public Notification (PN) regulations, and minor changes to the Lead and Copper Rule. The CCR and PN rules expand and clarify requirements that deal with the public's right to know what is in the water they receive from a regulated public water supplier. The proposal also includes several technical changes to address differences between state and federal regulations at 40 CFR 141 which involve primacy concerns. In addition, the proposal will require regulated entities to submit self-monitoring test data electronically to the Department.	Jeffrey Gordon, (717) 772-4018
Chapter 105—Dam Safety and Waterway Management Clean Streams Law; Dam Safety and Encroachments Act	June 2001, as proposed.	Revisions will be proposed to simplify and clarify the regulations, streamline the process for minor wetland encroachments, establish discretion to issue expedited permit decisions during site visits, simplify the application fee schedule, and clarify the Chapters 105 and 106 programs by consolidating rules and procedures for stream channels, floodways and floodplains into one regulation. The Wetlands Protection Advisory Committee (WetPAC) is thoroughly reviewing the issues. The Agricultural Advisory Board (AAB) will also be briefed on developments. The date for EQB consideration of a proposed rulemaking remains tentative at this time pending WetPAC's deliberations.	Ken Reisinger, (717) 787-6827
Waste Oil Amendments Solid Waste Management Act	March 2001, as final.	This proposal aligns DEP's hazardous waste program more closely to the federal program for the management of used oil (40 CFR part 279). The proposal also consolidates all waste oil recycling requirements into one chapter. The Solid Waste Advisory Committee (SWAC) reviewed the draft final amendments.	Scott Walters, (717) 787-7381
Chapter 250—Land Recycling Program Amendments Land Recycling and Environmental Remediation Standards Act; Solid Waste Management Act	August 2001, as final.	These amendments clarify the existing regulations and update several provisions to reflect current science. The revisions are necessary to provide clear direction to those undertaking the cleanup of a contaminated site and the cleanup standards they must meet. DEP is working with the Cleanup Standards Scientific Advisory Board (CSSAB) in developing the final amendments.	Dave Hess, (717) 783-7816
Storage Tank and Spill Prevention Program— Integration of Act 2 Provisions Land Recycling and Environmental Remediation Standards Act	August 2001, as final.	This proposal integrates the provisions of the Land Recycling and Environmental Remediation Standards Act (Act 2 of 1995) into Chapter 245 (Administration of the Storage Tank and Spill Prevention Program). The proposal changes definitions in Subchapter A for consistency between the two programs. In Subchapter D, the proposal incorporates procedures for selecting and attaining one or more of the Act 2 remediation standards into the corrective action process for regulated storage tanks, eliminating language that was based on implementation of the Department's Groundwater Protection Strategy, which was in effect when Subchapter D was adopted in 1993. DEP is working with the Storage Tank Advisory Committee (STAC) in developing the final amendments.	Charles Swokel, (717) 783-7509

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Host Municipality Fund Allocation Amendments Hazardous Sites Cleanup Act	June 2001, as final.	This proposal clarifies the eligibility requirements for a host municipality to receive a one-time payment from the Host Municipalities Fund. It also modifies the allocation formula for distribution of the one-time payment to replace the Hazardous Waste Site Ranking System established by EPA in Appendix A of 40 CFR 300 with a simpler, less costly and more appropriate method. The proposal clarifies several ambiguities in the existing regulations and responds to recent litigation initiated by a municipality that is host to a commercial hazardous waste treatment facility. SWAC will review the final amendments.	Rick Shipman, (717) 787-6239
Household Hazardous Waste Collection and Disposal Small Business and Household Pollution Prevention Program Act; Solid Waste Management Act	August 2001, as final.	This proposal further clarifies the household hazardous waste regulations in Chapters 261, 271 and 272, makes the language consistent with that used in the Small Business and Household Pollution Prevention Program Act and ensures that waste collected as part of a household hazardous waste program is properly managed as hazardous waste rather than as part of the municipal waste stream. Adopted by the EQB in October 2000, the proposal was published for public comment on February 3. SWAC reviewed the proposal and will review the draft final rulemaking.	Tom Hyatt, (717) 787-8686
Amendments to the Hazardous Waste Regulations Solid Waste Management Act	June 2001, as proposed.	Minor modifications are proposed to the hazardous waste amendments that were finalized on May 1, 1999, to address changes in the federal regulations since that time and for EPA approval as a federally authorized program. The modifications include minor "housekeeping" issues such as exceptions to the blanket substitution of DEP for USEPA where the federal authority cannot be delegated to a state. Other changes include correcting typographical errors and adding clarification or consistency in certain sections. SWAC will review a draft of the proposal.	Rick Shipman, (717) 787-6239
Emission Limits for Heavy-Duty Highway Diesel Vehicles Air Pollution Control Act	June 2001, as proposed	This proposal will adopt California regulations to require 2005 and 2006 model year heavy-duty highway diesel engines to meet the same standards in effect for model years 2002 through 2004. The 2002-2004 standards resulted from consent decrees signed by the U.S. Department of Justice, the EPA and the California Air Resources Board (CARB) with seven of the largest heavy-duty diesel engine manufacturers who violated certification regulations. The consent decrees require the manufacturers to meet new lower emission standards by October 1, 2002, for the two-year period. EPA has proposed supplemental standards and test procedures for 2004 and later model year engines, but will not be able to require them until model year 2007. Adopting the California regulations by Pennsylvania and other states will create a de facto national standard, which EPA supports, that would maintain the lower emission standards for 2005 and 2006 model year engines.	Arleen Shulman, (717) 787-4310

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Emissions of Nitrogen Oxides (NO _x) from Combustion Units and Process Heaters Air Pollution Control Act	November 2001, as proposed	As one of the recommendations of the Southeast Pennsylvania Stakeholders Working Group to achieve additional NO _x reductions, this proposal would require operators of certain combustion units and process heaters with rated heat inputs between 100 million and 250 million Btus (MMBtus) per hour to implement NO _x reduction programs. Facilities would be required to meet an emission reduction program that has a cost effectiveness of less than \$3,000 per ton. This proposal is estimated to affect approximately 10 facilities with 35 to 40 units in the Southeast Pennsylvania area. AQTAC will review a draft of the proposal.	Dean Van Orden (717) 787-4310
Open Burning of Recyclable Waste Air Pollution Control Act	July 2001, as proposed	This proposed revision will adopt a new definition of "domestic refuse" and revise the open burning provisions of Section 129.14(c) to prohibit the burning of leaves, yard wastes and other recyclable materials in areas that are required to have curbside recycling programs.	Terry Black, (717) 787-4310
Solvent Cleaning Operations Air Pollution Control Act	September 2001, as final.	This proposal resulted from recommendations of the Southwest and Southeast Ozone Stakeholder Working Groups that DEP adopt programs to reduce VOC emissions from degreasing operations. A stakeholder group consisting of degreaser manufacturers and operators, solvent suppliers and environmental groups met several times over an eight-month period to develop the proposal. The proposed regulations, published on August 28, 1999, establish additional requirements for solvent cleaning operations and new requirements for operations not presently regulated by the provisions of Section 129.63. More recently, DEP has been working with the Ozone Transport Commission to develop a regional approach to solvent cleaning operations.	Terry Black, (717) 787-4310
Standards for Existing Commercial and Industrial Solid Waste Incinerator (CISWI) Units Air Pollution Control Act	August 2001, as proposed	On December 6, 2000, EPA published final rule-making that establishes standards for new commercial and industrial solid waste incinerator (CISWI) units and emission guidelines for the states to use in the development of standards for existing CISWI units. Under the requirements of Sections 111(d) and 129(b) of the federal Clean Air Act, Pennsylvania and other states are required to promulgate regulations within one year of the December 6, 2000, final federal rule implementing the emission guideline requirements. The emission guidelines set forth maximum allowable emission rates for a number of pollutants, including cadmium, lead, mercury, particulate matter, and dioxins/furans.	Terry Black, (717) 787-4310
Control of NO _x from Cement Kilns and Stationary Internal Combustion Engines Air Pollution Control Act	October 2001, as proposed	This proposal establishes a program to limit the emissions of nitrogen oxides (NO _x) from cement kilns and large stationary internal combustion engines. These provisions are proposed to be included in Chapter 145 (Interstate Ozone Transport Reduction). These regulations were previously proposed as part of the Chapter 145 development and are being repropoed for additional public comment. NO _x emission reductions are needed to help achieve ozone health-based standards in the eastern United States.	Dean Van Orden, (717) 787-4310

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
New Source Review Air Pollution Control Act	Contingent on EPA action.	The Department's existing new source review regulations will be reorganized and reformatted to make the requirements clear to the regulated community and to facilitate the creation and use of emission reduction credits. The Department will incorporate proposed changes in the Federal new source review requirements as necessary. Drafts of the proposal will be reviewed by the AQTAC. EPA has proposed in its draft new source review (NSR) regulations a number of mechanisms related to generation and use of Emission Reduction Credits (ERC's), and the use of an "area wide" plantwide applicability limit (PAL) to address trading issues. The proposed rules were issued in July 1996; however, EPA has not yet issued final rules. With the uncertainty of the nature of the final rules, the Department cannot proceed with revisions of the existing trading regulations until the final EPA rule is promulgated.	Terry Black, (717) 787-4310
Radiological Health (Chapters 215, 217, 219, 220, 224, 225, 226, 230 and 232) Radiation Protection Act	May 2001, as final.	The Department is updating its regulations for the control of radioactive material in preparation for becoming an Agreement State with the U.S. Nuclear Regulatory Commission (NRC). One of the NRC requirements for the agreement is to have and maintain compatible regulations with the NRC. The proposed regulations address industrial radiography, well logging, irradiators, medical uses, transportation and packaging, protection standards and licensing. The Department consulted with the Radiation Protection Advisory Committee (RPAC) in developing these regulations. The RPAC will also review the draft final amendments.	William Kirk, (717) 783-9730
Amendments to Radiological Health Chapters 221, 227 and 228 Radiation Protection Act	November 2001, as final	This proposal contains minor changes to Chapter 221 to clarify requirements for X-ray use in the healing arts and to improve consistency with federal regulations. A new section on Radiation Safety Requirements for X-ray Calibration Systems is added to Chapter 227. A change to Chapter 228 modifies the radiation monitoring requirements to better accommodate existing equipment. Adopted by the EQB in October 2000, the proposal was published February 3. The RPAC reviewed the proposal and will review the draft final rulemaking.	William Kirk, (717) 783-9730
Amendments to Radiological Health Chapter 218, Fees Radiation Protection Act	November 2001, as final	This proposal contains a revised fee structure for registrations, licenses, and inspections of radiation-producing machines and radioactive material. Current fees no longer cover the registration, licensing and inspection costs required by regulation. In addition, DEP's responsibilities will expand to include more complex licensing and inspection when Pennsylvania becomes an Agreement State. With Agreement State status, DEP will assume responsibility for licensing and oversight of decommissioning of a number of sites formerly licensed by the Nuclear Regulatory Commission (NRC). Authority for actual cost recovery is established in these amendments. Adopted by the EQB in January 2001, the proposal will be published for public comment some time in March. The RPAC reviewed the proposal and will review the draft final rulemaking.	William Kirk, (717) 783-9730

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensing of Blasters and Storage, Handling and Use of Explosives Explosives Act; Surface Mining Control and Reclamation Act (SMCRA); and Noncoal SMCRA	April 2001, as final.	This proposal reflects changes that have occurred in the industry and the experience DEP has gained in implementing the program since the regulations in Chapters 210 and 211 were developed in 1972. The proposal addresses requirements that are needlessly more stringent and burdensome than federal requirements; incorporates technological advances resulting from research on the effects of blasting on structures; and enhances DEP's ability to prevent issuance of blasters' licenses to previous violators. The Mining and Reclamation Advisory Board (MRAB) reviewed the draft final regulations.	Rick Lamkie, (717) 783-9892
Chapter 90—Coal Refuse Disposal Activities Coal Refuse Disposal Control Act; Surface Mining Conservation and Reclamation Act; Clean Streams Law	April 2001, as final.	This proposal updates Chapter 90 and conforms it with the Coal Refuse Disposal Control Act amendments of 1994. It incorporates new requirements pertaining to site selection, permitting and performance standards and consolidates existing permitting and water supply replacement requirements applicable to coal refuse disposal activities into Chapter 90. The MRAB is reviewing the draft final rulemaking.	Tom Callaghan, (717) 783-1199
Chapters 86—88 and 90—Coal Mine Permits/Road Requirements Surface Mine Conservation and Reclamation Act; Coal Refuse Disposal Control Act; Clean Streams Law	July 2001, as proposed	This proposal modifies Chapters 86, 87, 88 and 90 for clarity and consistency with federal regulations. The proposed changes relate to criteria for approval/denial of coalmine permits and to requirements concerning coalmine roads at surface coal mines and coal refuse disposal operations. The MRAB will review a draft of the proposal.	Nevin Strock, (717) 787-6842
Chapter 207 - Underground Noncoal Mines General Safety Law	March 2001, as proposed	This proposal will consolidate the regulatory provisions implementing Section 2(f) of the General Safety Law, which regulates worker safety in noncoal mines, into Chapter 207 (Noncoal Mines). Most of these provisions were promulgated by the Department of Labor and Industry over 30 years ago and are found at Title 34, <i>Pennsylvania Code</i> , Chapter 33. DEP's Chapter 207 addresses the use of explosives at noncoal mines and has not been amended since its adoption in 1972. The amendments will address effective safety practices in noncoal mines based on changes in the industry and DEP's administration of the program. DEP proposes to incorporate by reference the U.S. Mine Safety and Health Administration's (MSHA) regulations found at 30 CFR Part 57 and add provisions to address certification of foremen as well as the licensing and duties of blasters.	Richard Stickler, (724) 439-7469
GENERAL SERVICES			
Surplus State Property 4 Pa. Code, Chapter 41	Summer 2001, as proposed	With the enactment of the Commonwealth Procurement Code (Act 57 of 1998) this Chapter must be substantially amended. Further, there is a need for review and revision of these regulations to implement improvements in the transfer and disposition of state surplus property.	Kelly Powell Logan (717) 787-5295
Responsibility 4 Pa. Code Chapter 60	Winter 2001, as proposed	This chapter must be amended to conform with the legislative changes required by Act 57 and to provide for uniform Commonwealth agency debarment and suspension procedures.	Gary F. Ankabrandt (717) 783-1982
Instructions to Bidders 4 Pa. Code, Chapter 61	Winter 2001, as proposed	This Chapter has been superseded and should be repealed because such instructions should not be set out in regulatory form. There is a need for flexibility, which can be of benefit to the Department as well as bidders.	Merle H. Ryan (717) 787-7095

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Conditions of the Construction Contract 4 Pa. Code, Chapter 63	Winter 2001, as proposed	See comment for Chapter 61.	Merle H. Ryan (717) 787-7095
State Art Commission 4 Pa. Code, Chapter 65	Winter 2001, as final	The legislation creating the State Art Commission was sunsetted.	Merle H. Ryan (717) 787-7095
Emergency Construction Repairs 4 Pa. Code, Chapter 67	Winter 2001, as proposed	The regulation should be amended to more accurately reflect present practice and to delete contract provisions. Such provisions should not be in regulatory form and their deletion will serve the same purpose as noted for Chapter 61.	Merle H. Ryan (717) 787-7095
Contract Compliance 4 Pa. Code, Chapter 68	Summer 2001, as proposed	Executive Order 1996-8 transferred the contract compliance responsibilities to the Department of General Services	John R. McCarty (717) 783-8720
Methods of Awarding Contracts 4 Pa. Code, Chapter 69	Summer 2001, as proposed	With the enactment of the Commonwealth Procurement Code (Act 57) it is necessary to conform this Chapter with the changes in the law and to address other procurement areas affected by Act 57.	Kelly Powell Logan (717) 787-5295
Commonwealth Parking Facilities 4 Pa. Code, Chapter 71	Spring 2001, as proposed	Amendments are required because parking locations have been changed.	James W. Martin (717) 783-5028
Commonwealth Automotive Fleet 4 Pa. Code, Chapter 73	Spring 2001, as proposed	The regulation will be amended to eliminate the requirement for a Pennsylvania license to drive a state vehicle and will permit out-of-state licenses.	Gary F. Ankabrandt (717) 783-1982
Processing Subscriptions and Sales of Pennsylvania Code and Related Publications 4 Pa. Code, Chapter 81	Fall 2001, as proposed	These regulations should be repealed since the Department of General Services' Bureau of Management Services no longer has responsibility for the processing of subscriptions and orders for the <i>Pennsylvania Code</i> .	John R. McCarty (717) 783-8720
First Amendment Rights 4 Pa. Code, Chapter 86	Summer 2001, as proposed	The amendment will extend coverage of the statement of policy to the Philadelphia State Office Building, Pittsburgh State Office Building, Scranton State Office Building, and Reading State Office Building.	Gregory C. Santoro (717) 787-5599
HEALTH			
Health Facility Licensure-General & Special Hospitals & Health Planning 28 Pa. Code § 301.1 et seq. 28 Pa. Code § 401.1 et seq.	August 2001, as final-omitted.	The amendments to existing regulations will repeal chapters on health planning (federal program and certificate of need), as statutory authority for both chapters has terminated. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. (717) 783-2500
Health Facility Licensure-General Administrative Chapter & General and Special Hospitals. 28 Pa. Code § 101.1 et seq.	August 2001, as proposed.	The amendments to existing regulations will update the licensure standards for general and special hospitals. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. (717) 783-2500
Home Health Care Agencies 28 Pa. Code § 601.1 et seq.	December 2001, as proposed.	The amendments to existing regulations will provide for consistency with federal conditions of participation in Medicare programs. (Anticipated date of publication of federal regulations is spring of 2001). Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Carol Somerset-Griffie (717) 783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	July 2001, as final.	The amendments to existing regulations will make them consistent with current public health practices for the control of communicable and other reportable conditions. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1-521.21.	Yvette M. Kostelac (717) 783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
School Health Immunization 28 Pa. Code § 23.83	May 2001, as final.	The amendments to existing regulations will add to the list of immunizations required for school entry and for entry into the seventh grade consistent with recommendations by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices. Pursuant to the Public School Code of 1949, 24 P. S. §§ 1-101, 13-1303a; the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1, 521.16; the Administrative Code of 1929, 71 P. S. §§ 51,532(g), 541(b), and 541(c.1); and the Hepatitis Prevention Act, 35 P. S. §§ 630.1 and 630.2.	Yvette M. Kostelac (717) 783-2500
Managed Care Regulations 28 Pa. Code § 9.1 et seq.	April 2001, as final.	The amendments to existing regulations will amend Chapter 9. Managed Care Organizations, Subchapter A. Health Maintenance Organizations, Subchapter D. PHOs and POs and IDs, and Subchapter E. Quality Health Care Accountability and Protection. Pursuant to the Health Maintenance Organization Act, 40 P. S. §§ 1551—1567; and Article XXI of the Insurance Company Law of 1921, as added by the Act 68 (1998) amendment of that law, 40 P. S. §§ 991.2101—991.2193.	Yvette M. Kostelac (717) 783-2500
Environmental Health Assessment 28 Pa. Code § 17.1 et seq.	No publication anticipated in the next six months.	The amendments to existing regulations will facilitate the transfer of authority for certain environmental regulations from the former Department of Environment Resources to the Department of Health. Pursuant to 71 P. S. § 532 and 71 P. S. § 1340.101 et seq.	Grace R. Schuyler (717) 783-2500
Public Bathing Place Lifeguard Requirements 28 Pa. Code § 18.1; § 18.42	April 2001, as final.	The amendments to existing regulations will provide lifeguard requirements for recreational swimming establishments, and add requirements for lifeguard certification and factors to be considered in determining adequate lifeguard coverage. Pursuant to Act 75 of 1998, amending 35 P. S. §§ 672-680 (the Public Bathing Law).	Grace R. Schuyler (717) 783-2500
Special Supplemental Food Program for Women, Infants and Children (WIC Program) 28 Pa. Code § 1101.1 et seq.	June 2001, as proposed.	The amendments to existing regulations will bring the State regulations into compliance with changes in the Federal regulations (7 CFR 246) published December 29, 2000, relating to vendor selection criteria, training requirements, monitoring requirements and compliance investigations, and the vendor appeals process. Pursuant to the Child Nutrition Act of 1966, 42 U.S.C. § 1786, and 71 P.S. § 532.	Karin Simpson Gutshall (717) 783-2500
Health Facility Licensure/Hospices 28 Pa. Code § 651.1 et seq.	August 2001, as proposed.	These new regulations to license and regulate hospices will, at a minimum, contain standards set forth in regulations for hospices certified as providers under the Medicare Program. Pursuant to the Act 95 (1998) amending the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Tanya Leshko (717) 783-2500
Hearing Aid Sales and Registration/Continuing Education 28 Pa. Code § 25.201 et seq.	April 2001, as proposed.	The amendments to existing regulations will include continuing education requirements for hearing aid fitters, provide for 30-day money back written guarantees on hearing aids, and revise certification fees for consistency with the statute. Pursuant to Act 153 of 1998, amending the Hearing Aid Sales Registration Act, 35 P. S. § 6700-101 et seq.	Tanya Leshko (717) 783-2500
Head Injury Program 28 Pa. Code §§ 4.1-4.14 et seq.	May 2001, as final.	These new regulations will facilitate the implementation of this program. Pursuant to the Emergency Medical Services Act, 35 P. S. § 6934(e).	Tanya Leshko (717) 783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Newborn Screening 28 Pa. Code § 28.1 et seq.	March 2001, as proposed	The amendments to the existing regulations will add four diseases to the list of required diseases for which newborns must be screened. The amendments will also prescribe the manner by which specimens are to be collected and tested. Pursuant to the Newborn Child Testing Act, 35 P. S. §§ 621—625	Stephanie Michel-Segnor (717) 783-2500
Drug and Alcohol Facility Physical Plant Standards 28 Pa. Code §§ 705.1-705.29.	July 2001, as final.	The amendments to existing regulations will establish uniform standards for all residential and non-residential services. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690.101—1690-115.	Keith Fickel (717) 783-2500
Schedule of Controlled Substances 28 Pa. Code § 25.75.	March 2001, as final.	The amendments to existing regulations will re-schedule dronabinol from Schedule II to Schedule III. Pursuant to the Controlled Substance, Drug, Device and Cosmetic Act, 35 P. S. § 780-101 et seq.	Keith Fickel (717) 783-2500
Narcotic Treatment Standards 28 Pa. Code §§ 701 and 715.	August 2001, as final.	The amendments to existing regulations will repeal 4 Pa. Code § 263, transfer regulations to Title 28, and amend and update narcotic treatment, including methadone treatment standards. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690-101—1690.115.	Keith Fickel (717) 783-2500
Prevention Activities 28 Pa. Code §§ 701 and 713.	March 2001, as proposed.	The amendments to existing regulations will repeal standards for approval of drug and alcohol prevention activities. Pursuant to the Pennsylvania Drug and Alcohol Abuse and Control Act, 71 P. S. §§ 1690-101—1690.115.	Keith Fickel (717) 783-2500

HOUSING FINANCE AGENCY

No regulations being developed or considered at this date.

INFRASTRUCTURE INVESTMENT AUTHORITY

No regulations being developed or considered at this date.

INSURANCE

Allocation of Joint Expenses, 31 Pa. Code, Chapter 3, §§ 3.1—3.6	February 2001, as final.	Repeal needs to be effective 01/01/2001 to be consistent with NAIC codified accounting practices and procedures.	Peter J. Salvatore, (717) 787-4429
Miscellaneous (Relating to Uniform Classification of Expenses), 31 Pa. Code, Chapter 11, §§ 11.1—11.7	February 2001, as final.	Repeal §§ 11.4-6 and amend § 11.7 to be effective 01/01/2001 to be consistent with NAIC codified accounting practices and procedures.	Peter J. Salvatore, (717) 787-4429
Stock Ownership Statements, 31 Pa. Code, Chapter 21, §§ 21.1—21.103	Summer 2001, as proposed.	Amend to update requirements relating to Stock Ownership Statements consistent with NAIC model language.	Peter J. Salvatore, (717) 787-4429
Proxies, Consents and Authorizations, 31 Pa. Code, Chapter 23, §§ 23.1—23.96	Summer 2001, as proposed.	Amend to update requirements relating to Proxies, Consents and Authorizations consistent with NAIC model language.	Peter J. Salvatore, (717) 787-4429
Acquisitions of Capital Stock (Insurance Company Holding Law), 31 Pa. Code, Chapter 25, §§ 25.1—25.23	March 2001, as final.	Amend to be consistent with 1993 and 2000 amendments to the authorizing statute and to eliminate unnecessary filing requirements	Peter J. Salvatore, (717) 787-4429
Producer Licensing, 31 Pa. Code, Chapter 37, §§ 37.1—37.84	Spring 2002, as proposed.	Amend 31 Pa. Code, Chapter 37, Agent Certificates of Qualification and Broker Licenses, to address fees relating to company appointments.	Peter J. Salvatore, (717) 787-4429
Advertising of Insurance, 31 Pa. Code, Chapter 51, §§ 51.1—51.61	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Special Rules of Administrative, Practice and Procedure, 31 Pa. Code, Chapter 56, §§ 56.1—56.3	Spring 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Objections and Procedure for Hearings on Reports of Examination, 31 Pa. Code, Chapter 58, §§ 58.1—58.3	Summer 2001, as proposed.	Repeal to eliminate outdated, unnecessary requirements consistent with the new examination law adopted in 1992 (40 P. S. §§ 323.1—323.8).	Peter J. Salvatore, (717) 787-4429
Cancellations and Refusal to Renew Homeowners Insurance, 31 Pa. Code, Chapter 59, §§ 59.1—59.13	Fall 2001, as proposed.	Amended language to regulation and statute is being drafted pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Notices for and Appeals of Cancellations and Refusals to Renew Automobile Insurance Policies, 31 Pa. Code, Chapter 61, §§ 61.1—61.14	Fall 2001, as proposed.	Modify regulation consistent with the statute (40 P. S. §§ 1008.1 et seq.). The regulations provide guidance to automobile insurers relating to cancellations and nonrenewals of certain automobile insurance policies, and the available administrative process to secure an administrative review of such terminations.	Peter J. Salvatore, (717) 787-4429
Private Passenger Automobile Policy Forms, 31 Pa. Code, Chapter 64, §§ 64.1—64.14	Fall 2001, as proposed.	Repeal pursuant to Executive order 1996-1.	Peter J. Salvatore, (717) 787-4429
Charter Amendments, 31 Pa. Code, Chapter 65, §§ 65.21—26	Spring 2001, as proposed.	Amend to eliminate outdated, unnecessary provisions relating to minimum capital and surplus requirements pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Motor Vehicle Financial Responsibility Law—Evidence of Financial Responsibility, 31 Pa. Code, Chapter 67, §§ 67.21—28	Fall 2001, as proposed.	Amend to make the regulation consistent with statutory requirements.	Peter J. Salvatore, (717) 787-4429
Replace Life Insurance Annuities, 31 Pa. Code, Chapter 81, §§ 81.1—9	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Variable Life Insurance, 31 Pa. Code, Chapter 82, §§ 82.1—91	Fall 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Disclosure in Solicitation of Life Insurance, 31 Pa. Code, Chapter 83, §§ 83.1—57	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Annuity Disclosure, (NEW Chapter 83a)	Summer 2001, as proposed.	A new regulation to eliminate misleading illustrations, make illustrations more understandable and to standardize the disclosure statement language to be use with the selling of annuities.	Peter J. Salvatore, (717) 787-4429
Variable Annuity & Accumulation Contracts, 31 Pa. Code, Chapter 85, §§ 85.1—85.40	Winter 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Requirements for Life Policies and Sales Practices, 31 Pa. Code, Chapter 87, §§ 87.1—87.42	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Life Insurance Illustrations (New Chapter 87a)	Summer 2001, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Peter J. Salvatore, (717) 787-4429
Individual Accident & Sickness Minimum Standards, 31 Pa. Code, Chapter 88, §§ 88.1—88.195	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Requirements for All Policies and Forms, 31 Pa. Code, Chapter 89, §§ 89.1—89.5, 89.11, 89.17 and 89.21—89.23 and new General Filing Requirements and General Contents of Forms §§ 89a.1—89a.6	Fall 2001, as final.	Changes will be promulgated regarding the deregulation of rates and forms filings for accident and health insurance, as a result of Act 159 of 1996. Changes will be made pursuant to the health care provisions of the Federal Health Insurance Portability and Accountability Act of 1996. Life, annuities and property and casualty general filing requirements are being combined in the new regulation.	Peter J. Salvatore, (717) 787-4429
Preparation of Forms, etc., 31 Pa. Code, Chapter 89, §§ 89.12—16, 89.18—89.62 and 89.101	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Separate Accounts for Principle and Interest Guarantees, 31 Pa. Code, Chapter 90a, §§ 90a.1—90a.31	Winter 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Cash Advances to Insurance Companies 31 Pa. Code, Chapter 105, §§ 105.1—105.2	Summer 2001, as proposed.	Amend to apply to all types of insurers, reflect statutory amendments adopted in 1992 and 1995 and to eliminate outdated, unnecessary provisions relating to cash advancements to insurance companies pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Public Adjusters, 31 Pa. Code, Chapter 115, §§ 115.1—115.8	Spring 2001, as proposed.	The regulation was initially promulgated to clarify the requirements of public adjuster contracts. The authorizing statute, Act 72, was amended in 1983 (63 P. S. §§ 1601—1608), and the Insurance Department seeks to modify Chapter 115 to be consistent with the revised statutory language. Licensing requirements are being proposed to be added to this regulation.	Peter J. Salvatore, (717) 787-4429
Discounting Workers' Compensation Loss Reserves, 31 Pa. Code, Chapter 116, §§ 116.1—116.9	Spring 2001, as final.	Amend the regulation to be consistent with current actuarial practices.	Peter J. Salvatore, (717) 787-4429
Discounting Medical Malpractice Loss Reserve, 31 Pa. Code, Chapter 118, §§ 118.1—118.6	Spring 2001, as final.	Amend the regulation to phase out the discounting of Medical Malpractice Loss Reserves by December 31, 2010.	Peter J. Salvatore, (717) 787-4429
Management Contracts or Exclusive General Agent Agreements, 31 Pa. Code, Chapter 127, §§ 127.1—127.8	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1	Peter J. Salvatore, (717) 787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Preparation of Filing of Property and Casualty Forms for Approval, 31 Pa. Code, Chapter 133, §§ 133.1—133.12	Summer 2001, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Description of Reserves—Prohibited Phrases, 31 Pa. Code, Chapter 139, §§ 139.1—139.3	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices, 31 Pa. Code, Chapter 146, §§ 146.1—146.10	Spring 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, (717) 787-4429
Privacy of Consumer Financial Information Regulation, 31 Pa. Code, Chapter 146a, §§ 146a.1—146a.45	Spring 2001, as proposed.	This regulation is intended to implement the privacy provisions required by the Gramm-Leach-Bliley Act (15 U.S.C. § 6801 et seq.).	Peter J. Salvatore, (717) 787-4429
Annual Audited Insurers' Financial Report Required, 31 Pa. Code, Chapter 147, § 147.4	February 2001, as final.	Amend to be consistent with NAIC codified accounting practices and procedures.	Peter J. Salvatore, (717) 787-4429
Securities Held Under Custodial Agreements, 31 Pa. Code, Chapter 148, §§ 148.1—148.4	Spring 2001, as proposed.	Amend to eliminate unnecessary forms, add uniform requirements relating to custodial agreements and duties of custodians and update provisions relating to permissible custodians.	Peter J. Salvatore, (717) 787-4429
Continuing Care Providers, 31 Pa. Code, Chapter 151, §§ 151.1—151.14	Summer 2001, as proposed.	Amend to be consistent with 1996 statutory amendments relating to the order of distribution of assets in insolvencies and to provide for the voluntary surrender of a certificate of authority.	Peter J. Salvatore, (717) 787-4429
Health Maintenance Organizations, 31 Pa. Code, Chapters 301, §§ 301.1—301.126	Summer 2001, as proposed.	Amend pursuant to Executive order 1996-1.	Peter J. Salvatore, (717) 787-4429
Underground Storage Tank Indemnification Fund—Fee Regulation, 25 Pa. Code, Chapter 971, §§ 971.1—971.4	Summer 2001, as final.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 973 and 975 into a new regulation, Chapter 977.	Peter J. Salvatore, (717) 787-4429
Underground Storage Tank Indemnification Fund—Fee Collections Regulation, Chapter 973, §§ 973.1-973.12	Summer 2001, as final.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 971 and 975 into a new regulation, Chapter 977.	Peter J. Salvatore, (717) 787-4429
Underground Storage Tank Indemnification Fund—Voluntary Heating Oil Tank Program, 25 Pa. Code, Chapter 975, §§ 975.1—975.6	Summer 2001, as final.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 971 and 973 into a new regulation, Chapter 977	Peter J. Salvatore, (717) 787-4429
Underground Storage Tank Indemnification Fund—Claims Regulation, 25 Pa. Code, (New Chapter 977)	Summer 2001, as final.	Requires underground storage tank owners be in compliance with certain leak detection standards in order to obtain claims coverage from the Underground Storage Tank Indemnification Fund. The proposed regulation establishes requirements for owners to file such claims. This will combine most of 25 Pa. Code, Chapters 971, 973 and 975.	Peter J. Salvatore, (717) 787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Workers' Compensation Security Fund Assessment Regulation, xx Pa. Code (new chapter)	Summer 2001, as proposed	HB 1370 passed the GA in 2000 allowing the Fund to develop a regulatory scheme to finance the obligations of the Fund. The proposed regulation will establish reporting requirements for licensed worker's compensation carriers and assessment calculations.	Peter J. Salvatore, (717) 787-4429
LABOR AND INDUSTRY			
Workers' Compensation Bureau, Workers' Compensation Judges, and Workers' Compensation Appeal Board regulations at 34 Pa. Code Chapters 131, 121, and 111.	Spring 2001, as final.	These rules have not been updated in many years; they need to reflect the changes in the law and practice of workers' compensation. Final form expected to be submitted to Secretary of L&I & IRRC by Spring 2001.	Thomas J. Kuzma (717) 783-4467
Work-place Safety Committee Certification; Evaluation of Accident/Illness Prevention Services & Programs of Insurers and Self-insureds; Qualifications of Accident/Illness Prevention Service Providers 34 Pa. Code Chapter 129	January 2001, as final.	The rulemaking implements the health and safety provisions of Article X of the Workers' Compensation Act. The proposed rulemaking specifies the safety committee certification application and renewal processes, and it establishes the necessary program components and evaluation criteria for accident and illness prevention programs maintained or provided by licensed insurers and self-insured employers. In addition, the regulation ensures the uniform application of the provisions of Article X; amends sections 123.202 pertaining to the qualifications of vocational experts; and, amends section 125.133(c)(4) and 125.155 (a) of the self-insurance regulations.	Len Negley (717) 772-1917
Underground Storage Facilities	Spring 2001, as proposed.	This regulation will address requirements for natural or man-made caverns used for LPG storage.	James Varhola (717) 787-3329
Pennsylvania Minimum Wage Act, Food Service Incentive Program Regulations	Spring 2001, as proposed.	The Department is required to promulgate new regulations to implement the new "Food Service Incentive Program" added, via amendment to the Minimum Wage Act and signed into law on December 21, 1998.	Richard Lengler (717) 772-9192
Unemployment Compensation Regulations, Title 34. Labor & Industry Regulations	January 2001, as proposed.	The proposed regulation will clarify the meaning of reasonable assurance as it applies to the eligibility of the employees of educational institutions during regularly scheduled non-school periods. Under Section 402.1 of the PA UC Law, a school employee is not eligible for benefits based on school employment during a regularly scheduled non-school period when the individual performed services for a school employer prior to the break and has a reasonable assurance of performing such services following the break.	Jeri Morris (717) 787-6337
Asbestos Occupations Accreditation and Certification	June 2001, as proposed.	Act of December 19, 1990, P. L. 05, No. 194, 64 P. S. §§ 2101-2112. This regulation established the Department's worker certification and training provider accreditation program. It also sets up training course requirements. It is based on the Environmental Protection Agency's model plan.	Sharon Lawson (717) 772-3396
Uniform Construction Code (UCC) regulations. Act 45 of 1999. (Dry Cleaning & Elevators and Lifting Devices)	Spring 2001, as proposed.	Act 45 of 1999, providing for a uniform statewide building code, requires the Dept. of L&I to promulgate regulations. Because this measure in effect repealed the Dry Cleaning Law, Elevator Law and Fire & Panic Act, the regulations pursuant to each (including those for Personal Care Homes), will be addressed through regulations for Act 45. Personal Care Home regs, previously submitted to OGC, were withdrawn and provisions not addressed in Act 45 regs will be addressed through legislative measure.	Edward L. Leister (717) 787-3323

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND			
Payment and Collection of Fund Surcharge 31 Pa. Code §§ 242.1 et. seq.	June 2001, as proposed.	This regulation will clarify and update the basis upon which the Medical Professional Liability Catastrophe Loss Fund's surcharge is to be paid. The regulation will be consistent with the statute as it relates to the procedure for levying, payment and collection of the surcharge. The regulation will clarify the guidelines and requirements governing proper administrative and financial operations of the Fund, and will provide uniform procedures to be used in conducting mediation. Statutory authority 40 P. S. §§ 1301.701 et. seq.	Kenneth J. Serafin (717) 783-3770
MILITARY AND VETERANS AFFAIRS			
State Veterans Home 43 Pa. Code § 7.1 et. seq.	July 2001, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Eclemus Wright, Jr. (717) 861-8503
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM			
No regulations being developed or considered at this date.			
PROBATION AND PAROLE			
No regulations being developed or considered at this date.			
PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM			
No regulations being developed or considered at this date.			
PUBLIC WELFARE			
Child Protective Services Law 55 Pa. Code Ch. 3490	April 2001, as proposed	This regulation incorporates the amendments to the Child Protective Services Law as a result of Act 127 of 1998. The major changes include: convening of an investigative team for the investigation of suspected child abuse; increased communication between county agencies and law enforcement officials; increased requirements for multi-disciplinary teams; increasing the length of time unfounded reports are retained; and expanded reporting requirements by county agencies to law enforcement officials.	Tom Vracarich (717) 787-2209
Child Day Care Services 55 Pa. Code Chs. 3271, 3281, 3291	August 2001, as proposed	This regulation is proposed in response to Governor's Executive Order 1996-1 and to strengthen health and safety requirements in the regulation. The regulation will impact child day care centers, group day care homes and family day care homes. 55 Pa. Code, Chapter 3300, Specialized Day Care Service for Children with Disabilities, will be rescinded in order to comply with the provisions of the Americans With Disabilities Act.	Tom Vracarich (717) 787-2209
Administration of County Children and Youth Programs 55 Pa. Code Ch. 3130	March 2002, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the final form federal regulations (effective March 27, 2000) for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include: Permanency Hearings and the matters to be determined; requirements related to reasonable efforts including aggravated circumstances, contrary to the welfare and best interests; and redefining permanency goals for children.	Tom Vracarich (717) 787-2209
Subsidized Child Day Care Eligibility 55 Pa. Code Ch. 3040	October 2001, as proposed.	This regulation is proposed in order to clarify existing regulations relating to eligibility requirements for day care subsidy.	Tom Vracarich (717) 787-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Planning and Financial Reimbursement Requirements for County Children and Youth Social Service Programs 55 Pa. Code Ch. 3140	March 2001, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the final form federal regulations (effective March 27, 2000) for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include: Permanency Hearings and the matters to be determined; requirements related to reasonable efforts including aggravated circumstances, contrary to the welfare and best interests; and redefining permanency goals for children.	Tom Vracarich (717) 787-2209
Medical assistance estate recovery 55 Pa. Code Ch. 258	August 2001, as final	This regulation will codify the department's collection practices to recover correctly paid Medical Assistance from the estates of certain deceased recipients age 55 or older who receive Medical Assistance for nursing facility care, home and community based services, and related hospital prescription drug services. Changes effective August 15, 1994 and are the result of OBRA' 93, Act 1994-49, and Act 1995-20.	Tom Vracarich (717) 787-2209
Continuation of Medical Assistance throughout pregnancy 55 Pa. Code Chs. 140, 181	March 2002, as proposed	This regulation codifies the provision that Medical Assistance coverage will be continued for pregnant women throughout their pregnancy and postpartum period, regardless of changes in family income that occur after the authorization of MA or cash assistance.	Tom Vracarich (717) 787-2209
Exclusion of Resources-Medical Assistance children 55 Pa. Code Chs. 140, 178	April 2001, as final-omitted	This regulation codifies the provision that resources are excluded in the Medical Assistance eligibility determination process for supplemental security income (SSI) related, general assistance (GA) related, and TANF-related persons under 21 years of age and for SSI-related, TANF-related, and GA-related families with children under 21 years of age.	Tom Vracarich (717) 787-2209
Workfare/Community Service 55 Pa. Code Chs. 166, 275	February 2002, as proposed.	The revisions clarify who may be assigned and the priority and factors to be considered in making Workfare program assignments, define responsibilities of county assistance offices and project operators regarding participation expenses and program requirements, and provide for grievance rights for Workfare recipients and regular employees. Provisions of Act 1995-20 will also be incorporated into this regulation package.	Tom Vracarich (717) 787-2209
Elimination of PACE requirement 55 Pa. Code Ch. 181	April 2001, as final-omitted.	This regulation codifies the elimination of the deduction from income for the PACE program and the mandate to enroll in the PACE program as required by Title XIX.	Tom Vracarich (717) 783-2209
Real property liens 55 Pa. Code Chs. 101, 121, 177, 183, 257, 297	June 2001, as proposed.	This regulation codifies the elimination of the requirement that applicants who own real property, including mobile homes, which are used as their primary residence, will no longer be required to sign a lien encumbering their residence as a condition of eligibility for cash assistance. The Department intends to rescind 55 Pa. Code Chapter 257, regarding Reimbursement. Instead, the Department will propose a new chapter governing reimbursement policy for cash assistance recipients and applicants who own personal property	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Criminal history 55 Pa. Code Chs. 125, 133, 141	December 2001, as proposed.	This regulation incorporates the Act 1995-20 provision that prohibits the granting of assistance to any person sentenced for a felony or misdemeanor who has not satisfied the penalty imposed by law by having completed the period of incarceration and by paying all fines, costs, and restitution. Act 1996-35 expands the satisfied penalty requirement to include compliance with an approved payment plan	Tom Vracarich (717) 783-2209
Act 1996-35 - Provisions Effective March 3, 1997 55 Pa. Code Chs. 105, 125, 133, 140, 141, 145, 151, 153, 165, 168, 177, 178, 181, 183, 187, 255	July 2001, as final- omitted.	This regulation incorporates provisions of the TANF program implemented 3/3/97 by NORC including establishing RESET; requiring applicants and recipients to enter into an agreement of mutual responsibility with the department; and further defining Title IV-D cooperation requirements and procedures for TANF and GA applicants and recipients. Act 1996-35 provisions applicable to the TANF program may not be implemented until federal approval is received.	Tom Vracarich (717) 783-2209
Medical support rights 55 Pa. Code Ch. 187	December 2001, as proposed.	This regulation will require Medical Assistance applicants/ recipients to assign their medical support rights to the Commonwealth and apply for Title IV-D support services as conditions of eligibility.	Tom Vracarich (717) 783-2209
Annuity rule 55 Pa. Code Ch. 178	December 2001, as proposed.	This regulation codifies the provision that in addition to the current provision permitting the institutionalized spouse to provide part of his monthly income to the community spouse whose income is below the minimum monthly maintenance needs allowance, either the institutionalized spouse or their representative may file an appeal and seek an administrative order permitting the protection of additional resources to enable the community spouse to purchase an annuity that will generate sufficient income to bring her income up to the minimum monthly maintenance needs allowance	Tom Vracarich (717) 783-2209
Intentional Program Violations 55 Pa. Code Chs. 255, 275, 501	April 2001, as final-omitted.	This regulation incorporates federal mandates by the U.S. Department of Agriculture and the U.S. Department of Health and Human Services that individuals found to have committed an intentional program violation is subject to an immediate disqualification penalty regardless of the individual's current eligibility status for benefits.	Tom Vracarich (717) 783-2209
Food Stamp Disqualification Penalties 55 Pa. Code Ch. 501	December 2001, as proposed.	This regulation incorporates a revision to the Food Stamp disqualification penalties as required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The revision increases the Food Stamp intentional program violation disqualification penalties from six months to one year for the first violation and from one year to two years for the second violation.	Tom Vracarich (717) 783-2209
Employment Requirements for Two-Parent Households: Definition of Unemployment 55 Pa. Code Chs. 153, 178	December 2001, as proposed.	This regulation codifies the provision in the current Temporary Assistance for Needy Families (TANF) State Plan that DPW is revising the definition of unemployment so that working parents who meet financial eligibility requirements and are otherwise eligible may receive TANF until their income exceeds eligibility limits or they exhaust their 60 months of TANF.	Tom Vracarich (717) 783-2209
Family Violence Option 55 Pa. Code Ch. 187	July 2001, as proposed.	This regulation codifies provisions in the TANF State Plan to screen and identify victims of domestic violence, refer those individuals to counseling and supportive services, and waive certain program requirements, including support requirements, for those individuals, as needed.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Increases in Payment for Burial and/or Cremation 55 Pa. Code Ch. 285	December 2001, as proposed.	This regulation codifies an increase to the maximum payment for burial and/or cremation for eligible persons. A deceased person of any age who received or was eligible to receive a money payment — TANF, General Assistance, State Blind Pension, or Supplemental Security Income — may be eligible for a maximum burial and/or cremation payment of \$750, if there are no resources that reduce the payment.	Tom Vracarich (717) 783-2209
Early and Periodic Screening Diagnosis Treatment (EPSDT) 55 Pa. Code Chs. 1101, 1121, 1123, 1147, 1241	September 2001, as final-omitted.	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance (Medical Assistance) State Plan.	Tom Vracarich (717) 783-2209
Medical Assistance case management services 55 Pa. Code Ch. 1239	July 2001, as final- omitted.	This final regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21.	Tom Vracarich (717) 783-2209
General Assistance Restructure - Act 1994-49 55 Pa. Code Chs. 1101, 1121, 1149	July 2001, as final-omitted.	This final regulation codifies Act 1994-49 provisions that affect the medical benefits of General Assistance recipients over the age of 21 when these services are solely state funded. These recipients are no longer eligible for (1) dental services unless their medical condition or handicap requires services to be provided in an ambulatory surgical center, short procedures unit or inpatient hospital; (2) medical supplies and equipment except as prescribed for family planning or with home health agency service; and (3) prescription drugs except legend birth control drugs.	Tom Vracarich (717) 783-2209
Discontinue coverage—infertility 55 Pa. Code Chs. 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243	July 2001, as final-omitted.	This final regulation codifies Act 1994-49 provisions that discontinue payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994.	Tom Vracarich (717) 783-2209
Residential Treatment Facilities (RTF) for mental health services 55 Pa. Code Chs. 1157, 1165	September 2001, as final-omitted.	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility.	Tom Vracarich (717) 783-2209
Pharmaceutical services drug coverage 55 Pa. Code Ch. 1121	July 2001, as final-omitted.	This regulation provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR).	Tom Vracarich (717) 783-2209
\$150 deductible for General Assistance recipients 55 Pa. Code Ch. 1101	September 2001, as final-omitted.	This regulation implements Act 1996-35 provisions imposing a \$150 deductible on inpatient and outpatient hospital services and ambulatory surgical center services, except laboratory and x-ray services for General Assistance and General Assistance-related Medical Assistance recipients.	Tom Vracarich (717) 783-2209
Early Intervention Services 55 Pa. Code Chs. 4225, 4226	January 2002, as final.	This regulation will establish program regulations for early intervention services in keeping with the Federal regulations under the Individuals with Disabilities Education Act (IDEA) and Act 212 of 1990. Early intervention services regulations are called for by the Legislative Budget and Financing Committee Report on early intervention services.	Tom Vracarich (717) 783-2209
MH Wraparound 55 Pa. Code Ch. 1154	September 2001, as final-omitted.	This final regulation codifies requirements necessary to receive reimbursement for medically necessary outpatient wraparound mental health services for individuals under 21 years of age with a diagnosis of mental illness or emotional disturbance.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Family Planning 55 Pa. Code Ch. 1101	July 2001, as final-omitted.	This final regulation removes family planning clinics from the list of providers limited under the General Assistance Basic Health Care Package to 18 practitioner's office and clinic visits per year.	Tom Vracarich (717) 783-2209
Physician Assistant/ Midwife 55 Pa. Code Ch. 1141	July 2001, as final-omitted.	This final regulation codifies revised supervision requirements for physician assistants and midwives.	Tom Vracarich (717) 783-2209
Discontinuance of the Mandatory Second Opinion Program 55 Pa. Code Ch. 1150	April 2001, as final-omitted.	This final regulation removes the mandatory second opinion program requirement for certain surgical procedures.	Tom Vracarich (717) 783-2209
D&A Clinics 55 Pa. Code Ch. 1223	April 2001, as final-omitted.	This final regulation revises the enrollment policy for outpatient drug and alcohol clinics.	Tom Vracarich (717) 783-2209
Capital Component Payment for Replacement Beds 55 Pa. Code Ch. 1187	July 2001, as proposed.	This regulation takes the policy as set forth in the Statement of Policy and promulgates it into the regulations.	Tom Vracarich (717) 783-2209
Intergovernmental Transfer 55 Pa. Code Ch. 1187	July 2001, as final-omitted.	This regulation will extend the county nursing facility Transition Rates according to the Intergovernmental Transfer Agreement.	Tom Vracarich (717) 783-2209
New Definition of "Emergency Medical Condition" 55 Pa. Code Chs. 1101, 1141, 1150, 1221	June 2001, as final-omitted.	This final regulation codifies the revised definition of "emergency medical condition" contained in the Balanced Budget Act of 1997, effective July 1, 1998.	Tom Vracarich (717) 783-2209
Definition of Medically Necessary 55 Pa. Code Ch. 1101	June 2001, as proposed.	This proposed regulation replaces the current definition of "medically necessary" with the definition found in the HealthChoices Request for Proposal.	Tom Vracarich (717) 783-2209
Provision of Drug and Alcohol Treatment 55 Pa. Code Ch. 1223	June 2001, as final-omitted.	This final regulation eliminates the need for the supervisory physician to perform a physical exam within 15 days following intake and before the provision of treatment.	Tom Vracarich (717) 783-2209
Invoicing for Services 55 Pa. Code Ch. 1101	July 2001, as final-omitted.	This regulation revises the invoice submission requirements for nursing facilities	Tom Vracarich (717) 783-2209
Exceptional Payments for Durable Medical Equipment 55 Pa. Code Ch. 1187	July 2001, as final-omitted.	This regulation provides for payment for exceptional DME separate from and in addition to the case mix payment rate.	Tom Vracarich (717) 783-2209
REVENUE			
Cigarette Tax 61 Pa. Code §§ ____ (section number to be determined; still in drafting stage.)	Summer 2001, as proposed.	On November 23, 1998, leading United States tobacco product manufacturers entered into a settlement agreement, entitled the "Master Settlement Agreement," with the Commonwealth. On June 22, 2000, Act 54-2000, known as the Tobacco Settlement Agreement Act, was signed into law. Pursuant to Act 54, the Department is proposing a regulation, which describes the responsibilities for participating and nonparticipating tobacco product manufacturers and cigarette stamping agents.	Douglas A. Berguson (717) 787-1382
Construction Contractors 61 Pa. Code §§ ____ (section number to be determined; still in drafting stage.)	Spring 2001, as proposed.	This proposal sets forth the rules relating to construction contractors as well as the Department's interpretation of Act 45-1998.	Douglas A. Berguson (717) 787-1382
Computer Software, Hardware and Related Transactions 61 Pa. Code § 31.33	Winter 2001, as final.	Pursuant to Act 7-1997, various types of computer services are no longer subject to sales and use tax on or after July 1, 1997. However, certain computer related transactions remain subject to tax. This regulation provides guidance concerning these transactions.	Douglas A. Berguson (717) 787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Employer Returns and Other Withholding Provisions 61 Pa. Code §§ 113.2, 113.3, 113.3a, 113.3b, 113.3c, 113.4, 113.4a, 113.7 and 121.16	Summer 2001, as proposed.	The Department is proposing amendments to various withholding regulatory sections, including requiring an employer who is required to file 250 or more withholding statements, to forward to the Department the reconciliation statement with such withholding statements via electronic or magnetic media as specified in the instructions of the Department. In addition, § 121.16 is amended to delete language relating to the filing of a W-2 with Form PA-40 as evidence of taxes withheld.	Douglas A. Berguson (717) 787-1382
File-by-phone (TeleFile) System and Federal and State Electronic Tax Filing Program 61 Pa. Code §§ 117.19—117.21	Summer 2001, as proposed.	The file-by-phone (TeleFile) program involves the filing of a Pennsylvania personal income tax return by phone. The Federal and State electronic tax-filing program involves the filing of a Pennsylvania personal income tax return as part of the Federal and State Electronic Filing Program.	Douglas A. Berguson (717) 787-1382
Partial Refunds For Bad Debts 61 Pa. Code §§ 33.3 and 33.5	Summer 2001, as final.	This regulation explains the application of section 247.1 of the TRC (72 P. S. § 7247.1) relating to partial refund of sales tax attributed to bad debts.	Douglas A. Berguson (717) 787-1382
Realty Transfer Tax Amendments 61 Pa. Code, Chapter 91	Summer 2001, as proposed.	The amendments to Chapter 91. Realty Transfer Tax, are made to address numerous legislative changes and to bring the regulatory provisions into conformity with Departmental policy.	Douglas A. Berguson (717) 787-1382
Supplemental Unemployment Benefit Plan 61 Pa. Code §§ 101.1 and 101.6	Winter 2001, as final.	This regulatory amendment will provide an explanation of the meaning and scope of the exclusion from compensation in section 301(d)(vi) of the TRC (72 P. S. § 7301(d)(vi)) for employer or labor union payments for supplemental unemployment programs. The changes will address the tax treatment of programs offered to provide supplemental benefits to employees terminated from service as a result of layoff, workforce reduction, plant closings or other involuntary terminations.	Douglas A. Berguson (717) 787-1382
Termination Pay, Severance Pay and Early Retirement Incentive Programs 61 Pa. Code §§ 101.1 and 101.6	Winter 2001, as final.	This regulatory change will clarify the taxation of termination pay, severance pay, early retirement incentive programs and programs offered by employers to provide benefits to employees in addition to those in qualifying retirement plans upon separation from service. This regulation also interprets section 301(d) of the TRC (72 P. S. § 7301(d)) to mean that Federal insurance benefits paid under the Railroad Retirement Act and guaranteed payments to a partner of a partnership for services to the partnership are excluded from compensation.	Douglas A. Berguson (717) 787-1382
Utility Gross Receipts Tax 61 Pa. Code §§ 160.21—160.43	Fall 2001, as final.	The Department is proposing this regulation to clarify the changes to the utility gross receipts tax brought about by utility deregulation (Act 138-1996) codified in Title 15 and Title 66. This regulation will also provide guidance and clarity to out-of-state businesses and the emerging industry.	Douglas A. Berguson (717) 787-1382
Vending Machines 61 Pa. Code § 31.28	Spring 2001, as final.	This regulation sets forth the Department's interpretation of Act 45-1998 as it relates to vending machines.	Douglas A. Berguson (717) 787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
SECURITIES COMMISSION			
"Financial reports to security holders" 64 Pa. Code § 606.011	May 2001, as proposed.	The Commission plans to amend this regulation to require issuers of debt securities by non-profit organizations to provide PA purchasers with annual financial statements.	G. Philip Rutledge (717) 783-5130
"Revision of broker-dealer and agent licensing regulations" 64 Pa. Code § 301.011, 020, 061; § 304.011; § 305.019	May 2001, as proposed.	The Commission plans to revise this regulation to conform to the requirements of the federal National Securities Markets Improvement Act of 1996.	G. Philip Rutledge (717) 783-5130
"Examination requirements for agents" 64 Pa. Code § 303.031	May 2001, as proposed.	The Commission plans to remove the Series 66 exam requirement and to add waivers similar to those found in 64 Pa. Code § 303.032.	G. Philip Rutledge (717) 783-5130
"Revision of Advertising Regulations" 64 Pa. Code § 606.031—034	May 2001, as proposed.	The Commission plans to revise this regulation to conform to the requirements of the federal National Securities Markets Improvement Act of 1996.	G. Philip Rutledge (717) 783-5130
"Delegation and substitution" 64 Pa. Code § 606.041	May 2001, as proposed.	The Commission plans to amend this regulation to update delegated authority within the Commission.	G. Philip Rutledge (717) 783-5130
"Charitable contributions to pooled income funds exempt" 64 Pa. Code § 202.093	May 2001, as proposed.	The Commission plans to revise this rule to permit registered persons to receive sales commissions and to recognize use of federally covered advisers by the charity.	G. Philip Rutledge (717) 783-5130
"Charitable gift annuities" 64 Pa. Code § 202.095	May 2001, as proposed.	The Commission plans to revise this regulation to permit registered persons to receive sales commissions.	G. Philip Rutledge (717) 783-5130
STATE			
State Athletic Commission 58 Pa. Code, Chapter 21 (16-17)	Summer 2001, as final.	Comprehensive revisions to 58 Pa. Code will reflect statutory changes to the Pennsylvania Athletic Code and changes in commission procedures. The regulations will be promulgated pursuant to the Pennsylvania Athletic Code (5 Pa.C.S.A. § 101 et. seq.).	Greg Sirb (717) 787-5720
Navigation Commission for the Delaware River and Its Navigable Tributaries 13 Pa. Code, Ch. 201—209. (16A-662)	Fall 2001 as final.	Proposed comprehensive revisions will enhance navigational safety, eliminate obsolete regulations and reflect statutory changes pursuant to 55 P. S. § 31 and 71 P. S. § 670.2(4).	L. Lawrence Boyle (717) 787-6458
State Board of Auctioneer Examiners Schedule of Fees - 49 Pa. Code § 1.41. (16A-644)	Spring 2001, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 734.6.	Linda Dinger (717) 783-3397
Examination Fees 49 Pa. Code § 1.41. (16A-645)	Spring 2001, as final.	The regulation updates the Board's examination fee. Statutory authority: 63 P. S. § 734.6(a)	
State Board of Barber Examiners—General Revisions 49 Pa. Code, Chapter 3. (Number not yet assigned.)	February 2001, as proposed.	The Board proposes to revise and update its entire chapter and repeal antiquated provisions. Statutory authority: 63 P. S. § 566.4(b).	Sara Sulpizio (717) 783-3402

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Cosmetology Application Fees 49 Pa. Code § 7.2. (16A-458)	June 2001, as final.	The regulation amends the Board's fee schedule by revising fees to reflect the actual cost incurred by the Board to provide the following services: licensure of cosmetologist, manicurist or cosmetician; licensure of cosmetology, manicurist or cosmetician shop; licensure of cosmetology school, licensure by reciprocity; registration of cosmetology apprentice; approval of cosmetology school supervisor; change in cosmetology shop (inspection required); and reinspection of cosmetology shop. New fees are added to include reinspection of cosmetology school; certification of student or apprentice training hours; certification of examination scored; and verification of licensure, registration permit or approval. Statutory authority: 63 P. S. § 522(a).	Sara Sulpizio
Delete Exam Fees 49 Pa. Code § 7.2 (16A-460)	June 2001, as final.	The regulation will amend the Board's fee schedule by deleting references to examination fees, which are determined by contract. (717) 783-7130	
General Revisions 49 Pa. Code §§ 7.1 et. seq.	December 2001, as proposed.	The Board plans a comprehensive amendment to Chapter 7 to bring existing regulations up to date and to clarify requirements for sanitation and the provisions of advanced anesthetic services.	
State Architects Licensure Board—Biennial Renewal Fees 49 Pa. Code § 9.3. (16A-415)	Winter 2001, as final.	The regulation will adjust the biennial renewal fees for architects to reflect actual Board costs and to fix the fees to match Board revenues with expenditures. Statutory authority: 63 P. S. § 34.11.	Dorna Thorpe (717) 783-1404
State Board of Accountancy—General Revisions 49 Pa. Code, Chapter 11. (16A-559)	March 2001, as proposed.	The regulations repeal outdated and unnecessary requirements; clarify certain issues relating to examination, certification and practice; and make editorial changes. Statutory authority: 63 P. S. § 9.3(10)-(12).	Dorna Thorpe (717) 783-1404
State Board of Funeral Directors—Application/Certification/Verification/Reinspection Fees 49 Pa. Code § 13.12. (16A-482)	Winter 2001, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: Section 18.1 of the Funeral Director Law, act of January 14, 1952(P. L. 1951-1898, No. 522), as amended, 63 P. S. § 479.18.1.	Cheryl Lyne (717) 783-3397
Unprofessional Conduct 49 Pa. Code § 13.201, 202. (Number not yet assigned.)	Summer 2001, as proposed	The amendment adds to the Board's standards of practice and conduct. Section 16(a) of the Act, 63 P. S. § 479.16(a).	
General Regulation Update 49 Pa. Code § 13.1 et. seq. (Number not yet assigned.)	Summer 2001, as proposed.	These amendments update the Board's regulation to reflect current regulatory practice. Section 16(a) of the Act, 63 P. S. § 419.16(a).	
State Board of Landscape Architects Application Fees 49 Pa. Code §§ 15.12, 15.57. (16A-615)	Spring 2001, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Section 5 of the Law, 63 P. S. § 905, requires the Board to adopt fees by regulation to match Board revenues with expenditures.	Shirley Klinger (717) 772-8528
Examination Fees 49 Pa. Code § 15.12 (16A-616)	Spring 2001, as final.	The regulation will update the Board's examination fee. Statutory authority: 63 P. S. § 904(2).	
State Board of Medicine—General Delegation 49 Pa. Code, Ch. 16. (16A-4912)	Summer 2001, as proposed.	This regulation would establish standards for the delegation of medical services to qualified personnel. Statutory authority, Section 17(b) of the Medical Practice Act, 63 P. S. § 422.17(b).	Cindy Warner (717) 783-1400

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Fees 49 Pa. Code §§ 16.13, 16.17, 18.303. (16A-4910)	Winter 2001, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. The Board has authority to adopt such regulation under Section 6 of the Medical Practice Act, 63 P. S. § 422.6.	
State Board of Vehicle Manufacturers, Dealers and Salespersons—Consignment Sales 49 Pa. Code § 19.19. (16A-601)	Winter 2001, as proposed.	This regulation sets forth the standards by which dealers may engage in consignment sales. Section 4(9) of the Board of Vehicles Act, Act of December 22, 1983 (P. L. 306, No. 84), as amended, 63 P. S. § 818.4(9).	Teresa Woodall (717) 783-1697
General Revisions 49 Pa. Code § 19.1 et. seq. (16A-602)	Summer 2001, as proposed.	This regulation would update the Board's regulations consistent with the 1996 amendments to the Board of Vehicles Act. Section 4(9) of the Act, 63 P. S. § 818.4(9).	
Auction License 49 Pa. Code § 19.21 (16A-603)	Summer 2001, as proposed.	This regulation would set out standards for licensure as a vehicle auction, a new category of licensure created by the 1996 amendments to the Board of Vehicles Act. Section 4(9) of the Act, 63 P. S. § 818.4(9).	
Display Requirements 49 Pa. Code § 19.18 (16A-604)	Summer 2001, as proposed.	This regulation would set out criteria by which a sales lot would be distinguished from a display lot and would permit the display of up to five vehicles in a non-conforming display area. Section 4(9) of the Act, 63 P. S. § 818.4(9).	
State Board of Nursing—RN General Revisions 49 Pa. Code §§ 21.1—21.126. (16A-516)	January 2001, as proposed.	These regulations will update or repeal outdated provisions pertaining to registered nurses and consolidate all regulatory provisions pertaining to registered nurse education programs. Revisions to the regulations are authorized by Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Ann Steffanic (717) 783-7142
LPN General Revisions 49 Pa. Code §§ 21.141—21.234. (16A-519)	Summer 2001, as proposed.	These regulations will update or repeal outdated provisions pertaining to licensed practical nurses and consolidate all regulatory provisions pertaining to practical nurse education programs. Revisions to the Practical Nurse Law are authorized under Section 17.6, 63 P. S. § 667.6.	Ann Steffanic (717) 783-7142
Conscious Sedation 49 Pa. Code § 21.14 (16A-5114)	Spring 2001, as proposed.	This regulation embodies the statement of policy on conscious sedation at 49 Pa. Code § 21.413(d). Authority under 2.1(k), 63 P. S. § 212.1(k) of the Professional Nursing Law.	
Oral Orders 49 Pa. Code §§ 21.14; 21.145 (16A-5115)	Spring 2001, as proposed.	This regulation permits LPNs to accept oral orders in non-exigent circumstances. Authority under 2.1(k), 63 P. S. § 212.1(k) of Professional Nursing Law and Section 17.6, 63 P. S. § 667.6 of the Practical Nurse Law.	
State Board of Nursing—CRNP Programs 49 Pa. Code §§ 21.260-278; 286-289 (Number not yet assigned.)	Fall 2001 as proposed.	This regulation establishes requirements for CRNP education programs approved by the Board. Authority under Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
CRNP Prescriptive Authority Fees 49 Pa. Code § 21.253. (Number not yet assigned.)	Spring 2001 as proposed.	This regulation revises the Board's schedule of fees to reflect the actual cost of the services provided. These regulations are authorized under Section 11.2 of the Professional Nursing Law, 63 P. S. § 221.2.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Osteopathic Medicine Sexual Misconduct 49 Pa. Code, Chapter 25. (Number not yet assigned.)	Fall 2001 as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adapt regulations necessary to carry out the act under Section 16 of the Act, 63 P. S. § 271.16.	Gina Bittner (717) 783-4858
State Board of Podiatry—Application Fees 49 Pa. Code, Chapter 29. (16A-444)	Winter 2001, as proposed.	This regulation apportions costs of providing Board services to specific applicants and licensees and eliminates references to exam fees. Statutory authority, 63 P. S. § 42.15.	Gina Bittner (717) 783-4858
State Board of Veterinary Medicine—Continuing Education Requirements-49 Pa. Code § 31.15. (16A-5711)	Spring 2001, as final.	This regulation will limit the number of continuing education credits that may be earned from individual instruction programs.	Robert Kline (717) 783-1389
Prescription Drugs 49 Pa. Code § 31.21 Principle 8. (16A-5712)	Summer 2001, as proposed.	This regulation will require veterinarians to meet specified standards regarding dispensing, packaging and labeling of prescription drugs and will mandate that veterinarians use only current, unexpired drugs.	
Eliminate Examination Fees 49 Pa. Code §§ 31.3.,11.,32-.35.,41 (16A-5713)	December 2000 as proposed.	This regulation would eliminate references to the fee charged by the national testing organization for the national licensure examination. The regulation would also clarify issues regarding the impact of past criminal history on applicants for licensure as animal health technicians.	
State Board of Dentistry-Administration of General Anesthesia, Conscious Sedation and Nitrous Oxide/Oxygen Analgesia 49 Pa. Code §§ 33.331-33.344. (Number not yet assigned.)	June 2001, as proposed	This regulation amends requirements for administration of anesthesia/analgesic in response to a recent Commonwealth Court case and legislative concerns. Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 783-7162
Sexual Misconduct - 49 Pa. Code, Chapter 33. (Number not yet assigned)	December 2001, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
Application Fee for Dental Radiology - 49 Pa. Code, Chapter 33. (Number not yet assigned)	June 2001, as final	This regulation will amend the Board's fee schedule to reflect the actual cost incurred by the Board to authorize applicants to perform radiologic services.	
State Real Estate Commission - General Revisions - Agency Disclosures - 49 Pa. Code, Chapter 35. (16A-568)	Spring 2001, as final.	This regulation will implement the requirements of Act 112 of 1998 pertaining to agency relationships. Statutory authority: 63 P. S. § 455.404.	Debra Sopko (717) 783-3658

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Certified Real Estate Appraisers—Experience Options for Certification, Duties of Supervising Appraiser 49 Pa. Code §§ 36.13 and 36.14. (16A-706)	March 2001, as proposed.	The regulations revise qualifying experience for certification as an appraiser; impose supervisory and record-keeping duties on appraisers who supervise appraisal assistants; and require appraisal reports submitted as qualifying experience to conform to the Uniform Standards of Professional Appraisal Practice (USPAP). The regulations are consistent with standards established for state appraiser boards by the federal Appraiser qualification Board (AQB). Statutory authority: 63 P. S. § 457.5(2).	Cheryl Lyne (717) 783-3397
Standards of Practice 49 Pa. Code § 36.51. (16A-709, soon to be resubmitted as 16A-7012)	March 2001, as proposed. (Resubmission; earlier version of regulation was withdrawn in June 2000.)	The regulation requires all certified general appraisers, residential appraisers and broker/appraisers to comply with the USPAP unless the Board has adopted supplemental practice standards. Statutory authority: 63 P. S. § 457.5(2).	
Fees 49 Pa. Code § 36.6. (16A-7011)	May 2001, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 457.9.	
State Board of Examiners of Nursing Home Administrators—Continuing Education 49 Pa. Code §§ 39.31—39.71. (16A-623)	Winter 2001, as final.	The regulation will amend and clarify the continuing education requirement in Section 9 of the Nursing Home Administrators License Act, 63 P. S. § 1109.	Melissa Wilson (717) 783-7155
Deletion of Examination Fees 49 Pa. Code § 39.72 (Number not yet assigned.)	Winter 2001, as proposed.	This regulation deletes licensing examination fees.	
State Board of Physical Therapy—Physical Therapists 49 Pa. Code §§ 40.11, 40.13, 40.15, 40.17, 40.18 and 40.21-40.24. (Number not yet assigned.)	Winter 2001, as proposed.	Regulations correct and revise existing regulations regarding physical therapists. Proposed under Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Robert Kline (717) 783-7134
Sexual Misconduct 49 Pa. Code, Chapter 40. (16A-656)	February 2001, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Sections 3, 5 and 10 of the Act, 63 P. S. § 1303, 1305 and 1310.	
State Board of Occupational Therapy Education and Licensure—General Revisions 49 Pa. Code, Chapter 42. (16A-674)	June 2001, as final.	The Board proposes to revise its chapter by updating certain provisions and deleting outdated or redundant language. The Board has authority to adopt the regulations necessary to perform its duties and for the proper administration of the law under Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Clara Flinchum (717) 783-1389
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors—Licensure Regulations (Number not yet assigned.)	Spring 2001, as proposed.	Regulations regarding qualifications for licensure pursuant to the enactment of Act 139 adding Licensed Clinical Social Workers, Marriage and Family Therapists and Professional Counselors as new licensure classes.	Clara Flinchum (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
STATE EMPLOYEES' RETIREMENT SYSTEM			
Multiple Service 4 Pa. Code § 245.4 (Chapter 245)	Spring 2001, as proposed.	The State Employees' Retirement System (SERS) intends to delete the regulation, which will permit payment for multiple service via actuarial debt. SERS proposes to repeal the regulations in order to simplify and improve the process to purchase service for the PA School Employees' Retirement System and SERS members.	Sean Sanderson (717) 787-9657
STATE POLICE			
No regulations being developed or considered at this date.			
STATE SYSTEM OF HIGHER EDUCATION			
No regulations being developed or considered at this date.			
TRANSPORTATION			
Manufacturer, Dealers and Miscellaneous Motor Vehicle Businesses Registration Plates Chapter 53	June 2001, as proposed.	Amendments are needed based on revisions to related sections of the Vehicle Code and Industry/Department concerns. Proposed package undergoing further review with the Department's legal counsel.	Sue Wilson (717) 787-4291
Permanent Registrations of Fleet Vehicles Chapter 60	December 2001, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	Ann Marie Kessler (717) 787-3977
School Buses and School Vehicles Chapter 171	June 2001, as proposed.	Amendments are needed to clarify previous revisions and to address concerns raised by the public transportation community. The Department has prepared draft amendments based on recommendations received by the public transportation community. Proposed Regulatory package will be sent to General Counsel by January 2001.	Mike Kistler (717) 772-2119
Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers Chapter 83	August 2001, as proposed.	The Department's Medical Advisory Board has approved proposed amendments to the medical standards licensure.	Mike Kistler (717) 772-2119
Liquid Fuels Tax Chapter 449	September 2001, as final	Final draft to be forwarded to Office of General Counsel in February 2001.	Dick Zerbe (717) 787-2183
School Bus Drivers Chapter 71	October 2001, as proposed.	Creates standards to allow persons with certain medical conditions to become a school bus driver that were previously banned because of their medical condition. Through the standards and monitoring systems approved by the Medical Advisory Board in 2000, these persons do not pose a significant danger while driving. A draft proposal package will be sent to legal by March 2001.	Mike Kistler (717) 772-2119
Proportional Registration of Fleet Vehicles - Chapter 63	December 2001, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	Ann Marie Kessler (717) 787-3977
Vehicle Equipment and Inspection Chapter 175	June 2001, as proposed	Proposed amendments require complying with ACT 115 of July 6, 1995. No. 30, P. L. 246 that requires the establishment of equipment and inspection criterion for farm vehicles with a gross weight rating greater than 17,000 pounds.	Tom Zamboni (717) 783-9513
Flashing or Revolving Lights on Emergency and Authorized Vehicles Chapter 173	September 2001, as final.	Proposed amendments required to comply with Act 151 of 1999.	Tom Zamboni (717) 783-9513
Authorization to Verify VIN Identification Numbers Chapter 17	October 2001, as proposed.	Proposed amendments would authorize Department employees to verify VIN Numbers for vehicles requiring a Certificate of Title.	Tom Zamboni (717) 783-9513

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administrative Practice and Procedure Chapter 491	March 2001, as final	Establish standards to facilitate administrative review of Department decisions and proceedings before Department hearing officers	Robert H. Raymond (717) 787-5473
Outdoor Advertising Devices Chapter 445	March 2001, as final	Establish standards to facilitate administrative review of Department decisions and proceedings before Department hearing officers	Robert H. Raymond (717) 787-5473
Shared-Ride Transportation Service Reimbursement Chapter 425	September 2001, as proposed.	Revised regulations are required due to the repeal of the original authorizing legislation and the enactment of revised authorizing legislation for the Shared-Ride Program for Senior Citizens.	LaVerne Collins (717) 783-8025
Display of Registration Plates Chapter 47	February 2001, as final	Amending Placement of Validation Sticker for Cities of the First Class in order to respond to the theft of validation stickers currently placed on the registration plate.	Randy Swartz (717) 787-2780
Emission Inspection Chapter 177	July 2001, as proposed.	Amendments needed to address ongoing operational aspects of the emissions program. Working with legal to determine what is needed for an 8 county rollout.	Peter Gertz (717) 783-7016
Airport Rating and Licensing Chapter 471	September 2001, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234
Aviation Development Chapter 473	September 2001, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234
Local Real Estate Tax Reimbursement Chapter 477	September 2001, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234
Vehicles Required to Stop at Railroad Grade Crossings Chapter 103	June 2001, as proposed deletion	Repeal - this regulation is no longer needed because of changes made in § 3342(d) of the Vehicle Code	Terry Garvie (717) 787-2604
Hold-Down and Tie-Down Devices for Junked Vehicles and Vehicle Hulks - Chapter 181	Dec. 2001, as proposed deletion	Repeal - this regulation is no longer required because of changes in Chapter 49 of the Vehicle Code	Daniel Smyser (717) 787-7445
Engineering and Traffic Studies Chapter 201	June 2001, as proposed deletion.	Repeal this chapter when we adopt the new Chapter 212 and the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Some current provisions not included in the MUTCD will be incorporated into Chapter 212.	Art Breneman (717) 787-3620
Work Zone Traffic Control Devices Chapter 203	June 2001, as proposed deletion.	Repeal this chapter when we adopt the new Chapter 212 and the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Some current provisions not included in the MUTCD will be incorporated into Chapter 212.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 211	June 2001, as proposed deletion	Repeal this chapter when we adopt the new Chapter 212 and the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Some of the current provisions not included in the MUTCD will be incorporated into chapter 212.	Art Breneman (717) 787-3620

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Official Traffic Control Devices Chapter 212	June 2001, as proposed.	This chapter is being proposed to adopt the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) and to replace Chapters 201, 203 and 211. By adopting the MUTCD, the volume of the new regulation will be only about 5 percent of the combination of the three current regulations.	Art Breneman (717) 787-3620
Hazardous Materials Transportation Chapter 403	June 2001, as proposed.	Incorporate new Federal provisions and eliminate registration requirement.	Daniel Smyser (717) 787-7445
Distribution of Highway Maintenance Funds - Chapter 453	May 2001, as final.	The purpose of this rulemaking is to delete 67 PA Code CH 453. Chapter 453 is no longer needed because 75 Pa.C.S. § 9104 no longer requires the promulgation of standards and methodology for data collection in the form of regulations.	J. Michael Long (717) 705-8920
Consultant Highway Design Errors Chapter 455	June 2001, as proposed deletion.	Since there is no legal need for this chapter, the Department proposes to delete Chapter 455 and propose a Department policy to address consultant design errors.	Donald Childs (717) 783-9309
Vehicle Equipment & Inspection Chapter 175	September 2000, as proposed	Current language is not flexible enough to accommodate changing industry practices and needs.	John Munafo (717) 787-3184
Prequalification of Bidders Chapter 457	June 2001, as proposed rule-making.	These changes are being brought about as a result of a reengineering project.	Fred Starasinic (717) 787-3733
Hold-Down and Tiedown Devices for Metal Cargo and Logs Chapter 183	December 2001, as proposed deletion	Repeal—this regulation is no longer needed because of changes made in Chapter 49 of the Vehicle Code	Daniel Smyser (717) 787-7445
Obstruction to Aircraft Chapter 479	September 2001, as proposed	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234

[Pa.B. Doc. No. 01-190. Filed for public inspection February 2, 2001, 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, December 14, 2000, and took the following action.

Regulation Disapproved:

Department of Transportation #18-349: Administrative Practice and Procedure; Outdoor Advertising (amends 67 Pa. Code Chapters 445 and 491).

Commissioners Voting: John R. McGinley, Jr., Chairperson, Alvin C. Bush, Vice Chairperson, by phone, Arthur Coccodrilli, Robert J. Harbison, III, dissenting, John F. Mizner

Public Meeting held
December 14, 2000

Department of Transportation—Administrative Practice and Procedure; Outdoor Advertising; Regulation No. 18-349

On October 6, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation. This rulemaking amends 67 Pa. Code Chapters 445 and 491. The proposed regulation was published in the October 23, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 8, 2000.

The final-form regulation revises the current administrative procedural rules applicable to Department hearings, enumerates the specific requirements for hearing requests and facilitates the administrative review of Department procedures. The Department made several changes that further streamlined and clarified administrative procedures. However, we have two remaining concerns with the final-form regulation that relate to the criteria of clarity, feasibility and reasonableness (71 P. S. § 745.5a(i)(3)).

First, the regulation does not contain a definition of the term "party." Throughout the regulation, the Department changed the references to "interested parties and other participants" to "parties." In our comments, we recommended that a definition of "party" be added to section 491.2 (relating to definitions). However, the Department has not followed our recommendation.

Many agency regulations contain a definition of "party" or another term to designate a person involved in an

administrative proceeding. These definitions eliminate confusion as to who is entitled to notice and service of pleadings. A definition of "party" in these regulations would likewise serve to make the regulation clearer.

Second, retention of the term "participant" in section 491.8 (relating to service) is inconsistent with revisions made in the remainder of the regulation. The Department revised section 491.8 in the final-form regulation. In the first part of this provision, the Department deleted the term "parties" but retained the term "participants." This is the only section in the regulation where the term "participant" has been retained. Since the term "party" is used throughout the regulation, the term "participant" in this one instance could result in confusion for a party in determining who is entitled to service of documents and pleadings.

We have determined this regulation is consistent with the statutory authority of the Department (2 Pa.C.S. §§ 501—508 and 701—704) and the intention of the General Assembly. However, after considering the other criteria of the Regulatory Review Act discussed above, we find promulgation of this regulation is not in the public interest.

By Order of the Commissioner:

This regulation is disapproved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-191. Filed for public inspection February 2, 2001, 9:00 a.m.]

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission received the following regulations on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
2-133	Department of Agriculture Preferential Assessment of Farmland And Forest Land Under the Clean And Green Act	01/24/01

Eligible Surplus Lines Insurer List

In accordance with section 1605(b) of the Insurance Company Law of 1921 (40 P. S. § 991.1605(b)), the Insurance Department hereby publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List as of July 1, 2000, published at 30 Pa.B. 3631 (July 15, 2000).

Persons who have any questions concerning this notice, should contact Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

As of: January 18, 2001

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4001	Acceptance Insurance Company	222 South 15th Street Suite 600 North Omaha, NE 68102-1616
4002	Admiral Insurance Company	1209 Orange Street Wilmington, DE 19801

Final-Form

2-119	Department of Agriculture Farm Safety and Occupational Health Grant Program	01/24/01
2-122	Department of Agriculture Farm Safety and Occupational Health Developmental and Instructional Program	01/24/01
2-123	Department of Agriculture Farm Safety and Occupational Health Tuition Assistance Program	01/24/01

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-192. Filed for public inspection February 2, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate

SAFECO Insurance Company of Pennsylvania, a domestic stock casualty insurance company, has filed for approval a Plan of Redomestication, whereby the state of domicile would change from the Commonwealth of Pennsylvania to Indiana. The filing was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 et. seq. Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department within 15 days of publication of this notice in 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 and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda E. Bybee, Insurance Company Licensing Specialist, Pennsylvania Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail cbybeestate.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-193. Filed for public inspection February 2, 2001, 9:00 a.m.]

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4005	Adriatic Insurance Company	314 East Thayer Avenue Bismarck, ND 58501
4017	Allianz Underwriters Insurance Company	3400 Riverside Drive Suite 300 Burbank, CA 91505-4669
4047	American Dynasty Surplus Lines Insurance Company	The Corporation Trust Company 1209 Orange Street Wilmington, DE 19801
4050	American Empire Surplus Lines Insurance Company	1209 Orange Street Wilmington, DE 19801
4052	American Equity Insurance Company	7676 East Pinnacle Peak Road Scottsdale, AZ 85255
4054	American Healthcare Specialty Insurance Company	425 W. Capitol Avenue Suite 1800 Little Rock, AR 72201
4055	American International Specialty Lines Insurance Company	1400 West Benson Blvd., Suite 315 Anchorage, AK 99503
4881	American Safety Indemnity Company	600 Bank of Oklahoma Plaza 201 Robert S. Kerr Avenue Oklahoma City, OK 73102
4062	American Western Home Insurance Company	600 Fidelity Plaza Oklahoma City, OK 73102
4081	Appalachian Insurance Company	Allendale Park P. O. Box 7500 Johnston, RI 02919-0500
4085	Assicurazioni Generali Di Trieste	Piazza Duca Degli Abruzzi, 2 Trieste, Italy 34132
4090	Associated Electric & Gas Insurance Services Limited	Liberty International 73 Front Street, 3rd Floor Hamilton, Bermuda HM11
4095	Associated International Insurance Company	21820 Burbank Boulevard, #330 Woodland Hills, CA 91367
4100	Audubon Indemnity Company	795 Woodways Parkway Suite 310 Ridgeland, MS 39157
4000	AXA Reinsurance UK plc	London Underwriting Centre 3 Minster Court, Mincing Lane London, England EC3R 7DD
4135	British Aviation Insurance Company Limited	Fitzwilliam House 10 St. Mary's Axe London, England EC3A 8EQ
4145	Caliber One Indemnity Company	1209 Orange Street Wilmington, DE 19801
4150	Canal Indemnity Company	400 East Stone Avenue Greenville, SC 29601
4158	Centennial Casualty Company	2200 Woodcrest Place Suite 200 Birmingham, AL 35209
4159	Century American Insurance Company	1002 Deming Way Madison, WI 53717
4160	Century Surety Company	2400 Corporate Exchange Drive Columbus, OH 43231
4200	CGU International Insurance plc	St. Helen's 1 Undershaft London, England EC3P 3DQ
4170	Chubb Custom Insurance Company	32 Loockeman Square Dover, DE 19901

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4175	Clarendon America Insurance Company	224 West State Street Trenton, NJ 08608
4140	CNA Reinsurance Company Limited	Fountain House 125-135 Fenchurch Street London, England EC3M 5DJ
4180	Colony Insurance Company	9201 Forest Hill Avenue Suite 200 Richmond, VA 23235-6865
4193	Columbia Casualty Company	CNA Plaza Chicago, IL 60685
4196	Commercial Underwriters Insurance Company	200 Corporate Pointe Suite 300 Culver City, CA 90230
4210	Commonwealth Insurance Company	595 Burrard Street, Suite 1500 Bentall Centre III Vancouver, B.C., Canada V7X 1G4
4213	Connecticut Specialty Insurance Company	9 Farm Springs Road Farmington, CT 06032
4216	Copenhagen Reinsurance Company (UK) Limited	25/26 Lime Street London, England EC3M 7HR
4215	Copenhagen Reinsurance Company Limited	4, Lyngby Hovedgade P. O. Box 325 Lyngby, Denmark DK-2800
4220	Coregis Indemnity Company	181 West Madison Avenue Suite 2600 Chicago, IL 60602
4222	Cross River Insurance Company	10306 Regency Parkway Drive Omaha, NE 68113
4225	Crusader Insurance Company	23251 Mulholland Drive Woodland Hills, CA 91364
4230	Dakota Specialty Insurance Company	316 North Fifth Street Bismarck, ND 58502
4240	Discover Specialty Insurance Company	500 West Madison, Suite 2600 Chicago, IL 60661
4245	Eden Park Insurance Company	One Indiana Square Suite 1800 Indianapolis, IN 46204
4255	Empire Indemnity Insurance Company	809 Northwest 36th Street Oklahoma City, OK 73118
4268	Essex Insurance Company	1209 Orange Street Wilmington, DE 19801
4270	Evanston Insurance Company	Ten Parkway North Deerfield, IL 60015
4275	Everest Indemnity Insurance Company	Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
4280	Executive Risk Specialty Insurance Company	82 Hopmeadow Street Simsbury, CT 06070-7683
4315	Fidelity Excess and Surplus Insurance Company	515 Main Street Cincinnati, OH 45202
4317	Fireman's Fund Insurance Company of Ohio	312 Walnut Street Suite 1100 Cincinnati, OH 45202
4319	First Financial Insurance Company	528 South Fifth Street Suite 210 Springfield, IL 62701-1822
4320	First Mercury Insurance Company	3800 North Wilke Road Arlington Heights, IL 60004

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4321	First Specialty Insurance Corporation	237 East High Street Jefferson City, MO 65102
4329	Frontier Pacific Insurance Company	101 West Broadway Suite 700 San Diego, CA 92101-8208
4331	Fulcrum Insurance Company	3636 North Central Avenue Phoenix, AZ 85012
4333	Gemini Insurance Company	Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
4335	General Agents Insurance Company of America, Inc.	4308 North Classen Boulevard Oklahoma City, OK 73118
4337	General Security Indemnity Company	2 World Trade Center New York, NY 10048-2495
4338	General Star Indemnity Company	695 East Main Street P. O. Box 10354 Stamford, CT 06904-2354
4345	Generali-France Assurances	5, rue de Londres Paris, France 75009
4350	Genesis Indemnity Insurance Company	316 North Fifth Street Bismarck, ND 58501
4360	Gotham Insurance Company	330 Madison Avenue New York, NY 10017
4010	Great American E & S Insurance Company	The Corporation Trust Company 1209 Orange Street Wilmington, DE 19801
4370	Great Lakes Reinsurance (UK) PLC	Upper Ground Floor, 1 Minster Court Mincing Lane London, England EC3R 7AA
4332	Groupama Insurance Company Limited	Gan House 12 Arthur Street London, England EC4R 9BJ
4380	Guilford Insurance Company	528 South Fifth Street Suite 210 Springfield, IL 62701-1822
4385	Gulf Insurance Company U.K. Limited	Suite 616, The Lloyds Bldg. 1 Lime Street London, England EC3M 7DQ
4390	Gulf Underwriters Insurance Company	951 Hornet Drive Hazelwood, MO 63042
4395	Hallmark Insurance Company, Inc.	Three Bala Plaza, East Suite 300 Bala Cynwyd, PA 19004
4420	Houston Casualty Company	13403 Northwest Freeway Houston, TX 77040-6094
4427	Illinois Emcasco Insurance Company	815 Commerce Drive Oak Brook, IL 60521-1978
4432	Illinois Union Insurance Company	8755 West Higgins Road Chicago, IL 60631
4438	Indemnity Marine Assurance Company Limited	St. Helen's 1 Undershaft London, England EC3P 3DQ
4440	Independence Indemnity Insurance Company	515 South Kansas Avenue Topeka, KS 66603
4441	Indian Harbor Insurance Company	Seaview House 70 Seaview Avenue Stamford, CT 06902-6040

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4445	Industrial Insurance Company Limited	Vattuniemenkuja 8 A Helsinki, Finland FIN-00035
4430	INEX Insurance Exchange	1 South Wacker Drive Suite 2720 Chicago, IL 60606-4617
4448	International Insurance Company of Hannover Limited	Fountain House 130 Fenchurch Street London, England EC3M 5DJ
4451	Interstate Fire & Casualty Company	55 East Monroe Street Chicago, IL 60603
4425	ITT Pacific Insurance Company, Limited	Hartford Plaza Hartford, CT 06115
4460	Kemper Indemnity Insurance Company	1 Kemper Drive Long Grove, IL 60049-0001
4465	Kemper Surplus Lines Insurance Company	1 Kemper Drive Long Grove, IL 60049-0001
4471	Landmark American Insurance Company	9800 South Meridian Boulevard Englewood, CO 80112
4472	Landmark Insurance Company	777 South Figueroa Street Los Angeles, CA 90017
4475	Legion Indemnity Company	190 S. LaSalle Street Chicago, IL 60603
4478	Lexington Insurance Company	1209 Orange Street Wilmington, DE 19801
4482	Liberty Mutual Insurance Company (UK) Limited	4th Floor, One Minster Court Mincing Lane London, England EC3R 7AA
4480	Liberty Surplus Insurance Corporation	175 Berkeley Street Boston, MA 02117
4492	Lloyd's (Underwriters at)	One Lime Street London, England EC3M 7HA
4530	Marine Insurance Company Limited	34/36 Lime Street London, England EC3M 7JE
4540	Maritime Insurance Company Limited	P. O. Box 6 Surrey Street Norfolk, England NR1 3NS
4565	Monticello Insurance Company	1209 Orange Street Wilmington, DE 19801
4575	Mt. Hawley Insurance Company	9025 N. Lindbergh Drive Peoria, IL 61615
4590	NAMIC Insurance Company, Inc.	3601 Vincennes Road Indianapolis, IN 46268
4598	National Fire & Marine Insurance Company	3024 Harney Street Omaha, NE 68131-3580
4605	Nautilus Insurance Company	7273 East Butherus Drive Scottsdale, AZ 85260
4595	NIC Insurance Company	123 William Street New York, NY 10038-3871
4637	North American Capacity Insurance Company	650 Elm Street Manchester, NH 03101-2524
4645	Northern Assurance Company Limited	St. Helen's 1 Undershaft London, England EC3P 3DQ
4652	Northfield Insurance Company	Monroe House Law Ctr 237 E. High Street Jefferson City, MO 65101

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4665	Nutmeg Insurance Company	Hartford Plaza Hartford, CT 06115
4667	Ocean Marine Insurance Company Limited	St. Helen's 1 Undershaft London, England EC3P 3DQ
4668	Old Republic Union Insurance Company	307 North Michigan Avenue Chicago, IL 60601
4700	Pacific Insurance Company	c/o CT Corp 818 West 7th Street Los Angeles, CA 90017
4730	Preferred National Insurance Company	210 University Drive Suite 900 Coral Springs, FL 33071
4735	Princeton Excess and Surplus Lines Insurance Company	1013 Centre Road Wilmington, DE 19805
4740	Professional Underwriters Liability Insurance Company	50 West Broadway Salt Lake City, UT 84101
4755	QBE International Insurance Limited	14 Fenchurch Avenue London, England EC3M 5BS
4756	Queensway International Indemnity Company	851 North Donnelly Street Mount Dora, FL 32757
4787	Rock River Insurance Company	3400 80th Street Moline, IL 61265-5886
4793	Royal Surplus Lines Insurance Company	500 Winding Brook Drive Glastonbury, CT 06033
4802	SAFECO Surplus Lines Insurance Company	SAFECO Plaza Seattle, WA 98185
4810	Savers Property & Casualty Insurance Company	700 West 47th Street Kansas City, MO 64112-1802
4816	Scottsdale Insurance Company	One Nationwide Plaza Columbus, OH 43215
4819	Sheffield Insurance Corporation	One South Wacker Drive, Suite 2700 Chicago, IL 60606
4821	Sirius International Insurance Corporation	Birger Jarlsgatan 57B Stockholm, Sweden SE-113 93
4453	Specialty Surplus Insurance Company	25 Deforest Avenue Summit, NJ 07901-2154
4804	SR International Business Insurance Company Limited	71-77 Leadenhall Street London, England EC3A 2PQ
4806	St. Paul Reinsurance Company Limited	52 Lime Street London, England EC3M 7BS
4807	St. Paul Surplus Lines Insurance Company	32 Loockerman Square Dover, DE 19901
4835	Starr Excess Liability Insurance Company, Ltd.	1010 Centre Road Wilmington, DE 19850
4845	Steadfast Insurance Company	Suite 202 32 Loockerman Square Dover, DE 19901
4849	Stonewall Insurance Company	580 Walnut Street Cincinnati, OH 45202
4860	Storebrand Skadeforsikring AS	P. O. Box 1380 Vika Oslo, Norway 0114
4875	Terra Nova Insurance Company Limited	41/43 Mincing Lane London, England EC3R 7SP
4880	Through Transport Mutual Insurance Association Limited	Windsor Place, Queen Street P. O. Box HM655 Hamilton, Bermuda HMCX

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4870	TIG Specialty Insurance Company	650 California Street San Francisco, CA 94108
4879	Transnational Insurance Company	One Commercial Plaza Hartford, CT 06103
4882	Travelers Excess and Surplus Lines Company	One Tower Square Hartford, CT 06183
4884	Tudor Insurance Company	91 Court Street Keene, NH 03431
4893	U.S. Underwriters Insurance Company	316 North Fifth Street Sixth Floor Bismarck, ND 58501
4887	ULICO Indemnity Company	320 West Capital Street Suite 1000 Little Rock, AR 72201-3525
4890	Unionamerica Insurance Company Limited	The London underwriting Centre 3 Minster Court, Mincing Lane London, England EC3R 7DD
4897	United Capitol Insurance Company	400 Perimeter Center Terrace Atlanta, GA 30346
4900	United Coastal Insurance Company	40 North Central Avenue Phoenix, AZ 85004
4930	Vesta Insurance Company Limited	Folke Bernadottes vei 50 Bergen, Norway 5020
4935	Voyager Indemnity Insurance Company	3237 Satellite Boulevard, Suite 400 Duluth, GA 30096
4955	Wausau General Insurance Company	2000 Westwood Drive Wausau, WI 54401
4957	Westchester Surplus Lines Insurance Company	Six Concourse Parkway Suite 2500 Atlanta, GA 30328-5346
4962	Western Heritage Insurance Company	6263 N. Scottsdale Road Suite 240 Scottsdale, AZ 85250
4963	Western Indemnity Insurance Company	820 Gessner Suite 1200 Houston, TX 77024
4966	Western World Insurance Company	91 Court Street Keene, NH 03431
4925	Winterthur International America Underwriters Insurance Company	5810 East Skelly Drive Suite 700 Tulsa, OK 74135
4980	Yorkshire Insurance Company Limited	Pitheavlis Perth, Scotland PH2 0NH
4985	ZC Specialty Insurance Company	400 West 15th Street Suite 7 Austin, TX 78701
4990	Zurich International (Bermuda) Ltd.	The Zurich Centre, 90 Pitt's Bay Road P. O. Box HM 2268 Hamilton, Bermuda HMJX
4995	Zurich Specialties London Limited	The Zurich Building 90 Fenchurch Street London, England EC3M 4JX

Since publication of the July 1, 2000, eligible surplus lines insurer list, the following significant changes have occurred:

	<i>(Key Number)</i>	<i>(Company Name)</i>	<i>(Date)</i>
Additions:	4465	Kemper Surplus Lines Insurance Company	07/31/00
	4835	Starr Excess Liability Insurance Company, Ltd.	08/25/00
Deletions:	4720	Phoenix Assurance plc	08/18/00
	4760	Reliance Insurance Company of Illinois	01/01/01
Name Changes:			
From:	4010	Agricultural Excess and Surplus Insurance Company	06/15/00
To:	4010	Great American E & S Insurance Company	
From:	4332	Gan Insurance Company Limited	09/01/00
To:	4332	Groupama Insurance Company Limited	

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-194. Filed for public inspection February 2, 2001, 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). This administrative hearing will be held in the Insurance Department's Regional Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Catherine S. Meinhart; file no. 00-181-07911; Keystone Insurance Company; doc. no. P01-01-020; February 27, 2001, at 10 a.m.;

Appeal of Eleanor Kowatch; file no. 00-181-08733; Donegal Mutual Insurance Company; doc. no. P01-01-025; February 22, 2001, at 1 p.m.;

Appeal of Thomas C. Pendergast; file no. 00-181-08111; Kemper Independence Insurance Company; doc. no. P01-01-022; March 1, 2001, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the 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 Insurance Commissioner will issue a writ-

ten order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-195. Filed for public inspection February 2, 2001, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. This administrative hearing will be held in the Insurance Department's Regional Office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Estate of Maddelena Polidoro; file no. 00-215-04113; Keystone Insurance Company; doc. no. PH01-01-023; May 11, 2001, at 3:30 p.m.

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

Appeal of Joseph Page; file no. 00-181-0867; State Auto Insurance Company; doc. no. P01-01-024; March 7, 2001, at 10 a.m.

Appeal of Elizabeth Liggon; file no. 00-181-08541; Allstate Insurance Company; doc. no. P01-01-021; March 13, 2001, at 1 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence.

Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-196. Filed for public inspection February 2, 2001, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Berks County, Wine & Spirits Shoppe #0619, Penn Plaza, 3039 North Fifth Street Highway, Reading, PA 19605-2457.

Lease Expiration Date: January 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 to 6,500 net useable square feet of new or existing retail commercial space along North Fifth Street Highway between George Street (South) and Bellevue Avenue (North), Muhlenberg Township.

Proposals due: February 23, 2001 at 12 Noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

Mercer County, Wine & Spirits Shoppe #4306, Hermitage Towne Plaza, 2321 East State Street, Hermitage, Pa 16148-2725.

Lease Expiration Date: September 30, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 to 6,000 net useable square feet of new or existing retail commercial space in a shopping center environment along Business Route 62 in Hermitage.

Proposals due: February 23, 2001 at 12 Noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, Pa 15222
Contact: George Danis, (412) 565-5130

Snyder County, Wine & Spirits Shoppe #5501, 517 North Market Street, Selinsgrove, Pa 17870-2003.

Lease Expiration Date: January 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,100 to 4,800 net useable square feet of new or existing retail commercial space in the Borough of Selinsgrove or surrounding municipalities.

Proposals due: February 23, 2001 at 12 Noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661

Contact: Ronald Hancher, Jr., (717) 657-4228

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 01-197. Filed for public inspection February 2, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Railroad With Hearing

I-0000088. National Railroad Passenger Corporation. Investigation upon the Commission's own motion to determine the condition and disposition of the existing crossing structure carrying Colebrook Road (T-374) above the grade of the tracks of National Railroad Passenger Corporation in East Hempfield Township, Lancaster County, (AAR 518 001 S).

An initial hearing on this matter will be held Tuesday, March 27, 2001, at 10 a.m. in hearing room 2, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, 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. 01-198. Filed for public inspection February 2, 2001, 9:00 a.m.]

Railroad With Hearing

A-00116321. Department of Transportation. Application of the Commonwealth of Pennsylvania, Department of Transportation for approval of (a) the alteration of the Crossing AAR 140 629 K by the removal and replacement of the existing bridge where Lindbergh Boulevard (S. R. 3021) crosses above grade the tracks of CSX Transportation and (b) an exemption from the provisions of Subchapter C of the 52 Pa. Code § 33.121 (relating to overhead clearances), located in the City of Philadelphia and the allocation of costs incident thereto.

An initial hearing on this matter will be held Thursday, March 29, 2001 at 10 a.m. in an available hearing room,

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. 01-199. Filed for public inspection February 2, 2001, 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. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before February 26, 2001, as set forth at 52 Pa. Code § 3.381 (relating to the applications for the transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00098496, Folder 1, Am-B Greater Johnstown Yellow Cab, Inc. (1301 Frankstown Road, Johnstown, Cambria County, PA 15902), a corporation of the Commonwealth of Pennsylvania—temporary authority—persons upon call or demand in the areas of the counties of Cambria and Somerset as outlined: Beginning at Route 422 at the Cambria County line, thence east via Route 422 to the borough of Cresson, Cambria County, where Route 422 intersects with Route 53, thence southwestwardly via Route 53 to its intersection with Route 160 in the borough of Wilmore, Cambria County, thence southwardly via Route 160 to its intersection with Route 31 in the borough of Roxbury, Somerset County, thence westwardly via Route 31 to the borough of Somerset, thence southwardly via Route 281 to its intersection with Route 653 to the borough of New Lexington, Somerset County, thence westwardly to the Somerset County line, thence northwardly along the Somerset and Cambria County lines to the point of beginning, at Route 422 in Cambria County. Application for permanent authority appeared in the *Pennsylvania Bulletin*, Volume 30, No. 32, August 5, 2000.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00117469 BMT Coach, Inc. (P. O. Box 1166, Lansdowne, Delaware County, PA 19050), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of Montgomery and Philadelphia; which is to be a transfer of the rights authorized under the certificate issued at A-00109409 to Jimmy's Transport, Ltd., subject to the

same limitations and conditions. *Attorney:* John J. Gallagher, Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

Applications of the following for approval amendment of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00104709, Folder 1, Am-B Unique Limousine Service, Inc. (P. O. Box 60402, Harrisburg, Dauphin County, Pennsylvania 17106), a corporation of the Commonwealth of Pennsylvania, inter alia—transfer—persons in limousine service, between points in the counties of Adams, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Luzerne, Mifflin, Monroe, Northumberland, Perry, Schuylkill, Snyder, Union and York; subject to the following conditions: (1) provided that all service authorized herein shall be restricted to the transportation in luxury van-type vehicles, not exceeding 10 passengers in capacity, excluding the driver, and (2) that no right, power or privilege is granted to originate service from points in the counties of Luzerne, Monroe and Schuylkill: *So as to permit* the transportation of persons, in limousine service, between points in the counties of Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon and York, and from points in said counties, to other points in Pennsylvania, and return; which is to be a transfer of the rights authorized under the certificate issued at A-00111875 to James J. Salinger, subject to the same limitations and conditions.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-200. Filed for public inspection February 2, 2001, 9:00 a.m.]

Telecommunications

A-310513F0002. Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L.P. d/b/a Sprint PCS. Joint Petition of Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L.P. d/b/a Sprint PCS for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L.P. d/b/a Sprint PCS, by its counsel, filed on January 24, 2001, at the Public Utility Commission, a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All such comments are due on or before 10 days after the date of publication of this notice. Copies of the Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L.P. d/b/a Sprint PCS Joint Petition are on file with the Pennsylvania Public Utility 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. 01-201. Filed for public inspection February 2, 2001, 9:00 a.m.]

Telecommunications

A-310738F0002. United Telephone Company of Pennsylvania d/b/a Sprint and D&E Systems, Inc. d/b/a D&E Communications. Joint Petition of the United Telephone Company of Pennsylvania d/b/a Sprint and D&E Systems, Inc. d/b/a D&E Communications for approval of a master interconnection agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and D&E Systems, Inc. d/b/a D&E Communications, by its counsel, filed on January 11, 2001, at the Public Utility Commission, a Joint Petition for approval of a Master 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. All such comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and D&E Systems, Inc. d/b/a D&E Communications Joint Petition are on file with the Pennsylvania Public Utility 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. 01-202. Filed for public inspection February 2, 2001, 9:00 a.m.]

Telecommunications

A-310824F0002. United Telephone Company of Pennsylvania d/b/a Sprint and DSLnet Communication, LLC. Joint Application of the United Telephone Company of Pennsylvania d/b/a Sprint and DSLnet Communication, LLC for approval of amendment no. 1 to the master interconnection and resale agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and DSLnet Communication, LLC, by its counsel, filed on January 19, 2001, at the Public Utility Commission, a Joint Petition for approval of Amendment No. 1 to the Master Interconnection and Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All such comments are due on or before 10 days after the date of publication of this notice. Copies

of the United Telephone of Pennsylvania d/b/a Sprint and DSLnet Communication, LLC, Joint Petition are on file with the Pennsylvania Public Utility 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. 01-203. Filed for public inspection February 2, 2001, 9:00 a.m.]

Telecommunications

A-310701. United Telephone Company d/b/a Sprint and Cat Communications International, Inc. d/b/a CCL. Joint Petition of the United Telephone Company d/b/a Sprint and Cat Communications International, Inc. d/b/a CCI for approval of a Master Resale Agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

United Telephone Company d/b/a Sprint and Cat Communications International, Inc. d/b/a CCI, by its counsel, filed on January 11, 2001, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company d/b/a Sprint and Cat Communications International, Inc. d/b/a CCI Joint Petition are on file with the Pennsylvania Public Utility 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. 01-204. Filed for public inspection February 2, 2001, 9:00 a.m.]

Water Service Without Hearing

A-210460 F2000. Citizens Water Company of Confluence and the Confluence Borough Municipal Authority. Application of Citizens Water Company of Confluence and the Confluence Borough Municipal Authority for approval of the transfer by sale of the property and rights of Citizens Water Company of Confluence to the Confluence Borough Municipal Authority, and for the abandonment by Citizens Water Company of Confluence of all water service to the public in the Commonwealth of Pennsylvania.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265,

Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 20, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Citizens Water Company of Confluence.

Through and By Counsel: James R. Cascio, Esquire, Fike, Cascio and Boose, 124 North Center Avenue, Somerset, PA 15501.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-205. Filed for public inspection February 2, 2001, 9:00 a.m.]

Water Service Without Hearing

A-212285 F0085. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in a portion of Mahoning Township, Lawrence County, Pennsylvania.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 20, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania-American Water Company.

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-206. Filed for public inspection February 2, 2001, 9:00 a.m.]

Water Service Without Hearing

A-212285 F0084 & A-210970 F2000. Pennsylvania-American Water Company and Fox Knoll Water Company. Joint Application of Pennsylvania-American Water Company and Fox Knoll Water Company for approval of 1) the transfer by sale of the water works property and rights of the Fox Knoll Water Company to Pennsylvania-American Water Company, 2) the commencement by Pennsylvania-American Water Company of water service in the certificated service territory of Fox Knoll Water Company and 3) the abandonment by Fox Knoll Water Company of all water service to the public.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 20, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania-American Water Company, Fox Knoll Water Company.

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark

Drive, Hershey, PA 17033 and James S. Tupitza, Esquire, Tupitza & Associates, P.C., 211 West Gay Street, West Chester, PA 19380.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-207. Filed for public inspection February 2, 2001, 9:00 a.m.]

Water Service Without Hearing

A-210823 F2000. Willard Eberts, t/a Wil-Mar Bold Water Company, Inc. Application of Willard Eberts, t/a Wil-Mar Water Company, Inc., for approval of 1) the transfer of ownership and operation of Wil-Mar Water Company, Inc., to East Allen Township Municipal Authority, and 2) the abandonment by Wil-Mar Water Company, Inc., of all water service to the public.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 20, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Willard Eberts, t/a Wil-Mar Water Company, Inc

Through and By Counsel: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-208. Filed for public inspection February 2, 2001, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, February 22, 2001, for **Project # 00-019-001**—Installation/Lease of T1 Line. The bid documents can be obtained from the Director of Procurement, 3460 N. Delaware Ave., Phila., PA 19134, (215) 426-2600 and will be available on February 6, 2001. The cost of the bid document is \$25.00 (includes 7% PA Sales Tax). The cost is non-refundable. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal employment opportunity laws and regulations. Mandatory prebid meeting will be held Thursday, February 15, 2001, 10 a.m. at 3460 N. Delaware Avenue, 2nd Flr., Phila., PA 19134. The PRPA will consider only those bids received from parties who attend the prebid meeting.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 01-209. Filed for public inspection February 2, 2001, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa. C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

- | | | |
|-------------------|-------------------------------------------------------------------|--------|
| February 7, 2001 | Joyce Ravinskas
(Rescind disability retirement pension) | 1 p.m. |
| February 14, 2001 | Donald E. Lunday
(Purchase of nonintervening military service) | 1 p.m. |
| February 21, 2001 | Mattison A. Burt
(Purchase US Naval Academy service) | 1 p.m. |
| February 28, 2001 | Beverly H. Gaglione
(Purchase out-of-state service credit) | 1 p.m. |

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1, (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 01-210. Filed for public inspection February 2, 2001, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

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.

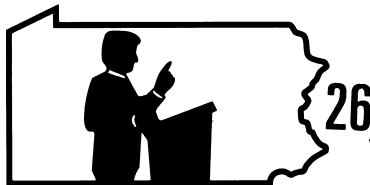
The net payment date stated on the business' invoice.

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.

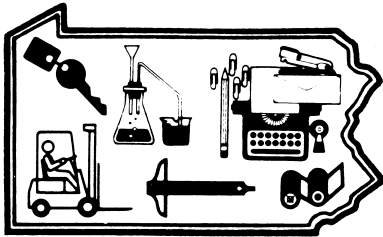
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

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



Commodities

467331 End-Tab Classifies, Vinyl Sheet w/card and photo pockets, ATndx tabs, Label-Mylar, Numeric Rolls Label-Mylar (ALL SUPPLIES USED FOR MEDICAL RECORDS).

Department: Corrections
Location: SCI-CAMPBILL 2500 LISBURN ROAD, P.O. BOX 8837 CAMP HILL, PA 17001-8837
Duration: ITEMS NEEDED ASAP
Contact: Michelle Ryan, (717) 975-5267

8505570 Hydraulic Motor and Auger. For a copy of bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

6243 Purchase of one Steiner Model 230 tractor with mower attachment.

Department: Fish and Boat Commission
Location: Pleasant Gap, PA
Duration: Delivery approx. March 1
Contact: Kathi Tibbott, Purchasing Agent, (814) 359-5131

1325210 Medical Furniture. For a copy of bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Selinsgrove, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

B-13840/B-13850 FABRICATE DOORS OF VARIOUS SIZES AND GAUGES. TOTAL OF 7 DOORS. DOORS ARE TO FIT ALREADY MADE FRAMES. VARIOUS HARDWARE TO INCLUDE HINGES, HEAVY DUTY LEVERS, CLOSURES, LOCKS AND FLOOR STOPS.

Department: Corrections
Location: SCI-GRATERFORD P.O. BOX 246 OFF RT. 29 GRATERFORD, PA 19426
Contact: KELLY RICHARDSON, (610) 489-4151

SH012201 T-shirts w/pocket, silkscreen and golf shirts monogrammed for issue to Uniformed Bureau of State Parks Staff.

Department: Conservation and Natural Resources
Location: Shawnee State Park 132 State Park Road Schellsburg PA 15559
Duration: Delivery of items by April 15, 2001.
Contact: Robert F. Bromley, Park Mgr., (814) 733-4218

LBLA#011/NO-768 (2) PATIENT LIFTS - 440 LB. LIFTING CAPACITY - REFERENCE: GOLVO 7007ES PATIENT LIFT OR APPROVED EQUAL. FOR A BID PACKAGE, FAX YOUR REQUEST TO BECKY J. CLAPPER, PURCHASING AGENT III (814)696-5395.

Department: Military Affairs
Location: HOLLIDAYSBURG VETERANS HOME RTE 220 MEADOWS INTERSECTION PO BOX 319 HOLLIDAYSBURG, PA 16648-0319
Duration: ONE-TIME PROCUREMENT
Contact: BECKY J. CLAPPER, (814) 696-5395

PSU 7666-g The Pennsylvania State University is seeking bids to purchase Nema 12 and Nema 4 Equipment Cabinets. Please fax your request for a bid package to Steve Blazer at (814) 865-3028. Bids are to be received no later than February 14, 2001.

Department: State System of Higher Education
Location: Penn State University, University Park, PA
Duration: N/A
Contact: Steve Blazer, (814) 865-3028, Fax

1333210 Latest Model Converted Van Type Wheelchair/Passenger Vehicle. For a copy of bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Ebensburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1348110 Shower Partitions. For a copy of bid package fax request to (717) 787-0725. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: Corrections
Location: Coal Township, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

8305-04 Upholstery Fabric & Vertical Panel Fabric. For a copy of the bid package fax request to (717) 787-0725. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: Corrections
Location: Various
Duration: 05/01/01 - 04/30/03
Contact: Vendor Services, (717) 787-2199

Greene-001M Bradley Wall-Mounted no-hub toilet Model # 922-7230FM Back supply, w/integral seat. No substitute.

Department: Corrections
Location: Department of Corrections, SCI Greene, 169 Progress Dr., Waynesburg, PA 15370
Duration: N/A
Contact: Pat Nichols, (724) 852-5533

Marsh6418 Purchase One (1) of the following: Pontoon Boat Model 18' Sport as manufactured by Crest (Or approved equal) 35Hp Johnson Tilt/Trim Motor Load Rite 182001 Trailer Snap On Full Cover Delivery to Park.

Department: Conservation and Natural Resources
Location: Marsh Creek State Park 675 Park Road Downingtown, PA 19335
Duration: Delivery to be made by June 30, 2001
Contact: Lori Nygard, (610) 458-5119

1306380 Latest Model Tow-Behind, Diesel Powered Stump Cutter. For a copy of bid package fax request to (717) 787-0725.

Department: Conservation and Natural Resources
Location: Prospect, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1354230 Antlerless Deer License Envelopes. For a copy of bid package fax request to (717) 787-0725.

Department: Game Commission
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1355130 Medical Oxygen Tanks. For a copy of bid package fax request to (717) 787-0725.

Department: Military Affairs
Location: Hollidaysburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1294150 Furnish, Set-up and make operational all equipment for the multimedia presentation system. For a copy of bid package fax request to (717) 787-0725.

Department: Education
Location: Bloomsburg University, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

PGC-2678 Item One: Steel Posts - Flanged sign channel posts in the following quantities and sizes: 955 - 6 feet; 665 - 8 feet; 350 - 9 feet; 415 - 10 feet; 290 - 12 feet; 100 - 14 feet. Delivery will be to multiple locations across the state. Item Two: Steel Delineator posts "U" Channel in the following sizes and quantities: 510 - 5 feet; 1,055 - 6 feet. As with item one, delivery will be to multiple locations across the state. Complete specifications and bid package are available by contacting agency.

Department: Game Commission
Location: Pennsylvania Game Commission, Automotive and Procurement Division, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: N/A
Contact: Diane Shultz or Linda Beaver, (717) 787-6594

6520-03 Automatic External Defibrillators. For a copy of bid package fax request to (717) 787-0725. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: General Services
Location: Various, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1338110 Furnish & Install Custom Built Doors, Corridor, High Security, Automatic Sliding. For a copy of bid package fax request to (717) 787-0725. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: Corrections
Location: Pittsburgh, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1307210 Vehicle, Van Type Passenger Vehicle Converted to Transport Wheelchair Individuals. For a copy of bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Selinsgrove, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

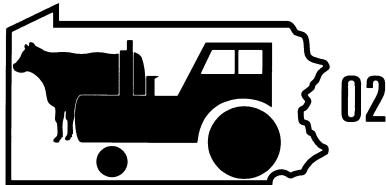
SRM000023 VARIOUS SIZES OF OAK BOARD, MOLDING, TONGUE/GROOVE OAK BOARDS, CEILING TILES, NAILS ETC. FOR COPY OF BID PACKAGE FAX REQUEST TO 717-861-2932.

Department: Military Affairs
Location: BLDG 0-47, FT INDIANTOWN GAP, ANNVILLE, PA 17003
Duration: FY00/01
Contact: REGINE FAITH, (717) 861-8455

2001-01 Pug, Badlands Series as per advertised specifications. Bid must include an adjusted price allowance for trade-in value of a 1998 Kawasaki Mule 4 x 4. Delivered to Hillsgrove Ranger Station, Sullivan County, Hillsgrove, PA

Department: Conservation and Natural Resources
Location: Wyoming Forest District # 20, Hillsgrove Ranger Station, Dry Run Road, Hillsgrove, PA 18619
Duration: N/A
Contact: Joseph A. Fiedor, (570) 387-4255

SERVICES



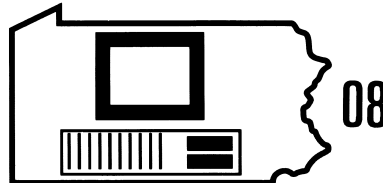
Agricultural Services

B-13899 CORN FERTILIZER/HERICIDES FOR 200 ACRES NITROGEN BICEP II MAGNUM PROWL.

Department: Corrections
Location: SCI-GRATERFORD, P.O. BOX 246, OFF RT. 29, GRATERFORD, PA 19426
Duration: N/A
Contact: KELLY RICHARDSON, (610) 489-4151

4/0 Provide fish food used in a statewide fish culture program during the period April 01, 2001 through June 30, 2001. Fish food products purchased in bulk and bagged quantities only from vendors who have had their products tested and accepted by the Fish and Boat Commission.

Department: Fish and Boat Commission
Location: Statewide at various fish culture stations as requested.
Duration: April 01, 2001 through June 30, 2001
Contact: Debbie Rose, (814) 359-5141



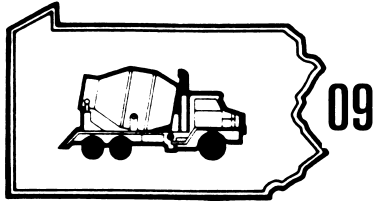
Computer Related Services

1801813257 The Department of Revenue is interested in obtaining maintenance on the following hardware products by April 1, 2001. The initial contract will be for three one-year periods, with the option for the Department of Revenue to renew for two additional one-year periods, as allowed by the controlling Management Directives and policies issued by the Department of General Services. Vendors must have technically qualified service personnel, certified by the manufacturer, who can perform the necessary maintenance and repairs to the products listed below. Revenue requires the vendor to perform periodic preventative maintenance; provide on-call maintenance during the hours of 7:00 AM to 5:00 PM, Monday through Friday, excluding Commonwealth holidays; vendor(s) must provide telephone assistance that is available 24 hours x 7 days per week; on-site response time to emergency requests from the time called must be within four business hours and for non-emergency requests, eight business hours. The selected vendor(s) will be the sole point of contact with regard to service calls, contractual matters and payments. Price quotes MUST BE stated as annual payments in advance for each of the initial three years. Discounted prices for payments in advance for terms longer than one year may also be included as optional payment offerings, but may not be considered in determining the low cost bid. **HARDWARE REQUIRING MAINTENANCE:** 14 HP OPTICAL JUKEBOXES (5.2 Gb platters)

Department: Revenue
Location: Department of Revenue, 1854 Brookwood Street/8th Floor Strawberry Square, Harrisburg, PA
Duration: From the effective date of contract through June 30, 2002, with three one-year renewal options.
Contact: Richard C. Beddow, CCP, (717) 772-9639

1801813256 The Department of Revenue is interested in obtaining maintenance on the following hardware products by April 1, 2001. The initial contract will be for three one-year periods, with the option for the Department of Revenue to renew for two additional one-year periods, as allowed by the controlling Management Directives and policies issued by the Department of General Services. Vendors must have technically qualified service personnel, certified by the manufacturer, who can perform the necessary maintenance and repairs to the products listed below. Revenue requires the vendor to perform periodic preventative maintenance; provide on-call maintenance during the hours of 7:00 AM to 5:00 PM, Monday through Friday, excluding Commonwealth holidays; vendor(s) must provide telephone assistance that is available 24 hours x 7 days per week; on-site response time to emergency requests from the time called must be within four business hours and for non-emergency requests, eight business hours. The selected vendor(s) will be the sole point of contact with regard to service calls, contractual matters and payments. Price quotes MUST BE stated as annual payments in advance for each of the initial three years. Discounted prices for payments in advance for terms longer than one year may also be included as optional payment offerings, but may not be considered in determining the low cost bid. **HARDWARE REQUIRING MAINTENANCE: 3 SCANOPTICS S9000 SCANNERS**

Department: Revenue
Location: Department of Revenue, 1854 Brookwood Street/8th Floor Strawberry Square, Harrisburg, PA
Duration: From effective date of contract through June 30, 2002, with three one-year renewal options.
Contact: Richard C. Beddow, CCP, (717) 772-9639



Construction & Construction Maintenance

DGS377-1ME4 PROJECT TITLE: Fire Protection. BRIEF DESCRIPTION: This Bid Package, shall include all work associated with all fire protection (water sprinkler) systems within each building and outside of each building up to approximately 5' beyond the building line, which will be continued by the BP4 Site Utilities Contractor. This Contractor will be responsible for coordination with the BP10 Electrical Contractor for all sprinkler/fire alarm interface requirements. ESTIMATED RANGE: 1,000,000.00 to \$2,000,000.00. Fire Protection Construction. PLANS DEPOSIT: \$200.00 per set payable to: OK/DMJM. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$40.00 per set or provide your express mail account number to the office listed below. Mail requests to: OK/DMJM, One Gateway Center, 13 West, Pittsburgh, PA 15222. Tel: 412/394-6888. Bid Date: WEDNESDAY, February 21, 2001 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Tuesday, February 6, 2001 at 1:00 P.M. at the M.A.C.A. Bldg. located in Marienville, Forest County, PA. Contact: Tom Dirkes, Tel: 412/394-6888. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Jenks Township, Forest County, PA
Duration: 540 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

2-2-00043 This contract will provide manpower, equipment, and all guiderail material for the emergency repair of approximately 5,000 linear feet of strong and/or weak post guiderail (and other guiderail components as needed) at accident damage sites located on Interstate 80 within Clearfield County. The Contractor shall be responsible for the removal and disposal of damaged guiderail and installation of new guiderail at accident sites within 5 working days after notification by department personnel on an as needed basis. All requests for bid packages must be requested by fax (814) 765-0681 or telephone (814) 765-0524. Attention: Debbie Swank, Purchasing Agent. All bidders must be prequalified to bid on this contract. PA Prevailing Wage Act does apply.

Department: Transportation
Location: Clearfield County 0220
Duration: One year contract with an option of three 1 year renewals
Contact: Donna Figula, Roadway Prog. Coord., (814) 765-0665

DGS377-1ME1 PROJECT TITLE: HVAC, Piping/Controls. BRIEF DESCRIPTION: This Bid Package, shall include all water-side mechanical work, generally including HVAC systems (including condensate drains from equipment to the drain waste vent system installed by the Plumbing Contractor), steam, chillers and high temperature hot water generation and distribution systems and all low voltage controls for all mechanical systems. Also included is the installation of underground chilled water and high temperature hot water piping distribution systems, fuel oil storage tanks, fuel oil piping and fuel oil pumping units and related excavations, backfilling, manholes and concrete work. This work is both in and adjacent to each building (with the exception of the three (3) Staff Residences) and throughout the site. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. HVAC, Piping and Controls Construction. PLANS DEPOSIT: \$200.00 per set payable to: OK/DMJM. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$40.00 per set or provide your express mail account number to the office listed below. Mail requests to: OK/DMJM, One Gateway Center, 13 West, Pittsburgh, PA 15222. Tel: 412/394-6888. Bid Date: WEDNESDAY, February 21, 2001 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Tuesday, February 6, 2001 at 9:00 A.M. at the M.A.C.A. Bldg. located in Marienville, Forest County, PA. Contact: Tom Dirkes, Tel: 412/394-6888. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Jenks Township, Forest County, PA
Duration: 540 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

DGS377-27 PROJECT TITLE: Construction of a Level 2 Housing Unit. BRIEF DESCRIPTION: Work consists of structural exterior and interior walls and partitions will be cement block painted and ceramic tile. Floors will be concrete pad on grade and concrete topped pre-cast beams. Roof will be beams, steel joist, metal deck and insulation with built-up roof. Supply and install ducted HVAC system and equipment using existing hot water with return. Connect the new plumbing system to the existing system, supply and install a complete electrical lighting system, internal power system, new security and monitoring control systems. These systems will be located, wired and connected in the existing control room area. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. General, HVAC, Plumbing and Electrical Construction. PLANS DEPOSIT: \$175.00 per set payable to: USA Architects, Planners & Interior Designers, P.A. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed below. Mail requests to: USA Architects, Planners & Interior Designers, P.A., 702 Durham Road, P. O. Box 425, Riegelsville, PA 18077, Tel: 610-749-0490. Bid Date: WEDNESDAY, March 7, 2001 at 1:00 P.M. A Pre-Bid Conference has been scheduled for Wednesday, February 21, 2001 at 10:00 A.M. at the State Correctional Institution in the Muster Room within the Administration Building, RT. 29, Graterford, PA. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: State Correctional Institution, Graterford, Montgomery County, PA
Duration: 300 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

DGSA972-14REBID PROJECT TITLE: Roof & Gutter/Downspout Replacement - Various Buildings. BRIEF DESCRIPTION: Replace roofing, flashing, gutters and downspouts on various buildings. ESTIMATED RANGE: \$100,000.00 TO \$500,000.00. General Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-6556. Bid Date: WEDNESDAY, February 28, 2001 at 2:00 P.M. A contractor's qualification form is included in the bid package and must be completed and submitted prior to award. The contractor must demonstrate the qualifications and experience of key full-time personnel, gained within the last ten (10) years, involving carpentry, roofing and painting. A Pre-Bid Conference has been scheduled for Thursday, February 15, 2001 at 1:00 P.M. at Landis Valley Museum, in the Administrative Offices Conference Room in the Country Store, Lancaster, PA. Contact: Will Morrow, Maintenance Chief, Tel: 717/569-0401 Ext 220. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Landis Valley Museum, Lancaster, Lancaster County, PA
Duration: 150 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

0270-01001 This contract will provide manpower, equipment and incidental guiderail material for installation of approximately 6,000 linear feet of strong post at various locations throughout Mifflin County. All guiderail material will be supplied by the Department of Transportation except for the bolts, nuts, washers, rotating brackets, bridge connection plates, anchor bolts, concrete for the end treatments and the end anchorages. In addition, the contractor will be responsible to remove the existing cable type guiderail and the Department will be responsible for any grading or shoulder stabilization prior to placement of the guiderail by the contractor. It will be the contractor's responsibility to pick up the material and deliver it to the work sites. A mandatory pre-bid meeting (only one day) will be held which will include review of the guiderail locations, and a site(s) will be determined where the guiderail material will be stored. All request for bid packages must be received by fax (717) 436-5331. Roger Burchfield or Don Woodward, phone (717) 436-2187.

Department: Transportation
Location: Various locations within Mifflin County
Duration: One Year
Contact: Roger Burchfield, (717) 436-2187

DGS377-1ME3 PROJECT TITLE: Plumbing. BRIEF DESCRIPTION: This Bid Package, shall include all work associated with domestic water piping, sanitary (DPW) piping, storm drain piping, plumbing fixtures and equipment, miscellaneous condensate drain lines, natural gas systems and compressed air system within each building and outside of each building up to approximately 5' beyond the building line, which will be continued by the BP4 Site Utilities Contractor. This Contractor will also be responsible for final plumbing connections to equipment furnished under other Divisions of Work. This includes, but is not limited to the plumbing fixtures provided by the BP1 Precast Cell Contractor and the kitchen equipment provided by BP22. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. Plumbing Construction. PLANS DEPOSIT: \$200.00 per set payable to: OK/DMJM. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$40.00 per set or provide your express mail account number to the office listed below. Mail requests to: OK/DMJM, One Gateway Center, 13 West, Pittsburgh, PA 15222, Tel: 412/394-6888. Bid Date: WEDNESDAY, February 21, 2001 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Tuesday, February 6, 2001 at 11:00 A.M. at the M.A.C.A. Bldg. located in Marienville, Forest County, PA. Contact: Tom Dirkes, Tel: 412/394-6888. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Jenks Township, Forest County, PA
Duration: 540 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

DGS377-1ME2 PROJECT TITLE: Fans and Ductwork. BRIEF DESCRIPTION: This Bid Package, shall include all air-side mechanical work, generally including HVAC systems. This work is in all buildings with the exception of the three Staff Residences. ESTIMATED RANGE: Over \$10,000,000.00. Fans and Ductwork Construction. PLANS DEPOSIT: \$200.00 per set payable to: OK/DMJM. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$40.00 per set or provide your express mail account number to the office listed below. Mail requests to: OK/DMJM, One Gateway Center, 13 West, Pittsburgh, PA 15222, Tel: 412/394-6888. Bid Date: WEDNESDAY, February 21, 2001 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Tuesday, February 6, 2001 at 9:00 A.M. at the M.A.C.A. Bldg. located in Marienville, Forest County, PA. Contact: Tom Dirkes, Tel: 412/394-6888. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Jenks Township, Forest County, PA
Duration: 540 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

DGS377-1ME5 PROJECT TITLE: Electrical/Electronic Security. BRIEF DESCRIPTION: This Bid Package, shall include all work associated with electrical power distribution throughout the facility (from a substation furnished and installed by others), providing/connecting electrical power to all electrically powered equipment provided and/or installed by others and all line and low voltage wiring and equipment work related to the facility's various electronic security control, monitoring, surveillance and communications systems. ESTIMATED RANGE: Over 10,000,000.00. Electrical/Electronic Security Construction. PLANS DEPOSIT: \$200.00 per set payable to: OK/DMJM. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$40.00 per set or provide your express mail account number to the office listed below. Mail requests to: OK/DMJM, One Gateway Center, 13 West, Pittsburgh, PA 15222, Tel: 412/394-6888. Bid Date: WEDNESDAY, February 21, 2001 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Tuesday, February 6, 2001 at 3:00 P.M. at the M.A.C.A. Bldg. located in Marienville, Forest County, PA. Contact: Tom Dirkes, Tel: 412/394-6888. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Jenks Township, Forest County, PA
Duration: 540 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

1505 Construction of bituminous access road.

Department: Military Affairs
Location: PA National Guard Armory, 1720 East Caracas Avenue, Hershey, PA 17033-1195
Duration: Bid opening scheduled for Wednesday, February 21, 2001 at 2:00 p.m. prevailing time. Work must be completed by June 30, 2001. Bid packages may be obtained by e-mail to aheffner@state.pa.us or fax (717) 861-2932.
Contact: Aimmee or Brenda, (717) 861-8519/2118

DGS182-12 PROJECT TITLE: Flood Control Project. BRIEF DESCRIPTION: Remove existing trapezoidal concrete channel and bridge, replace with deeper rectangular concrete channel and single cell precast concrete box culvert. Relocate various utilities and reconstruct street. Work includes erosion, sedimentation and traffic control. ESTIMATED RANGE: \$1,000,000.00 to \$2,000,000.00. General Construction. PLANS DEPOSIT: \$60.00 per set payable to: REMINGTON & VERNICK ENGINEERS. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$18.50 per set or provide your express mail account number to the office listed below. Mail requests to: Remington & Vernick Engineers, 922 Fayette Street, Conshohocken, PA 19428. Tel: 610-940-1050 Bid Date: WEDNESDAY, February 28, 2001 at 2:00 P.M. A Pre-Bid Conference has been scheduled for Tuesday, February 13, 2001 at 1:30 P.M. at Lebanon City County Building, Room 208, 400 South 8th Street, Lebanon, PA. Contact: Tom Beach, Tel: 610-940-1050. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Hazel Dyke Between State Drive Bridge and Lincoln Ave. Bridge, City of Lebanon, Lebanon County, PA
Duration: 230 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

FDC-012-890.4 All Electrical Work associated with constructing a 41 ft. X 120 ft. Pole Building near Ravensburg State Park in Clinton County. Work includes general power to building, panel board, grounding, lighting, field inspection and testing. NOTE: Requests for Bid Documents will be taken ON or AFTER February 5, 2001.

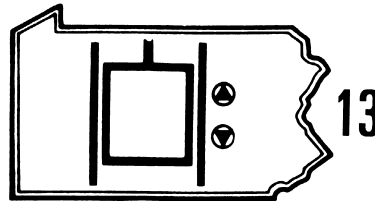
Department: Conservation and Natural Resources
Location: Greene Township
Duration: 120 Days
Contact: Construction Management Section, (717) 787-5055

FDC-012-890.1 Construct a 41 ft. X 120 ft. Pole Building, Rauchtown Storage Area, near Ravensburg State Park in Clinton County. Work includes excavation, cast-in-place concrete, metal fabrication, carpentry, metal roofing, doors and overhead doors, painting and coating. NOTE: Bid documents will be available ON or AFTER February 5, 2001.

Department: Conservation and Natural Resources
Location: Greene Township
Duration: 120 Days
Contact: Construction Management Section, (717) 787-5055

1100 Provide all labor, materials and equipment to relocate the existing roof drain at the National Guard Armory in Allentown. To obtain a copy of the bid you may fax a request to 717-861-2923. The bid opening date will be Wednesday, February 28, 2001 at 2:00 P.M.

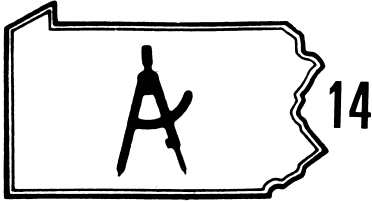
Department: Military Affairs
Location: National Guard Armory, 1501 Allen St, Allentown, PA 18102
Duration: Date of Award - 30 June 2001
Contact: Brenda Lower, (717) 861-2118



Elevator Maintenance

HUN 354 Service and maintenance for the elevators located within the confines of the State Correctional Institution at Huntingdon.

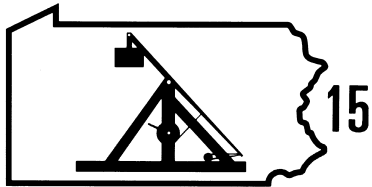
Department: Corrections
Location: State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654
Duration: 7/1/01 to 6/30/04
Contact: Robert A. Jessell, Purchasing, (814) 643-2400 x 304



Engineering Services

20044 DENTAL SERVICES: Contractor shall furnish all labor, equipment, materials, supplies, and physical facilities necessary to provide dental laboratory services to SCI-Chester. More detailed information can be obtained from the Institution.

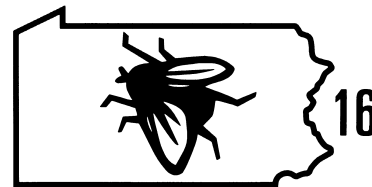
Department: Corrections
Location: SCI-Chester, 500 E. 4th Street, Chester, PA 19013
Duration: July 1, 2001 - June 30, 2003
Contact: Jacqueline Newson, Purchasing Agent, (610) 490-4370



Environmental Maintenance Service

BF 207-101.1 Abandoned Mine Land Reclamation, Richard D. Greene Contracting Inc., involves approximately 1,200,000 c.y. grading, 100 acres seeding and clearing and grubbing. Federal funds are available for this project from the \$22.5 million 1999 AML Grant. This project issues February 2, 2001; payment in the amount of \$10.00 must be received before bid documents will be sent.

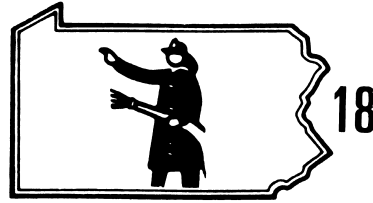
Department: Environmental Protection
Location: Bradford Township, Clearfield County
Duration: 750 calendar days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994



Extermination Services

Bid #8243 Pest control (extermination) services at the Gettysburg Station. Service to be rendered quarterly with initial visit to include installation of 2 Vector light fly traps. Services will be rendered March 1, 2001 to February 28, 2002. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Gettysburg Station, 3033 Old Harrisburg Pike, Gettysburg, PA 17325
Duration: 3/1/01 to 2/28/02
Contact: Donna Enders, (717) 783-5484



Firefighting Services

SP 111460003 Contractor to provide all parts, labor and materials necessary to inspect, maintain, charge, hydro-test all fire extinguishers as needed and requested to keep the equipment in efficient operating condition as recommended by the manufacturer. Equipment located at the State Correctional Institution at Laurel Highlands. Complete bid on file at Institution.

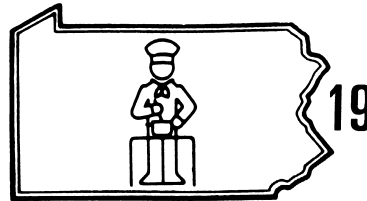
Department: Corrections
Location: State Correctional Institution at Laurel Highlands, 5706 Glades Pike, PO Box 631, Somerset, PA 15501-0631
Duration: 07/01/01 through 06/30/04
Contact: Carole S. Kolesko, PA II, (814) 445-6501 x: 347

SP 111460002 Contractor to provide equipment maintenance and repair to the Pyrotronics computerized fire alarm system XL3 on a time and material basis when requested by the State Correctional Institution at Laurel Highlands. Service to include all active electronics and related equipment located at the institution. A site visit is required. Complete bid on file at institution.

Department: Corrections
Location: State Correctional Institution at Laurel Highlands, 5706 Glades Pike, PO Box 631, Somerset, PA 15501-0631
Duration: 07/01/01 through 06/30/02
Contact: Carole S. Kolesko, PA II, (814) 445-6501 x: 347

Bid #8242 Furnish all labor, materials and equipment to inspect for leaks, defective parts, material, etc., and make such repairs as are necessary to put extinguishers in proper working order. Vendor must furnish all new repair parts. Estimated number of units 450. 225-#10 dry chemical hydrotest. 225-#10 dry chemical recharge. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Transportation Division, 20th & Herr Streets, Harrisburg, PA 17103
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484



Food

126-00 Fresh Baked Goods, various items for delivery over a three month period. For additional specifications and information request bid packet #126-00.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

6107 Miscellaneous Foods. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the Agency.

Department: Public Welfare
Location: Harrisburg State Hospital; Central Storeroom; P O Box 61260; Cameron and Maclay Streets; Harrisburg, PA 17106-1260
Duration: April through June 2001
Contact: Jack W. Heinze, (717) 772-7435

6109 Poultry & Poultry Products. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the Agency.

Department: Public Welfare
Location: Harrisburg State Hospital; Central Storeroom; P O Box 61260; Cameron and Maclay Streets; Harrisburg, PA 17106-1260
Duration: April through June 2001
Contact: Jack W. Heinze, (717) 772-7435

131-00 Beverages, various items for delivery over a three month period. For additional specifications and information request bid packet #131-00.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

130-00 Dairy Products, various items for delivery over a three month period. For additional specifications and information request bid packet #130-00.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

6108 Meat & Meat Products. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the Agency.

Department: Public Welfare
Location: Harrisburg State Hospital; Central Storeroom; P O Box 61260; Cameron and Maclay Streets; Harrisburg, PA 17106-1260
Duration: April through June 2001
Contact: Jack W. Heinze, (717) 772-7435

125-00 Miscellaneous Frozen Foods, various items for delivery over a three month period. For detailed specifications and information request bid inq. #125-00.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

127-00 Bread, Rolls, Etc. various items for delivery over a three month period. For additional specifications and information request bid packet #127-00.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

6102 Fruits & Vegetables, Fresh. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the Agency.

Department: Public Welfare
Location: Harrisburg State Hospital; Central Storeroom; P O Box 61260; Cameron and Maclay Streets; Harrisburg, PA 17106-1260
Duration: April through June 2001
Contact: Jack W. Heinze, (717) 772-7435

6103 Fruits & Vegetables, Frozen. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the Agency.

Department: Public Welfare
Location: Harrisburg State Hospital; Central Storeroom; P O Box 61260; Cameron and Maclay Streets; Harrisburg, PA 17106-1260
Duration: April through June 2001
Contact: Jack W. Heinze, (717) 772-7435

128-00 Frozen Fruit & Vegetables, various items for delivery over a three month period. For additional specifications and information request bid packet #128-00.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

124-01 Meat & Meat Products, various items for delivery April, 2001 thru June, 2001. For more specifications and information request bid proposal inq. #124-01.

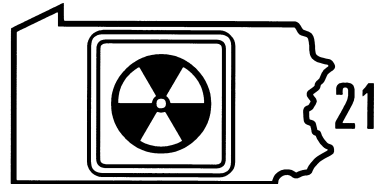
Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

6106 Prepared Salads, Fresh. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the Agency.

Department: Public Welfare
Location: Harrisburg State Hospital; Central Storeroom; P O Box 61260; Cameron and Maclay Streets; Harrisburg, PA 17106-1260
Duration: April through June 2001
Contact: Jack W. Heinze, (717) 772-7435

129-00 Fresh Fruit and Vegetables, various items for delivery over a three month period. For additional specifications and information request bid packet #129-00.

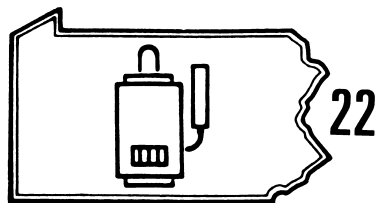
Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: April 2, 2001 through June 29, 2001
Contact: Sue Brown, Purchasing Agent, (610) 313-1026



Hazardous Material Services

10671004 Packaging, removal and disposal of infectious waste material from the grounds of Norristown State Hospital.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: July 1, 2001 through June 30, 2004 with two one year renewal options.
Contact: Sue Brown, Purchasing Agent, (610) 313-1026



HVAC Services

1375007166 Provide emergency and routine repair work for plumbing system. The contractor must respond to the call within 2 hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid proposal forms used to submit bids are available from the State Armory Board.

Department: Military Affairs
Location: PAARNG OMS, 5350 Ogontz Ave, Philadelphia, PA 19141-1621
Duration: DOA - 30 Sep 03
Contact: Vicky Lengel, (717) 861-8579

SP1117500018 Contractor to remove necessary end plates, piping and defective tubing on the Trane Absorption Chiller located at the State Correctional Institution at Smithfield in Huntingdon, Pennsylvania. Scope of work to include but not limited to cleaning and preparing tube sheet, install (roll) new copper-nickel tubes to replace all bad tubes in chiller concentrator section. Seal new tubes at end plates, pressurize and leak test. Replace all gaskets and end plates. Restart absorption chiller and log operation. A site visit will be required, contact person Mr. Donald Reihart, (814) 643-6520, ext. 320. Vendors may obtain a complete detailed bid package by faxing request to (814) 946-7339 Attn: Purchasing Department

Department: Corrections
Location: State Correctional Institution at Smithfield, PO Box 999, 1120 Pike Street, Huntingdon, Pennsylvania 16652
Duration: March 22, 2001 through June 30, 2001
Contact: Peggy A. Chilcote, (814) 643-6520, ext. 125

FM-8240 Provide emergency and routine repair work to the heating and air-conditioning systems as needed. The contractor must respond to calls within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his/her firm for ninety (90) days. Remarks: Bidding to be done on labor rate per hour for mechanic and helper. Parts to be billed at vendor's cost.

Department: State Police
Location: Greensburg Headquarters, 100 N. Westmoreland Avenue, Greensburg, PA 15601-0436
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8248 Provide emergency and routine repair work for the electrical system as needed. The contractor must respond to calls within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his/her firm for ninety (90) days. Remarks: Bidding to be done on labor rate per hour for mechanic and helper. Parts are to be billed at vendor's cost.

Department: State Police
Location: Greensburg Headquarters, 100 N. Westmoreland Avenue, Greensburg, PA 15601-0436
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

1381001242 Provide emergency and routine repair work for plumbing system. The contractor must respond to the call within 2 hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid proposal forms used to submit bids are available from the State Armory Board.

Department: Military Affairs
Location: PAARNG Armory, Catawissa Dr, Sunbury, PA 17801-0342
Duration: DOA - 30 Jun 03
Contact: Vicky Lengel, (717) 861-8579

20046 Heating, ventilating and Air Conditioning - Contract would involve the calibration, adjustment and maintenance of heating and air condition equipment at SCI-Chester. The contract would provide for scheduled maintenance service, equipment and labor required for the repair of the system and for emergency support.

Department: Corrections
Location: SCI-Chester, 500 E. 4th Street, Chester, PA 19013
Duration: July 1, 2001 to June 30, 2002
Contact: Jacqueline Newson, Purchasing Agent, (610) 490-4370

FM-8250 Provide emergency and routine repair work to the heating, air-conditioning, electrical, and plumbing systems as needed. Contractor must respond to the call within four (4) hours of receipt either directly or via a recording device. Replacement parts must be as originally installed or of equal quality or function. The contractor must agree to redeem manufacturer's warranty of parts where applicable and further agree to guarantee workmanship and replacement parts, provided by their firm for ninety (90) days. Remarks: Bidding to be done on labor rate per hour for mechanic and helper plus travel. Materials and parts are to be billed at vendor's cost.

Department: State Police
Location: Washington Headquarters, 83 Murtland Avenue, Washington, PA 15301
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8252 Provide emergency and routine repair work to the heating, air-conditioning, electrical, and plumbing systems as needed. Contractor must respond to the call within four (4) hours of receipt either directly or via a recording device. Replacement parts must be as originally installed or of equal quality or function. The contractor must agree to redeem manufacturer's warranty of parts where applicable and further agree to guarantee workmanship and replacement parts, provided by their firm for ninety (90) days. Remarks: Bidding to be done on labor rate per hour for mechanic and helper plus travel. Materials and parts are to be billed at vendor's cost.

Department: State Police
Location: Reading Headquarters, 600 Kenhorst Boulevard, Reading, PA 19611
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8251 Provide emergency and routine repair work to the heating, air-conditioning, and electrical systems as needed. Contractor must respond to the call within four (4) hours of receipt either directly or via a recording device. Replacement parts must be as originally installed or of equal quality or function. The contractor must agree to redeem manufacturer's warranty of parts where applicable and further agree to guarantee workmanship and replacement parts, provided by their firm for ninety (90) days. Remarks: Bidding to be done on labor rate per hour for mechanic and helper plus travel. Materials and parts are to be billed at vendor's cost.

Department: State Police
Location: Montoursville Headquarters, 899 Cherry Street, Montoursville, PA 17754-0068
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

10671001 Maintenance and annual inspection of air compressors at Norristown State Hospital.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: July 1, 2001 through June 30, 2004 w. two one year renewal options.
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

10671053 Maintenance of computerized control system that operates heating & A/C systems at Norristown State Hospital.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: July 1, 2001 through June 30, 2004 w. two one year renewal options.
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

FM-8228 Furnish and provide all labor and materials to install and maintain a complete computerized maintenance and guaranteed energy savings program covering the air-conditioning and heating system but not limited to the following: 1. Preventive Maintenance Service; 2. Predictive Maintenance Service; 3. Operational Analysis; 4. Component Replacement; 5. Emergency Service; 6. 24-hour, 7-day a week, Central Monitoring - Providing Hard Copy of System Operation and Maintenance Records.

Department: State Police
Location: Philadelphia Headquarters, 2201 Belmont Avenue, Philadelphia, PA 19131
Duration: 7/1/01 through 6/30/04
Contact: Stacey Kent or Les Brightbill, (717) 783-5484



Janitorial Services

Bid #8247 Furnish all labor, materials and equipment to perform janitorial services THREE (3) visits per week, including damp mop tile floors, sweep floors, vacuum carpets, dust furniture, general housecleaning twice a year and shampoo carpets at the PA State Police, Bethlehem Crime and DNA Lab. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Bethlehem Regional Laboratory, 2932 Airport Road, Bethlehem, PA 18107-2106
Duration: 7/1/01 to 6/30/04
Contact: Donna Enders, (717) 783-5484

Bid #8227 Furnish all equipment, materials and labor to perform janitorial services FOUR (4) visits per week, including emptying waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside & outside, general housecleaning twice a year, and shampoo carpet. Detailed Work Schedule & Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Wyoming Regional Crime Laboratory, 479 Wyoming Avenue, Wyoming, PA 18644-1898
Duration: 7/1/01 to 6/30/04
Contact: Donna Enders, (717) 783-5484

Bid #8261 Furnish all labor, materials and equipment to perform janitorial services FOUR (4) visits per week, including damp mop tile floors, sweep floors, vacuum carpets, dust furniture, general housecleaning twice a year and shampoo carpets at the PA State Police, Media Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Media Station, 1342 W. Baltimore Pike, Media, PA 19063
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

FM-8253 Furnish materials, equipment, and labor to perform janitorial services three (3) visits per week at the PA State Police Kiski Valley Station. Detailed work schedule and bid must be obtained from the Facility Management Division, 717-783-5484.

Department: State Police
Location: Kiski Valley Station, 471 Route 66, Apollo, PA 15613
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8254 Furnish materials, equipment, and labor to perform janitorial services four (4) visits per week at the PA State Police Belle Vernon Station. Detailed work schedule and bid must be obtained from the Facility Management Division, 717-783-5484.

Department: State Police
Location: Belle Vernon Station, 560 Circle Drive, Belle Vernon, PA 15012-9654
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8255 Furnish materials, equipment, and labor to perform janitorial services four (4) visits per week at the PA State Police Meadville Station. Detailed work schedule and bid must be obtained from the Facility Management Division, 717-783-5484.

Department: State Police
Location: Meadville Station, 11176 Murray Road, Meadville, PA 16335
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8256 Furnish materials, equipment, and labor to perform janitorial services three (3) visits per week at the PA State Police Lamar Station. Detailed work schedule and bid must be obtained from the Facility Management Division, 717-783-5484.

Department: State Police
Location: Lamar Station, 7127 Nittany Valley Drive, Mill Hall, PA 17751
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8257 Furnish materials, equipment, and labor to perform janitorial services three (3) visits per week at the PA State Police Selingsgrove Station. Detailed work schedule and bid must be obtained from the Facility Management Division, 717-783-5484.

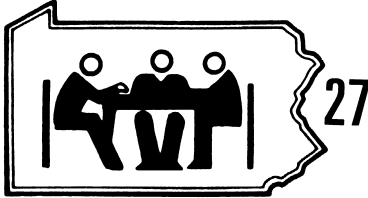
Department: State Police
Location: Selingsgrove Station, R.D. #1 Box 131, Selingsgrove, PA 17870
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8258 Furnish materials, equipment, and labor to perform janitorial services three (3) visits per week at the PA State Police Chambersburg Station. Detailed work schedule and bid must be obtained from the Facility Management Division, 717-783-5484.

Department: State Police
Location: Chambersburg Station, 679 Franklin Farms Lane, Chambersburg, PA 17201
Duration: July 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952

Bid #8246 Furnish all labor, materials and equipment to perform janitorial services FOUR (4) visits per week, including damp mop tile floors, sweep floors, vacuum carpets, dust furniture, general housecleaning twice a year and shampoo carpets at the PA State Police, Swiftwater Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Swiftwater Station P.O. Box 949 Swiftwater, PA 18370
Duration: 7/1/01 to 6/30/04
Contact: Donna Enders, (717) 783-5484



Lodging/Meeting Facilities

LGD-2001 A hotel/banquet facility is sought for April 16, 2001, that can accommodate 1,000 people. One room is needed that can hold rounds of 10 for a luncheon event, and it must be a comfortable setting. There must be room for a stage to hold 25 people for the purpose of award presenting and picture taking, with a table next to the stage for the awards. A center aisle will be needed for posting of the colors. Three registrations tables are needed outside of the banquet room. A double-entree meal is requested to include beef and fish, salad, dessert, beverage. The hotel is to be within a 15-mile radius of Harrisburg and free parking must be available. Awarding to vendor is pending upon site visit. Bids are due by February 8, 2001, by 5 pm. Bids will be opened on February 9, 2001, at 10 am in the Governor's Center for Local Government Services, 4th Floor, Commonwealth Keystone Bldg., Harrisburg, PA 17120.

Department: Community and Economic Development
Location: Governor's Center for Local Government Services, 4th Floor, Commonwealth Keystone Bldg., Harrisburg, PA 17120-0225
Duration: One Day
Contact: Joseph Spielbauer, 1 (888) 223-6837



Medical Services

552863 Defibrillators with recorder, battery pack, carrying case and ECG electrodes
Department: Public Welfare
Location: Warren State Hospital, 33 Main Drive, N. Warren, PA 16365-5099
Duration: 03/01/01 - 06/30/01
Contact: Ms. Bobbie Muntz, PA III, (814) 726-4496

10972010 TO PROVIDE ELECTROCONVULSIVE THERAPY ON AN OUT-PATIENT BASIS. BID TO INCLUDE BRIEF EXAMINATION, TREATMENT PROFESSIONAL FEE, HOSPITAL FACILITY CHARGE, ANESTHESIA FOR ECT TREATMENT AND DRUGS.

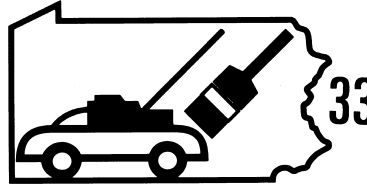
Department: Public Welfare
Location: MAYVIEW STATE HOSPITAL, 1601 MAYVIEW ROAD, BRIDGEVILLE, PA 15017-1599
Duration: 07-01-01 THROUGH 06-30-06
Contact: FRED MOLISEE, (412) 257-6215

SU-00-12 SU-00-12 - Comprehensive Primary Health Care Services. Shippensburg University is seeking proposals for a vendor to provide comprehensive Primary Health Care Services to registered students, workshop and camp participants and emergency/special medical care for athletes, faculty, staff and official guests of the University. Only physicians with M.D. degrees are required and preferred for all services; however, a combination of physicians with M.D. or D.O. degrees will be considered. Requests for Proposal packages should be faxed to Deborah K. Martin at (717) 477-4004.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg Township, Shippensburg, Cumberland County, PA
Duration: One Year Period with Option to extend for additional years.
Contact: Deborah K. Martin, Contract Administrator, (717) 477-1121

10671003 Provide consultation and dental surgical procedures that cannot be performed by the Dental Dept. at Norristown State Hospital.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: July 1, 2001 through June 30, 2004 with two one year renewal options.
Contact: Sue Brown, Purchasing Agent, (610) 313-1026



Property Maintenance

120R-038 Roadside mowing of PA Turnpike Toll 43, which is currently maintained by PennDot. This contract will cover Toll 43 in Fayette and Washington Counties. All work will be in accordance with contract bid specifications. Sections of this work will cease when maintenance activities are resumed by the Turnpike Commission.

Department: Transportation
Location: Fayette and Washington Counties.
Duration: 1 year - 2/2 year renewals
Contact: Michael D. Maurer, (724) 439-7374

Bid #8225 Trash & rubbish removal services at the PA State Police, Reading Aviation facility, for the period July 1, 2001 to June 30, 2004. Service to be rendered ONCE (1) a week. Recycling, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Reading Aviation Patrol Unit #1, Bldg. 406, Reading Regional Airport, Reading, PA 19605
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

120R-040 Roadside Mowing of all roadways in Washington County south of and including Interstate 70 according to bid specifications.

Department: Transportation
Location: Washington County Interstate 70 and South.
Duration: 1 year with 2 - 2 year renewals
Contact: Michael D. Maurer, (724) 439-7374

Bid #8240 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Clearfield Station, THREE (3) cuttings per month. Fertilization ONCE (1) a year. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Clearfield Station, R.D. #2, Box 314, Woodland, PA 16881-9781
Duration: 4/1/01 to 6/30/04
Contact: Donna Enders, (717) 783-5484

120R-039 Roadside Mowing of all roadways in Washington County North of Interstate 70 according to bid specifications.

Department: Transportation
Location: Washington County North of Interstate 70.
Duration: 1 Year with 2 - 2 year renewals.
Contact: Michael D. Maurer, (724) 439-7374

B-13884 RE-STUCCO ENTIRE OUTSIDE OF HOUSE #1 ON STATE PROPERTY. REMOVE LOOSE PLASTER, INSTALL MESH & 3 COATS OF STUCCO TO INCLUDE BASE/BOND.

Department: Corrections
Location: SCI-GRATERFORD, P.O. BOX 246 OFF 246, GRATERFORD, PA 19426
Contact: KELLY RICHARDSON, (610) 489-4151

Bid #8223 Furnish all labor, materials and equipment to cut, trim and maintain grass area THREE (3) cuttings per month. Fertilization/vegetation ONCE (1) a year, trim shrubs ONCE (1) a year. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Findlay Station, 190 Industry Drive, Pittsburgh, PA 15275
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8222 Furnish all labor, materials and equipment to cut, trim and maintain grass area FOUR (4) cuttings per month. Services to include fertilization/vegetation TWICE (2) a year, trim shrubs TWICE (2) a year, weeding of beds TWICE (2) a month. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Gibson Station R.D. #1, Box 227B New Millford, PA 18834
Duration: 4/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8221 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Dublin Station, THREE (3) cuttings per month. To include fertilize and Clean-up ONCE (1) per year. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Dublin Station, 3218 Rickert Road, Perkaspie, PA 18944
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8241 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Clarion Station, TWICE (2) a month. Trim shrubs ONCE (1) a year. Fertilization ONCE(1) a year. Weeding, as necessary. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Clarion Station, 209 Commerce Road, Clarion, PA 16214
Duration: 4/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

110051 This service is to provide graffiti removal from Department maintained facilities on and adjacent to various state highways in Allegheny, Beaver and Lawrence Counties. The majority of the work sites are associated with bridge structures in Allegheny County. The graffiti may be located on metal, concrete, stone, or other types of materials.

Department: Transportation
Location: Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017 (412) 429-4956
Duration: The contract will be for an original period of two years from the effective date. The contract will be renewable by mutual consent for one additional two-year period.
Contact: Brad Saxton, (412) 429-4948

Bid #8224 Furnish all labor, materials and equipment to cut, trim and maintain grass area THREE (3) cuttings per month. Fertilization/vegetation ONCE (1) a year. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Lima Crime Lab, 350 N. Middletown Road, Media, PA 19063-5592
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8238 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Ebensburg Station, THREE (3) cuttings per month. Trim shrubs ONCE (1) a year. Fertilization ONCE (1) a year. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

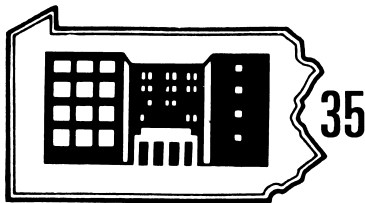
Department: State Police
Location: Ebensburg Station, 100 Casale Court, Ebensburg, PA 15931
Duration: 7/1/01 to 6/30/04
Contact: Donna Enders, (717) 783-5484

Bid #8239 Furnish all labor, materials and equipment to cut, trim, fertilize, mulching, weeding and maintain grass area at the Harrisburg Headquarters. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Harrisburg Headquarters, 8000 Bretz Drive, West Hanover Twp., Harrisburg, PA 17112
Duration: 4/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

0819 Seasonal lawn care and landscape maintenance work to be done at Old Economy Village, Ambridge, PA. Annually, the contract will provide approximately 33 grass cuttings, lawn trimming and edging, tree inspection and assessment, seasonal/monthly herbicide application, soil testing, soil fertilization, leaf, brush, limb, and weed removal. Work to be done on six-acre National Historic Landmark site which includes historic structures and gardens, a cemetery and one-acre fenced playground. A Mandatory pre-bid meeting will be held on Friday, February 9, 2001 at 10:00 a.m. for all firms interested in submitting a bid. Bids will not be accepted from firms who do not attend the Mandatory pre-bid meeting. Contact Mary Ann Landis, Site Administrator or Dean Sylvester, Horticulturist at 724-266-4500, Ext. 213 if you have questions or need directions. Bids are due on Thursday, February 22, 2001 at 11:00 a.m. Bid opening will be held at Old Economy Village, 14th and Church Streets, Ambridge, PA.

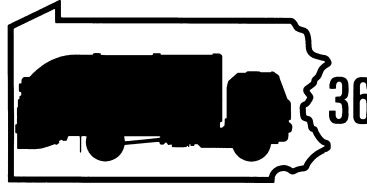
Department: Historical and Museum Commission
Location: Old Economy Village, 14th and Church Streets, Ambridge, PA 15003
Duration: April 1, 2001 to June 30, 2005
Contact: Dean Sylvester, (724) 266-4500, Ext. 210



Real Estate Services

93176 LEASE SPACE TO THE COMMONWEALTH OF PA Proposals are invited to provide the Department of Health with 5,485 useable square feet of office/clinic space in Dauphin County, PA, with a minimum parking for 35 vehicles. The offered space must be located within the following boundaries: North: Division Street & Elmerton Avenue; South: Walnut, Market, 13th, & Derry Streets; East: Progress Avenue; West: Front Street. Downtown locations will be considered. In areas where street or public parking is not available, an additional 3 parking spaces are required. For more information on SFP #93176 which is due on February 26, 2001 visit www.dgs.state.pa.us or call 717-787-4394.

Department: Health
Location: Room 505, North Office Building, Harrisburg, Pa. 17125
Duration: N/A
Contact: John Hocker, (717) 787-4396



Sanitation

Bid #8230 Trash & rubbish removal services for the PA State Police, Lamar Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered ONCE (1) a week. Recycling services to be included, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division,

Department: State Police
Location: Lamar Station, 7127 Nittany Valley Drive, Mill Hall, PA 17751
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

SP-111460001 Contractor to remove garbage and refuse from the grounds of the State Correctional Institution at Laurel Highlands. A site visit is required. Bid packet on file at Institution.

Department: Corrections
Location: State Correctional Institution at Laurel Highlands, 5706 Glades Pike, PO Box 631, Somerset, Pa 15501-0631
Duration: 07/01/01 through 06/30/02
Contact: Carole Kolesko, PA II, (814) 445-6501 x: 347

Bid #8229 Trash & rubbish removal services for the PA State Police, Embreeville Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered TWICE (2) a week. Recycling, if applicable. Detailed Work Schedule & Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Embreeville Station, 1818 W. Strasburg Road, Coatesville, PA 19320
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8236 Trash & rubbish removal services for the PA State Police, DuBois Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered ONCE (1) a week. Recycling services to be included, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division,

Department: State Police
Location: DuBois Station, 101 Preston Way, Falls Creek, PA 15840
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8235 Trash & rubbish removal services for the PA State Police, Lima Crime Laboratory, for the period July 1, 2001 to June 30, 2003. Service to be rendered ONCE (1) a week. Recycling services to be included, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division,

Department: State Police
Location: Lima Crime Laboratory, 350 N. Middletown Road, Media, PA 19063-5592
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8234 Trash & rubbish removal services for the PA State Police, Waynesburg Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered ONCE (1) a week. Recycling services to be included, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division,

Department: State Police
Location: Waynesburg Station, 255 Elm Drive, Waynesburg, PA 15370
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8226 Trash & rubbish removal services at the PA State Police, Girard Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered TWICE (2) a week. Recycling services rendered, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Girard Station, 5950 Meadville Road, Girard, PA 16417
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8231 Trash & rubbish removal services for the PA State Police, Ridgway Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered ONCE (1) a week. Recycling services to be included, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division,

Department: State Police
Location: Ridgway Station, HCR 1, Box 106, Ridgway, PA 15853
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

Bid #8237 Recycling services at the PA State Police, Greensburg Headquarters, Southwest Training Center, Somerset Station, Ebensburg Station & Indiana Station, for the period July 1, 2001 to June 30, 2002. Service to be rendered ONCE (1) a month. Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Greensburg Headquarters, 100 North Westmoreland Avenue, P.O. Box "P", Greensburg, PA 15601-0436
Duration: 7/1/01 to 6/30/02
Contact: Donna Enders, (717) 783-5484

Bid #8232 Trash & rubbish removal services for the PA State Police, Stonington Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered ONCE (1) a week. Recycling services to be included, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Stonington Station, R.D. #2, Box 83, Sunbury, PA 17801
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

HUN 355 Sanitation service for the State Correctional Institution at Huntingdon. Contractor to provide dumpsters, rolloffs and compacting equipment. Contractor will be responsible for pickup, transportation and disposal of non hazardous waste.

Department: Corrections
Location: State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654
Duration: 7/1/01 to 6/30/04
Contact: Robert A. Jessell, Purchasing, (814) 643-2400 x 304

SO-229 The State Correctional Institution at Somerset will be bidding a contract for waste removal services. The anticipated contract will be for a three year period. Interested vendors should request a bid package by contacting the Institution directly.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: 7/1/01 through 6/30/04
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100 X311

Bid #8233 Trash & rubbish removal services for the PA State Police, Mansfield Station, for the period July 1, 2001 to June 30, 2003. Service to be rendered ONCE (1) a week. Recycling services to be included, if applicable. Detailed Work Schedule and Bid must be obtained from Facility Management Division.

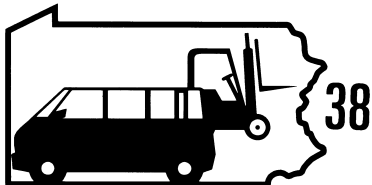
Department: State Police
Location: Mansfield Station, 1745 Valley Road Mansfield, PA 16933-0230
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484



Security Services

10671046 Provide unarmed security guard services at the former Youth Development Center, 3701 Old Trevoise Rd., Bensalem, PA 19020. Interested parties should request bid packet #10671046.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: July 1, 2001 through June 30, 2004 with a renewal option.
Contact: Sue Brown, Purchasing Agent, (610) 313-1026



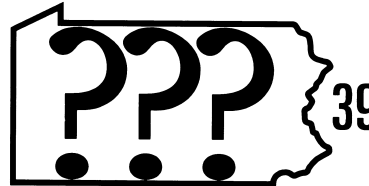
Vehicle, Heavy Equipment and Powered Machinery Services

SP3881129007 Services needed to reclaim/recondition road surface using a Wirtgen 2500 or Caterpillar 350 (plus operator) and a Caterpillar 563 Vibratory Compactor, or equal (plus operator).

Department: Conservation and Natural Resources
Location: DCNR - Bureau of Forestry, Forest District #12, 423 E. Central Avenue, South Williamsport, PA 17702
Duration: The contract shall commence May 29, 2001 and terminate August 15, 2001.
Contact: Charles Schwarz, (570) 327-3450

IFB #2001-03 The State System of Higher Education, Office of the Chancellor, is soliciting bids for the purchase of a new 2000 or 2001 Jeep Cherokee Sport 4WD. Interested bidders may obtain a bid package by contacting Linda Venneri at 717-720-4135 or lvenner@isshechan.edu or go to: www.sshechan.edu/Procurement/bids.htm. Bid Opening is January 26, 2001 10:00 a.m. at the Dixon University Center, Duncan Hall.

Department: State System of Higher Education
Location: Harrisburg, PA
Contact: Linda Venneri, (717) 720-4135



Miscellaneous

SP #1104409001 Contractor shall provide delivery services for baked goods (bread and pastries) from the Correctional Industries Bakery at SCI Houtzdale, Houtzdale, PA to all PA State Correctional Institutions.

Department: Corrections
Location: Correctional Industries SCI Houtzdale, State Route 2007, P.O. Box 1000, Houtzdale, PA 16698-1000
Duration: Anticipated start date of 7/1/01 with the option to renew for two (2) additional consecutive annual terms
Contact: Angela Corish, (717) 731-7134

10671002 Sign language interpreting services for deaf patients and/or employees of Norristown State Hospital.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: July 1, 2001 through June 30, 2004 with two one year renewal options.
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

RFA-26-00 THE DEPARTMENT OF PUBLIC WELFARE IS ACCEPTING APPLICATIONS ON THE COMMUNITY CONNECTIONS INITIATIVE EXPANDING OUR EFFORTS, IN COUNTIES SELECTED BASED ON THE NUMBER OF CLIENTS WHO ARE NOT USING THEIR EARLY TIME ON CASH ASSISTANCE TO GAIN WORK EXPERIENCE, TRAINING OR EDUCATION, TO LOCAL COMMUNITY-BASED AND FAITH-BASED ORGANIZATIONS WITH A DEMONSTRATED HISTORY OF ESTABLISHED COMMUNITY INTERACTION AND A DESIRE TO ASSIST CLIENTS TO BECOME SELF-SUFFICIENT. THE COUNTIES INVOLVED IN THIS INITIATIVE ARE: ALLEGHENY, BEAVER, BERKS, BUCKS, CAMBRIA, CHESTER, DAUPHIN, DELAWARE, ERIE, FAYETTE, LACKAWANNA, LANCASTER, LAWRENCE, LEHIGH, MERCER, MONTGOMERY, NORTHAMPTON, PHILADELPHIA, WESTMORELAND AND YORK. FOR ADDITIONAL INFORMATION - PLEASE CONTACT PROCUREMENT AT THE NUMBER OR E-MAIL ADDRESS BELOW.

Department: Public Welfare
Location: OFFICE OF INCOME MAINTENANCE (STATEWIDE)
Duration: 6/7/00 - 5/31/02 WITH AN ADDITIONAL ONE-YEAR RENEWAL.
Contact: LORI VESSELLA, (717) 783-9281

SP 3800144 Service required to provide maintenance, service, alterations, installations, modifications, engineering assistance, equipment relocation and repair of radio equipment throughout the Commonwealth of Pennsylvania. Bid package may be obtained by e-mail to pstouffer@dcnr.state.pa.us or phone 717-783-0760.

Department: Conservation and Natural Resources
Location: Throughout the Commonwealth of Pennsylvania
Duration: Upon receipt of Notice to Proceed Letter through June 30, 2006
Contact: Pamela Stouffer, (717) 783-0760

SP-1102000001 The Contractor shall provide all labor, equipment, materials, repair/replacement parts and components necessary to repair our institutional Biley Feed Water Controls on three boilers, as needed and requested. Complete Bid specifications and scope of work on file in agency purchasing department.

Department: Corrections
Location: State Correctional Institution at Cresson P.O. Box A, Old Route 22 Cresson, PA 16630
Duration: July 1, 2001 - June 30, 2003 (two fiscal years)
Contact: Barbara A. Lloyd, Pur. Agent, (814) 886-8181, X166

SP-1102000002 The Contractor shall provide all labor, equipment, materials, repair/replacement parts and components necessary to repair and service our institutional Waukesha Generator System and Cummins Generator System. To include annual systems check to both systems. Bid proposal on file in agency purchasing department

Department: Corrections
Location: State Correctional Institution at Cresson P.O. Box A, Old Route 22, Cresson, PA 16630
Duration: July 1, 2001 - June 30, 2002
Contact: Barbara A. Lloyd, Pur. Agent, (814) 886-8181, X166

5290 Sewage treatment plant dechlorination system - an automatic sulfur dioxide dosing system with chlorine residual analyzer and chemical weighing system.

Department: Public Welfare
Location: TORRANCE STATE HOSPITAL, STATE ROUTE 1014, TORRANCE, PA 15779-0111
Duration: BEFORE 06/30/01
Contact: LINDA J. ZOSKEY, (724) 459-4547

SO-230 The State Correctional Institution at Somerset will be soliciting bids for labor, equipment, materials, repair parts, and replacement components necessary to repair and maintain dietary equipment to include Baker's Aid, Cleveland, Champion, and Hobart Models. Vendor must be within a distance to allow for emergency repairs within one (1) working day after initial contact by the institution.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: 7/01/01 through 6/30/02
Contact: Jackie Albright, Purchasing Agent, (814) 443-8100 X313

Bid #8245 Furnish all labor, materials and equipment to perform all operations in connection with the exterior window cleaning on four (4) sides of the building. Work to be performed TWICE (2) per fiscal year (Spring & Fall). Contractor shall wipe oxidized aluminum mullion strips around all windows. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-783-5484.

Department: State Police
Location: Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

None The Pennsylvania Department of Transportation is in the process of developing an approved equipment list for Ignition Interlock Systems (IIS). Draft specifications for IIS will be available for manufacturers' review/comments in the second week of February 2001. Manufacturers interested in having their IIS included in the Department's approved list, may request the draft specifications before February 15, 2001 by giving their Company's name, address, name of the contact person, contact person's telephone and fax number and e-mail address. The request for draft specifications shall be sent to: Mr. Gary Modi, P.E., Chief, Safety Management Division, BHSTE, 400 North Street, 6th Floor, Harrisburg, PA 17120-0064. Telephone requests for draft specifications shall be made to Mr. David Holt, at (717) 783-1903. The Department has set up a meeting with manufacturers on March 8, 2001 at 10:00 a.m. at the following address: Meeting Room, Equipment Division, 17th & Arsenal Boulevard, Harrisburg, PA 17120. Information regarding meeting location may be obtained from Mr. Ray Rugh at (717) 787-1567. Manufacturers questions/comments must be received by March 1, 2001 in order to be addressed by the Department during the above meeting. Questions/comments shall be sent in writing to Mr. Gary Modi. Manufacturers who want to receive the final IIS specifications should contact Gary Modi or David Holt as set forth above. The final specifications will be issued subsequent to the meeting on March 8, 2001.

Department: Transportation
Location: N/A
Duration: None
Contact: David Holt, (717) 783-1903

Bid #8244 Window cleaning service at the PA State Police, Philadelphia Headquarters for a period of two years. Cleaning to be done TWICE (2) per fiscal year. Window cleaning to include all windows & doors, both inside and outside. Detailed Work Schedule and Bid must be obtained from Facility Management Division,

Department: State Police
Location: Philadelphia Headquarters 2201 Belmont Avenue Philadelphia, PA 19131
Duration: 7/1/01 to 6/30/03
Contact: Donna Enders, (717) 783-5484

#01-4 The Department of Corrections is seeking a vendor to train selected Department of Corrections employees from each institution to teach a standardized Batterers Intervention Program. This Program will be based on Pennsylvania Coalition Against Domestic Violence standards.

Department: Corrections
Location: 2520 Lisburn Road Camp Hill, PA 17011
Duration: A contract will be awarded for a period of one year with an option to extend the contract for an additional year.
Contact: Linda Malinak, Purchasing Agent, (717) 975-4931

Visitor Center (Rebid) Endless Mountains Visitor Center & Scenic Overlook project is for the construction of a new Wooden Visitor Center consisting of the following contracts: 1-Site Construction, 2-General Construction, 3-HVAC, 4-Water Well, 5-Plumbing, 6-Electrical. PennDOT is acting as an agent for bidding and awarding this project for French Azilum, Inc., a non-profit organization. To obtain a copy of this bid package, please fax request to Vikki Mahoney at (717) 787-7185. Please reference Project Name: VISITOR CENTER (REBID) and include Company Name, Company Overnight Mailing Address, Company Contact Person, Company Telephone and Fax Numbers.

Department: Transportation
Location: Route 6, Wyalusing Township, Bradford County, PA
Duration: 150 Calendar Days
Contact: Vikki Mahoney, (717) 787-7001

RFP #2001-2 The State Employees' Retirement System (SERS), a \$28.0 billion public pension plan, is issuing a Request for Proposal (RFP) for the acquisition of actuarial services and pension plan consulting services. Interested parties may write to Mr. Francis Donlevy at SERS, Office of Financial Management, 30 N. Third Street, PO Box 1147, Harrisburg, PA 17108-1147, or fax their request to him at (717) 783-1708 to obtain a copy of the RFP. Late proposals will not be considered regardless of the reason.

Department: State Employees' Retirement System
Location: 30 N. Third Street, PO Box 1147, Harrisburg, PA 17108-1147
Duration: 5 years
Contact: Francis Donlevy, (717) 783-7297

10671005 Provide supplemental nursing service for patients of Norristown State Hospital.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401
Duration: July 1, 2001 through June 30, 2002 with two one year renewal options.
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

[Pa.B. Doc. No. 01-211. Filed for public inspection February 2, 2001, 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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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
1143110-01	1/23/01	Advanced Training Systems Inc.	84,296.00
1157210-01	1/23/01	Westgate Chevrolet d/b/a Apple Chevrolet	69,196.00
1158210-01	1/23/01	Rohrer Bus Sales	52,980.00
1200350-01	1/23/01	Gamma Prod- ucts	96,900.00
8505520-01	1/23/01	Vehicle Maintenance program	24,910.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 01-212. Filed for public inspection February 2, 2001, 9:00 a.m.]