



Volume 37 (2007)

Pennsylvania Bulletin
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February 3, 2007 (Pages 509-660)

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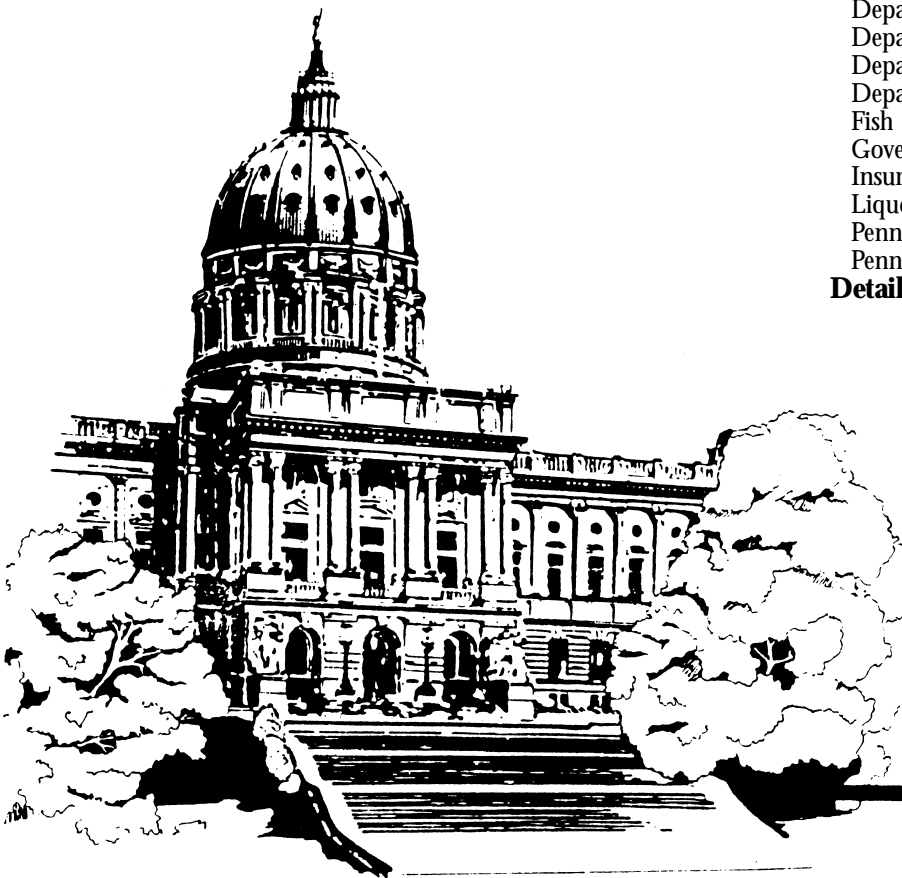
PENNSYLVANIA BULLETIN

Volume 37
Saturday, February 3, 2007 • Harrisburg, PA
Number 5
Pages 509—660

Agencies in this issue

The General Assembly
The Courts
Department of Agriculture
Department of Banking
Department of Environmental Protection
Department of General Services
Department of Health
Department of Labor and Industry
Department of Revenue
Department of Transportation
Fish and Boat Commission
Governor's Office
Insurance Department
Liquor Control Board
Pennsylvania Energy Development Authority
Pennsylvania Public Utility Commission

Detailed list of contents appears inside.



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

No. 387, February 2007

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BULLETIN

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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 2007.

4 Pa. Code (Administration)		Temporary Rules	
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THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

2007 Public Meeting Schedule

The Commission on Sentencing is giving notice that the following dates have been selected for public meetings in the year 2007:

Tuesday February 6, 2007	Dinner/Policy Meeting (6:30 p.m.—9 p.m.) The Harrisburg Hilton and Towers Harrisburg, PA
Wednesday February 7, 2007	Quarterly Meeting (9 a.m.—11:30 a.m.) The Harrisburg Hilton and Towers Harrisburg, PA
Tuesday May 8, 2007	Dinner/Policy Meeting (6:30 p.m.—9 p.m.) Omni William Penn, Pittsburgh, PA
Wednesday May 9, 2007	Quarterly Meeting (9 a.m.—11:30 a.m.) Omni William Penn, Pittsburgh, PA
Tuesday August 14, 2007	Strategic Planning Session (9 a.m.—5 p.m.) Commission Offices 418 Beam Building University Park, PA Dinner/Policy Meeting (6:30 p.m.—9 p.m.) The Carnegie House State College, PA

Wednesday August 15, 2007
Quarterly Meeting
(9 a.m.—11:30 a.m.)
Commission Offices
418 Beam Building
University Park PA

Tuesday
December 4, 2007
Dinner/Policy Meeting
(6:30 p.m.—9 p.m.)
The Union League of Philadelphia
Philadelphia, PA

Wednesday
December 5, 2007
Quarterly Meeting
(9 a.m.—11:30 a.m.)
The Union League of Philadelphia
Philadelphia, PA

Tuesday evening Dinner/Policy Meetings are scheduled from 6:30 p.m. to 9 p.m. with the Policy Meeting beginning at 7:30 p.m. All meetings are open to the public. Direct any questions regarding Commission meetings to: Mark H. Bergstrom, Executive Director, (814) 863-2797, mhb105@psu.edu.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 07-151. Filed for public inspection February 2, 2007, 9:00 a.m.]

SENATE OF PENNSYLVANIA

Committee Designation Under the Regulatory Review Act

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.

JOSEPH B. SCARNATI, III,
President Pro Tempore

Agency

Governor and Office of the Governor
Attorney General and Office of the Attorney General
Auditor General and Office of the Auditor General
State Treasurer and Treasury Department
Adjutant General and Department of Military and Veterans' Affairs
Secretary and Department of Aging
Secretary and Department of Agriculture
Secretary and Department of Banking
Secretary and Department of Community and Economic Development

Committee

State Government
Judiciary
Finance
Finance
Veterans' Affairs and Emergency Preparedness
Aging and Youth
Agriculture and Rural Affairs
Banking and Insurance
Community, Economic and Recreational Development

<i>Agency</i>	<i>Committee</i>
Secretary of the Commonwealth and Department of State	State Government
Secretary and Department of Conservation and Natural Resources	Environmental Resources and Energy
Secretary and Department of Corrections	Judiciary
Secretary and Department of Education	Education
Secretary and Department of Environmental Protection	Environmental Resources and Energy
Secretary and Department of General Services	State Government
Secretary and Department of Health	Public Health and Welfare
Commissioner and Department of Insurance	Banking and Insurance
Secretary and Department of Labor and Industry	Labor and Industry
Secretary and Department of Public Welfare	Public Health and Welfare
Secretary and Department of Revenue	Finance
Commissioner and PA State Police	Law and Justice
Secretary and Department of Transportation	Transportation
Secretary and Office of Administration	State Government
General Counsel and Office of General Counsel	State Government
Secretary and Office of Budget	Appropriations
Commissioner and Bureau of Professional and Occupational Affairs	Consumer Protection and Professional Licensure
Executive Board	State Government
Armory Board	Veterans' Affairs and Emergency Preparedness
Ben Franklin Technology Development Authority	Community, Economic and Recreational Development
Board of Claims	State Government
Board of Finance and Revenue	Finance
Board of Governors of State System of Higher Education	Education
Board of Pardons	Judiciary
Board of Probation and Parole	Judiciary
Civil Service Commission	State Government
Commonwealth Financing Authority	Community, Economic and Recreational Development
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 and 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
Industrial Board	Labor and Industry
Joint Committee on Documents	Rules and Executive Nominations
Labor Relations Board	Labor and Industry
Liquor Control Board	Law and Justice

<i>Agency</i>	<i>Committee</i>
Lobbying Disclosure Law Regulation Promulgation Committee	State Government
Milk Marketing Board	Agriculture and Rural Affairs
Municipal Employees Retirement Board	Local Government
Municipal Police Officers Education and Training Commission	Law and Justice
PA Commission on Crime and Delinquency	Judiciary
PA Economic Development Financing Authority	Community, Economic and Recreational Development
PA Emergency Management Agency	Veterans' Affairs and Emergency Preparedness
PA Energy Development Authority	Environmental Resources and Energy
PA Gaming Control Board	Community, Economic and Recreational Development
PA Housing Finance Agency	Urban Affairs and Housing
PA Industrial Development Authority	Community, Economic and Recreational Development
PA Infrastructure Investment Authority	Environmental Resources and Energy
PA Minority Business Development Authority	Community, Economic and Recreational Development
PA Public Television Network Commission	State Government
Public Employee Retirement Commission	Finance
Public School Employees Retirement Board	Finance
Professional Standards and Practices Commission	Education
Public Utility Commission	Consumer Protection and Professional Licensure
Securities Commission	Banking and Insurance
State Athletic Commission	State Government
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 Water and Wastewater Systems Operators	Environmental Resources and Energy
State Board of Private Academic Schools	Education
State Board of Private Licensed Schools	Education
State Conservation Commission	Agriculture and Rural Affairs
State Ethics Commission	Rules and Executive Nominations
State Health Care Policy Board	Public Health and Welfare
State Public School Building Authority	Education
State Tax Equalization Board	Finance
State Transportation Commission	Transportation
Turnpike Commission	Transportation
Underground Storage Tank Indemnification Board	Banking and Insurance
Unemployment Compensation Board of Review	Labor and Industry
Veterans' Commission	Veterans' Affairs and Emergency Preparedness
Workers' Compensation Appeals Board	Labor and Industry
State Workers' Insurance Board	Labor and Industry
State Board of Accountancy	Consumer Protection and Professional Licensure
Architects Licensure Board	Consumer Protection and Professional Licensure
State Board of Auctioneer Examiners	Consumer Protection and Professional Licensure
Barber Examiners Board	Consumer Protection and Professional Licensure
State Board of Chiropractic	Consumer Protection and Professional Licensure
State Board of Cosmetology	Consumer Protection and Professional Licensure
State Board of Dentistry	Consumer Protection and Professional Licensure
Funeral Directors Board	Consumer Protection and Professional Licensure
Landscape Architects Board	Consumer Protection and Professional Licensure

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

[Pa.B. Doc. No. 07-152. Filed for public inspection February 2, 2007, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

Amendments to the Pennsylvania Rules of Disciplinary Enforcement Relating to the Confidentiality of Disciplinary Proceedings

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania is considering recommending to The Supreme Court of Pennsylvania that it amend the Pennsylvania Rules of Disciplinary Enforcement with respect to the confidentiality of disciplinary proceedings.

On October 26, 2005, the Supreme Court of Pennsylvania adopted amendments to the Rules of Disciplinary Enforcement providing for public access to certain disciplinary proceedings. Under the new system of public access, formal disciplinary proceedings become open to the public before a decision is made on what type of discipline, if any, is to be imposed. The Board is considering proposing that in the case of a formal proceeding in which it is decided to impose private discipline or in which all of the charges against the respondent-attorney are dismissed, the record of the proceeding be closed.

Although the Board is proposing that a formal proceeding that becomes open to the public will subsequently be closed if it results in the imposition of private discipline or dismissal of all the charges, the closing of the proceeding cannot change the fact that the proceeding was open to the public for a period of time. Thus, the Board is also proposing to make clear that the respondent-attorney may request that the record of the proceeding remain open to demonstrate that the charges were dismissed or only private discipline was imposed.

The Board is also considering proposing the repeal of Pa.R.D.E. 402(c)(4) which provides that a proceeding may be opened to the public when the allegations on which it is based become generally known to the public. Making a decision that allegations are generally known to the public involves difficult judgments that the Board is not well-equipped to make. And in light of the increased public access to disciplinary proceedings, the Board does not believe that Pa.R.D.E. 402(c)(4) serves an important public function.

Interested persons are invited to submit written comments regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, on or before March 9, 2007.

*By The Disciplinary Board of the
Supreme Court of Pennsylvania*

ELAINE M. BIXLER,
Secretary

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter D. MISCELLANEOUS PROVISIONS

Rule 402. Access to Disciplinary Information and Confidentiality.

(a) Except as provided in subdivisions (b) [**and**], (d) **and** (k), all proceedings under these rules shall be open to the public after:

* * * * *

(c) Until the proceedings are open under subdivision (a) or (b), all proceedings involving allegations of misconduct by or disability of an attorney shall be kept confidential unless:

* * * * *

(3) in matters involving alleged disability, the Supreme Court enters its order transferring the respondent-attorney to inactive status pursuant to Enforcement Rule 301 (relating to proceedings where an attorney is declared to be incompetent or is alleged to be incapacitated); **or**

(4) [**the proceeding is based upon allegations that have become generally known to the public; or**

(5)] there is a need to notify another person or organization, including the Lawyers' Fund for Client Security, in order to protect the public, the administration of justice, or the legal profession.

* * * * *

(k) If a formal proceeding results in the imposition of private discipline or dismissal of all the charges, the proceeding shall cease to be open to the public when the decision to impose private discipline or dismiss the charges becomes final, unless the respondent-attorney requests that the record of the proceeding remain open to the public.

Official Note: Paragraph (d)(2) is based on 18 Pa.C.S. § 5108 (relating to compounding). Otherwise Disciplinary Counsel may be in the anomalous position of violating Rule 8.4 of the Pennsylvania Rules of Professional Conduct.

Although subdivision (k) provides that a formal proceeding that becomes open to the public under subdivision (a) will subsequently be closed if it results in the imposition of private discipline or dismissal of all the charges, the closing of the proceeding cannot change the fact that the proceeding was open to the public for a period of time. Thus, subdivision (k) makes clear that the respondent-attorney may request that the record of

the proceeding remain open to demonstrate that the charges were dismissed or only private discipline was imposed.

[Pa.B. Doc. No. 07-153. Filed for public inspection February 2, 2007, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE [210 PA. CODE CHS. 1, 3 AND 9]

Order Amending Pa.R.A.P. 108, 301 and 903; No. 177 Appellate Procedural Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 18th day of January, 2007, 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 Pennsylvania Rules of Appellate Procedure 108, 301 and 903 are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall become effective August 1, 2007.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

IN GENERAL

Rule 108. Date of Entry of Orders.

* * * * *

(d) Criminal orders.

(1) In determining the date of entry of criminal orders, subdivision (a)(1) shall apply except as provided in subparagraph (d)(2).

(2) In a criminal case in which no post-sentence motion has been filed, the date of imposition of sentence in open court shall be deemed to be the date of entry of the judgment of sentence.

Official Note:

* * * * *

See Pa.R.A.P. 301(a)(1) and (2), Pa.R.A.P. 903(c)(3), and Pa.R.Crim. P. 462, 720, and 721 governing criminal appeals.

Explanatory Comment—1979

Where a determination is implied by the passage of time without action by a government unit, an aggrieved party is given the option either to appeal at once at the expiration of the period or to rely on the government unit or other affected person to give notice that an implied determination has been made.

Explanatory Comment—2007

New subdivision (d) governs criminal appeals. Under new subdivision (d), when no post-sentence motion is filed, the time for appeal begins to run from the date of imposition of sentence. See Pa.R.Crim.P. 462(G)(2), 720(A)(3) and (D), and 721(B)(2)(a)(ii), and the conforming amendments to Pa.R.A.P. 301(a)(2) and 903(c)(3), and 2006 Explanatory Comment thereto. See also *Commonwealth v. Green*, 862 A.2d 613 (Pa. Super. 2004) (en banc), allocatur denied, 584 Pa. 692, 882 A.2d 477 (2005). When post-sentence motions are denied by operation of law, the appeal period shall run from the date of entry of the order denying the motion by operation of law. See Pa.R.Crim.P. 720(B)(3)(c).

CHAPTER 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN IN GENERAL

Rule 301. Requisites for an Appealable Order.

(a) *Entry upon docket below.*—[No]

(1) Except as provided in paragraph (2) of this subdivision, no order of a court shall be appealable until it has been entered upon the appropriate docket in the lower court. Where under the applicable practice below an order is entered in two or more dockets, the order has been entered for the purposes of appeal when it has been entered in the first appropriate docket.

(2) In a criminal case in which no post-sentence motion has been filed, a judgment of sentence is appealable upon the imposition of sentence in open court.

(b) *Separate document required.*—Every order shall be set forth on a separate document.

(c) *Nonappealable orders.*—[A] Except as provided in subdivision (a)(2), a direction by the lower court that a specified judgment, sentence or other order shall be entered, unaccompanied by actual entry of the specified order in the docket, does not constitute an appealable order. Any such order shall be docketed before an appeal is taken.

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Official Note:

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See Pa.R.A.P. 108 and Explanatory Comment—2007 thereto, Pa.R.A.P. 903(c)(3), and Pa.R.Crim. P. 462, 720, and 721 governing criminal appeals.

Explanatory Comment—1976

Language clarified to conform to *Stotsenburg v. Frost*, 465 Pa. 187, 348 A.2d 418 (1975).

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 9. APPEALS FROM LOWER COURTS

Rule 903. Time for Appeal.

* * * * *

(c) *Special provisions.* Notwithstanding any other provision of this rule:

* * * * *

(3) In a criminal case in which no post-sentence motion has been filed, the notice of appeal shall be filed within 30 days of the imposition of the judgment of sentence in open court.

Official Note:

* * * * *

See Pa.R.A.P. 108 and Explanatory Comment—2007 thereto, Pa.R.A.P. 301(a)(1) and (2), and Pa.R.Crim.P. 462, 720, and 721 governing criminal appeals.

Explanatory Comment—2001

The 2001 amendment to Subdivision (c) clarifies that the appeal period for appealing from orders in civil cases sustaining venue or personal or in rem jurisdiction runs from the date of the election under Pa.R.A.P. 311(b)(1), not the date of the original order. The 2000 amendment extends the appeal period following such an election from ten days to thirty days to conform the appeal period for civil orders changing venue pursuant to Pa.R.A.P. 311(c).

The portion of the Note suggesting the necessity of taking an appeal within the 20 day pleading period is misleading and is deleted. For this reason, the bracketed material of the Note is deleted.

Explanatory Comment—2002

See Comment following Pa.R.A.P., Rule 511.

[Pa.B. Doc. No. 07-154. Filed for public inspection February 2, 2007, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Order Amending Rule 1910.1; No. 469 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 22nd day of January, 2007, Rule 1910.1 of the Pennsylvania Rules of Civil Procedure is amended as follows.

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

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.1. Scope. Definitions.

(a) Except as provided by subdivision (b), the rules of this chapter govern all civil actions or proceedings brought in the court of common pleas to enforce a duty of support, or an obligation to pay alimony pendente lite.

Official Note: A duty of support is imposed by the following statutes: 23 Pa.C.S.A. § 4321 and Section 3 of the Support Law of June 24, 1937, P. L. 2045, 62 P. S. § 1973 (repealed) now Act 43-2005, July 7, 2005, P. L. 196. The procedure under the rules of this chapter implements Chapter 43[, subchapter C of] of Part V of the Domestic Relations Code, Title 23 of the Consolidated Statutes, 23 Pa.C.S.A. § [4341] 4301 et seq., relating to support proceedings. The procedure un-

der these rules provides an alternative to the [inter-county] intrastate and interstate [procedure under the Revised Uniform Reciprocal Enforcement of Support Act (1968)] procedures under Parts VIII and VIII-A of the Domestic Relations Code, 23 Pa.C.S.A. §§ [4501] 7101 et seq. and 8101 et seq. For alimony and alimony pendente lite, see Sections 3701 and 3702 of the Divorce Code, 23 Pa.C.S.A. §§ 3701, 3702.

Official Note: Long arm jurisdiction is available in support actions brought pursuant to these rules per 23 Pa.C.S.A. § 4342(c).

(b) The rules of this chapter shall not govern

(1) an action or proceeding for support based upon a contract or agreement which provides that it may not be enforced by an action in accordance with these rules, [and]

(2) an application for a temporary order of support and other relief pursuant to the Protection from Abuse Act of December 19, 1990, P. L. 1240, No. 206, 23 Pa.C.S.A. § 6101 et seq. or

(3) an action for support of an indigent brought pursuant to Chapter 46 of the Domestic Relations Code, 23 Pa.C.S.A. § 4601 et seq.

Official Note: Where a contract or agreement provides that it cannot be enforced in accordance with the rules, actions upon a contract or agreement for support are to be heard by the court and not a conference officer or hearing officer under Rules 1910.11 or 1910.12. However, such actions should be expedited and given preference in court listings.

(c) As used in this chapter, unless the context of a rule indicates otherwise, the following terms shall have the following meanings:

“Conference officer,” the person who conducts an office conference pursuant to Rule 1910.11.

“Hearing officer,” the person who conducts a hearing on the record and makes recommendations to the court pursuant to Rule 1910.12.

“Overdue support,” the amount of delinquent support equal to or greater than one month’s support obligation which accrues after entry or modification of a support order as the result of obligor’s nonpayment of that order.

“Past due support,” the amount of support which accrues prior to entry or modification of a support order as the result of retroactivity of that order. When nonpayment of the order causes overdue support to accrue, any and all amounts of past due support owing under the order shall convert immediately to overdue support and remain as such until paid in full.

“Suspend,” eliminate the effect of a support order for a period of time.

“Terminate,” end not only the support order, but the support obligation as well.

“Trier of fact,” the judge, hearing officer, or conference officer who makes factual determinations.

“Vacate,” declare a particular support order null and void, as if it were never entered.

Explanatory Comment—1994

Nothing in this rule should be interpreted to eliminate the distinctions between spousal support and alimony pendente lite which are established by case law.

Alimony pendente lite must be distinguished from permanent alimony for purposes of this rule. The rule applies only to alimony pendente lite. The procedure for obtaining permanent alimony is governed by Section 3702 of the Divorce Code, 23 Pa.C.S.A. § 3702, and Rules of Civil Procedure 1920.1 et seq. Agreements for alimony approved by the court in connection with actions for divorce under Section 3701 of the Divorce Code are deemed to be court orders enforceable under Section 3703 of the Code.

Section 3105(a) of the Divorce Code provides that all agreements relating to matters under the code, whether or not merged or incorporated into the decree, are to be treated as orders for purposes of enforcement unless the agreement provides otherwise. Subdivision (b)(1) is amended to conform to the statute.

There is considerable diversity in the terminology used throughout the rules, and in the various counties, to describe the individuals who conduct conferences and hearings pursuant to the support rules. The addition of subdivision (c) to the rules standardizes terminology and eliminates the confusion which results from individual counties using inconsistent terms to refer to persons performing the same function. All references in the rules to conference or hearing officers have been amended to conform to the terminology set forth in subdivision (c).

In an effort to further standardize the terminology used in support matters, the additional terms are defined.

Explanatory Comment—2000

Act 1998-127 technically amended Act 1997-58 to define and differentiate between past due and overdue support to clarify that only overdue support constitutes a lien by operation of law against the obligor's real or personal property. 23 Pa.C.S.A. § 4302 now defines overdue support as "support which is delinquent under a payment schedule established by the court." Past due support is defined as "support included in an order of support which has not been paid."

The definitions of past due and overdue support in this rule do not substantively change the legislative definitions. They merely elaborate on them in terms which are more familiar and helpful to the bench and bar. Specifically, past due support consists of the purely retroactive arrearages which accumulate between the date of the filing of the complaint or petition for modification and the date of the hearing and entry of the initial or modified support order. Overdue support refers to the delinquent arrearages which accrue after entry of the order due to the obligor's failure to pay support pursuant to the order.

These definitions are important for determining the remedies available for collecting support arrearages. Pursuant to 23 Pa.C.S.A. § 4352(d), only overdue support (delinquent arrearages) constitutes a lien by operation of law against the obligor's property. Conversely, past due support (retroactive arrears) does not operate as a lien against this property as long as the obligor remains current on the support order.

Rule 1910.20 extends this legislative distinction between overdue and past due support to the following remedies available to collect support: (1) consumer agency reporting under 23 Pa.C.S.A. § 4303; (2) suspension of licenses under 23 Pa.C.S.A. § 4355; and (3) the full range of new collection remedies under 23 Pa.C.S.A. § 4305(b)(10). Accordingly, these remedies are available only to collect overdue support. They are not available to collect past due support as long as the obligor remains current on the order. If, however, the obligor subsequently

defaults on the support order, Rule 1910.20(c) provides that any past due support still owing under the order immediately becomes overdue support subject to the full range of collection remedies. It remains overdue support until collected in full.

Pursuant to Rule 1910.20(c), all overdue support, including past due support which has converted to overdue support, remains subject to Act 58 remedies until paid in full. Any repayment plan subsequently agreed to by the parties, or ordered by the court pursuant to a contempt proceeding (including any arrearage component), does not preclude the use of these remedies for collecting overdue support more quickly, whenever feasible.

In cases involving past due support only, the obligee is not entirely without remedy in the event that additional income or assets of the obligor are discovered after the hearing which would enable collection of past due support more quickly. In these cases, identification of those income sources or assets provides a basis for modification pursuant to Rule 1910.19. Modification includes increasing the rate of repayment on past due support and, if appropriate, ordering that the past due support be paid in full. In these cases, the obligee may also petition the court for special relief pursuant to Rule 1910.26 to have the income or assets frozen and seized pending the petition for modification in order to secure payment of past due support.

Explanatory Comment—2007

Act 43-2005, July 7, 2005, P.L. 196, repealed the Act of June 24, 1937 (P.L. 2045, No. 397), known as The Support Law and added Chapter 46 to the Domestic Relations Code, 23 Pa.C.S.A. § 4601 et seq. Section 4 of Act 43-2005 states that the addition of Chapter 46 is a continuation of the Act of June 24, 1937 (P.L. 2045, No. 397). Chapter 46 addresses the responsibility of certain family members to maintain indigent relatives, whether or not the indigent person is a public charge. New subdivision (b)(3) clarifies that the support rules and guidelines do not apply to actions brought under Chapter 46 of the Domestic Relations Code.

[Pa.B. Doc. No. 07-155. Filed for public inspection February 2, 2007, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 4 AND 7]

Order Adopting Amendments to Rules 462 and 721, and Approving the Revision of the Comment to Rule 720; No. 353 Criminal Procedural Rules; Doc. No. 2

Order

Per Curiam:

Now, this 18th day of January, 2007, upon the recommendation of the Criminal Procedural Rules Committee; this proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3) in the interests of justice, and a Final Report to be published with this Order:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

(1) Rules of Criminal Procedure 462 and 721 are amended, and

(2) the revision of the Comment to Rule of Criminal Procedure 720 is approved, all in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective August 1, 2007.

Annex A

**Title 234. RULES OF CRIMINAL PROCEDURE
CHAPTER 4. PROCEDURES IN SUMMARY CASES**

**PART F. Procedures in Summary Cases for
Appealing to Court of Common Pleas for Trial De
Novo**

Rule 462. Trial De Novo.

* * * * *

(G) At the time of sentencing, the trial judge shall:

* * * * *

(2) advise the defendant of the right to appeal to the Superior Court within 30 days of the imposition of sentence, and that, if an appeal is filed, the execution of sentence will be stayed and the trial judge may set bail;

* * * * *

Comment

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The provisions of paragraph (C) that permit the court to continue the case if there is good cause for the officer's unavailability were added in response to *Commonwealth v. Hightower*, 438 Pa. Super. 400, 652 A.2d 873 [Pa. Super.] 1995).

Paragraph (D) makes it clear that the trial judge may dismiss a summary case appeal when the judge determines that the defendant is absent without cause from the trial de novo. If the appeal is dismissed, the trial judge should enter judgment and order execution of any sentence imposed by the issuing authority.

Pursuant to paragraph (G), if the defendant is convicted, the trial judge must impose sentence, and advise the defendant of the payment schedule, if any, and the defendant's appeal rights. See Rule 704(A)(3) and Rule 720(D). No defendant may be sentenced to imprisonment or probation if the right to counsel was not afforded at trial. See *Alabama v. Shelton*, 535 U.S. 654 (2002), *Scott v. Illinois*, 440 U.S. 367 (1979), and *Argersinger v. Hamlin*, 407 U.S. 25 (1972).

Once sentence is imposed, paragraph (H) makes it clear that the case is to remain in the court of common pleas for execution of the sentence and collection of any costs, and the case may not be returned to the [district justice] magisterial district judge. The execution of sentence includes the collection of any fines and restitution.

Official Note: Former Rule 86 adopted July 12, 1985, effective January 1, 1986; revised September 23, 1985, effective January 1, 1986; the January 1, 1986 effective dates extended to July 1, 1986; amended February 2, 1989, effective March 1, 1989; amended March 22, 1993, effective January 1, 1994; amended October 28, 1994, effective as to cases instituted on or after January 1, 1995; amended February 27, 1995, effective July 1, 1995;

amended October 1, 1997, effective October 1, 1998; amended May 14, 1999, effective July 1, 1999; rescinded March 1, 2000, effective April 1, 2001, and paragraph (G) replaced by Rule 462. New Rule 462 adopted March 1, 2000, effective April 1, 2001; amended February 28, 2003, effective July 1, 2003; Comment revised March 26, 2004, effective July 1, 2004; amended January 18, 2007, effective August 1, 2007.

Committee Explanatory Reports:

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NEW RULE 462:

Final Report explaining the reorganization and renumbering of the rules and the provisions of Rule 462 published at 30 Pa.B. [1477] 1478 (March 18, 2000).

* * * * *

Final Report explaining the January 18, 2007 amendment to paragraph (G)(2) published with the Court's Order at 37 Pa.B. 526 (February 3, 2007).

**CHAPTER 7. POST-TRIAL PROCEDURES IN
COURT CASES**

PART B. Post-Sentence Procedures

Rule 720. Post-Sentencing Procedures; Appeal.

* * * * *

Comment

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TIMING

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When a defendant files a timely post-sentence motion, the 30-day period for the defendant's direct appeal on all matters in that case—including all issues related to any informations and any charges consolidated against the defendant for trial—is triggered by the trial judge's decision on the post-sentence motion, the denial of the motion by operation of law, or the withdrawal of the post-sentence motion. The appeal period runs from the entry of the order. As to the date of entry of orders, see Pa.R.A.P. 108. See also *Commonwealth v. Miller*, 715 A.2d 1203 (Pa. Super. [Ct.] 1998), concerning the time for appeal following the withdrawal of a post-sentence motion. No direct appeal may be taken by a defendant while his or her post-sentence motion is pending. See paragraph (A)(2).

* * * * *

CONTENTS OF ORDER

Paragraph (B)(4) protects the defendant's right to appeal by requiring that the judge's order denying the motion, the clerk of courts' order denying the motion by operation of law, or the order entered memorializing a defendant's withdrawal of a post-sentence motion, contain written notice of the defendant's appeal rights. This requirement ensures adequate notice to the defendant, which is important given the potential time lapse between the notice provided at sentencing and the resolution of the post-sentence motion. See Rule 704(C)(3). See also *Commonwealth v. Miller*, 715 A.2d 1203 (Pa. Super. [Ct.] 1998), concerning the contents of the order memorializing the withdrawal of a post-sentence motion.

* * * * *

MISCELLANEOUS

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Unlike ineffective counsel claims, which are the subject of *Commonwealth v. Grant*, 572 Pa. 48, 813 A.2d 726 (2002), paragraph (C) requires that any claim of after-discovered evidence must be raised promptly after its discovery. Accordingly, after-discovered evidence discovered during the post-sentence stage must be raised promptly with the trial judge at the post-sentence stage; after-discovered evidence discovered during the direct appeal process must be raised promptly during the direct appeal process, and should include a request for a remand to the trial judge; and after-discovered evidence discovered after completion of the direct appeal process should be raised in the context of the PCRA. See 42 Pa.C.S. § 9545(b)(1)(ii) and (b)(2) (PCRA petition raising after-discovered evidence must be filed within 60 days of date claim could have been presented). *Commonwealth v. Kohan*, 825 A.2d 702 (Pa. Super. [Ct.] 2003), is superseded by the 2005 amendments to paragraphs (A) and (C) of the rule.

Although there are no post-sentence motions in summary appeals following the trial de novo pursuant to paragraph (D), nothing in this rule is intended to preclude the trial judge from acting on a defendant's petition for reconsideration. See the Judicial Code, 42 Pa.C.S. § 5505. See also *Commonwealth v. Dougherty*, 451 Pa. Super. 248, 679 A.2d 779, 784 (1996). **The time for appeal in summary cases following a trial de novo runs from the imposition of sentence.**

Official Note: Previous Rule 1410, adopted May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; rescinded March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994, and replaced by present Rule 1410. Present Rule 1410 adopted March 22, 1993 and amended December 17, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996. Comment revised September 26, 1996, effective January 1, 1997; amended August 22, 1997, effective January 1, 1998; Comment revised October 15, 1997, effective January 1, 1998; amended July 9, 1999, effective January 1, 2000; renumbered Rule 720 and amended March 1, 2000, effective April 1, 2001; amended August 21, 2003, effective January 1, 2004; amended March 3, 2004, effective July 1, 2004; Comment revised June 4, 2004, effective November 1, 2004; amended June 8, 2005, effective August 1, 2005; **Comment revised January 18, 2007, effective August 1, 2007.**

Committee Explanatory Reports:

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Final Report explaining the January 18, 2007 revision of the last paragraph of the Comment clarifying the time for appeal following a trial de novo published with the Court's Order at 37 Pa.B. 526 (February 3, 2007).

Rule 721. Procedures for Commonwealth Challenges to Sentence; Sentencing Appeals.

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(B) Timing

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(2) Appeal of Sentence.

(a) Appeal Directly from Order Imposing Sentence.

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(ii) If the defendant has not filed a post-sentence motion, the Commonwealth's notice of appeal shall be filed within 30 days of the [**entry of the order imposing**] **imposition of sentence.**

* * * * *

Comment

Rule 721 clarifies the procedures for Commonwealth challenges to sentences in light of the post-sentence procedures adopted in 1993. See [**Pa.R.Crim.P.**] **Rule 720.** This rule does not address any other type of Commonwealth challenge or Commonwealth appeals generally.

Historically, the Commonwealth has been required to raise a discretionary sentencing issue at the sentencing hearing or in a post-trial motion to modify sentence in order to preserve the issue for appellate review. See *Commonwealth v. Eyster*, **401 Pa. Super. 477**, 585 A.2d 1027 ([**Pa. Super.**] 1991) (en banc), appeal denied **529 Pa. 646**, 602 A.2d 857 ([**Pa.**] 1992). Challenges to the legality of a sentence, however, are not waived if the Commonwealth fails to timely file a motion for modification. See *Commonwealth v. Smith*, **529 Pa. 380**, 598 A.2d 268 ([**Pa.**] 1991).

Under Rule 721, the Commonwealth's motion for modification of sentence is optional, as long as any discretionary sentencing issue is properly preserved at the time sentence was imposed. Before forgoing trial court review and proceeding with a direct appeal, the attorney for the Commonwealth must therefore be sure that the record created at the sentencing proceeding is adequate for appellate review of the issue, or the issue may be waived. See *Commonwealth v. Jarvis*, **444 Pa. Super. 295**, 663 A.2d 790 ([**Pa. Super.**] 1995), at n. 1.

As a general rule, a motion for modification of sentence gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. See, e.g., *Commonwealth v. Jones*, **520 Pa. 385**, 554 A.2d 50 ([**Pa.**] 1989) (sentencing court can, sua sponte, correct an illegal sentence even after the defendant has begun serving the original sentence) and *Commonwealth v. Cole*, **437 Pa. 288**, 263 A.2d 339 ([**Pa.**] 1970) (inherent power of the court to correct obvious and patent mistakes).

* * * * *

No Commonwealth Motion to Modify Sentence Filed

Paragraph (B)(2)(a) covers the time for filing a notice of appeal when the Commonwealth has elected not to file a motion to modify sentence with the trial judge. The time for filing the Commonwealth's notice of appeal under this paragraph depends on whether the defendant has filed a post-sentence motion. When the defendant files a post-

sentence motion, paragraph (B)(2)(a)(i) provides that the entry of the order disposing of the defendant's post-sentence motion triggers the 30-day period during which the Commonwealth's notice of appeal must be filed. If no post-sentence motion is filed, it is the [entry of the order imposing] imposition of sentence that triggers the Commonwealth's 30-day appeal period. See Rule 721(B)(2)(a)(ii).

* * * * *

Official Note: Rule 1411 adopted August 22, 1997, effective January 1, 1998; renumbered Rule 721 and amended March 1, 2000, effective April 1, 2001; Comment revised March 3, 2004, effective July 1, 2004; **amended January 18, 2007, effective August 1, 2007.**

Committee Explanatory Reports:

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Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [1477] 1478 (March 18, 2000).

* * * * *

Final Report explaining the January 18, 2007 amendments clarifying the time for appeal in paragraph (B)(2)(a)(ii) published with the Court's Order at 37 Pa.B. 526 (February 3, 2007).

FINAL REPORT¹

Amendments to Pa.Rs.Crim.P. 462 and 721, and revision of the Comment to Pa.R.Crim. P. 720

Time for Appeal When No Post-Sentence Motion Filed

On January 18, 2007, effective August 1, 2007, upon the recommendation of the Criminal Procedural Rules Committee, the Court amended Rules of Criminal Procedure 462 (Trial De Novo) and 721 (Procedures For Commonwealth Challenges To Sentence; Sentencing Appeals), and approved the revision of the Comment to Rule 720 (Post-Sentence Procedures; Appeals). The changes further emphasize and clarify that the time for appeal when no post-sentence motion is filed in a criminal proceeding is within 30 days of the date of the imposition of sentence.

INTRODUCTION

The Committee has continued to monitor Rule 720 (Post-Sentence Procedures; Appeals) since its adoption in 1993. As part of our review, the Committee discussed at some length the Superior Court's decision in *Commonwealth v. Green*, 862 A.2d 613 (Pa. Super. 2004) (en banc), allocatur denied, 584 Pa. 692, 882 A.2d 477, as well as several post-*Green* communications we received that questioned the imposition of sentence provision in Rule 720(A).

In *Green*, the Superior Court addresses the timeliness of filing post-sentence motions and appeals. The majority upheld, inter alia, the Rule 720(A) requirements that the time for filing post-sentence motions and the time for filing an appeal when no post-sentence motions are filed runs from the imposition of sentence, i.e. the date the sentence is pronounced in open court, not the date the sentence is entered on the docket. Judge Joyce, writing for the majority, points out that this construction of Rule 720(A) has been indirectly acknowledged in prior cases:

¹ The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

Although the specific issue of whether the date of imposition of sentence and not the date of docketing of the sentence should be utilized in computing the ten-day period for filing a post-sentence motion has not been addressed by our Courts, in computing this ten-day period, our Courts have often utilized the date of imposition of sentence as the reference point. These instances constitute implicit recognition that the date of imposition of the sentence should be used in the computation.² Id. at 616.

In a concurring and dissenting opinion, Judge Ford Elliott disagrees. She opines the Rule 720(A) provision that imposition of sentence is the trigger date for filing is inconsistent with the provisions of Rule of Appellate Procedure 903(A).³ She also observes that Rule 721(B)(2)(a)(ii) uses the date the sentence is entered on the docket for the trigger thereby providing more time to the Commonwealth for filing an appeal when no post-sentence motion is filed than is afforded a defendant under Rule 720(A)(3), which she finds incongruous "given the parallel provisions of 720 and 721." Id. at 624.

The members discussed *Commonwealth v. Green* in general and Judge Ford Elliott's concurring and dissenting opinion in particular, and reviewed the Committee's Rule 720 history. The members agreed that Criminal Rule 720 and Appellate Rule 903 could be read as being in conflict.⁴ However, they noted the intent of Rule 720 as adopted was that setting the time for appeal to run from the date of the imposition of sentence in the Rule 720 context ensures that the defendant and defendant's attorney, both of whom are present at the time sentence is imposed, receive notice of the time for filing post sentence motions and when that time begins to run. See paragraph (C)(3) of Rule 704 (Procedure at Time of Sentencing). In addition, the members pointed out that when the sentence is imposed, the sentence is recorded by the stenographer and is entered on the transcript of the case maintained in the court room.⁵

Given the salutary benefits of such a procedure in criminal cases, the Committee concluded that no changes to Rule 720 in this regard are necessary. However, in view of other inquiries the Committee received concerning the time for appeal in summary cases, we concluded some additional clarification that the time for appeals in summary cases runs from the imposition of sentence should be added to the Rule 720 Comment and to paragraph (G)(2) and the Comment to Rule 462 (Trial De Novo) would aid the bench and bar.

Finally, the Committee agreed with Judge Ford Elliott that there is no reason for Rule 720(A)(3) and Rule 721(B)(2)(a)(ii) to provide different triggering times for the filing of appeals when no post-sentence motion is filed, and agreed the imposition of sentence trigger should be applicable in both instances.

² Judge Joyce specifically discusses *Commonwealth v. Felmlee*, 828 A.2d 1105, 1106-1107 (Pa. Super. 2003) (en banc), *Commonwealth v. Dreves*, 839 A.2d 1122 (Pa. Super. 2003), and *Commonwealth v. Hockenberry*, 455 Pa. Super. 626, 689 A.2d 283, 288 (1997) to support his point.

³ Joining Judge Ford Elliott are Judges Klien, Bender, and Bowes.

⁴ In view of Judge Ford Elliott's concerns with regard to the possible conflict between Criminal Rule 720 and Appellate Rule 903, and to avoid any pitfalls for unwary defendants or counsel, the Committee asked the Appellate Court Rules Committee to consider an amendment to Appellate Rule 903(a) that would recognize in criminal cases when no post-sentence motion is filed that the 30-day appeal period runs from the imposition of sentence. On January 18, 2007, the Court adopted correlative changes to Rules of Appellate Procedure 108, 301, and 903, effective August 1, 2007.

⁵ In addition, with the completion of the automation of the common pleas courts, it is the Committee's understanding that judicial districts will have the capability at the time the sentence is imposed to enter the sentence on the Common Pleas Case Management System (CPCMS) in the courtroom, and the entry of the sentence on the CPCMS triggers the entry of the sentence on the docket.

II. DISCUSSION

A. Rules 720 and 462.

Pursuant to Rule 720(D) (Summary Case Appeals), there are no post-sentence motions in summary case appeals following a trial de novo in the court of common pleas, and the imposition of sentence immediately following the determination of guilty at the conclusion of the trial de novo constitutes a final order for purposes of appeal. Rule 462 provides the procedures for the trial de novo, and requires the trial judge to announce the verdict and sentence in open court immediately upon the conclusion of the trial, paragraph (F), and at the time of sentence, to advise the defendant of the right to appeal "within 30 days," paragraph (G)(2). So there is no confusion about the triggering event for the time for appeal in summary cases, Rule 462(G)(2) has been amended by the addition of "of the imposition of sentence" after "within 30 days". In addition, a cross-reference to Rule 720 has been added at the end of the first sentence of the sixth paragraph of the Rule 462 Comment. A correlative revision to the last paragraph of the Rule 720 Comment also has been made by adding "the time for appeal in summary cases following a trial de novo runs from the imposition of sentence."⁶

Rule 721

After reviewing the Committee history of Rule 721,⁷ the Committee agreed that the time for appeal when no post-sentence motion is filed should be the same for both the defendant and the Commonwealth. The Committee reaffirmed that the time for appeal for both the defendant and the Commonwealth when no post-sentence motions are filed should run from the date of the imposition of sentence. Accordingly, Rule 721(B)(2)(b)(ii) has been amended by replacing "entry of the order imposing sentence" with "imposition of sentence."

[Pa.B. Doc. No. 07-156. Filed for public inspection February 2, 2007, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1, 3 AND 5]

Proposed Amendments to Rules 160, 330 and 515

The Juvenile Court Procedural Rules Committee is planning to recommend to the Supreme Court of Pennsylvania that the modifications to Rules 160, 330, and 515 be adopted and prescribed. The proposed modified Rule 160 provides that the court shall create a public document for cases designated eligible for public inspection. The proposed modified Rule 330 sets forth a new aver-

⁶ During the time the Committee was considering the implications of *Green*, we received several inquiries concerning the interplay between the Rule 720 provision that the time for appeal runs from the imposition of sentence and Criminal Rule 114 (Orders and Court Notices: Filing; Service; and Docket Entries). Rule 114 requires that all orders and court notices promptly be transmitted to the clerk of courts' office for filing, paragraph (A), and docket entries promptly be made, paragraph (C). Some individuals incorrectly have interpreted the Rule 114 requirements as modifying the Rule 720 time for appeal provisions so that the time for appeal will start to run from the date the sentencing order is entered in the docket. Because the Committee believes the purpose of Rule 114, which is to ensure the timely filing and making of docket entries of all court orders and notices, is clear, no changes in this regard were made. See Committee explanatory Final Report, at 34 Pa.B. 1561.

⁷ See Committee explanatory Final Report at 27 Pa.B. 4553. In the summary of changes, the Committee explains "Rule 1411 (now Rule 721) makes it clear that, as to sentencing challenges, the Commonwealth has the same options that the defendant does under present Rule 1410 (now Rule 720), see *Commonwealth v. Jarvis*, 444 Pa. Super. 295, 663 A.2d 790 (1995), and sets forth the Commonwealth's time for appeal relative to whether the defendant files a post-sentence motion."

ment in the petition if the case is eligible for public inspection. The proposed modified Rule 515 provides a designation in the court order if a case is eligible for public inspection. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the intent of the rules. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel,

A. Christine Riscili, Esq.
Staff Counsel
Supreme Court of Pennsylvania
Juvenile Court Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

no later than Friday, March 30, 2007.

By the Juvenile Court
Procedural Rules Committee

FRANCIS BARRY MCCARTHY,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART C. RECORDS

PART C(1). ACCESS TO JUVENILE RECORDS

Rule 160. Inspection of Juvenile File/Records.

A. General Rule. All files and records of the court in a proceeding, including the juvenile court file as provided in Rule 166, are open to inspection only by:

- 1) the judges, masters, juvenile probation officers, and staff of the court;
- 2) the attorney for the Commonwealth, the juvenile's attorney, and the juvenile, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information, except in the discretion of the court;
- 3) a public or private agency or institution providing supervision or having custody of the juvenile under order of the court;
- 4) a court and its probation officers and other officials or staff and the attorney for the defendant for use in preparing a pre-sentence report in a criminal case in which the defendant is convicted and the defendant previously was adjudicated delinquent;
- 5) a judge or issuing authority for use in determining bail, provided that such inspection is limited to orders of delinquency adjudications and dispositions, orders resulting from dispositional review hearings, and histories of bench warrants and escapes;
- 6) the Administrative Office of Pennsylvania Courts;
- 7) officials of the Department of Corrections or a state correctional institution or other penal institution to which an individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act has been commit-

ted, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except in the discretion of the court; [and]

8) a parole board, court or county probation official in considering an individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except in the discretion of the court;

9) the judges, juvenile probation officers, and staff of courts of other jurisdictions when necessary for the discharge of their official duties;

10) the State Sexual Offenders Assessment Board for use in completing assessments; and

11) with leave of court, any other person, agency or institution having a legitimate interest in the proceedings or in the work of the unified judicial system.

B. Public availability. Upon request, the court shall order the creation of a public document for each case designated eligible for public inspection pursuant to Rule 330 or 515. The public document shall contain only the following information:

- 1) the juvenile's name;
- 2) the juvenile's age;
- 3) the juvenile's address;
- 4) the offenses alleged in the juvenile petition;
- 5) the adjudication on each allegation;
- 6) the disposition of the case.

Comment

See the Juvenile Act, 42 Pa.C.S. § 6307, for the statutory provisions on inspection of the juvenile's file and 42 Pa.C.S. § 6352.1 for disclosure of treatment records.

This rule is meant to include the contents of the juvenile court file as described in Rule 166 and the contents of the juvenile probation records or reports. Juvenile probation records or reports, include, but are not limited to, social summaries, psychological and psychiatric evaluations, personal histories, school records and reports, mental health histories and reports, drug and alcohol evaluations, and placement facility records and reports.

Under Paragraph (B), there is one document for each eligible case that is open for public inspection. The public document should be clearly marked for employees of the clerks of courts' office as the only document available for inspection by the general public. All other information contained in the juvenile court file is not open for public inspection but only open to inspection to the persons enumerated in paragraph (A).

See Rule 330 for designation of public availability status in the juvenile petition. See Rule 515 for designation of public availability status in the dispositional order.

CHAPTER 3. PRE-ADJUDICATORY PROCEDURES

PART C. PETITION

Rule 330. Petition: Filing, Contents, Function.

A. Certification. The District Attorney of any county may require that an attorney for the Commonwealth shall file all petitions. If the District Attorney elects to require an attorney for the Commonwealth to file the petition, the District Attorney shall file a certification with the court of common pleas. The certification shall:

- 1) state that an attorney for the Commonwealth shall file petitions; and
- 2) specify any limitations on the filing or classes of petitions.

B. Filings. In every delinquency proceeding, the attorney for the Commonwealth or the juvenile probation officer shall file a petition with the clerk of courts if it has been determined that informal adjustment or another diversionary program is inappropriate.

C. Petition contents. Every petition shall set forth plainly:

- 1) the name of the petitioner;
- 2) the name, date of birth, and address, if known, of the juvenile, or if unknown, a description of the juvenile;
- 3) a statement that:
 - a) it is in the best interest of the juvenile and the public that the proceedings be brought; and
 - b) the juvenile is in need of treatment, supervision, or rehabilitation;
- 4) the date when the offense is alleged to have been committed; provided, however:
 - a) if the specific date is unknown, or if the offense is a continuing one, it shall be sufficient to state that it was committed on or about any date within the period of limitations; and
 - b) if the date or day of the week is an essential element of the offense alleged, such date or day shall be specifically set forth;
- 5) the place where the offense is alleged to have been committed;
- 6) a) i) a summary of the facts sufficient to advise the juvenile of the nature of the offense alleged; and
 - ii) the official or customary citation of the statute and section, or other provision of law which the juvenile is alleged to have violated, but an error in such citation shall not affect the validity or sufficiency of the written allegation; or
- b) a certification that the juvenile has not complied with the sentence imposed for a conviction of a summary offense.
- 7) the name and age of any conspirators, if known;
- 8) a statement that the acts were against the peace and dignity of the Commonwealth of Pennsylvania or in violation of an ordinance of a political subdivision;
- 9) a notation if criminal laboratory services are requested in the case;
- 10) a verification by the petitioner that the facts set forth in the petition are true and correct to the petitioner's personal knowledge, information, or belief, and that

any false statements are subject to the penalties of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities;

11) the signature of the petitioner and the date of the execution of the petition;

12) the whereabouts of the juvenile and if taken into custody, the date and time thereof; **[and]**

13) the name and address of the juvenile's guardian, or if unknown, the name and address of the nearest adult relative; **and**

14) an averment as to whether the case is eligible pursuant to 42 Pa.C.S. § 6307 (b)(1)(ii) for limited public information.

Comment

Under paragraph (A), the District Attorney may file a certification with the court of common pleas stating that only an attorney for the Commonwealth may file a petition. If a certification has not been filed, then an attorney for the Commonwealth or a juvenile probation officer may file a petition.

A private citizen has the right to file a written allegation, not a petition. The written allegation commences the proceedings in the juvenile system. See Rule 200. The case should progress in the same manner as any other case in the juvenile system. If the written allegation is disapproved, the private citizen may file a motion challenging the disapproval with the court of common pleas. See Comment to Rule 233.

Informal adjustment or other diversionary programs should be considered before a petition is filed. Once a petition is filed, informal adjustment is not permitted. See *Commonwealth v. J.H.B.*, 760 A.2d 27 (Pa. Super. Ct. 2000).

Petitions should be filed without unreasonable delay. See *Commonwealth v. Dallenbach*, 729 A.2d 1218 (Pa. Super. Ct. 1999).

The contents of a petition are the same as a written allegation except for the additional requirements in paragraphs (C)(12) and (13).

Pursuant to paragraph (14), the petitioner is to designate whether the allegations in the juvenile petition make the case eligible for limited public information. See 42 Pa.C.S. § 6307(b)(2). When the case is designated, the clerk of courts is to mark the file clearly. For information that is available to the public in those eligible cases, see Rule 160.

CHAPTER 5. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 515. Dispositional Order.

A. *Generally.* When the court enters a disposition, the court shall issue a written order, which provides balanced attention to the protection of the community, accountability for the offenses committed, and development of the juvenile's competencies to enable the juvenile to become a responsible and productive member of the community. The order shall include:

- 1) the terms and conditions of the disposition;
- 2) the name of any agency or institution that is to provide care, treatment, supervision, or rehabilitation of the juvenile;

3) **a designation whether the case is eligible pursuant to 42 Pa.C.S. § 6307(b)(1)(i) for limited public information;**

4) the date of the order; and

[4] 5) the signature and printed name of the judge entering the order.

B. *Restitution.* If restitution is ordered in a case, the dispositional order shall include:

1) a specific amount of restitution to be paid by the juvenile;

2) to whom the restitution is to be paid; and

3) a payment schedule, if so determined by the court.

C. *Guardian participation.* The court shall include any obligation in its dispositional order imposed upon the guardian.

Comment

Pursuant to paragraph (A)(3), the court is to determine if the case is eligible for limited public information under the requirements of 42 Pa.C.S. § 6307(b)(1)(i). See 42 Pa.C.S. § 6307 (b)(2). When the case is designated, the clerk of courts is to clearly mark the file. For information that is available to the public in those eligible cases, see Rule 160.

See 23 Pa.C.S. § 5503 and 42 Pa.C.S. § 6310.

Dispositional orders should comport in substantial form and content to the Juvenile Court Judges' Commission model orders to receive funding under the federal Adoption and Safe Families Act (ASFA) of 1997 (P. L. 105-89). The model forms are also in compliance with Title IV-B and Title IV-E of the Social Security Act. For model orders, see <http://www.jcjc.state.pa.us> or <http://www.dpw.state.pa.us> or request a copy on diskette directly from the Juvenile Court Judges' Commission, Room 401, Finance Building, Harrisburg, PA 17120.

Explanatory Report

Rule 160—Inspection of Juvenile File/Records

The Committee is proposing that paragraph (b) be added to this rule. Act 81 of 2006 amended 42 Pa.C.S. § 6307, allowing limited public access to specific information for specified juvenile cases. See the Act of July 7, 2006 (P. L. 378, No. 81, § 3). This amended rule sets forth the procedure on how the court is to create a public document with the specific information if a case is deemed eligible pursuant to Rules 330 and 515. See 42 Pa.C.S. § 6307(b)(2).

Because the juvenile's file contains sensitive and confidential information, the committee believes it is easier to create a new document with limited information rather than redacting the juvenile file. The public document is to contain only the following information: 1) the juvenile's name; 2) the juvenile's age; 3) the juvenile's address; 4) the offenses alleged in the juvenile's petition; 5) the adjudication on each allegation; and the disposition of the case.

Rule 330—Petition

To help the court determine if a case is eligible for public inspection pursuant to Rule 160, the contents of the petition is to include an averment as to whether the case is eligible pursuant to 42 Pa.C.S. § 6307(b)(1)(ii) for limited public information. See 42 Pa.C.S. § 6307(b)(1)(ii) for the enumerated offenses that are eligible.

Rule 515—Dispositional Order

To implement the new proposed procedures of Rule 160, the dispositional order is to include a designation as to whether the case is eligible for limited public information pursuant to 42 Pa.C.S. § 6307(b)(1)(i). See 42 Pa.C.S. 6307(b)(1)(i) for the enumerated offenses that are eligible.

[Pa.B. Doc. No. 07-157. Filed for public inspection February 2, 2007, 9:00 a.m.]

Title 25—LOCAL COURT RULES

CRAWFORD COUNTY

Amendment of Civil Rules of Court, Prothonotary, Miscellaneous; No. A.D. 1992-5

Order

And Now, this 15th day of January, 2007 it is ordered as follows:

1. Existing local Civil Rule 1915.4-1(12) providing for the withdrawal of a request for a de novo custody hearing is deleted.

2. The following rule is hereby adopted as Crawford County Local Civil Rule 1915.4-1(12):

When a party files a timely demand for a de novo hearing and later on desires to withdraw that request

said party must obtain a court order to that effect by filing a motion and proceeding in accordance with the motions procedure set forth in Cra.R.C.P. 208.3(a).

3. The following rule is hereby adopted as Crawford County Local Civil Rule 1910.13-1:

A bench warrant hearing may be held in Common Pleas court by the judge who issued the bench warrant or any other Common Pleas judge.

4. The Court Administrator of Crawford County shall:

a. File seven (7) certified copies of this order with the Administrative Office of the Pennsylvania Courts.

b. File two (2) certified copies of this order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* together with a diskette reflecting the text in the hardcopy version.

c. File one (1) certified copy of this order with the Pennsylvania Civil Procedural Rules Committee.

d. Keep continuously available for public inspection copies of this order.

5. This order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

GORDON R. MILLER,
President Judge

[Pa.B. Doc. No. 07-158. Filed for public inspection February 2, 2007, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Seed Testing and Seed Certification Fees

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 7109 (relating to fees) hereby establishes the following adjustment of fees for seed testing and seed certification services:

Seed Kind	Seed Testing Fees			New Fees		
	<i>Old Fees</i>	<i>Old Fees</i>	<i>Old Fees</i>	<i>Old Fees</i>	<i>Old Fees</i>	<i>Old Fees</i>
	<i>Purity</i>	<i>Germ</i>	<i>Both</i>	<i>Purity</i>	<i>Germ</i>	<i>BOTH</i>
Alfalfa, Clovers	\$7.00	\$5.50	\$12.00	\$9.00	\$7.00	\$15.00
Birdsfoot trefoil, Crownvetch	\$8.00	\$6.50	\$14.00	\$10.00	\$8.00	\$17.00
Corn, Peas	\$5.00	\$6.50	\$11.00	\$6.00	\$8.00	\$13.00
Beans	\$6.00	\$6.50	\$12.00	\$8.00	\$8.00	\$15.00
Beans, Lima	\$6.00	\$7.50	\$13.00	\$8.00	\$9.00	\$16.00
Vetch	\$8.00	\$6.50	\$14.00	\$8.00	\$8.00	\$15.00
Soybeans, Flatpea	\$6.00	\$7.50	\$13.00	\$8.00	\$9.00	\$16.00
Small grains (oats without fluorescence)	\$7.00	\$5.50	\$12.00	\$9.00	\$7.00	\$15.00
Oats (including fluorescence test)	\$8.00	\$5.50	\$13.00	\$10.00	\$7.00	\$16.00
Kentucky bluegrass	\$15.00	\$8.00	\$22.50	\$19.00	\$10.00	\$28.00
Bentgrass, Redtop	\$14.00	\$8.00	\$21.50	\$19.00	\$10.00	\$28.00
Orchardgrass	\$12.00	\$7.00	\$18.50	\$15.00	\$9.00	\$23.00
Fescues	\$10.00	\$7.50	\$17.00	\$13.00	\$9.00	\$21.00
Bromes, Deertoungegrass	\$10.00	\$7.50	\$17.00	\$15.00	\$9.00	\$23.00
Reed canarygrass	\$9.00	\$6.50	\$15.00	\$11.00	\$8.00	\$18.00
Ryegrass	\$9.00	\$6.00	\$14.50	\$11.00	\$8.00	\$18.00
Ryegrass (with fluorescence)	\$9.00	\$10.50	\$19.00	\$11.00	\$13.00	\$23.00
Timothy	\$7.00	\$5.50	\$12.00	\$9.00	\$7.00	\$15.00
Milletts	\$8.50	\$6.50	\$14.50	\$11.00	\$8.00	\$18.00
Sorghums, Sudangrass	\$8.00	\$6.50	\$14.00	\$10.00	\$8.00	\$17.00
Bluestems	\$26.00	\$8.00	\$33.50	\$33.00	\$10.00	\$42.00
Tobacco	\$8.00	\$6.50	\$14.00	\$10.00	\$8.00	\$17.00
Flowers	\$8.00	\$6.50	\$14.00	\$10.00	\$8.00	\$17.00
Flower mixes—Germination only					\$8.00/ component	
Vegetables (except beans, peas and corn)	\$8.00	\$5.50	\$13.00	\$10.00	\$7.00	\$16.00
Trees, Forbs and Shrubs	\$8.00	\$9.00	\$16.50	\$10.00	\$11.00	\$20.00
Pit removal = hourly rate						
with embryo excision	\$8.00	\$20.00	\$27.00		Hourly rate	\$30/hr
pit removal	\$8.00	\$22.00	\$29.00		Hourly rate	\$30/hr
Mixtures:						
Lawn and Turf:						
Two components	\$22.00	\$16.00	\$36.00	\$28.00	\$30.00	\$52.00
Three components	\$30.00	\$24.00	\$41.00	\$38.00	\$40.00	\$67.00
Four components	\$38.00	\$32.00	\$56.00	\$48.00	\$50.00	\$82.00
each additional component			\$8.00	\$10.00	\$10.00	\$15.00

NOTICES

	<i>Old Fees</i>			<i>New Fees</i>		
	<i>Purity</i>	<i>Germ</i>	<i>Both</i>	<i>Purity</i>	<i>Germ</i>	<i>BOTH</i>
Pasture, Hay, Conservation:						
Two components	\$12.00	\$14.00	\$25.00	\$15.00	\$18.00	\$31.00
Three components	\$20.00	\$21.00	\$36.00	\$25.00	\$28.00	\$46.00
Four components	\$28.00	\$28.00	\$47.00	\$35.00	\$38.00	\$61.00
each additional component	\$8.00	\$7.00	\$11.00	\$10.00	\$10.00	\$15.00
Miscellaneous Charges:						
Interstate noxious						
Lawn and Turf with purity			\$6.00		\$20.00	
Lawn and Turf without purity			\$20.00		\$40.00	
All others with purity			\$5.00		\$20.00	
Pennsylvania noxious exam						
Lawn and Turf and mixtures			\$15.00		\$25.00	
All others			\$4.00		\$20.00	
Cold test			\$10.00		\$20.00	
Canada Standards			\$10.00		\$20.00	
Identification			\$5.00		\$5.00	
Embryo Excision			\$15.00/hr		\$30.00	
Rush			\$10.00		\$10.00	
Extra Lab report			\$2.00		\$2.00	
Tests not listed, special procedures— 1 hr Min.			\$20.00/hr			\$30.00/hr
TZ—1 hr Min.			\$12.50/hr			\$30.00/hr
Tests Needed To Be Listed						
Sand/Soil test						\$20.00
Trait Testing (GMO)						\$25.00
Seed Treatment						\$20.00
Kinds needed to be listed				Purity	Germ	Both
Alkaligrass				\$20.00	\$10.00	\$28.00
Switchgrass				\$12.00	\$9.00	\$20.00
Sedges				\$20.00	\$10.00	\$28.00
Lovegrass				\$12.00	\$9.00	\$20.00
Gamagrass				\$20.00	\$10.00	\$28.00
Indiangrass				\$20.00	\$10.00	\$28.00
Native warm season mixes/ Conservation mixes						
Those mixes that are composed primarily of warm season native species not normally used for forage or pasture.		2 components		\$30.00	\$30.00	\$59.00
		3 components		\$45.00	\$45.00	\$84.00
		Ea. additional		\$15.00	\$15.00	\$25.00

Certification Fees

	<i>Old Fees</i>		<i>New Fees</i>	
Application Fee	\$25.00		\$30.00	
Field Inspection Fees				
Potatoes	\$10.00	per A	\$10.00	per A
Prenuclear Potatoes	\$ 0.15	per ft. ²		
Tobacco	\$50.00	min.	\$75.00	min.
Small Grains	\$3.00	per A	\$3.00	per A
Soybeans	\$3.00	per A	\$3.00	per A
Hybrid Field Corn	\$7.00	per A	\$9.00	per A
Grasses, Legumes	\$3.00	per A	\$3.00	per A
Turfgrass Sod	\$4.00	per A (preplant)	\$5.00	per A (preplant)
	\$7.00	per A (harvest)	\$7.00	per A (harvest)
Trees		Total actual cost		Total actual cost
Tag Fees				
Certified Seed	\$0.10	per ea.	\$0.12	per ea.
I/A Certified Seed	\$0.15	per ea.	\$0.15	per ea.
Certified Sod	\$0.20	per ea.	\$0.25	per ea.
Certified Potatoes	\$0.10	per ea.	\$0.12	per ea.
Misc. Fees				
Potato Shipping Insp.	\$30.00		\$35.00	
Grass, Legume Prod.	\$ 0.04	per lb.	\$ 0.05	per lb.
Cert. Mix Supervision	\$20.00	per 1,000 lb.	\$25.00	per 1000lb.
Sampling each component	\$25.00		\$25.00	

Further Information

Further information is available by contacting Joe D. Garvey, Seed Program Supervisor, Division of Agronomic and Regional Services, Bureau of Plant Industry, Department of Agriculture, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4894.

Effective Date

These seed testing and seed certification fees are effective 60 days from publication of this notice and shall remain effective until further notice. Notice of these fee changes will be provided to all licensed seed distributors and seed laboratory customers.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 07-159. Filed for public inspection February 2, 2007, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending January 23, 2007.

BANKING INSTITUTIONS

Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-22-07	TriState Capital Bank Pittsburgh Allegheny County	One Oxford Centre 301 Grant Street Pittsburgh Allegheny County	Commenced Operations
	TriState Capital Bank is a wholly-owned subsidiary of TriState Capital Holdings, Inc., Pittsburgh, PA, a bank holding company formed in conjunction with the new charter.		
1-23-07	Vantage Point Bank Fort Washington Montgomery County	Fort Washington	Approved
1-23-07	Prestige Community Bank Newtown Bucks County	Newtown	Filed
	<i>Correspondent:</i> David R. Payne, Esq. Stevens & Lee 620 Freedom Business Center King of Prussia, PA 19406		

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-17-07	Royal Asian Bank Philadelphia Philadelphia County	Philadelphia	Filed
	Purchase of assets/assumption of liabilities of one branch of Wilshire State Bank, Los Angeles, CA Located at: 136-52/62 39th Avenue Flushing Queens County, NY		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-16-07	Abington Savings Bank Jenkintown Montgomery County	407 South Broad Street Lansdale Montgomery County	Opened
1-18-07	Pennsylvania State Bank Camp Hill Cumberland County	114 North Second Street Harrisburg Dauphin County	Approved
1-18-07	CommunityBanks Millersburg Dauphin County	2100 Utz Terrace Hanover West Manheim Township York County (Limited Service Facility)	Approved
1-18-07	CommunityBanks Millersburg Dauphin County	700 Norland Avenue Chambersburg Franklin County	Approved
1-18-07	CommunityBanks Millersburg Dauphin County	Grayson View 150 Kempton Avenue Harrisburg Swatara Township Dauphin County (Limited Service Facility)	Filed
1-22-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Coopers Plaza 79 Route 73 Voorhees Camden County, NJ	Opened

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-11-07	Atlantic Central Bankers Bank Camp Hill Cumberland County	<i>To:</i> 550 Broad Street Newark Essex County, NJ <i>From:</i> One Gateway Center Newark Essex County, NJ	Effective
1-12-07	Keystone Nazareth Bank & Trust Co. Bethlehem Northampton County	<i>Into:</i> 5700 Hamilton Boulevard Wescosville Lower Macungie Township Lehigh County <i>From:</i> 6900 Hamilton Boulevard Trexlerstown Lower Macungie Township Lehigh County	Effective
1-12-07	Keystone Nazareth Bank & Trust Co. Bethlehem Northampton County	<i>Into:</i> Route 209 Brodheads ville Chestnuthill Township Monroe County <i>From:</i> Route 209 and Weir Lake Road Brodheads ville Chestnuthill Township Monroe County	Effective
1-16-07	Coatesville Savings Bank Coatesville Chester County	<i>To:</i> 1099 Georgetown Road Christiana Lancaster County <i>From:</i> 1082 Georgetown Road Paradise Lancaster County	Effective
1-18-07	CommunityBanks Millersburg Dauphin County	<i>To:</i> Intersection of Derry Street and Nyes Road Harrisburg Swatara Township Dauphin County <i>From:</i> 6700 Derry Street Harrisburg Swatara Township Dauphin County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-17-07	S & T Bank Indiana Indiana County	Treasure Lake Coral Reef Road and Crooked Island Road DuBois Clearfield County	Filed
1-23-07	Standard Bank, PaSB Murrysville Westmoreland County	730 Penn Avenue Wilkinsburg Allegheny County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-22-07	Schuylkill County School Employees Credit Union, Pottsville, and Argo Federal Credit Union, Schuylkill Haven Surviving Institution— Schuylkill County School Employees Credit Union, Pottsville	Pottsville	Filed

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-19-07	TruMark Financial Credit Union Trevose Bucks County	Bond Shopping Center 1891 South State Road Upper Darby Delaware County	Filed

The Department's website at www.banking.state.pa.us includes public notices for more recently filed applications.

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-160. Filed for public inspection February 2, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal waste; discharge into groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for a public hearing on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0061841	Pennsylvania American Water Company Brownell WPP 100 Pennsylvania Avenue Wilkes-Barre, PA 18701	Carbondale Township Lackawanna County	Racket Brook 5A CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0222208	Bowers, Chase, Chrzanowski, SFTF 3949 Knoyle Road Erie, PA 16510-4926	Greene Township Erie County	UNT to Four Mile Creek 15-FM	Y
PA0102369	Rainbow Valley Mobile Home Park STP 900 Lord Road Fairview, PA 16415	Waterford Township Erie County	UNT to LeBoeuf Creek 16-A	Y
PA0238465	Johnsonburg Municipal Authority—Silver Creek Water Treatment Plant 520 A Market Street Johnsonburg, PA 15845	Johnsonburg Borough Elk County	Silver Creek 17-A	Y

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

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

PA0055697, Sewage, **TAD Facilities Limited**, 628 Telegraph Road, Coatesville, PA 19320. This existing facility is located in West Caln Township, **Chester County**.

Description of Proposed Activity: This is an amendment to an NPDES permit for the existing discharge of treated sewage from the Spring Run Estates sewage treatment plant. The amendment affects the ammonia parameter by providing interim monitoring and reporting requirements and seasonal effluent limits to become effective May 1, 2008.

The receiving stream, West Branch Brandywine Creek, is in the State Water Plan Watershed 3H and is classified for TSF, aquatic life, water supply and recreation.

The Christina River Basin TMDL for nutrients and dissolved oxygen for low-flow conditions, issued by the EPA in January 2001 and revised in October 2002 includes the discharge from this treatment plant. The parameters CBOD₅, ammonia, dissolved oxygen, phosphorus and total nitrogen are addressed in the TMDL.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.049 mgd from the treatment plant.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD ₅	10.2		25		50
Total Suspended Solids	12.2		30		60
Ammonia as N (issuance through 4-30-08)	Monitor and Report		Monitor and Report		
(5-1-08 through expiration)					
(5-1 to 10-31)	0.62		1.5		
(11-1 to 4-30)	1.86		4.5		
Phosphorus as P	0.82		2.0		4.0
Fecal Coliform			200/100 ml		Monitor and Report
Total Nitrogen			Monitor and Report		
Dissolved Oxygen			5.0 (min.)		
pH (Standard Units)			6.0 (min.)		9.0

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

1. Notification of Designation of Operator.
2. Abandon STP When Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. I-max Requirements.
7. Sludge Disposal Requirement.
8. 2/Month Monitoring Requirements.
9. Environmental Lab Accreditation.
10. Change of Ownership.
11. Certified Operator.

PA0029441, Sewage, SIC 4952, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This existing facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Activity: Issuance of a NPDES renewal permit for discharge of treated sewage effluent and stormwater to a UNT to Sandy Run. Permitted flow is increased from 1.0 mgd average annual flow to 1.1 mgd. The basis for the limits include consideration of the Wissahickon Total Maximum Daily Load (TMDL) dated October 2003 for the parameters CBOD₅, NH₃-N, orthophosphate as P, total phosphorus, dissolved oxygen and (nitrite + nitrate) as nitrogen.

The copper limits are based on a site-specific criterion for copper, which was developed by means of the water effect ratio (WER) process in accordance with EPA's WER guidance. The final recommended WER for total recoverable copper is 2.47.

The receiving stream, a UNT to Sandy Run, is in the State Water Plan Watershed 3F and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River and is approximately 13.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.1 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	13	19		26
(11-1 to 4-30)	25	37		
Total Suspended Solids	30	45		50
NH ₃ -N				
(5-1 to 10-31)	2.2			60
(11-1 to 4-30)	6.6			4.4
(NO ₂ + NO ₃)-N	Monitor			13.2
pH (Standard Units)	6.0, I-min.			Monitor
Fecal Coliform (# col/100 ml)	200			9.0
Total Residual Chlorine	0.09			
Dissolved Oxygen:				0.3
(Issuance through Year 3)	5.0, I-min.			
(Year 4 through Expiration)	7.0, I-min.			
Orthophosphate as P:				
(Issuance through Year 3)	Monitor			
(Year 4 through Expiration)				
(4-1 to 7-31)	1.4			Monitor
Total Phosphorus as P:				
(Issuance through Year 3)	Monitor			2.8
(Year 4 through Expiration)	2.0			Monitor
Copper, Total				
(Issuance through Year 3)	Monitor		Monitor	4.0
(Year 4 through Expiration)	0.056		0.087	

The proposed effluent limits for Stormwater Outfall 002 are based on a design flow of an average storm event.

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	Monitor		Monitor	
COD	Monitor		Monitor	
Oil and Grease	Monitor		Monitor	
pH	Monitor		Monitor	
Total Suspended Solids	Monitor		Monitor	
Total Kjeldahl Nitrogen	Monitor		Monitor	
Total Phosphorus	Monitor		Monitor	

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Iron, Dissolved	Monitor		Monitor	
Fecal Coliform (# col/100 ml)	Monitor		Monitor	

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

1. Notification of Designation of Responsible Operator.
2. Definition of Average Weekly.
3. Remedial Measures if Public Nuisance.
4. No Stormwater to Sanitary Sewers.
5. Necessary Easements.
6. Small Stream Discharge.
7. Change in Ownership.
8. Specification of Test Method.
9. Proper Sludge Handling.
10. Chlorine Minimization.
11. TMDL Data Submission.
12. Whole Effluent Toxicity Testing with Renewal.
13. Instantaneous Maximum Limitations.
14. Stormwater Requirements.
15. SSO Language.

The EPA Waiver is not in effect.

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

PA0046388, Sewage, **Butler Township**, 415 West Butler Drive, Drums, PA 18222. This proposed facility is located in Butler Township, **Luzerne County**.

Description of Proposed Activity: Increase discharge of treated sewage from 0.6 mgd to 2.2 mgd.

The receiving stream, Nescopeck Creek, is in the State Water Plan Watershed No. 5D and is classified for TSF. The nearest downstream public water supply intake for Danville Water Supply is located on Susquehanna River is approximately 30 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.6 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N (5-1 to 10-31)	12.0		24.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	1.0		2.0
Kjeldahl-N	Report		
Nitrate-N/Nitrite-N	Report		
Total Nitrogen	Report		
Total Phosphorus	Report		
Total Net Nitrogen	Report annual mass load.		
Total Net Phosphorus	Report annual mass load.		

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N (5-1 to 10-31) (11-1 to 4-30)	4.7 14.0		9.3 28.0

NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.28		0.65
Kjeldahl-N	Report		
Nitrate-N/Nitrite-N	Report		
Total Nitrogen	Report		
Total Phosphorus	Report		
Total Net Nitrogen	Annual mass load of 40,182 lbs./yr. limit after completion of plant upgrades.*		
Total Net Phosphorus	Annual mass load of 5,351 lbs./yr. limit after completion of plant upgrades.*		

*Annual mass load limit required at month 37 or date completion of plant upgrades, whichever occurs first.

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

1. Initial Whole Effluent Toxicity Testing Monitoring.

PA0013650, Industrial, **General Dynamics Ordnance and Tactical Systems Scranton Operation**, 156 Cedar Avenue, Scranton, PA 18505. This facility is located in Scranton City, **Lackawanna County**.

Description of Activity: Renewal of an NPDES Permit with additional parameters to be monitored.

The receiving stream, Roaring Brook, is in the State Water Plan Watershed No. 05A and is classified for CWF. The nearest downstream public water supply intake for The Danville Borough Water Authority is located on the Susquehanna River.

The proposed effluent limits for Outfall 001 (stormwater and emergency discharge of noncontact cooling water) based on a flow of 0.01 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>
pH	6.0 to 9.0 Standard Units at all times				
Total Suspended Solids			30		60
Oil and Grease			15		30
CBOD ₅				Report	
Chemical Oxygen Demand				Report	
Lead (Total)				Report	
Chromium (Total)				Report	
Copper (Total)				Report	
Cadmium (Total)				Report	
Arsenic (Total)				Report	
Iron (Total)				Report	

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

1. Requirements applicable to stormwater outfalls along with identified best management practices.

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

Application No. PA 0248355, Concentrated Animal Feeding Operation (CAFO), **David and Cathy Reifsneider**, 2596 New Bridgeville Road, Felton, PA 17322.

David and Cathy Reifsneider have submitted an application for an individual NPDES permit for an existing CAFO known as Gobblers Knob Turkey Farm, located in Chanceford Township, **York County**. The farm is situated near a UNT of Beaver Creek, which is classified for CWF. The CAFO is designed to maintain an animal population of approximately 416 animal equivalent units (AEUs) consisting of 24,750 tom turkeys.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of the Environmental Protection Agency. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0248592, Concentrated Animal Feeding Operation (CAFO), **Shank's Hen Houses**, 4640 Lighthouse Road, Chambersburg, PA 17201.

Shank's Hen Houses (Roy Shank) has submitted an application for an individual NPDES permit for an existing CAFO known as Shank's Hen House Farm, located in Tyrone Township, **Adams County**. The farm is situated near UNTs of Conococheague Creek, which are classified for WWF. The CAFO is designed to maintain an animal population of approximately 851 AEUs consisting of 258,000 laying hens.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of Environmental Protection. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0248478, Concentrated Animal Feeding Operation (CAFO), **Stephen Burkholder, Greater Vision Farms**, 144 Five Points Road, Mertztown, PA 19539.

Stephen Burkholder has submitted an application for an individual NPDES permit for an existing CAFO known as Greater Visions Farm, located in Richmond Township, **Berks County**. The farm is situated near a UNT of Willow Creek, which is classified for CWF. The CAFO is designed to maintain an animal population of approximately 676 AEUs consisting of 3,047 finishing pigs, 1,640 nursery pigs and 450 sows.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of Environmental Protection. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0248371, Concentrated Animal Feeding Operation (CAFO), **Lamar Lehman**, 161 Manbeck Road, Bernville, PA 19506.

Lamar Lehman has submitted an application for an NPDES permit for an existing CAFO known as Lehman Farms, which consists of two farm operations located in Jefferson and Upper Tulpehocken Townships, **Berks County**. The farm is situated near UNTs of Little Northkill Creek, which are classified for CWF. The CAFO is designed to maintain an animal population of approximately 657 AEUs consisting of 245,000 broilers, 56 dairy cows and 25 dairy calves.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of Environmental Protection. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0248304, Concentrated Animal Feeding Operation (CAFO), **Dale Frank**, 3167 Bossler Road, Elizabethtown, PA 17022.

Dale Frank has submitted an application for an individual NPDES permit for an existing CAFO known as the Dale Frank Farm, located in Conoy Township, **Lancaster County**. The farm is situated near Conoy Creek, which is classified for TSF. The CAFO is designed to maintain an animal population of approximately 763 AEUs consisting of 55,000 broilers, 200 steers and 3,500 finishing swine.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of Environmental Protection. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0259918, Concentrated Animal Feeding Operation (CAFO), **Meadow Vista Farms, LLC**, 166 Risser Road, Bainbridge, PA 17502.

Meadow Vista Farms, LLC has submitted an application for an individual NPDES permit for an existing CAFO known as Meadow Vista Farms, located in Conoy Township, **Lancaster County**. The farm is situated near a UNT of the Susquehanna River, which is classified for WWF. The CAFO is designed to maintain an animal population of approximately 996 AEUs consisting of 545 mature dairy cows and 435 heifers.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of Environmental Protection. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0248762, Concentrated Animal Feeding Operation (CAFO), **Christopher Wine**, 223 Old Mill Road, Newmanstown, PA 17073.

Christopher Wine has submitted an application to renew an NPDES permit for an existing CAFO known as Furnace Hill Farm (formerly Owl Creek Farm), located in Heidelberg Township, **Lebanon County**. The farm is situated near Middle Creek, which is classified for WWF. The CAFO is designed to maintain an animal population of approximately 382 AEU's consisting of 770 sows, 2,052 nursery pigs, 63 gilts and 7 boars.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of Environmental Protection. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0259896, Concentrated Animal Feeding Operation (CAFO), **Flintrock Corporation**, 16 East Brubaker Valley Road, Lititz, PA 17543.

Flintrock Corporation has submitted an application for an individual NPDES permit for an existing CAFO known as Flintrock Farms, located in Elizabeth Township, **Lancaster County**. The farm is situated near UNTs of Hammer Creek, which are classified for TSF. The CAFO is designed to maintain an animal population of approximately 510 AEU's consisting of 200,000 broilers and 30 horses.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to reissue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department of Environmental Protection. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

PA0204862-A1, Industrial Waste, SIC, 3211, **Guardian Industries Corporation**, 1000 Glasshouse Drive, Jefferson Hills, PA 15025. This application is for amendment of an NPDES permit to discharge untreated stormwater from the Floreffe Plant in Jefferson Hills Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Pennsylvania American Water Company, located at 410 Cook Lane, Pittsburgh, PA 15234, 20.5 miles below the discharge point.

Outfall 012: new discharge of stormwater.

<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>

The discharge from Outfall 012 shall consist of uncontaminated stormwater runoff.

Other Conditions: Standard stormwater conditions apply.

The EPA waiver is in effect.

PA0031313, Sewage, **Intermediate Unit 1**, One Intermediate Unit Drive, Coal Center, PA 15423-9642. This application is for renewal of an NPDES permit to discharge treated sewage from the Educational Campus at Colonial School Sewage Treatment Plant in Redstone Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Colvin Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water Company on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.0105 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25		50
Suspended Solids	30		60
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 mg/l		
pH	not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

PA0252921-A1, Sewage, **Dana Mining Company of PA, Inc.**, P. O. Box 1170, Morgantown, WV 26507. This application is for amendment of an NPDES permit to discharge treated sewage from 4-West Deep Mine Portal STP in Dunkard Township, **Greene County**.

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

Outfall 001: existing discharge, proposed new design flow of 0.00525 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</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)	2,000/100 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.

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

PA0239968, Sewage, **Robert Miller**, 420 Franklin Street, Kennerdell, PA 16374. This proposed facility is located in Clinton Township, **Venango County**.

Description of Proposed Activity: a new discharge of treated sewage from a small flow treatment facility.

The receiving water is the UNT to Scrubgrass Creek. The receiving stream is in State Water Plan 16-G and is classified for the following uses: CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Emlenton Water Company intake on the Allegheny River located at Emlenton and is approximately 20 miles below the point of discharge.

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

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

XX—Monitor and report.

The EPA waiver is in effect.

PA0239950, Sewage, **Michael Guidotti**, 213 Heim Avenue, Butler, PA 16335. This proposed facility is located in Summit Township, **Butler County**.

Description of Proposed Activity: a new discharge of treated sewage from a small flow treatment facility.

The receiving water is the UNT to Bonnie Brook. The receiving stream is in State Water Plan 20-C and is classified for the following uses: WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Beaver Falls Municipal Authority—Eastvale Plant intake on the Beaver River is located at Eastvale and is approximately 35 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX		
CBOD ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform	200/100 ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

XX—Monitor and report.

The EPA waiver is in effect.

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

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

WQM Permit No. WQ02210701, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013. This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking authorization for the construction/operation of the Brubaker Pumping Station to serve the proposed Brubacker and Wentz Property subdivisions.

WQM Permit No. 2807401, Sewerage, **Washington Township Municipal Authority**, 11102 Buchanan Trail East, Waynesboro, PA 17268. This proposed facility is located in Washington Township, **Franklin County**.

Description of Proposed Action/Activity: Seeing authorization for the construction/operation of the Thornhill Pump Station.

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

WQM Permit No. 4106403, Sewerage SIC 4952, **Williamsport Sanitary Authority**, 253 West Fourth Street, Williamsport, PA 17701-6113. These proposed facilities will be located in the City of Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: The Authority seeks a permit to authorize the construction and operation of controls to capture solids and floatable materials at the Authority's four combined sewer overflow outfalls.

WQM Permit No. 1406411, Sewerage 4952, **Millheim Borough Council**, 225 East Main Street, P. O. Box 421, Millheim, PA 16854. This proposed facility will be located in Penn Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a new sewage plant. The sewage plant will be a membrane bioreactor providing nutrient removal.

WQM Permit No. WQM5906403, Sewerage 4952, **Elkland Borough Authority**, 105 Parkhurst Street, Elkland, PA 16920. This facility is located in Elkland Borough, **Tioga County**.

Description of Proposed Action/Activity: The applicant is proposing to upgrade the existing sewage treatment plant to address the Chesapeake Bay Strategy and to relocate their discharge so they can eliminate 9 miles of their existing discharge forcemain that has been problematic. The proposed plant upgrade will include Biological Nutrient Removal consisting of primary treatment, four new clarifiers, two filters and a chlorination contact tank. Sludge will be stored in an existing lagoon, while other existing lagoons will be converted for use as wet weather storage.

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

WQM Permit No. 2407401, Sewerage, **Johnsonburg Municipal Authority**, 520 A Market Street, Johnsonburg, PA 15845. This proposed facility is located in Johnsonburg Borough, **Elk County**.

Description of Proposed Action/Activity: This project is for the replacement of 3 pump stations and the rehabilitation of deteriorated sewers in the Borough of Johnsonburg.

WQM Permit No. 6106404, Sewerage, **Robert Miller**, 420 Franklin Street, Kennerdell, PA 16374. This proposed facility is located in Clinton Township, **Venango County**.

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

WQM Permit No. 1006408, Sewerage, **Michael Guidotti**, 213 Heim Avenue, Butler, PA 16001. This proposed facility is located in Summit Township, **Butler County**.

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

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)**V. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)****VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011507003	Classic Building Concepts 1830 Aarons Way Pottstown, PA 19465	Chester	East Nantmeal Township	Marsh Creek HQ-TSF-MF

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

Lackawanna County Conservation District: 1300 Old Plank Rd., Mayfield, PA 18433, (570) 281-9495.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023507003	McLane Company 4747 McLane Parkway Temple, TX 76504	Lackawanna	Jessup Borough	Grassy Island Creek HQ-CWF Sterry Creek CWF

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030606014	Forino Company, LP 555 Mountain Home Road Sinking Spring, PA 19608	Berks	Ontelaunee Township	Willow Creek HQ-WWF

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

Washington County Conservation District, 602 Courthouse Square, Washington, PA 15301, (724) 228-6774.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI056307001	Franklin Lakeview Estates, LLC	Washington	North And South Franklin Townships	Reservoirs 3 & 4 HQ-WWF and Chartiers Creek WWF

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI063307001	Department of Transportation 2550 Oakland Avenue Indiana, PA 15701-0429	Jefferson	Warsaw and Snyder Townships	Mill Creek CWF Beaver Meadow Run EV

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

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a

brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Schramm and Schramm Estate, East Bradford Township, **Chester County**. David Farrington, Brickhouse Env., 515 S. Franklin St., West Chester, PA 19382 on behalf of Austin Lee, the estate of Cecilia C. and Leslie B. Schramm, 600 Willow Valley Square, G107, Lancaster, PA 17602 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with unleaded gasoline. The property is intended to be sold and the future use will likely be residential. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on December 8, 2006.

Colonial Pipeline Brandywine Station, Bethel Township, **Delaware County**. Kathy Fox, Brownfield Assoc., Inc., 500 Coatesville Rd., West Grove, PA 19390 on behalf of John Fago, Colonial Pipeline Co., 696 Mantua Grove Rd., West Deptford, NJ 087066 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with gasoline, No. 2 fuel oil and kerosene. The future use of the property is an active pumping station operated by Colonial Pipeline.

Amtrak Lamokin Street Substation, Chester City, **Delaware County**. Kathy McGuire, AMEC Earth & Env., Inc., One Plymouth Meeting, Suite, 850, Plymouth Meeting, PA 19462 on behalf of Frank Sobota, National Railroad Passenger Corp., 5th Floor, S. Tower, 30th and Market, St., Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of PCB's. The property is to be retained as an electrical substation for railroad transportation use.

Buckeye Partners LP Boothwyn Pipeline, Bethel Township, **Delaware County**. Jeff Bredereck, GES, Inc. 440 Creamery Way, Exton, PA 19341 on behalf of Danielle Trittenbach, Buckeye Partners, LP, 5002 Buckeye Rd., Emmaus, PA 18049 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of gasoline, diesel fuel, petroleum and home heating oil. There are no plans to use the site as anything other than a petroleum pipeline right-of-way in the foreseeable future.

Clemens Cleaners at Hillcrest Shopping Ctr., Lansdale Borough, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite, 500 Bala Cynwyd, PA 19001 on behalf of Richard Harris, S & R Hillcrest Owners, LP, 950 Troxel Rd., Lansdale, PA 19446 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with PCE. The future use of the site will remain the same.

Mench Res., Concord Township, **Delaware County**. Robert Mench, 1120 Clayton-Greenspring Rd., Smyria, DE 19977 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with lead, BTEX and PHCs. The future use is planned widening of US Route 202 from 4 to 6 lanes.

Imani Supermarket, City of Philadelphia, **Philadelphia County**. William R. Lyman, KCI Technologies, Inc., 10 N. Park Dr., Hunt Valley, MD 21030 on behalf of Paula Peebles, Renaissance Community Development Corp., 1438 North Warnock St., Lower Level, Philadelphia, PA 19122 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of No. 2 fuel oil. The future use of the site is proposed for redeveloped with a supermarket building.

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

Former Marietta Air Force Station, Fire Training Pit, East Donegal Township, **Lancaster County**. United States Army Corps of Engineers, 10 South Howard Street, Baltimore, MD 21203, on behalf of United States General Services Administration, Project Management Division, The Strawbridge Building, 20 North 8th Street, 9th Floor, Philadelphia, PA 19107-3191, submitted a Notice of Intent to Remediate site soils contaminated with metals, SVOCs and VOCs. The site will be remediated to Statewide Health and Site-Specific Standards. Current and future use will be for industrial purposes. This notice corrects a previously published *Pennsylvania Bulletin* notice.

William G. Rice Residence, Manor Township, **Lancaster County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of the following residents in Conestoga, PA 17516: William G. and Shirley Rice, 153 Pittsburg Road; John Schopf, 149 Pittsburg Valley Road; Daniel and Sandra Brown, 138 Pittsburg Valley Road; Gary and Sheryl Ann Brinkman, 133 Pittsburg Valley Road; John McDonald, 128 Pittsburg Valley Road; Brian Hornberger, 127 Pittsburg Valley

Road; William Burgess, 108 Pittsburg Valley Road; Richard and Annette Dailey, 75 Pittsburg Valley Road; Wesley Bleacher, 70 Pittsburg Valley Road; Anne Miller, 35 Pittsburg Valley Road and State Farm Mutual Insurance Company, P. O. Box 13, Concordville, PA 19331, submitted a Notice of Intent to Remediate site surface water and sediment contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the residential Statewide Health Standard. The properties are and will remain residential.

Lancaster General Hospital, Lancaster City, **Lancaster County**. Center Point Tank Services, Inc., 536 East Benjamin Franklin Highway, Douglassville, PA 19518, on behalf of Lancaster General Hospital, 555 North Duke Street, Lancaster, PA 17604, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 6 heating oil from a removed underground storage tank. The property is and will remain a hospital. The applicant is seeking to remediate to both the Statewide Health and Site-Specific Standards.

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

County Squire Court Mobile Home Park, Woodward Township, **Lycoming County**, Pete Rummings, 21 Harbour Close, New Haven, CT 06519 has submitted a Notice of Intent to Remediate soil contaminated with fuel oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. The property will remain a mobile home park.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. 101590. Beach Lake Transfer Station, Waste Management of Pennsylvania, Inc., Box 40, Beach Lake, PA 18405. A Major Permit Modification for an increase in the maximum daily volume from 400 to 700 tons per day for this municipal waste transfer facility located in Berlin Township, **Wayne County**. The application was received in the Regional Office on October 6, 2006; and as of January 11, 2007, it was found to be administratively complete.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

54-399-041: Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) for modification of the aluminum pigment manufacturing process at their Hometown Plant in Rush Township, **Schuylkill County**.

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

67-05079A: York Building Products Co., Inc. (950 Smile Way, York, PA 17404-1798) for replacement of the existing fabric filter baghouse at their existing asphalt plant in Jackson Township, **York County**. The facility is subject to Standards of Performance for New Stationary Sources; 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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

63-00027B: Jessop Steel, LLC (100 River Road, Brackenridge, PA 15014) for installation of charge fire and annealing furnaces at their Washington facility in Washington Township, **Washington County**.

26-00451D: CONSOL Docks, Inc. (1800 Washington Road, Pittsburgh, PA 15241) for installation of clean coal stockpiling system at the Alicia dock facility in Luzerne Township, **Fayette County**.

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

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

48-303-057: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) for modification of a batch asphalt plant to increase the amount of recycled asphalt pavement in the mixture and to install a new air cleaning device (baghouse) at the ABE Materials Company, Easton Asphalt Plant, at 5137 Lower Mud Run Road, Lower Mount Bethel Township, **Northampton County**. Particulate emissions from the plant will be controlled by the installation of a new air-cleaning device. Expected particulate emission rate will be less than 0.02 grain/dscf. The company will operate the facility and maintain the equipment in accordance with the good engineering practices to assure proper operation of the system. The plan approval will be incorporated into the company's State-only Operating Permit No. 48-00061 when operational. The operating permit will contain recordkeeping and operating restrictions that are designed to keep the facility operating within all applicable air quality requirements.

PA 48-322-007: Chrin Brothers, Inc. (400 South Greenwood Avenue, Easton, PA 18045) for installation and operation of one 2,500-scfm capacity enclosed flare to provide redundant capacity for the combustion of landfill gas at the site in Williams Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue Plan Approval No. 48-322-007 to Chrin Brothers Incorporated, 400 South Greenwood Avenue, Easton, PA 18045 for their landfill in Williams Township, Northampton County. This plan approval will be incorporated into the Title V Operating Permit No. 48-00037 through an administrative amendment at a later date and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 48-322-007 is for the installation and operation of one 2,500-scfm capacity enclosed flare to provide redundant capacity for the combustion of landfill gas at the site. The proposed flare systems will provide sufficient combustion capacity and backup flare capacity to destroy all of the landfill gas generated over the life of the landfill.

The installation of the flares is intended to provide sufficient capacity for combustion of landfill gas from the existing sites of the landfill. This action does not represent any additional waste being introduced into the

landfill, or an expansion of the landfill, merely the installation of control devices. No additional gas is being generated since the gas generation is based on the size and volume of the landfill. The VOC emissions from the landfill will be controlled by enclosed landfill gas flares and will continue to be less than 50 tpy. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the following:

1. Name, address and telephone number of the person submitting the comments.
2. Identification of the proposed Permit No. 48-322-007.
3. A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when the Department determines telephone notification is sufficient. Written comments or requests for a public hearing should be directed to Mark J. Wejkszner, P. E., Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2511 within 30 days after publication date.

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

44-05001B: Standard Steel, LLC (500 North Walnut Street, Burnham, PA 17009) for construction of a continuous wheel heat treating line with two furnaces, at Burnham Borough, **Mifflin County**. The new line will replace the current wheel heat treat operation. The natural gas furnaces are of 39.1 and 14 mmBtu/hr capacity. The primary emissions from the sources are NOx with potential to emit 154 tpy and the estimated actual emissions of approximately 16.3 tpy. The plan approval will contain emissions restriction, monitoring and recordkeeping provisions. This plan approval will be incorporated into the facility's Title V Operating Permit No. 44-05001 by administrative amendment in accordance with 25 Pa. Code § 127.450 and the permit shall include additional work practice standards and restrictions, monitoring, recordkeeping and reporting designed to keep the facility operating within all air quality requirements.

67-03138A: DCP Midstream, LP (370 17th Street, Suite 2500, Denver, CO 80202) for construction of a new propane terminal in West Manchester Township, **York County**. Estimated potential facility-wide atmospheric VOC emissions are less than 18 tpy. This is a non-Title V (State-only) facility. Standard recordkeeping and operating restrictions will be included to keep the facility operating within all applicable air quality requirements.

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

42-158K: Temple-Inland Forest Products, Corp.—Temple-Inland Mt. Jewett Complex Operations (147 Temple Drive, Kane, PA 16735) for addition of a board breaker, a new source that had been previously included in Plan Approval 42-158D, but not included in the new PAL permit in Mt. Jewett Township, **McKean County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval for the Temple-Inland Mt. Jewett Complex Operations in Mt. Jewett Township, McKean County to add the board breaker, a new source that had been previously included in Plan Approval 42-158D, but not included in the new PAL permit. The facility currently has a Title V permit No. 42-00158, which was issued October 2, 2006. This plan approval 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.

As a general summary, the following requirements are applicable to the board breaker and the control device

1. Under 40 CFR 52.21(aa), the PAL is established for particulate emissions from all affected sources at the facility as 264.55 tpy calculated on a 12-month rolling sum.

2. This source is subject to the subgroup entitled General PAL Requirements found in the existing Title V Permit.

3. This source is subject to the CAM Requirements found in the existing Title V Permit.

Copies of the application, Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at 230 Chestnut Street, Meadville, PA 16335.

Any persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following:

1. Name, address and telephone number of the person submitting the comments.

2. Identification of the proposed permit No. 42-158K.

3. A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when the Department determines telephone notification is sufficient. Written comments or requests for a public hearing should be directed to Carolyn L. Cooper, P. E., New Source Review, 230 Chestnut Street Meadville, PA 16335, (814) 332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Carolyn L. Cooper, P. E., or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate your needs.

If a plan approval has not undergone the previous public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in 25 Pa. Code §§ 127.421—127.431 for State-only operating permits or 25 Pa. Code §§ 127.521—127.524 for Title V operating permits.

25-025K: General Electric Transportation Systems—Erie Plant (2901 East Lake Road, Room 9-201, Erie, PA 16531) for modification of a plan approval condition (PA 25-318-106) with regards to the VOC content of the varnish coating in Lawrence Park Township, **Erie County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval 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. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- The VOC emissions shall be limited to 6.67 pounds VOC per gallon of coating solids. This condition replaces the following condition: The pounds of VOC per gallon of coating (minus water) shall not exceed 2 from [PA 25-318-106].

- The source is subject to 25 Pa. Code § 129.52 Table 1.

- All other conditions listed in the Title V Operating Permit for this source are still applicable.

OPERATING PERMITS

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

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

15-00002: Quebecor World Atglen, Inc. (4581 Lower Valley Road, West Sadsbury Township, PA 19310) for renewal of the Title V operating permit. The initial permit was issued on November 7, 2001, in **Chester County**. The facility is a printing company that employs two printing processes—publication rotogravure and in a very limited circumstances, flexography—to provide printing to the publishing industry. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V operating renewal does not reflect any change in air emissions from the facility. The facility is not subject to the compliance assurance monitoring regulation under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

09-00160: Casual Furniture of America, Inc. (1605 Harmer Street, Bristol, PA 19007) for a non-Title V facility, State-only operating permit in Bristol Township, **Bucks County**. Casual Furniture of America, Inc., is a furniture manufacturing facility. The sources of emissions include 2 spray booths for fiberglass-reinforced coatings (spray booths). Based on the information provided by the applicant and the Department's own analysis, the spray booths may emit up to 2.7 tpy of VOCs and 2.7 tpy of hazardous air pollutants. The Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

64-00012: Wayne Memorial Hospital (601 Park Street, Honesdale, PA 18431) for operation of a facility State-only natural minor operating permit for the ETO sterilizer and catalytic incinerator operations in Honesdale Borough, **Wayne County**.

48-00002: Stroehman Bakeries (2400 Northampton Street, Easton, PA 18042) for operation of a facility State-only synthetic minor operating permit for the operation of bread and roll production in Palmer Township, **Northampton County**.

48-00056: Northampton Farm Bureau Cooperative Associates (300 Bushkill Street, P. O. Box 400, Tatamy, PA 18085) for operation of a facility State-only natural minor operating permit for the operation of a petroleum plant in Tatamy, **Northampton County**.

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

06-03042: Fairmont Foundry, Inc. (Front and Pine Streets, Hamburg, PA 19526) for operation of a gray iron foundry in Hamburg Borough, **Berks County**. This action is a renewal of the State-only operating permit issued in 2001.

36-03011: Wilbur Chocolate Co., Inc. (48 North Broad Street, Lititz, PA 17543) for operation of the sugar processing equipment at their headquarters in Lititz Borough, **Lancaster County**. This action is a renewal of the operating permit issued to the facility in 2002. The renewal operating permit contains all the sources and requirements in the original permit, as well as additional monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

36-03133: Spanglers Flour Mill, Inc. (19 North Market Street, Mount Joy, PA 17552) for operation of their flour mill in Mount Joy Borough, **Lancaster County**. This action is a renewal of the operating permit issued to the facility in 2002. The renewal operating permit contains all the sources and requirements in the original permit, as well as additional monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

36-03166: L & S Sweeteners, Inc. (388 East Main Street, Leola, PA 17540) for a liquid bulk tank truck transportation facility in West Earl Township, **Lancaster County**. The facility's emissions are expected to be 9.6 tpy of SO_x 7.8 tpy of NO_x and 25.3 tpy of CO. The State-only operating permit will include emission restrictions, work practice standards, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

38-03009: Regal Cast, Inc. (P. O. Box 1170, Lebanon, PA 17042-1170) for an operating permit to manufacture steel and nonferrous castings at their foundry at 307 N. Ninth Avenue, Lebanon, PA 17046 in the City of Lebanon, **Lebanon County**. Emissions are estimated to be less than 10 tpy of PM, PM₁₀, VOCs and HAPs (that is, aluminum, iron and chromium-oxides), respectively. The State-only operating permit will contain additional recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The AOD refining vessel and associated fabric filter are subject to the standards found in NSPS Subpart AA: "Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983."

67-03099: Bituminous Paving Materials of York, Inc. (1300 Zinns Quarry Road, York, PA 17404) for operation of a natural gas-fired asphalt plant in West Manchester Township, **York County**. This action is a renewal of the previous permit issued in 2002.

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

33-00168: Miller Welding and Machine Co.—Maplevale Plant (1000 Miller Drive, Brookville, PA 15825) for a natural minor permit reissuance to operate a metal fabrication and surface coating facility in Rose Township, **Jefferson County**.

24-00136: National Fuel Gas Supply Corp. (Forest Road 136, Warren, PA 16365) to issue a natural minor operating permit since the potential emissions from this natural gas compressor station are no longer above major source levels for Sackett Station in Highland Township, **Elk County**.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particu-

lar proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code

Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

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

Coal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 11841603 and NPDES Permit No. PA0235377. AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650). To renew the permit for the Portage plant in Portage Township, **Cambria County** and related NPDES permit. No additional discharges. Application received: December 7, 2006.

Permit No. 30841317 and NPDES Permit No. PA0213527. Consol Pennsylvania Coal Company, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** to install the 1 East material handling borehole. Surface Acres Proposed 3.1. No additional discharges. Application received: December 14, 2006.

Permit No. 30843704 and NPDES Permit No. NA. Duquesne Light Company, (P. O. Box 457, Greensboro, PA 15338). To renew the permit for the Warwick No. 2 coal refuse disposal area in Monongahela Township, **Greene County** for reclamation only. No additional discharges. Application received: November 1, 2006.

Permit No. 32061601 and NPDES Permit No. NA. Britt Energies, Inc., (2450 Philadelphia Street, Indiana, PA 15701-0515). To operate the Homer City Transfer Terminal in Center Township, **Indiana County** a new coal preparation facility and related NPDES permit. Surface acres proposed 27.8. Receiving stream: UNT to Cherry Run, classified for the following use: CWF. Application received: November 30, 2006.

Permit No. 56841606 and NPDES Permit No. PA0110507. Brothersvalley Coal Sales, Inc., (3070 Stoystown Road, Stoystown, PA 15563-8164). To renew the permit for the Scurfield Coal Preparation Plant in Brothersvalley Township, **Somerset County** and related NPDES permit. No additional discharges. Application received: November 7, 2006.

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

56070101 and NPDES No. PA0262277. Hoffman Mining, Inc., (P. O. Box 130, 118 Runway Road, Friedens, PA 15541). Commencement, operation and restoration of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 223.3 acres. The application includes a request for a variance to conduct mining activities within 100 feet of a UNT "A" to Shade Creek. The stream encroachment activities consist of a haul road crossing and construction of erosion and sedimentation facilities. The application also includes a request to conduct auger mining and overburden blasting activities. The application also includes a request to conduct surface mining activities within 100 feet of SR 1029. The State route variance request area begins at a point 1,720 feet east of the intersection with SR 1025 and continues along the east side of SR 1029 for a distance of

1,650 feet. Receiving streams: Shade Creek and UNT to Shade Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 5, 2007.

11070101 and NPDES No. PA0262285. R. J. Coal Company, (P. O. Box 277, LaJose, PA 15753). Commencement, operation and restoration of a bituminous surface mine in Elder Township, **Cambria County**, affecting 24.2 acres. Receiving streams: Chest Creek; Brubaker Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2007.

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

63020101 and NPDES Permit No. PA0250104. Neiswonger Construction, Inc., (17592 Route 322, Strattanville, PA 16528). Renewal application for reclamation only of an existing bituminous surface mine, located in Somerset Township, **Washington County**, affecting 261.6 acres. Receiving stream: UNT to Center Branch of Pigeon Creek, classified for the following use: WWF. The potable water supplies with intakes within 10 miles downstream from the point of discharge: Ellsworth Borough Water Department and Somerset Water Company. Renewal application received: January 10, 2007.

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

24920101 and NPDES Permit No. PA0211338. Tamburlin Bros. Coal Co., Inc. (P. O. Box 1419, Clearfield, PA 16830). Renewal of an existing bituminous surface strip, auger and use of co-product operation in

Fox Township, **Elk County** affecting 33.8. Receiving streams: UNT of Little Toby Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: January 12, 2007.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17070101 and NPDES No. PA0256471. Sky Haven Coal, Inc., (5510 State Park Road, Penfield, PA 15849). Commencement, operation and restoration of a bituminous surface-auger mine in Morris Township, **Clearfield County**, affecting 112.1 acres. Receiving streams: UNTs to Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 2, 2007.

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

54020101R and NPDES Permit No. PA0224219. Summit Anthracite, Inc., (196 Vista Road, Klingerstown, PA 17941). Renewal of an existing anthracite surface mine and coal ash disposal operation in Porter Township, **Schuylkill County** affecting 300.0 acres, receiving stream: East Branch Rausch Creek. Application received: January 17, 2007.

*Noncoal Applications Received
Effluent Limits*

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

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity ¹			
pH ¹		greater than 6.0; less than 9.0	

¹ The parameter is applicable at all times.

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

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

37960303. B & P Slag Corp. (19 Lattavo Drive, New Castle, PA 16105). Renewal of an NPDES Permit No. PA0227293, Union Township, **Lawrence County**. Receiving streams: Mahoning River, classified for the following use: WWF. There are no potable surface water supply intakes within 10 miles downstream. NPDES Renewal application received: January 12, 2007.

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

67960301C6 and NPDES Permit No. PA0223701. Codorus Stone & Supply Co., Inc., (135 Mundis Race Road, York, PA 17402). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Manchester Township, **York County**, receiving

stream: UNT to Codorus Creek, classified for the following use: WWF. Application received: January 10, 2007.

6575SM4C6 and NPDES Permit No. PA0611964. Haines & Kibblehouse, Inc., (P. O. Box 196, Skippack, PA 19474). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Eldred and Ross Townships, **Monroe County**, receiving streams: Buckwha Creek and Aquashicola Creek, classified for the following use: CWF. Application received: January 17, 2007.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of

the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

E15-762. Whiteland Village LLC, 740 Springdale Drive, Exton, PA 19341, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To perform a sanitary sewer extension, associated with the Whiteland Village Project. Work will consist of nine utility line crossings; eight will cross/traverse a UNT to Valley Creek (EV) and one will cross an adjacent wetland. All impacts will be temporary. The work will follow along the Chester County Trail from the East and West Whiteland Township line to the Mill Lane Pump Station. This project is situated approximately 2,000 feet northwest of the intersection SR 202 and SR 30 (Malvern, PA USGS Quadrangle N: 7 inches, W: 12.5 inches).

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

E58-273. Dunn Lake, LLC, 103 Indian Springs Road, Kennett Square, PA 19348, in Ararat Township, **Susquehanna County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain an 8-inch diameter sanitary sewer line and outfall structure in the floodway of a tributary to East Branch Lackawanna River (HQ-CWF) and adjacent PFO EV Wetlands. The work is associated with a planned residential development known as the Preserve at Dunn Lake and is located at the northern end of Dunn Lake. (Orson, PA Quadrangle N: 14.1 inches; W: 14.0 inches).

E58-272. Joseph and Linda Monteforte, R. D. 2, Box 33, New Milford, PA 18834, in New Milford Borough, **Susquehanna County**, United States Army Corps of Engineers, Baltimore District.

To place fill in 0.04 acre of PEM wetland for the purpose of constructing a greenhouse for Lackawanna College. The project is located along SR 0011 at the former Blue Ridge Roller Rink approximately 1/4 mile south of the intersection of SR 0011 and SR 0492. (Harford, PA Quadrangle N: 21.9 inches; W: 14.4 inches).

E39-473. Nestle Waters North America, Inc., 405 Nestle Way, Breinigsville, PA 18031, in Lynn Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To remove an existing road crossing; to construct and maintain a minor road crossing consisting of a 20-foot long by 4-foot by 2.5-foot concrete box culvert with fish baffles depressed 6-inches below streambed elevation in a tributary to Ontelaunee Creek (HQ-CWF); and to construct and maintain seven utility line crossings each consisting of a 6-inch diameter HDPE waterline crossing under various tributaries to Ontelaunee Creek and adjacent wetlands. The project is located on the north side of Mountain Road approximately 0.5 mile northeast of its intersection with SR 0309. (New Tripoli, PA Quadrangle N: 16.3 inches; W: 1.4 inches).

E45-499. DEPG Stroud Associates, LP, 625 Ridge Pike, Suite A-107, Conshohocken, PA 19428, in Stroud Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.48 acre of wetland for the purpose of constructing a commercial shopping center including a number of structures, parking lots, entrance ways and stormwater system. The project is located on SR 0611, approximately 0.5 mile east of the Bartonsville exit from I-80. (Saylorsburg, PA Quadrangle N: 22.5 inches; W: 1.7 inches).

E40-663. Luzerne County, Luzerne County Courthouse—Engineer's Office, Wilkes-Barre, PA 18711, in Wilkes-Barre City, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

The proposed project involves placement of 1.45 feet of fill for the construction of a parking lot within the floodplain of the Susquehanna River. An existing building and asphalt pavement will be removed during construction. Fill for the proposed site will include sub-base, aggregate base and asphalt pavement. Drainage structures, curbing and a 4-foot retaining wall will also be constructed. The wall will work to direct run-off to the proposed drainage structures. The project is located on the northwest corner of the intersection of Pierce and Water Streets in Wilkes-Barre City, Luzerne County. (Kingston, PA Quadrangle N: 0.5 inches; W: 0.5 inches).

E45-498. J. P. Ertle Development, LTD, R. R. 2, Box 30, Silver Spring Boulevard, Kunkletown, PA 18058-9604, in Stroud and Hamilton Townships, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a channel change having a length of 485 feet in a tributary to Pocono Creek (HQ-CWF) that is associated with the construction of a retail shopping center known as the Shoppes at Crossroads. The project is located at the intersection of SR 0611 and SR 0033, near the Bartonsville exit on I-80. (Mount Pocono, PA Quadrangle N: 0.2 inch; W: 3.1 inches).

E48-375. Summit Lehigh Valley, LP, 300 Park Manor Drive, Pittsburgh, PA 15205, in Bethlehem Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a precast concrete box culvert stream enclosure having a span of 12.0 feet and underclearance of 6.0 feet in a tributary to the Lehigh River. The work is associated with a commercial development known as The Summit at Lehigh Valley and is located southeast of the intersection of SR 0033 and SR 2018 (Freemansburg Avenue) (Nazareth, PA Quadrangle N: 5.8 inches; W: 4.0 inches).

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

E21-392: Fred Gettys, 1950 Chestnut Court, Camp Hill, PA 17011, North Middleton Township, **Cumberland County**, ACOE Baltimore District

To construct and maintain:

1. A nonjurisdictional dam (Pond 1) along a UNT to Wertz Run (WWF) having a height of 13 feet (Shermans Dale, PA Quadrangle N: 0.04 inch, W: 9.0 inches; Latitude: 40° 15' 01", Longitude: 77° 11' 22").

2. A nonjurisdictional dam (Pond 2) along a UNT to Wertz Run (WWF) having a height 14 feet (Shermans Dale, PA Quadrangle N: 0.16 inch, W: 9.3 inches; Latitude: 40° 15' 00", Longitude: 77° 11' 29").

3. A nonjurisdictional dam (Pond 3) along a UNT to Wertz Run (WWF) having a height of 13 feet (Shermans Dale, PA Quadrangle N: 0.3 inch, W: 9.4 inches; Latitude: 40° 15' 06", Longitude: 77° 11' 33")

4. An 8-inch diameter by 25-foot long sewer line in a UNT to Wertz Run (Shermans Dale, PA Quadrangle N: 0.32 inch, W: 9.5 inches; Latitude: 40° 15' 07", Longitude: 77° 11' 33").

5. An 8-inch diameter by 50-foot long sewer line in a wetland impacting a 0.03 acre (Shermans Dale, PA Quadrangle N: 0.4 inch, W: 9.3 inches; Latitude: 40° 15' 08", Longitude: 77° 11' 29").

6. An 8-inch diameter by 35-foot long sewer line in a UNT to Wertz Run (Shermans Dale, PA Quadrangle N: 0.2 inch, W: 9.1 inches; Latitude: 40° 15' 04", Longitude: 77° 11' 23").

7. An 8-inch diameter by 60-foot long sewer line in a UNT to Wertz Run (Shermans Dale, PA Quadrangle N: 0.25 inch, W: 9.1 inches; Latitude: 40° 15' 05", Longitude: 77° 11' 23").

8. An 8-inch diameter by 35-foot long sewer line in a UNT to Wertz Run (Shermans Dale, PA Quadrangle N: 0.35 inch, W: 9.1 inches; Latitude: 40° 15' 08", Longitude: 77° 11' 23").

9. An 8-inch diameter by 30-foot long sewer line in a UNT to Wertz Run (Shermans Dale, PA Quadrangle N: 0.41 inch, W: 9.1 inches; Latitude: 40° 15' 09", Longitude: 77° 11' 23").

10. An 8-inch diameter by 25-foot long sewer line in a UNT to Wertz Run (Shermans Dale, PA Quadrangle N: 0.78 inch, W: 9.0 inches; Latitude: 40° 15' 16", Longitude: 77° 11' 21").

11. An 8-inch diameter by 70-foot long sewer line in a wetland impacting 0.04 acre (Shermans Dale, PA Quadrangle N: 0.82 inch, W: 9.0 inches; Latitude: 40° 15' 16", Longitude: 77° 11' 20").

12. A 15-inch diameter by 20-foot long sewer line in a UNT to Wertz Run (Shermans Dale, PA Quadrangle N: 0.66 inch, W: 8.4 inches; Latitude: 40° 15' 14", Longitude: 77° 11' 06");

13. A 15-inch diameter by 20-foot long sewer line in a wetland impacting a 0.016 acre (Shermans Dale, PA Quadrangle N: 0.52 inch, W: 8.3 inches; Latitude: 40° 15' 11", Longitude: 77° 11' 03"), all activities are for the construction of a housing development called the Village at Northridge in North Middleton Township, Cumberland County.

E38-152: Love's Travel Stop and Country Stores, Inc., P. O. Box 26210, Oklahoma City, OK, 73126, ACOE Baltimore District.

To construct and maintain a storm sewer outfall to Forge Creek (WWF) and to place and maintain fill 0.049 acre of PEM wetlands for the purpose of constructing a country store, restaurant and gas station, located in the southeast quadrant of the SR 0081 and SR 4020 interchange (Indiantown Gap, PA Quadrangle N: 13.62 inches; W: 2.16 inches; Latitude: 40° 27' 0", Longitude: 76° 30' 56") in Union Township, Lebanon County. The amount of wetland impact is de minimis and wetland replacement is not required.

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

E63-594. Tanger Properties, Limited Partnership, 3200 Northline Avenue, Greensboro, NC 27408-7616. To construct a bridge and fill wetlands in North and South Strabane Townships, **Washington County**, Pittsburgh ACOE District. (Washington East, PA Quadrangle N: 17.00 inches; W: 6.0 inches and Latitude: 40° 13' 30"—Longitude: 80° 12' 50"). The applicant proposes to construct and maintain a 24' extension to an existing concrete box culvert, a 31' extension to an existing elliptical plate culvert and to extend an existing culvert 13' upstream and 10' downstream, all on a UNT to Chartiers Creek (WWF) and to remove the existing structure and to construct and maintain a bridge with a single 70' span over Chartiers Creek (WWF) and to place fill in approximately 0.03 acre of wetland (PEM) for the purpose of widening SR 1041 (Racetrack Road) and adding a ramp to Interstate 79.

E63-595. Washington County Authority, 304 Courthouse Square, Washington, PA 15301. To place fill in wetlands in Cecil Township, **Washington County**, Pittsburgh ACOE District. (Canonsburg, PA Quadrangle N: 4.5 inches; W: 5.75 inches and Latitude: 40° 16' 28"—Longitude: 80° 9' 58"). The applicant proposes to place and maintain fill in 0.21 acre of wetlands in the floodplain of UNTs to Chartiers Creek (WWF) for the purpose of construction of a commercial and residential development (Southpointe II Development) located at the site of the abandoned Western Center State School.

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

E20-551, Robert C. Hilton, Paula A. Hilton, Allison M. Jones and Kevin M. Jones, 12360 Walnut Drive, Conneaut Lake, PA 16316. Hilton property house in floodway, in West Fallowfield, **Crawford County**, ACOE Pittsburgh District (Hartstown, PA Quadrangle N: 8.3 inches; W: 0.2 inch).

The applicant proposes to construct a 1,500 square foot house on concrete piers within the floodway of a tributary to Crooked Creek approximately 0.5 mile SE of the intersection of SR 322 and SR 18. The house has already been constructed and the application resulted from an enforcement activity. The tributary to Crooked Creek is a perennial stream classified as a WWF. The project proposes to impact approximately 1,500 square feet of floodway.

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

E14-487. Robert S. McGrail-Peasley, 2045 Runville Road, Bellefonte, PA 16823, Berm/bridge/culvert, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches).

To construct and maintain: 1) 340 foot long by 2 foot wide by 2 foot high earthen berm on the top of the right bank of a UNT to Wild Cat Run for the purpose of protecting an earthen road from flood waters; 2) a wooden pedestrian bridge with a 19-foot clear span and 4-foot underclearance across Wild Cat Run for private use; 3) a

24-inch diameter HDPE culvert with a rock headwall to make a new road crossing near the upstream limit of the earthen berm, located 3,100 feet upstream of the intersection of Gum Stump Road and Runville Road (SR 144) (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches) in Boggs Township, Centre County. This project proposes to impact 340 linear feet of the UNT to Wild Cat Run and 5 linear feet of Wild Cat Run that are tributaries to Wallace Run, which is classified as a HQ-CWF and proposes no wetland impacts.

E17-427. Game Commission, Northcentral Regional Office, P. O. Box 5038, 1566 South Route 44 Highway, Jersey Shore, PA 17740-5038. Basin Run portable bridge project, in Cooper Township, **Clearfield County**, ACOE Baltimore District (Karthus, PA Quadrangle Latitude: 41° 02' 55"; Longitude: 78° 08' 01").

To construct, operate, maintain and remove, when deemed necessary, a single span bridge across Basin Run that will provide access to State Game Lands No. 100. The bridge shall be constructed and maintained with a minimum span of 80 feet and underclearance of 15 feet. The project is located along the eastern right-of-way of SR 1011 approximately 1.64 miles east of Cooper Township Road No. 730 and SR 1011 intersection.

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal wastes; discharges to groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0083861 (SEW)	George Shoemaker (Benner's Restaurant) 229 Wood Street Camp Hill, PA 17011	Juniata County Delaware Township	Juniata River 12-B	Y
PA0080209 (SEW)	Hoffman Home's, Inc. (Hoffman Homes for Youth) 815 Orphanage Road Littlestown, PA 17340	Adams County Mount Joy Township	Lousy Run 13-D	Y
PA0087530 (SEW)	Paul McAnulty 3651 Waggoners Gap Road Carlisle, PA 17015	Cumberland County North Middleton Township	UNT Conodoguinet Creek 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0113140 Sewerage	Nicolino Galluppi 2525 Mill Road Quakertown, PA 18951	Richmond Township, Tioga County	UNT North Elk Run 4A	Y
PA0229460 Sewerage	Abbott Township 1431 Germania Road Galeton, PA 16922-9445	Abbott Township Potter County	Germania Branch of Kettle Creek 9B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0038172 Sewage	Hempfield Twp. Muni. Auth. 1146 Woodward Drive Greensburg, PA 15601	Westmoreland County Hempfield Township	Andrews Run	Y
PA0090015 Sewage	North Strabane Muni. Auth. 1929B Route 519 South Canonsburg, PA 15317	Washington County North Strabane Township	UNT of Chartiers Creek	Y
PA0204366 Sewage	Clear Channel Entertainment 125 West Station Square Dr. Pittsburgh, PA 15215-1122	Washington County Hanover Township	UNT to Harmon Creek	Y
PA0217581 Sewage	John Niebauer P. O. Box 187 Kylertown, PA 16847	Westmoreland County South Huntingdon Township	Drainage Swale Tributary to Hunter's Run	Y
PA0219045 Sewage	Apollo Ridge School District P. O. Box 219 Spring Church, PA 15686	Armstrong County Kiskiminetas Township	UNT of Roaring Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100889	Erie City Water Authority Sommerheim Water Treatment Plant 340 West Bayfront Parkway Erie, PA 16507-2004	Millcreek Township Erie County	Presque Isle Bay 15-PI	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0104167	Erie City Water Authority Chestnut Street Water Treatment Plant 340 West Bayfront Parkway Erie, PA 16507-2004	City of Erie Erie County	Presque Isle Bay 15-PI	Y
PA0100943	Strattanville Borough Municipal Authority P. O. Box 193 361 Virgin Alley Strattanville, PA 16258	Clarion Township Clarion County	UNT to Brush Run 17-B	Y
PA0035114	Torpedo Specialty Wire R. D. 2, Route 27 Pittsfield, PA 16340	Pittsfield Township Warren County	Gar Run 16-B	Y

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

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

NPDES Permit No. PA0056537, Industrial Waste, **Highway Materials, Inc.** 1750 Walton Road, Blue Bell, PA 19422-0465. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge stormwater from an asphalt manufacturing plant to an unnamed tributary to Valley Creek in Watershed 3F.

NPDES Permit No. PA0055476, Sewage, **Chadds Ford Township Sewer Authority**, P. O. Box 181, 10 Ring Road Chadds Ford, PA 19317. This proposed facility is located in Chadds Ford Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to a UNT to Harvey Run in Watershed 3H.

NPDES Permit No. PA0020460, Sewage, **Pennridge Wastewater Treatment Authority**, 180 Maple Avenue, Sellersville, PA 18960. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage into the East Branch Perkiomen Creek in Watershed 3E-Perkiomen.

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

NPDES Permit No. PA0248517, CAFO, **Tom Bross, Bross Family Farms, LLC** (Farm No. 3), 2454 Stoney Point Road, East Berlin, PA 17316. This proposed facility is located in Reading Township, **Adams County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 660-AEU turkey operation located in Watershed 7-F.

NPDES Permit No. PA0248509, CAFO, **Tom Bross, Bross Family Farms, LLC** (Farm No. 2), 2454 Stoney Point Road, East Berlin, PA 17316. This proposed facility is located in Reading Township, **Adams County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 325-AEU turkey operation in Watershed 7-F

NPDES Permit No. PA0248525, CAFO, **Tom Bross, Bross Family Farms, LLC** (Farm No. 7), 2454 Stoney Point Road, East Berlin, PA 17316. This proposed facility is located in Washington Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 354-AEU turkey operation located in Watershed 7-F.

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

PA0229067, CAFO, SIC 0241, **Thomas M. Craig**, 2336 Zion Road, Bellefonte, PA 16823. This existing facility is located in Spring Township, **Centre County**.

Description of Proposed Activity: Murmac Farms is an existing dairy farm that will be expanding operations to include 1,090 cows (adult, heifers and dry), totaling 1,397 Animal Equivalent Units.

The water body nearest to this facility is a UNT to Nittany Creek in the Bald Eagle Creek Watershed (SWP-09C) and has a designated use of CWF.

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

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

1. Compliance with the farm's Nutrient Management Plan.
2. Compliance with the farm's Preparedness, Prevention and Contingency Plan.
3. Compliance with the Farm's Erosion & Sedimentation Control Plan for plowing and tilling.
4. Erosion & Sedimentation Control Plan requirements for stormwater during construction activities.
5. Animal mortality handling and disposing requirements.
6. Certification requirements for manure storage facilities.
7. Requirements for storage of feed and other raw materials.
8. Best Management Practices requirements.

The EPA waiver will not be in effect.

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

NPDES Permit No. PA0036307-A1, Sewage, **Municipal Authority of the Township of Robinson**, P. O. Box 15539, Pittsburgh, PA 15244-0539. This proposed facility is located in Robinson Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for Moon Run Sewage Treatment Plant modifications to allow for the discharge of an expanded flow to receiving waters named Moon Run.

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

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

WQM Permit No. 0984422 Sewerage Amendment, Upper Makerfield Township, 1076 Eagle Road, Newtown, PA 18940. This proposed facility is located in Upper Makefield Township, **Bucks County**.

Description of Action/Activity: Force main sewer and stormwater infiltration Basin A.

WQM Permit No. WQG02230701, Sewerage, **Thornbury Township**, 6 Township Drive, Cheyney, PA 19319. This proposed facility is located in Thornbury Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a pump station and sewer extension.

WQM Permit No. WQG02460632, Sewerage, **Horsham Water and Sewer Authority**, 617 Horsham Road, Horsham, PA 1904. This proposed facility is located in Horsham Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sewer extension.

WQM Permit No. WQG02360633, Sewerage, **N. Paone Construction, Inc.**, 3220 Bergey Road, Hatfield, PA 19440. This proposed facility is located in Horsham Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sewer extension.

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

WQM Permit No. 3906403, Sewerage, **Upper Macungie Township Authority**, 8330 Schantz Road, Breinigsville, PA 18031. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Action: Issuance of Water Quality Management Permit for a sanitary pump station with an average flow of 20,350 gpd to serve the Silver Shadows Subdivision.

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

WQM Permit No. 0698407 Amendment 05-1, Sewerage, **Bernville Borough**, P. O. Box 40, Bernville, PA 19509. This facility is located in Bernville Borough, **Berks County**.

Description of Action/Activity: Revocation of Amendment 05-1 and reinstatement of Water Quality Management Permit Part II Permit No. 0698407, issued March 8, 1999, as the valid Water Quality Management Part II Permit for the Bernville sewage treatment facility.

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

WQM Permit No. 5672411-A2, Sewerage, **United Mobile Homes, Inc.**, 1275 Forman Drive, Morgantown, WV 26508. This existing facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for construction of STP treatment units.

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

WQM Permit No. 2506411 Sewerage, **Millcreek Township Sewer Authority**, 3608 West 26th Street, Erie, PA 16506-2509. This proposed facility is located in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a sanitary lift station to serve the proposed Whispering Woods Estates and the Stonebridge Golf Course. The sewage will be conveyed by existing sewers in Millcreek Township and the City of Erie to the City of Erie's wastewater treatment facility.

WQM Permit No. WQG018507, Sewerage, **Mike Cumberland**, 1365 Oneida Valley Road, West Sunbury, PA 16061. This proposed facility is located in Fairview Township, **Butler County**.

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

WQM Permit No. WQG018516, Sewerage, **Richard D. Adams**, P. O. Box 390, Columbus, PA 16405. This proposed facility is located in Columbus Township, **Warren County**.

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504008	Michael J. Pellet P. O. Box 56 Atglen, PA 19310	Chester	Upper Oxford Township	West Branch Big Elk Creek HQ-TSF-MF
PAI011506005	Phoenixville Area YMCA 2460 Boulevard of the Generals West Norriton, PA 19403	Chester	Schuylkill Township	Pickering Creek HQ-TSF
PAI011506029	Greenpoint Farm, Inc. 402 Bayard Road Kennett Square, PA 19348	Chester	Elk Township	Little Elk Creek HQ-TSF-MF
PAI011506070	Karl and Crysta Snyder 821 Mount Pleasant Road Pottstown, PA 19465	Chester	Warwick Township	French Creek EV
PAI011506084	Westgate Village Associates, Inc. 78 Main Street Marlton, NJ 08053	Chester	East Whiteland Township	Valley Creek EV
PAI011506085	Summit Hill Development, LLC 319 East Conestoga Road Wayne, PA 19087	Chester	East Whiteland Township	Little Valley Creek EV
PAI011506086	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024506012	Berean Bible Fellowship Church 1028 Valley View Rd. Stroudsburg, PA 18360	Monroe	Stroud Township	Flagler Run HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAR10F149-R	Robert McDaniel DBW Partnership 1042 E. Springfield Drive Bellefonte, PA 16823	Centre	Walker Township	Nittany Creek CWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems

PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

*General Permit Type—PAG-1**Facility Location:*

<i>Municipality & County</i>	<i>Approval No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cornplanter Township Venango County	6106001	Titusville Oil & Gas Associates, Inc. 16899 Jerusalem Corners Road Pleasantville, PA 16341	Allegheny River WWF	Northwest Regional Office Oil and Gas Management 230 Chestnut Street Meadville, PA 16335 (814) 332-6860

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>
East Rockhill Township Bucks County	PAG2000906164	Anthony Joseph Properties, LLC 2321A North Penn Road Hatfield, PA 19440	Tohickon Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Britain Township Bucks County	PAG2000906150	New Britain Corporation 6017 Rising Sun Avenue Philadelphia, PA 19111	West Branch Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Bucks County	PAG2000906089	McGrath Homes 1262 Wood Lane Suite 207 Langhorne, PA 19047	UNT Delaware Estuary WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAG2000906043	175 Titus Avenue Partners, LP 2005 South Easton Rd. Suite 307 Doylestown, PA 18901	UNT Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000906081	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	UNT Delaware Estuary WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002306069	Garnet Valley School District 80 Station Road Glen Mills, PA 19342	Green Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004606184	Outback Steakhouse of Florida 2202 North Westshore Blvd, 5th Fl. Tampa, FL 33607	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAG2004606103	Audubon Road Land Assoc. 1741 Valley Forge Rd. P. O. Box 12 Worcester, PA 19490	UNT Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<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>
Limerick Township Montgomery County	PAG2004606098	Sukonik Mountain View Estates 1250 Germantown Pike Plymouth Meeting, PA 19462	UNT Mine Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitpain Township Montgomery County	PAG2004606187	Latham Realty 102 Harvard Lane Bryn Mawr, PA 19010	Tributary Stony Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106015	McNaulty Business Campus, LP 347 2nd Street Pike Suite 4 Southampton, PA 18966	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106045	Southeastern Pennsylvania Transportation Authority 1234 Market Street Philadelphia, PA 19107-3780	Delaware River WWF, CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106048	Wesgold, LP 350 Sentry Parkway Building 630 Suite 300 Blue Bell, PA 19422	Tidal Schuylkill Watershed A WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106067	Beazer Homes 2700 Kelly Road Suite 140 Warrington, PA 18976	Delaware Direct Watershed South WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Wayne Township Schuylkill County	PAG2005406020	Metropolitan Dev. Group 1030 Reed Ave. Suite 100 Wyomissing, PA 19610	Swatara Creek CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Bethlehem Township Northampton County	PAG2004806036	Denis D. Bittenbender 1544 Farmersville Rd. Bethlehem, PA 18020	Tributary to Lehigh River (Allentown Dam to Mouth) CWF	Northampton Co. Cons. Dist. (610) 746-1971
City of Bethlehem Northampton County	PAG2004806042	Veranda Real Estate, LP Attn: Dominic Villani P. O. Box 21207 Bethlehem, PA 18002-1207	Lehigh River (Allentown Dam to Mouth) WWF	Northampton Co. Cons. Dist. (610) 746-1971
Bethlehem Township Northampton County	PAG2004806017	First Commonwealth Federal Credit Union Attn: Alan Musselman Chief Financial Officer 257 Brodhead Rd. Bethlehem, PA 18017	Lehigh River (Allentown Dam to Mouth) WWF	Northampton Co. Cons. Dist. (610) 746-1971
East Allen Township Northampton County	PAG2004806045	David W. Miller 6129 Pond Rd. Bath, PA 18014-9090	Catasauqua Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971
Jenkins Township Luzerne County	PAG2004006044	Memco Realty of N.E.P.A. 1500 Highway 315 Plains, PA 18705	Susquehanna River WWF	Luzerne Co. Cons. Dist. (570) 674-7991
Hanover Township Luzerne County	PAG2004006033	Michael A. Dziak Earth Conservancy, Inc. 101 South Main St. Ashley, PA 18706	Tributary to Warrior Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Middleton Township Cumberland County	PAG2002106024(1)	Fred Gettys 1950 Chestnut Court Camp Hill, PA 17011	Wertz Run WWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
East Hanover Township Dauphin County	PAG2002207003	Krupal Dusai Triple Diamond, Inc. 63 Bartlett Circle Palmyra, PA 17078	Bow Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018
Lower Swatara Township Dauphin County	PAG2002206061	David R. Zavoda 1312 Spring House Rd. Middletown, PA 17057	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Rd. Dauphin, PA 17018
North Newton Township Cumberland County	PAG2002106052	Mark Reiff 360 Running Pump Road Newville, PA 17241	Big Spring Creek CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Bradford County Towanda Borough	PAG2000807001	Towanda Area School District P. O. Box 231 Towanda, PA 18848	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5, Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Centre County Benner Township Spring Township	PAG2001406002	Ian Salada PSU North Campus—Dickinson School of Law 101 P Physical Plant Building University Park, PA 16802	Logan Branch CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Benner Township	PAG2001406022	Centre County Industrial Development Corp. 200 Innovation Blvd. Suite 150 State College, PA 16803 Cleveland Brothers Equip. P. O. Box 140 Delmont, PA 15626	UNT to Logan Branch UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County City of Williamsport and Loyalsock Township	PAG2004105019	Rebecca Burke Susquehanna River Bikeway 48 West Third Street Williamsport, PA 17701	Susquehanna River WWF Trib. to Millers Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Muncy Creek Township	PAG2004106008	Church of the Resurrection 526 South Main Street Muncy, PA 17756	Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Cambria County Richland Township	PAG20011060071	Johnstown Industrial Dev. Corp. 111 Market Street Johnstown, PA 15901	Sandy Run CWF	Cambria County CD (814) 472-2120
Cambria County Cambria Township	PAG2001106019	William Calhoun S & T Bank P. O. Box 190 Indiana, PA 15701	UNT South Branch Blacklick Creek CWF	Cambria County CD (814) 472-2120

<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>
Indiana County White Township	PAG2003206017	Michael D. Hahn Linn Energy Holding 650 Washington Road Pittsburgh, PA 15228	UNT to Two Lick Creek CWF	Indiana County CD (724) 463-8547
Washington County South Strabane Township	PAG2006307007	South Strabane Township Sanitary Authority 550 Washington Road Washington, PA 15301	UNT to Chartiers Creek WWF	Washington County CD (724) 228-6774
Washington County California and Centerville Boroughs	PAG2006307012	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Twomile Run and Tributary, UNT to Monongahela River	Washington County CD (724) 228-6774
Butler County Jackson Township	PAG2001005023	Paul Pieffer Tollgate Associates 550 Washington Road Carnegie, PA 15106	Glade Run WWF	Butler Conservation District (724) 284-5270
Erie County Union Township	PAG2002506043	Sean & Co. LP 2304 Brodhead Road Aliquippa, Pa 15001	French Creek WWF	Erie Conservation District (814) 825-6403
Erie County Harborcreek Township	PAR10K192R	William Witkowski 907 Troupe Road Harborcreek, PA 16421	UNT Six Mile Creek Lake Erie CWF; MF	Erie Conservation District (814) 825-6403
McKean County Lafayette Township	PAG2064206004	Thomas Frungillo Bradford Regional Airport Authority 202 Airport Road Lewis Run, PA 16738	UNT Three Mile Run Kinzoa Creek Watershed CWF	DEP—WRO (814) 332-6984

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>
Berks County Cumru Township	PAR603502	Allegheny Towing & Salvage Company P. O. Box 203 Birdsboro, PA 19508-0203	Schuylkill River CWF/3-C	DEP—CRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Sinking Spring Borough	PAR143503	Grafika Commercial Printing, Inc. 710 Johnston Street Sinking Spring, PA 19608	Cacoosing Creek WWF/3-C	DEP—CRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Penn Township	PAR113523	ESAB Welding & Cutting Production—Hanover Manufacturing Plant 801 Wilson Avenue Hanover, PA 17331-7948	Oil Creek WWF/7-H	DEP—CRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Conewago Township	PAR803653	FedEx Freight East, Inc. P. O. Box 840 Harrison, AR 72601	UNT Little Conewago Creek TSF/7-F	DEP—CRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Liberty Township Tioga County	PAR114803	Matt's Auto Parts & Sales, Inc. 1177 Bloss Mountain Road Liberty, PA 16930-9822	UNT to Blacks Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3664

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lawrenceville Township Tioga County	PAR224805	Bradford Forest, Inc. 18385 Route 287 Tioga, PA 16946	Mutton Lane Creek WWF Tioga River WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Bradford Township Clearfield County	PAR214817 (Stormwater)	Glen-Gery Corporation Route 61, Box 340 Shoemakersville, PA 19555	Roaring Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Beech Creek Township Clinton County	PAR144802	Armstrong World Industries Inc. P. O. Box 405, 325 Eagle Valley Road Beech Creek, PA 16822	Storm drain to Bald Eagle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Milton Borough Northumberland County	PAR804801	ACF Industries, LLC 417 North Arch Street Milton, PA 17847	Storm sewer to West Branch Susquehanna River WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Emsworth Borough Allegheny County	PAR216177	Schaffner Manufacturing Company, Inc. 21 Herron Avenue Emsworth, PA 15202-1701	Lowries Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Jackson Township Cambria County	PAR506109	Laurel Highlands Landfill, Inc. 260 Laurel Ridge Road Johnstown, PA 15909	UNT to Rummel Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Monroeville Borough Allegheny County	PAR506108	Chambers Development Company, Inc. Monroeville Landfill 600 Thomas Street Extension Monroeville, PA 15146-0176	UNT to Turtle Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Pine Creek Township Jefferson County	PAR608336	Davis Used Cars and Parts P. O. Box 287 Brookville, PA 15825	Sugarcamp Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Greenfield Township Erie County	PAG048588	Christine A. and David S. Walsh 9636 Donlin Road Erie, PA 16510-5652	UNT to Six Mile Creek 15-6M	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Fairview Township Butler County	PAG049299	Mike Cumberland 1365 Oneida Valley Road West Sunbury, PA 16061	UNT to Buffalo Creek 18-F	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Lackawannock Township Mercer County	PAG048750	Kenneth L. Miller 812 Greenfield Road Mercer, PA 16137-2612	UNT to the West Branch Neshannock Creek 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Columbus Township Warren County	PAG049310	Richard D. Adams P. O. Box 390 Columbus, PA 16405	Pine Valley Creek 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048780	John A. and Lisa M. Cacchione 11091 Lay Road Edinboro, PA 16412	UNT to Conneauttee Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Glade Township Warren County	PAG048763	Bonnie A. and Edward J. Abplanalp 108 Chapman Road Warren, PA 16365	UNT to Glade Run 16B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Findley Township Mercer County	PAG048799	Richard H. Craig 1640 Mercer Grove City Road Mercer, PA 16137	UNT to Pine Run 20A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-6**Facility Location & Municipality*

<i>Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West View Borough Allegheny County	PAG066116	The Municipal Authority of the Borough of West View 210 Perry Highway Pittsburgh, PA 15229	Girty's Run and UNT of Girty's Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
City of Arnold Westmoreland County	PAG066121	City of Arnold 1829 Fifth Avenue Arnold, PA 15068	Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

General Permit Type—PAG-7

*Facility Location & County/
Municipality*

Permit No.

Applicant Name & Address

Site Name & Location

Contact Office & Phone No.

Athens Borough
Bradford County

PAG074828

Valley Joint Sewer Authority
1 South River Avenue
Athens, PA

Valley Joint Sewer Authority
Wastewater Treatment Facility
Athens Borough

Northcentral Regional Office
Water Management Program
208 West Third Street,
Suite 101
Williamsport, PA 17701
(570) 327-3664

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

Permit No. 0906514, Public Water Supply.

Applicant **Pennridge School District**
1506 North 5th Street
Perkasie, PA 18944

Township **Bedminster**

County **Bucks**

Type of Facility **PWS**

Consulting Engineer **Ruby Engineering**
George W. Ruby
3605 Island Club Drive, No. 9
North Port, FL 34288

Permit to Construct Issued **January 22, 2007**

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

Operations Permit issued to **Bern Township Municipal Authority**, 3060045, Bern Township, **Berks County** on 1/17/2007 for the operation of facilities approved under Construction Permit No. 0606510 MA.

Operations Permit issued to **Municipal Authority of the Borough of Lewistown**, 4440010, Armagh Township, **Mifflin County** on 1/18/2007 for the operation of facilities approved under Construction Permit No. 4406501 MA.

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

Permit No. 4496231A5—Construction Public Water Supply.

Applicant **Dutch Valley Food Company, Inc.**

Township or Borough **City of Sunbury**

County **Northumberland**

Responsible Official **John T. Lerch**
Manufacturing & Technical Projects Manager
Dutch Valley Food Company, Inc.
P. O. Box 471
Sunbury, PA 17801-0471

Type of Facility **Public Water Supply—Construction**

Consulting Engineer **Ralph A. Lambert, Jr., P. E.**
LAR Enterprises
P. O. Box 3489
Gettysburg, PA 17325

Permit Issued Date **January 18, 2007**

Description of Action **Construction of pumps and filters, use of Eagle Springs as a source of supply, and transportation of Augusta Spring Water as raw water.**

Permit No. 140650—Construction Public Water Supply.

Applicant Trotter Farm Planned Community Association, Inc.
Township or Borough Halfmoon Township
County Centre
Responsible Official Rodney Frasier, President
 Trotter Farm Planned Community Association, Inc.
 2121 Old Gatesburg Road
 State College, PA 16803
Type of Facility Public Water Supply—Construction
Consulting Engineer Anthony Fruchtl, P. E.
 Penn Terra Engineering, Inc.
 3075 Enterprise Drive, Suite 100
 State College, PA 16801
Permit Issued Date January 23, 2007
Description of Action Construction of a public water system. New well, treatment/pump building, water storage tank and a distribution system.

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

Permit No. 1006501, Public Water Supply

Applicant Municipal Water Authority of Adams Township
Township or Borough Adams Township
County Butler
Type of Facility Public Water Supply
Permit to Construct Issued 01/16/2007

Permit No. 2006502C, Public Water Supply, Corrosion Control Treatment

Applicant Cambridge Springs Borough
Township or Borough Cambridge Springs Borough/Township
County Crawford
Type of Facility Public Water Supply
Permit to Construct Issued 01/17/2007

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hamilton Township	1270 Crottlestown Rd. PA 17201	Franklin

Plan Description: The approved plan, in the name of Whiskey Run Vista, provides for a sewage pumping station and sewer extension to serve 645 residential lots. Sewer service will be provided by the Hamilton Township

Municipal Authority, with treatment at the Borough of Chambersburg wastewater treatment plant. The project is located on the north side of Crottlestown Road, 3,000 feet east of Twin Bridge Road. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the Hamilton Township Municipal Authority.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Middleton Township	2051 Spring Road Carlisle, PA 17013	Cumberland

Plan Description: The approved plan provides for a Small Flow Treatment Facility (SFTF) of 400 gpd to serve the proposed new residence on the 4.75 acre Tom Stewart property, located between 1031 and 1335 Enola Road. The proposed SFTF will discharge to Wertz Run. The Department's view of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Newville Borough	Four West Street Newville, PA 17241	Cumberland

Plan Description: Approval of a revision to the Official Sewage Plan of Newville Borough, Cumberland County. The approved plan provides for the expansion of the Newville Borough Wastewater Treatment Plant to capacity of 0.6 mgd and acknowledges the nutrient discharge restrictions imposed by Pennsylvania's Chesapeake Bay Tributary Strategy. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 2

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

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

cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Easton Industrial Affiliates, Palmer Township, **Northampton County**. Jennifer O'Keefe, Sadat Associates, Inc., 1545 Lambert Road, Trenton, NJ 08610 has submitted a Final Report (on behalf of her client, Easton Industrial Affiliates, 215 Nassau Street, Princeton, NJ 08542) concerning the remediation of soils impacted by a release of electrical transformer oil. The report was submitted in order to document attainment of the Statewide Health Standard. A public notice was published in *The Express-Times* the week of December 22, 2006.

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

Former Marietta Air Force Station, Fire Training Pit, East Donegal Township, **Lancaster County**. United States Army Corps of Engineers, 10 South Howard Street, Baltimore, MD 21203, on behalf of United States General Services Administration, Project Management Division, The Strawbridge Building, 20 North 8th Street, 9th Floor, Philadelphia, PA 19107-3191, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with metals, SVOCs and VOCs. The report is intended to document remediation of the site to the both the statewide health and Site-Specific Standard.

Rite Aid Store 3608, Harrisburg City, **Dauphin County**. BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with petroleum compounds leaked during removal of underground storage tanks. The report is intended to document remediation of the site to the Statewide Health and Site-Specific Standard.

608 Glebe Avenue, Borough of Newville, **Cumberland County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Redevelopment and Housing Authorities of Cumberland County, 114 North Hanover Street, Suite 104, Carlisle, PA

17013, submitted a Final Report concerning remediation of site soils and groundwater contaminated with metals, SVOCs and VOCs. The report is intended to document remediation of the site to the Statewide Health Standard.

William G. Rice Residence, Manor Township, **Lancaster County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of the following residents in Conestoga, PA 17516: William G. and Shirley Rice, 153 Pittsburg Road; John Schopf, 149 Pittsburg Valley Road; Daniel and Sandra Brown, 138 Pittsburg Valley Road; Gary and Sheryl Ann Brinkman, 133 Pittsburg Valley Road; John McDonald, 128 Pittsburg Valley Road; Brian Hornberger, 127 Pittsburg Valley Road; William Burgess, 108 Pittsburg Valley Road; Richard and Annette Dailey, 75 Pittsburg Valley Road; Wesley Bleacher, 70 Pittsburg Valley Road; Anne Miller, 35 Pittsburg Valley Road; and State Farm Mutual Insurance Company, P. O. Box 13, Concordville, PA 19331, submitted a Final Report concerning site surface water and sediment contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the Residential Statewide Health Standard.

Sinking Springs Bulk Storage Facility, Spring Township, **Berks County**. Earth Tech, Inc., 2 Market Plaza Way, Mechanicsburg, PA 17055, on behalf of Reading Terminals, P. O. Box 2621, Harrisburg, PA 17105 and CRL Holdings, LP c/o Apple Hill Business Advisors, Inc., 33 North 2nd Street, Harrisburg, PA 17101, submitted a Final Report concerning remediation of site soils contaminated during closure of four unregulated underground storage tanks. The report is intended to document remediation of the site to the Statewide Health Standard.

Lot 1A, Former Teledyne Readco Holdings, LLC, Spring Garden Township, **York County**. Gannett Fleming, Inc., 805 Estelle Drive, Suite 102, Lancaster, PA 17601, on behalf of York College of Pennsylvania, 439 Country Club Road, York, PA 17403, submitted a combined remedial investigation and risk assessment report concerning remediation of site soils contaminated with metals and chlorinated solvents. The applicant seeks to remediate the site to the Site-Specific Standard.

Ken Johnson Property, Rushcombmanor Township, **Berks County**. GemChem, Inc., 53 N. Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Ken Johnson, 51 Lark Lane, Fleetwood, PA 19522, submitted a revised final report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to the Residential Statewide Health Standard.

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

County Squire Court Mobile Home Park, Woodward Township, **Lycoming County**. Pete Rummings, 21 Harbour Close, New Haven, CT 06519 has submitted a Final Report concerning remediation of site soil contaminated with fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Sears 2544, (Shenango Valley Mall Sears TBA), Hermitage, **Mercer County**. Mountain Research, LLC 825 25th Street, Altoon, PA 16601 on behalf of Shenango Valley Mall, LLC & Prime Retail LP, 3303 East State Street, Hermitage, PA 16148 has submitted a Site Specific Remedial Investigation and Final Report concerning remediation of site soils contaminated with Benzene,

Cumene, Ethyl Benzene, Lead, MTEB, Naphthalene and Toluene Xylenes. The report is intended to document remediation of the site to meet the Nonresidential Site Specific Standard for soils.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

PPL Distribution Pole No. 61020S42495/5582 Furnace Hill Road, Upper Milford Township, **Lehigh County**. Jennifer Sedora, PPL Services Corporation, Two North Ninth Street, Allentown, PA 18101-1179 submitted a Final Report concerning the remediation of soils impacted by a PCB release. The Final Report was submitted within 90 days of the release. The report demonstrated attainment of the Residential Statewide Health Standard and was approved on January 16, 2007.

Ahmed Residence, East Stroudsburg, Borough, **Monroe County**. Thomas S. Dalton, P. G., EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18017 has submitted a combined Final Report (on behalf of his client, Ahmed Ahmed, 104 Prospect Street, East Stroudsburg, PA 18301) concerning the remediation of soils and groundwater found to have been impacted by the release of No. 2 fuel oil. The combined report demonstrated attainment of the Residential Statewide Health Standard for soil and the Site-Specific Standard for groundwater and was approved on January 22, 2007.

Conradi Residence/2122 Spring Garden Street, Wilson Borough, **Northampton County**. Jeremy Bolyn, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 has submitted a Final Report (on behalf of his client, Jeffrey Conradi, 2122 Spring Garden Street, Easton, PA 18042) concerning the remediation of soils found to have been impacted by No. 2 home heating oil as the result of an accidental release. The report was submitted within 90 days of the release. The report demonstrated attainment of the Residential Statewide Health Standard for soil and was approved on January 22, 2007.

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

Sewage Pump Station 1 (PS-1), Mount Joy Borough, **Lancaster County**. ARRO Consulting, Inc., 270 Granite Run Drive, Lancaster, PA 17601-6804, on behalf of Mount Joy Borough Authority, 21 East Main Street, Mount Joy, PA 17552-1415, submitted a Final Report concerning remediation of site soils contaminated with fuel oil, diesel fuel and leaded gasoline. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on January 16, 2007.

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

Lowes of Mill Hall, Bald Eagle Township, **Clinton County**. Converse Consultants, 2738 West College Ave., State College, PA 16801 on behalf of Mill Hall Development, LLC, 121 Prosperous Place, Suite 6-B, Lexington, KY 40065 has submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Background Standard and was approved by the Department on January 16, 2007.

Former B&B Equipment Site, Clinton Township, **Lycoming County**. Molesevich Environmental, LLC, P. O. Box 654, Lewisburg, PA 17837 on behalf of Tom Shaheen, Shaheen Auto Sales, 5463 US Rt. 15, Montgomery, PA 17752 has submitted a combined Remedial Investigation/Risk Assessment/Final Report concerning

remediation of site soil and groundwater contaminated with gasoline and diesel fuel. The Remedial Investigation/Risk Assessment/Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on January 22, 2007.

Sunbury Textile Mills, Site 1—3. City of Sunbury, Northumberland County. GeoSyntec Consultants, 130 research Lane, Suite 2, Guelph, Ontario N1G 5G3, Canada on behalf of Sunbury Textile Mills, 1200 Miller St., Sunbury, PA 17801 has submitted a Risk Assessment concerning remediation of site soil and groundwater contaminated with chlorinated solvents and petroleum hydrocarbons. The report was approved on January 17, 2007.

Dominion Transmission—Greenlick Compressor Station, Stewardson Township, Potter County. Dominion Resources Services, Inc., 445 West Main St., Clarksburg, WV 26301 has submitted a Remedial Investigation Report Addendum concerning remediation of soil and groundwater contaminated with BTEX constituents and PCBs. The Remedial Investigation Report Addendum was approved by the department on January 19, 2007.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR113. Piney Creek LP, 428 Power Lane, Clarion, PA 16214. Beneficial use of coal tar and oil contaminated waste as a fuel in a circulating fluidized boiler. The permit was issued by Division of Municipal and Residual Waste on December 19, 2006.

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

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR081D013. Towanda Iron & Metal, 1 River St., Towanda, PA 18848. For the recycling of various uncontaminated and source-separated electronic equipment and components electronics equip-

ment by sorting, disassembling and mechanical processing (by sizing, shaping, separating and volume reduction only). The Department approved the determination of applicability on December 19, 2006.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. 101615. Commonwealth Environmental Systems Landfill, Commonwealth Environmental Systems, LP, P. O. Box 249, Dunmore, PA 18512-0249. A Major Permit Modification authorizing the expansion of the existing disposal areas and an increase in the waste volumes of this municipal waste landfill located in Foster Township, Frailey Township, and Reilly Township, **Schuylkill County.** The landfill permit area increases to 484.9 acres, and the waste disposal area will increase from 105 acres to 131 acres in the Northern Expansion Area. The Southern Expansion waste disposal area is 139 acres. The total site disposal area is 270 acres. Of the 484.9-acre permit area, 140.87 acres are in Reilly Township, 114.03 acres are in Frailey Township and 230 acres are in Foster Township. Of the 270-acre disposal area, 131 acres are in Foster Township, 78 acres are in Reilly Township, and 61 acres are in Frailey Township. This modification also authorizes the existing average daily volume of 2,100 tpd and the existing maximum daily volume of 2,350 tpd to be increased to an average daily volume of 4,750 tpd and a maximum daily volume of 5,000 tpd. The permit was issued by the Regional Office on January 22, 2007.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

46-329-017GP: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on January 22, 2007, to operate a No. 2 fuel fired internal combustion in Whitmarsh Township, **Montgomery County.**

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

48-310-064GP3: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 19, 2007, to construct and operate of a portable stone crushing plant (Eagle) and associated air cleaning device at the LAW Company job site at Hope Road and Freemansburg Avenue, Bethlehem Township, **Northampton County**.

48-310-065GP3: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 19, 2007, to construct and operate a portable stone crushing plant (Hazmag) and associated air cleaning device at the LAW Company job site at Hope Road and Freemansburg Avenue, Bethlehem Township, **Northampton County**.

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

GP1-67-03131A: Georgia-Pacific Corp. (25 Walnut Street, Mount Wolf, PA 17347) on January 12, 2007, for Small Gas and No. Oil Fired Combustion Units under GP1 in Mount Wolf Borough, **York County**.

GP3-06-05087B: Haines & Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 18, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in Colebrookdale Township, **Berks County**.

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

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

09-0163: Blooming Glen Quarry—Division of Haines (901 Minsi Trail, Blooming Glenn, PA 18911) on January 17, 2007, to operate an existing screen in Hilltown Township, **Bucks County**.

09-0102B: Clean Earth of Southeast PA, Inc. (7 Steel Road East, Morrisville, PA 19067) on January 22, 2007, to operate an increase to the limits on emission in Falls Township, **Bucks County**.

09-0176A: Metal Improvement Co., LLC (450 Winks Lane, Bensalem, PA 19020) on January 23, 2007, to operate a metal treatment processor in Bensalem Township, **Bucks County**.

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

39-318-116: Gateway Industry Services (805 Harrison Street, Allentown, PA 18103) on January 16, 2007, to construct a paint spray booth and associated air cleaning device at the facility in Allentown, **Lehigh County**.

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

67-05099B: Kinsley Manufacturing, Inc. (1110 E. Princess Street, York, PA 17403-2543) on January 18, 2007, to construct two additional portable spray paint units in City of York, **York County**.

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

AMS 06128: Star High Performance, Inc. (547 Clearfield Street and 525 W. Clearfield Street, Philadelphia, PA 19133) on January 17, 2007, to install an aluminum sweat furnace with a 2 mmBtu/hr primary burner, a 1.5 mmBtu/hr holding chamber burner, and a 1.5 mmBtu/hr afterburner. The potential emissions from the unit will be 1.1 tpy of PM, 1.3 tpy of SO_x, 2.1 tpy of NO_x, 0.1 ton per year of VOC, 1.8 tpy of CO and 2.0 × 10⁻⁷ tons (less than one pound) per year of dioxin/furans.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

09-0122: Arkema Inc. (2000 Market Street, Philadelphia, PA 19103) on January 18, 2007, to operate a thermal oxidizer in Bristol Township, **Bucks County**.

15-0090A: National Service Industries (303 Eagleville Boulevard, Exton, PA 19341) on January 18, 2007, to operate a flexographic and offset Press in Uwchlan Township, **Chester County**.

46-0167: Parkhouse (1600 Black Rock Road, Upper Providence, PA 19468) on January 19, 2007, to operate two boilers/No. 2 fuel oil in Upper Providence Township, **Montgomery County**.

46-0054A: Abington Memorial Hospital (1200 Old York Road, Abington, PA 19001) on January 17, 2007, to operate two emergency generators in Abington Township, **Montgomery County**.

15-0027I: Johnson Matthey, Inc. (456 Devon Park Drive, Wayne, PA 19087) on January 22, 2007, to modify the diesel catalyts production line No. 1 in Tredyffrin Township, **Chester County**.

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

59-304-008G: ACP Manufacturing Co., LLC (P. O. Box 68, Blossburg, PA 16912) on January 16, 2007, to operate a dip coat tank on a temporary basis until May 16, 2007, in Lawrence Township, **Tioga County**. The plan approval has been extended.

19-320-005A: Press Enterprise, Inc. (3185 Lackawanna Avenue, Bloomsburg, PA 17815) on January 16, 2007, to operate an eight color heatset web offset lithographic printing press on a temporary basis until May 16, 2007, in Scott Township, **Columbia County**. The plan approval has been extended.

18-0009C: Clinton County Solid Waste Authority (264 Landfill Lane, McElhattan, PA 17748) on January 16, 2007, to install a new landfill gas flare at a municipal waste landfill until May 15, 2007, and to operate the respective municipal waste landfill on a temporary basis until May 16, 2007, in Wayne Township, **Clinton County**. The plan approval has been extended.

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

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

40-00020: Department of Public Welfare—White Haven CTR (827 Oley Valley Road, White Haven, PA 18661) on January 3, 2007, to operate a Facility Title V Operating Permit in Foster Township, **Luzerne County**.

39-00014: Department of Public Welfare—Allentown State Hospital (1600 Hanover Avenue, Allentown, PA 18109) on January 12, 2007, to operate a Facility Title V Operating Permit in the City of Allentown, **Lehigh County**.

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

29-05001: JLG Industries, Inc. (1 JLG Drive, McConnellsburg, PA 17233) on January 16, 2007, for the lift truck manufacturing facility in Ayr Township, **Fulton County**. This operating permit was administratively amended for the addition of a limit of HAP emissions of 10 tpy for any single HAP and 25 tpy for total HAPs.

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

37-00003: Essroc Materials, Inc. (P. O. Box 779 Bessemer, PA 16112-0779) on January 18, 2007, to renew the Facility Title V Operating Permit in Bessemer Borough, **Lawrence County** for their Portland cement. The main sources at the facility are the cement kilns, clinker coopers, raw and finished material handling, crushers, dryers, storage silos and outside storage piles. The renewal Title V operating permit contains all applicable regulatory requirements including monitoring, record-keeping and reporting conditions.

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

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

39-00083: Filmteck Corp. (2121 31st Street SW, Allentown, PA 18103) on December 14, 2006, to operate a Facility State-only Natural Minor Operating Permit in the City of Allentown, **Lehigh County**.

54-00065: GHM, Inc. (17 Pinedale Industrial Road, Orwigsburg, PA 17961) on December 7, 2006, to operate a Facility State-only Synthetic Minor Operating Permit in West Brunswick Township, **Schuylkill County**.

58-00004: AMANDI Services, Inc. (899 Assembly Place, Hallstead, PA 18822) on December 5, 2006, to operate a Facility State-only Synthetic Minor Operating Permit in Great Bend Township, **Susquehanna County**.

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

01-05016: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214-0914) on January 17, 2007, for their rock granule processing plant in Hamiltonban Township, **Adams County**.

22-03022: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570) on January 12, 2007, to operate an animal feed mill in Lykens Township, **Dauphin County**. This is a renewal of the State-only operating permit.

36-03095: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506-050) on January 17, 2007, to operate the clay minerals processing plant at their Narvon Minerals Quarry in Caernarvon Township, **Lancaster County**. This is a renewal of the State-only operating permit.

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

04-00432: Aliquippa Community Hospital (2500 Hospital Drive, Aliquippa, PA 15001) on January 12, 2007, to operate two identical natural gas fired boilers along with two emergency generators at their facility in the municipality of Aliquippa in **Beaver County**.

03-00237: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) on January 17, 2007, for a State-only operating permit to operate the Keystone East Mine Coal Preparation Plant in Plumcreek Township, **Armstrong County**.

56-00241: Department of Corrections—Cresson SCI (P. O. Box 598, Camp Hill, Pa 17001) on January 9, 2007, to operate three natural gas/No. 2 oil fired boilers and operation of emergency generators at their facility in Cresson Township, **Cambria County**. This is a State-only operating permit.

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

25-00987: Hanes Erie, Inc. (7601 Klier Drive South, South Fairview Business Park, Fairview, PA 16415-2449) on January 11, 2007, to reissue a Synthetic Minor Operating Permit. This facility consists of a container coating operation, in Fairview Township, **Erie County**. The facility's primary emission sources include eight Paint Spray Booth lines and miscellaneous natural gas combustion. The requirements of Plan Approval 25-987D have been incorporated into the reissued permit.

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

N05-009: Amoroso's Baking Co. (845 South 55th Street, Philadelphia, PA 19143) on January 16, 2007, to operate a wholesale bakery in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two natural gas or No. 2 oil-fired boilers each rated at 9.99 mmBtu/hr, six natural gas or No. 2 fuel oil-fired ovens each rated at or less than 3.5 mmBtu/hr that process straight-dough at a capacity of 1,350 lbs/hr, one gasoline storage tank and distribution with Stage I and Stage II Vapor Recovery Systems and one diesel vehicle fueling station.

S06-005: Perfectseal (9800 Bustleton Avenue, Philadelphia, PA 19116) on January 18, 2007, to operate a paper and paper products facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three boilers (less than 10 mmBtu/hr), five presses, one coater, one coater with two mmBtu/hr drying oven, trim systems, mixing operations, baghouse and two cyclones.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

44-05014: Glenn O. Hawbaker, Inc. (711 E. College Avenue, Pleasant Gap, PA 16823-6854) on January 11, 2007, to operate crushing and asphalt plants at the Hostetler Quarry in Armagh Township, **Mifflin County**. This operating permit has been administratively amended to incorporate Plan Approval Nos. 44-05014B and 44-05014C. This is revision No. 1.

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

53-00003: National Fuel Gas Supply Corp. (1100 State Street, Erie, PA 16512) on January 19, 2007, under the administrative amendment requirements of 25 Pa. Code § 127.450, to incorporate an additional source, a 4,445 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine 1A), as well as conditions established for the respective engine in Plan Approval OP-53-0009D, issued on August 16, 1999, and Plan Approval 53-00003C, issued on November 14, 2006, at the Ellisburg Compressor Station in Allegany Township, **Potter County**.

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

65-00851: Newcomer Products, Inc. (5369 Route 982, P. O. Box 272, Latrobe, Pa 15650) on November 4, 2006, to incorporate the requirements of Plan Approval PA-65-00851A. PA-65-00851A issued on February 2, 2006, to increase the facility wide VOC emission limit from 20 tons per year to 30 tpy at the facility located in Latrobe, **Westmoreland County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

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

Permit No. 30841312 and NPDES Permit No. PA0013790. Consolidation Coal Company (1 Bridge Street, Monongah, WV 26554). To revise the permit for the Blacksville Mine No. 2 in Jackson and Gilmore Townships, **Greene County** to develop acreage for Development Mining. Underground Acres Proposed 794.1, SCP Acres Proposed 794.1. No additional discharges. Application received: September 7, 2006. Permit issued: January 8, 2007.

Permit No. 30841313 and NPDES Permit No. PA002594. Consolidation Coal Company (1800 Washington Road, Pittsburgh, PA 15241). To revise the permit for the Dilworth Mine in Jefferson Township, **Greene County** to change the land use for 5.3 acres at the No. 3 Airshaft site from unmanaged natural habitat to industrial/commercial. No additional discharges. Application received: October 3, 2005. Permit issued: January 8, 2007.

Permit No. 56841612 and NPDES Permit No. PA0588491. Svonavec, Inc. (150 West Union Street, Suite 201, Somerset, PA 15501). To renew the permit for the Coal Preparation Plant No. 2 in Black Township, **Somerset County** and related NPDES permit. No additional discharges. Application received: May 23, 2006. Permit issued: January 9, 2007.

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

Permit No. 56910101 and NPDES No. PA0599077. Paul F. Becker Coal Company (1593 Old Route 22, Duncansville, PA 16653). Permit renewal for reclamation only of a bituminous surface auger mine in Somerset and Stonycreek Townships, **Somerset County**, affecting 120 acres. Receiving stream: UNTs to Kimberly Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 4, 2006. Permit issued: January 18, 2007.

32060103 and NPDES No. PA0262234. TLH Coal Company (4401 Pollock Road, Marion Center, PA 15759). Commencement, operation, and restoration of a bituminous surface-auger mine in East Mahoning Township, **Indiana County**, affecting 101.0 acres. Receiving streams: UNTs to Pine Run to Pine Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 21, 2006. Permit issued: January 16, 2007.

Permit No. 32010102. T.L.H. Coal Company (4401 Pollock Road, Marion Center, PA 15959). Permit renewal for reclamation only of a bituminous surface mine in East Mahoning Township, **Indiana County**, affecting 86.2 acres. Receiving streams: N/A, classified for the following uses: N/A. There is no point source discharge from the mining operation. Application received: December 22, 2006. Permit issued: January 11, 2007.

Permit No. 32010108 and NPDES No. PA0249017. Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701). Permit renewal for reclamation only of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 50.0 acres. Receiving streams: UNT to Yellow Creek and Yellow Creek, classified for the following uses: CWF and TSF. There are no potable water supply intakes within 10 miles downstream. Application received: December 29, 2006. Permit issued: January 12, 2007.

32010111 and NPDES No. PA0249050. Alverda Enterprises, Inc. (P. O. Box 87, Alverda, PA 15710). Permit renewal for the continued operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 34.8 acres. Receiving stream: UNT to Yellow Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 12, 2006. Permit issued: January 16, 2007.

56970102 and NPDES No. PA0234508. Hoffman Mining, Inc. (P. O. Box 130, 118 Runway Road, Friedens, PA 15541). Revision of an existing bituminous surface mine to change the land use from forest to pastureland in Paint Township, **Somerset County**, affecting 283.3 acres. Receiving stream: Weaver Run, UNT to Shade Creek, UNT to Roaring Fork classified for the following uses: CWF; CWF; CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received: July 14, 2006. Permit issued: January 18, 2007.

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

02060101 and NPDES Permit No. PA0250881. Castor Farm Associates, Inc. (McNeilly Prof. Bldg., Suite 201, 405 McNeilly Road, Pittsburgh, PA 15226). Commencement, operation and reclamation of a bituminous surface mine, located in Jefferson Hills Borough, **Allegheny County**, affecting 25.3 acres. Receiving stream: Peters Creek. Application received: March 31, 2006. Permit issued: January 10, 2007.

65010101 and NPDES Permit No. PA0202908. M.B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717). Renewal for reclamation only of an existing bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 197 acres. Receiving streams: Saxman Run and UNTs to Saxman Run. Renewal application received: November 29, 2006. Renewal permit issued: January 11, 2007.

03020115 and NPDES Permit No. PA0250295. Walter L. Houser Coal Co., Inc. (12968 US Route 422, Kittanning, PA 16201-5446). Renewal issued for continued operation and reclamation of a bituminous surface/auger mining site located in Sugarcreek Township, **Armstrong County**, affecting 195.6 acres. Receiving streams: UNTs to Snyder Run and Huling Run. Application received: October 23, 2006. Renewal issued: January 11, 2007.

63050102 and NPDES Permit No. PA0250767. Muligan Mining, Inc. (5945 Pudding Stone Lane, Bethel Park, PA 15102). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Smith Township, **Washington County**, affecting 143.9 acres. Receiving streams: UNTs to Little Raccoon Run to Little Raccoon Run to Raccoon Run to Ohio River; and UNTs to Raccoon Creek to Raccoon Creek to Ohio River. Application received: July 11, 2005. Permit issued: January 17, 2007.

03050102 and NPDES Permit No. PA0250732. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit revised to add 5 acres of mining area to an existing bituminous surface mining site located in Rayburn Township, **Armstrong County**, affecting 84.0 acres. Receiving streams: UNTs to Cowanshannock Creek. Application received: October 13, 2006. Revised permit issued: January 17, 2007.

03010106 and NPDES Permit No. PA0250031. Black Rock Coal Co., Inc. (1107 University Drive, Dunbar, PA 15431). Transfer of permit formerly issued to Seven Sisters Mining Co., Inc., for continued operation and reclamation of a bituminous surface mining site located in South Bend Township, **Armstrong County**, affecting 34.3 acres. Receiving streams: Crooked Creek and UNT to Allegheny River. Application received: August 1, 2006. Transfer permit issued: January 18, 2007.

03060102 and NPDES Permit No. PA0250902. P & N Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Sugarcreek Township, **Armstrong County**, affecting 252.2 acres. Receiving streams: Patterson Creek and UNTs to Patterson Creek. Application received: March 23, 2006. Permit issued: January 18, 2007.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17960124 and NPDES No. PA0220523. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849), permit renewal for reclamation only of a bituminous surface mine in Brady and Bell Townships, **Clearfield County**, affecting 127 acres. Receiving streams: Buck Run to Beech Run to East Branch Mahoning Creek to Mahoning Creek to Allegheny River. Application received: December 15, 2006. Permit renewed: January 4, 2007.

17960113 and NPDES No. PA0220396. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Covington Township, **Clearfield County**, affecting 321.5 acres. Receiving streams and classifications: unnamed stream to Potter Run—CWF; unnamed stream to Grimes Run—HQ-CWF; unnamed stream to Curley's Run—HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 24, 2006. Permit issued: January 5, 2007.

17950120 and NPDES No. PA0220230. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830). Permit renewal for reclamation only of a bituminous surface mine in Goshen Township, **Clearfield County**, affecting 167.0 acres. Receiving streams: Bloody Run to West Branch Susquehanna River and Trout Run to West Branch Susquehanna River. Application received: January 11, 2007. Permit issued: January 16, 2007.

17000102 and NPDES No. PA0242888. Hepburnia Coal Co. (P. O. Box 1, Grampian, PA 16838). Permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Bell Township, **Clearfield County**, affecting 131.3 acres. Receiving streams: UNTs of Whiskey Run to Whiskey Run and to UNTs of South Branch Bear Run to South Branch Bear Run, to West Branch Susquehanna River, classified for the following use: CWF (sensitive). There are no potable water supply intakes within 10 miles downstream. Application received: November 21, 2006. Permit issued: January 11, 2007.

17940117 and NPDES No. PA0219916. King Coal Sales, Inc. (P. O. Box 712, Philipsburg, PA 16866). Revision of an existing bituminous surface mine (change in land use) in Morris Township, **Clearfield County**, affecting 141.0 acres. Receiving streams: UNT to Alder Run to West Branch Susquehanna River. There are no potable water supply intakes within 10 miles downstream. Application received: November 20, 2006. Permit issued: January 11, 2007.

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

49871602R3. Lenig & Kosmer Coal Washery (R. R. 1 Box 250A, Shamokin, PA 17872). Renewal of an existing anthracite coal preparation plant operation in West Cameron Township, **Northumberland County** affecting 3.6 acres; receiving stream: none. Application received: May 25, 2006. Renewal issued: January 17, 2007.

54693031R4 and NPDES Permit No. PA0124168. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965). Renewal of an existing anthracite surface mine operation and NPDES Permit for discharge of mine drainage operation in Blythe Township, **Schuylkill County** affecting 307.5 acres, receiving stream: UNT to Silver Creek. Application received: January 9, 2006. Renewal issued: January 19, 2007.

35910101R3 and NPDES Permit No. PA0595187. Pioneer Aggregates, Inc. (202 Main Street, Laflin, PA 18702). Renewal of an existing anthracite surface mine and NPDES Permit for discharge of mine drainage operation in Fell Township, **Lackawanna County** affecting 425.0 acres; receiving stream: Wilson Creek. Application received: May 9, 2006. Renewal issued: January 19, 2007.

54060201. Koury Excavating (109 Hill Terrace Drive, Pottsville, PA 17901). Commencement, operation and restoration of an anthracite coal refuse reprocessing operation in North Manheim Township, **Schuylkill County** affecting 8.0 acres; receiving stream: none. Application received: July 27, 2006. Permit issued: January 19, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (73 P.S. §§ 151—161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

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

26064001. Mashuda Corp. (21101 Route 19, Cranberry, PA 16066). Revision to the existing blasting activity permit for highway construction, located in Menallan and North Union Townships, **Fayette County**, with an expected duration of 180 days. Blasting activity permit issued: January 12, 2007.

02074001. Kesco, Inc. (P.O. Box 95, Adrian, PA 16210). Blasting activity permit for construction to the Beaver grade drop zone, located in Leetsdale Township, **Allegheny County**, with an expected duration of 365 days. Blasting activity permit issued: January 18, 2007.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17074001. Douglas Explosives, Inc. (P.O. Box 77, Philipsburg, PA 16866). Blasting for Chestnut Ridge Estates sewer line located in Boggs Township, **Clearfield County**. Permit issued: January 5, 2007. Permit expires: January 5, 2008.

14074001. Triangle Construction (1076 East Bishop St., Bellefonte, PA 16823). Blasting for Nittany Vista Phase III located in Walker Township, **Centre County**. Permit issued: January 9, 2007. Permit expires: July 8, 2007.

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

06074102. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507). Construction blasting for Sunset Knoll in Amity Township, **Berks County** with an expiration date of January 1, 2008. Permit issued: January 12, 2007.

09074101. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938). Construction blasting for Towering Oaks of Yardley in Lower Makefield Township, **Bucks County** with an expiration date of January 1, 2008. Permit issued: January 12, 2007.

46074103. Warren's Excavating & Drilling, Inc. (P.O. Box 1022, Honey Brook, PA 19344). Construction blasting for Meadow Glen West in Skippack Township, **Montgomery County** with an expiration date of January 10, 2008. Permit issued: January 12, 2007.

45074102. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431). Construction blasting at Ski Haven in Paradise Township, **Monroe County** with an expiration date of January 16, 2008. Permit issued: January 17, 2007.

64074101. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431). Construction blasting at Lohigan Camp in Buckingham Township, **Wayne County** with an expiration date of January 16, 2008. Permit issued: January 17, 2007.

67064024. Abel Construction Co., Inc. (P.O. Box 476, Mountville, PA 17554). Construction blasting at Reservoir Heights Phase I in West Manheim Township, **York County** with an expiration date of December 29, 2007. Permit issued: January 18, 2007.

52074001. Demtech, Inc. (65 Bald Mountain Road, Dubois, WY 82513). Demolition blasting at PA Route 434 Bridge Over The Delaware River in Shohola Township, **Pike County** with an expiration date of April 30, 2007. Permit issued: January 18, 2007.

22074101. Dyno Nobel, Inc. (1320 Galiffa Drive, Donora, PA 15033). Construction blasting at Spring Creek Cemetery in Derry Township, **Dauphin County** with an expiration date of January 30, 2008. Permit issued: January 18, 2007.

22074102. Dyno Nobel, Inc. (1320 Galiffa Drive, Donora, PA 15033). Construction blasting for Southpoint Meadows in Derry Township, **Dauphin County** with an expiration date of July 30, 2007. Permit issued: January 18, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

E09-891. All Seasons Marina, 1300 Second Avenue, P. O. Box 390, Croydon, PA 19021, and Department of Conservation and Natural Resources, Bureau of State Parks, Rachel Carson State Office Building, P.O. Box 8767, Harrisburg, PA 17105-8767, Bristol Township, **Bucks County**, ACOE Philadelphia District.

To authorize and amend Permit No. E09-891 which granted permission to modify, upgrade, repair, operate and maintain the existing "All Seasons Marina" located within the Neshaminy State Park. The site is located at the northeast corner or the confluence of the Neshaminy Creek (WWF, MF) and the Delaware River (WWF, MF) (Beverly, PA-NJ, Quadrangle N: 13.7 inches; W: 4.4 inches)

Work will consist of the following activities:

1. To construct and maintain nine new floating docks requiring the installation of 115 timber piles, for a total of 54 boat slips.

2. To install and maintain a travel lift with two platforms and associated steel sheet piling and a 6-foot wide and 395-foot long floating dock adjacent to the travel lift.

3. To install a 1.9-acre gravel base parking area for winter boat storage adjacent to the existing parking area and within the 100-year floodplain.

4. To construct modify repair and maintain the existing rock jetties at the marina's entrance from the river.

5. To install and maintain two 6,000-gallon double-lined aboveground gasoline storage tanks.

6. To modify and maintain an existing Delaware River boat ramp by constructing an adjacent gangway and parallel rock jetties.

7. To install and maintain an access ramp at the northeast corner of the marina to gain entrance to the aforementioned floating dock.

Amendment of this permit approves the Dredge Maintenance Plan and constitutes approval of a Water Quality Certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A § 1341(a)).

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

E54-326. Commonwealth Environmental System, LP, P. O. Box 249, Dunmore, PA 18512-0249. Frailey Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To place fill in approximately 0.96 acre of wetlands for the purpose of expanding an existing municipal solid waste landfill. The permittee is required to provide 2.0 acres of replacement wetlands. The project is located approximately 1.0 mile east of SR 0081, on the north side of SR 0025 (Tremont, PA Quadrangle N: 7.3 inches; W: 0.7 inch).

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

E36-812: Manheim Area Economic Development Corp., 15 East High Street, Manheim PA 17545, Manheim Borough, **Lancaster County**, ACOE Baltimore District.

To remove approximately 6 vertical feet of a section of concrete retaining wall, spanning approximately 195 feet, along the east bank of the Chiques Creek; remove two abandoned oil transfer lines located beneath Chiques Creek; and remove approximately 5,980 cubic feet of material in the floodway and floodplain, followed by stabilization, for the establishment of a riparian and flood storage area at the former Raymark Industries site at the corner of East Stiegel and Oak Streets in Manheim Borough (Manheim, PA Quadrangle; Latitude 40° 09' 37", Longitude: 76° 23' 21"; N: 6.5 inches; W: 2.05 inches.)

E67-805: Izaak Walton League of America, York Chapter, 7131 Ironstone Hill Road, Dallastown, PA 17313, Springfield Township, **York County**, ACOE Baltimore District.

To construct and maintain a stream restoration project on 3,800 feet of a UNT to the East Branch Codorus Creek (CWF), including rock and log structures and bank grading for the purpose of correcting the stream pattern, improving streambank stabilization, sediment transport and aquatic habitat and establishing a riparian buffer. The project is located just west of Jacobus Borough (Glen

Rock, PA Quadrangle N: 21.8 inches; W: 12.9 inches; Latitude: 39° 52' 11", Longitude: 76° 43' 4" to York, PA Quadrangle N: 0.6 inches, W: 14.1 inches; Latitude: 39° 52' 41", Longitude: 76° 43' 34") in Springfield Township, York County.

E36-539: Lancaster Country Club, 1466 New Holland Pike, Lancaster, PA 17601, Manheim and East Lampeter Townships, **Lancaster County**, ACOE Baltimore District.

To remove and replace an existing 3-span multi-girder steel I-beam bridge and two associated piers from the Conestoga River (WWF) with a 150-foot long, 8-foot wide, single-span prefabricated steel truss bridge with a minimum underclearance of 12.0-feet, and approximately 319 linear-feet of grading along the floodway in the same location on the Lancaster Country Club Golf Course approximately 25 feet downstream of the confluence with Stauffer Run (Lancaster, PA Quadrangle; 40° 03' 42.01" N, 76° 16' 0.31" W; 11.2 inches N, 2.34 inches W), and to install and maintain 20 streambank and channel stabilization structures including rock deflectors, rock vanes, and rip-rap placement resulting in 557 linear-feet of stream impacts along a 3,700-foot section of Stauffer Run (WWF) beginning at the confluence with the Conestoga River (Lancaster, PA Quadrangle; 40° 03' 33.31" N, 76° 15' 18.03" W; 10.76 inches N, 0.70 inch W) and ending near Millcross Road (Lancaster, PA Quadrangle; 40° 03' 41.88" N, 76° 15' 59.13" W; 11.19 inches N, 2.30 inches W) in Manheim and East Lampeter Townships, Lancaster County.

E36-805: Sertoma Club of Lancaster, 1855 Columbia Avenue, P. O. Box 1746, Lancaster, PA 17608-1746, Lancaster City and Manheim Township, **Lancaster County**, ACOE Baltimore District.

To construct an interpretive trail on an approximately 3 acre parcel south of Long's Park near the intersection of Route 30 and Harrisburg Pike in Manheim Township and Lancaster City (center of project located on Lancaster USGS Quadrangle; N: 1 inch, W: 1 inch; Latitude: 40° 03' 42" N, Longitude: 76° 19' 51" W). The project will involve approximately 900 feet of stream bank stabilization work and riparian plantings along a UNT of Little Conestoga Creek, three footbridges, one wetland crossing and one intake pipe on an existing dam. There will be approximately 5,000 square feet of wetland enhancement work, 30 feet of stream channel impacts, and 950 square feet of wetland impacts.

The pedestrian bridges will be typical cambered bridges (2.5% arch rise to midpoint). The bridges will be built on grade, with the walkway about 8 inches above existing grade. Bridge 1 (City of Lancaster) will have a span of 15 feet and a width of 6 feet. Bridge 2 (Manheim Township) will have a span of 28 feet and a width of 6 feet. Bridge 3 (Manheim Township) will have a span of 45 feet.

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

E62-403, Echo Warren Associates, LP, 701 Alpha Drive, Pittsburgh, PA 15238. Warren County Retail Center, in Conewango Township, **Warren County**, ACOE Pittsburgh District (Russell, PA Quadrangle N: 1.0 inch; W: 3.5 inches).

The applicant has requested to amend Permit E62-403 which authorized Echo Warren Associates, LP to construct a commercial development consisting of a Wal-Mart (204,000 square feet), a home improvement center (111,000 square feet), 81,000 square feet of additional retail shops and associated parking immediately NW of the intersection of US Route 62 (Market Street Extension) and SR 69 (Jackson Run Road) involving: 1) to fill 0.62 acre of PEM wetland; 2) to restore 1.01 acres of wetland onsite and to enhance 0.56 acre of existing wetland onsite; 3) to construct and maintain two 3.0-foot diameter HDPE stormwater outfalls discharging to Jackson Run; and 4) to construct and maintain a 3.5-foot diameter HDPE stormwater outfall discharging to Conewango Creek.

The applicant proposes to amend Permit E62-403 to include: 1) an additional wetland impact of 0.32 acre of PEM wetlands affected by side slope grading and potential secondary impacts during and after reconstruction of the Warren County Retail Center; 2) the rerouting and rip-rap lining of approximately 150 feet of an unnamed tributary to Jackson Run with a drainage area of less than 100 acres during construction of the Warren County Retail Center; 3) proposed additional wetland mitigation consisting of the construction of 0.2 acre of PEM wetland and vegetative enhancement of 0.3 acre of reed canary PEM wetland.

The project proposes to directly affect 0.94 acre of PEM wetlands and to restore 1.03 acres of wetland onsite and to enhance 0.86 acre of existing wetland onsite.

Jackson Run is a perennial stream with a wild trout designation and classified as a CWF. Conewango Creek is a perennial stream classified as a WWF.

**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—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07-23-008	Sunoco Partners Marketing & Terminals, LP 1735 Market St. Suite LL Philadelphia, PA 19103 Attn: John McFadden	Delaware	Upper Chichester Township	One AST storing denatured ethanol	420,000 gallons

SPECIAL NOTICES

Notice of Extension of Pennsylvania General NPDES Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (PAG# 6)

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice issues a 12-month extension of the terms of its current General NPDES Permit for wet weather overflow discharges from combined sewer systems (PAG# 6). The current general permit is scheduled to expire February 22, 2007. The terms of the current permit are extended until February 22, 2008. The extension will be effective on February 23, 2007, and shall expire February 22, 2008. The Department will continue to grant coverage under the existing general permit and enforce permit compliance in accordance with existing requirements until the general permit is reissued following the public review process.

The permit documents package will continue to be available from the Department's Regional and Central Offices. Persons with questions about this notice should contact Lee McDonnell in the Bureau of Water Standards and Facility Regulation at (717) 787-8184 or lmcdonnell@state.pa.us.

Request for Comment and Notice of Public Meeting for the Revised Final Total Maximum Daily Load (TMDL) for the Little Schuylkill River Watershed

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

The Department of Environmental Protection (Department) is holding a public meeting to discuss and accept comments on a revised final TMDL for the Little Schuylkill Watershed. The meeting will be held on February 20, 2007, at 10 a.m. at the Department of Environmental Protection (Department) District Office in Pottsville, PA. Individuals who wish to make a presentation at the public meeting should contact Jim Andrews no later than 4 p.m. on February 16, 2007. The Department will consider all comments in developing the final TMDL for the Little Schuylkill Watershed, which will be submitted to the Environmental Protection Agency for approval.

The TMDL for the Little Schuylkill River Watershed was developed in accordance with the requirements of the Clean Water Act, Section 303(d). One stream segment in the Little Schuylkill River Watershed have been identified as impaired on the 1996 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals, as well as an addition 3 segments. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
02202	Little Schuylkill River	22.8
02233	UNT Little Schuylkill River	1.7
02244	UNT Little Schuylkill River	0.1
02245	UNT Little Schuylkill River	0.1

The proposed plan provides calculations of streams total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30-day Average
		Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal from the nineteenth to the late twentieth centuries. The effects of this are still present.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL. The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected over the past 5 years.

The Department will accept written comments on the proposed Little Schuylkill River Watershed TMDL. All written comments must be postmarked by February 23, 2007, and sent to James Andrews, Geologic Specialist, Department of Environmental Protection, Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118 or jameandrew@state.pa.us

To request a copy of the TMDL and associated information sheet or to obtain directions to the Department's Pottsville District Office, contact Jim Andrews at the phone number or email address indicated previously.

The proposed TMDL for the Little Schuylkill River Watershed can be accessed through the Department's website (<http://www.dep.state.pa.us>) by typing "TMDL" in the DEP Keyword field and clicking GO. Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Revised Final Total Maximum Daily Load (TMDL) for the Schuylkill River Watershed

The Department of Environmental Protection (Department) is holding a public meeting to discuss and accept comments on a revised final TMDL for the Schuylkill Watershed. The meeting will be held on February 20, 2007, at 10 a.m. at the Department of Environmental Protection District Office in Pottsville, PA. Individuals who wish to make a presentation at the public meeting should contact Jim Andrews no later than 4 p.m. on February 16, 2007. The Department will consider all comments in developing the final TMDL for the Schuylkill Watershed, which will be submitted to the Environmental Protection Agency for approval.

The TMDL for the Schuylkill River Watershed was developed in accordance with the requirements of the Clean Water Act, Section 303(d). One stream segment in the Schuylkill River Watershed have been identified as impaired on the 1996 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

Stream Code	Stream Name	Miles Degraded
00833	Schuylkill River	34

The proposed plan provides calculations of streams total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

Parameter	Criterion value (mg/l)	Total Recoverable/Dissolved
Aluminum	0.75	Total Recoverable
Iron	1.5	30-day Average
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal from the nineteenth to the late twentieth centuries. The effects of this are still present.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL. The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected over the past 5 years.

The Department will accept written comments on the proposed Schuylkill River Watershed TMDL. All written comments must be postmarked by February 23, 2007, and sent to James Andrews, Geologic Specialist, Department of Environmental Protection, Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118 or jameandrew@state.pa.us

To request a copy of the TMDL and associated information sheet or to obtain directions to the Department's Pottsville District Office, please contact Jim Andrews at the phone number or email address indicated above.

The proposed TMDL for the Schuylkill River Watershed can be accessed through the Department's website (<http://www.dep.state.pa.us>)

Parameter	Criterion value (mg/l)	Total Recoverable/Dissolved
Lead	$\{1.4623 - (\ln[H] \times 0.145712)\} \times e^{(1.273 \times \ln[H] - 4.705)}$	Total Recoverable

The proposed TMDL was developed using water quality samples taken during various flow conditions in 2006 and the lead criterion relationship shown previously. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Bernhart Creek Watershed. Written comments must be postmarked by 30 days after publication in the *Pennsylvania Bulletin*, and sent to Joseph Adams, Department of Environmental Protection, 909 Elmerton Ave., Harrisburg, PA 17110, (717) 705-4820, josepadams@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the South

www.dep.state.pa.us) by typing "TMDL" in the DEP Keyword field, and clicking GO. Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for Proposed Total Maximum Daily Loads (TMDLs) for the Bernhart Creek Watershed located in Berks County

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

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Bernhart Creek Watershed located in Berks County. The meeting will be held on February 21, 2007, beginning at 7 p.m. at the Berks County Agriculture Building on County Welfare Drive in Leesport, PA. Individuals who plan to make a presentation at the public meeting should contact Joseph Adams, Southcentral Regional Office at (717) 705-4820 by 4 p.m. on Friday, February 16, 2007. The Department will consider all comments in developing the final TMDL for the Bernhart Creek Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Bernhart Creek Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. One stream segment in the Bernhart Creek Watershed has been identified as impaired on the 1996 Pennsylvania section 303(d) list due to high concentration of salinity/total dissolved solids/chlorides and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

Stream Code (Segment ID)	Stream Name	Miles Degraded
1978 (6389)	Bernhart Creek	1.9

The proposed plan provides calculations of the stream's total capacity to accept metals (lead) and maintain levels below water quality criteria. The water quality criterion for lead is directly related to the hardness concentration of the water. The applicable water quality criterion relationship is as follows:

Central Regional Office, contact Joseph Adams at the phone number or e-mail address indicated previously.

The proposed TMDL for the Bernhart Creek Watershed can be accessed through the Department's website at www.dep.state.pa.us by typing "TMDL" in the DEP Keyword field, and clicking GO.

Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Clearfield Creek Watershed

The Pennsylvania Department of Environmental Protection (Department) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on February 20, 2007, at 7 p.m. at Prince Gallitzin State

Park Headquarters, Patton, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDLs developed for the Clearfield Creek Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in Clearfield Creek have been identified as impaired due to high levels of metals and low pH as a result of abandoned mine drainage.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in Clearfield Creek for iron, manganese, aluminum and acidity. Loads have been allocated to both point and nonpoint sources. The TMDLs were established using field data collected in 2003 and 2004, as well as data collected from prior water quality surveys performed by other agencies.

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's website (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at this address and must be postmarked no later than 30 days from the date of this bulletin notice. The PADEP will consider all comments in developing the final TMDL, which will be submitted to Environmental Protection Agency for approval.

Request for Comments and Notice of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) Developed for the West Branch Susquehanna River Watershed

The Pennsylvania Department of Environmental Protection (Department) and the Susquehanna River Basin Commission (SRBC) are holding a public meeting on February 22, 2007, at 7 p.m. at the Clearfield County Conservation District, Clearfield, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDLs developed for the West Branch Susquehanna River Watershed. In accordance with the requirements of Section 303(d) of the Clean Water Act, stream segments in the West Branch Susquehanna River have been identified as impaired due to high levels of metals and low pH as a result of abandoned mine drainage.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in the West Branch Susquehanna River for iron, manganese, aluminum and acidity. Loads have been allocated to both point and nonpoint sources. The TMDLs were established using field data collected in 2004 and 2005, as well as data collected from prior water quality surveys performed by other agencies.

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's

website (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of any of the TMDLs, contact Bill Brown, PADEP, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at this address and must be postmarked no later than 30 days from the date of this bulletin notice. The Department will consider all comments in developing the final TMDL, which will be submitted to Environmental Protection Agency for approval.

Certified Emission Reduction Credits In Pennsylvania's ERC Registry

Emission reduction credits (ERCs) are surplus, permanent, quantified and federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NOx), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SOx), particulate matter (PM), PM-10 and PM-10 precursors.

The Pennsylvania Department of Environmental Protection (PADEP) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered, and certified ERCs in the ERC Registry are currently available for use as follows:

- (1) To satisfy new source review (NSR) emission offset ratio requirements;
- (2) To "net-out" of NSR at ERC-generating facilities;
- (3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown below, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—208. ERCs created from the curtailment or shutdown of a source or facility expires for use as offsets 10 years after the emission reduction occurs. ERCs generated by the over control of emissions by an existing facility do not expire for use as offsets. However, credits in the registry that are not used in a plan approval will be discounted if new air quality requirements are adopted by the Department or United States Environmental Protection Agency (EPA).

For additional information concerning this listing of certified ERCs, contact the Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. This Pennsylvania ERC registry report, ERC Registry application and instructions are located at www.depweb.state.pa.us, select Air Topics, Air Quality Home, Permits, Emission Reduction Credits.

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
R. R. Donnelley & Sons Co. County: Lancaster Contact Person: Frederick Shaak, Jr.	VOCs	16.00		Internal Use
Kurz Hastings Inc. County: Philadelphia Contact Person: George Gornick (215) 632-2300	VOCs	137.45		Trading
Kurz Hastings Inc. County: Philadelphia Contact Person: George Gornick (215) 632-2300	NOx VOCs	8.01 64.55	Varies from 03/28/2013 to 01/9/2014	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Contact Person: Lori Burgess (412) 274-3884	VOCs	171.82		Trading
Recipient/Holder of ERC: Coastal Aluminum Rolling Mills Inc. ERC Generating Facility: Fasson Div. of Avery Dennison Corp. ERC-generating facility location: Quakertown, Bucks Contact Person: Jesse Hackenberg (570) 323-4430	VOCs	3.62		Internal Use/ Trading
Congoleum Corporation Source Location: Marcus Hook County: Delaware Contact Person: Theresa C. Garrod (609) 584-3000	NOx	5.20		Trading
International Steel Group, Inc. Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Contact Person: Keith Nagel (330) 659-9165	VOCs	473.80	Varies from 03/28/2008 to 06/19/2008	Trading
Recipient/Holder of ERC: Lehigh Valley Industrial Park, Inc. ERC Generating Facility: International Steel Group, Inc. Source Location: Bethlehem County: Northampton Contact Person: Justin Ryan (610) 866-4600	NOx	1054.00	Varies from 03/28/2008 to 06/19/2008	Trading
Morgan Adhesives Company (MACTac) Source Location: Scranton County: Lackawanna Contact Person: Tim Owens (330) 688-1111	VOCs	75.00	06/30/2008	Trading
National Fuel Gas Supply Corporation Sources: Generators Nos. 1 and 2, Dehydrator 1 Source Location: Ellisburg Station County: Potter Contact Person: Gary A. Young (814) 871-8657	NOx VOCs	16.14 1.80	02/1/2009	Internal Use
TYK America, Inc. Source Location: Irvona Facility County: Clearfield Contact Person: David B. Orr (412) 384-4259	NOx VOCs	0.30 0.02	11/6/2008	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Smithkline Beechman Pharmaceuticals Sources: Two boilers and oxidizer Source Location: Spring Garden Street Facility County: Philadelphia Contact Person: Eileen Ackler (610) 239-5239	NOx VOCs	5.72 0.10	12/31/2008	Trading
Recipient/Holder of ERC: PG&E Energy Trading-Power, LP ERC Generating Facility: Global Packaging, Inc. ERC-generating facility location: Oaks Plant, Montgomery County Contact Person: Sarah M. Barpoulis (301) 280-6607	VOCs	43.50		Trading
The Procter & Gamble Paper Products Company Source Location: Mehoopany Plant County: Wyoming Contact Person: John Romero (570) 833-3285	NOx VOCs PM	136.00 237.67 99.62	05/3/2009	Internal Use/Trading
Caparo Steel Company Source: EAF Furnace No. 2 & Ladle Preheater No. 2 Source Location: Farrell Plant County: Mercer County Contact Person: Richard A. Herman (724) 983-6464	NOx VOCs	36.73 12.07	08/18/2007	Trading
LTV Steel Company, Inc. Source Location: Pittsburgh Coke Plant County: Allegheny Contact Person: William L. West (216) 642-7178	NOx VOCs PM-10 SOx CO	1663.00 373.00 406.00 1238.00 671.00	02/28/2008	Trading
Newcomer Products Inc. Source Location: Latrobe County: Westmoreland Contact Person: Edward M. Nemeth (724) 694-8100	VOCs	16.00	07/14/2010	Trading
Scranton-Altoona Terminals Corporation Source Location: Monroe Township County: Cumberland County Contact Person: Thomas M. Carper (717) 939-0466	VOCs	4.84	09/30/2010	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Contact Person: David W. Dunn (713) 546-6941	NOx VOCs CO	15.47 0.68 14.86	02/26/2010	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Contact Person: David W. Dunn (713) 546-6941	NOx VOCs CO	2.82 44.34 0.57	04/1/2010	Trading
INDSPEC Chemical Corp. Source: Boiler No. 8 Source Location: Petrolia County: Butler Contact Person: Terry Melis (412) 756-2376	NOx SOx	158.68 1217.95		Trading
Sun Company, Inc. Source: Wastewater Conveyance System Source Location: Marcus Hook Borough County: Delaware Contact Person: Steve Martini (610) 859-1000	VOCs	426.59		Trading/ Internal Use

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Columbia Gas Transmission Corporation Source Location: Kent Station County: Indiana Contact Person: Gregory Lago (304) 357-2079	NOx VOCs	44.36 2.66	05/31/2011	Trading
Columbia Gas Transmission Corporation Source Location: Homer Station County: Indiana Contact Person: Gregory Lago (304) 357-2079	NOx VOCs	45.89 3.79	05/31/2011	Trading
ISG Steelton, Inc. Source: Rail Heat Treating & Quenching Source Location: Steelton Plant County: Dauphin Contact Person: James R. Hernjak (717) 986-2042	NOx VOCs	7.00 43.00	11/9/2009	Trading
General Electric Transportation System Source: Boiler No. 2 Source Location: E. Lake Road County: Erie Contact Person: Mark D. Restifo (814) 875-5406	NOx VOCs PM SOx CO	280.90 1.70 29.50 2006.70 111.90	12/31/2010	Trading
3M Minnesota Mining & Manufacturing Source Location: Bristol Plant County: Bucks Contact Person: Jeff Muffat (651) 778-4450	VOCs VOCs	502.00 279.00	11/30/2011 12/17/2011	Trading
Kosmos Cement Company, Cemex Inc. Source Location: Neville Road, Pittsburgh County: Allegheny Contact Person: Amarjit Gill (713) 653-8554	NOx VOCs PM10 SOx CO	910.00 26.00 61.00 442.00 44.00	04/24/2011	Trading
Edgewater Steel Ltd. Source Location: College Avenue, Oakmont County: Allegheny Contact Person: Peter M. Guzanick (412) 517-7217	NOx VOCs PM10 SOx CO	17.05 1.87 5.44 32.29 17.93	08/6/2008	Trading
JG Furniture Group, Inc. Source Location: Quakertown, Bucks County: Bucks Contact Person: Donald Boisselle (336) 410-7263	VOCs	24.40	09/1/2007	Trading
Recipient/Holder of ERC: Maple North America Development Company, LLC ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Contact Person: John Cooper (703) 734-0844	NOx VOCs	104.00 45.00	11/29/2011	Trading
Recipient/Holder of ERC: Natsource Emissions Brokers ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Contact Person: David Oppenheimer (212) 232-5305	NOx VOCs	0.27 1.50	11/29/2011	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Trinity Industries, Inc. Source Location: Greenville County: Mercer County Contact Person: Dennis Lencioni (214) 589-8141	VOCs	61.65	10/31/2010	Trading
Rohm and Haas Company Source Location: Bristol Township County: Bucks Contact Person: Lloyd Davis (215) 785-8871	VOCs VOCs	1.15 0.32	10/30/2010 01/30/2011	Trading
Recipient/Holder of ERC: Waste Management Disposal Services of Pennsylvania ERC Generating Facility: The Worthington Steel Company Source Location: Malvern, East Whiteland County: Chester Contact Person: Eli Brill (215) 269-2111	VOCs	43.00	01/31/2012	Traded
Recipient/Holder of ERC: Waste Management of Pennsylvania, Inc. ERC Generating Facility: The Worthington Steel Company Source Location: Malvern, East Whiteland County: Chester Contact Person: Eli Brill (215) 269-2111	VOCs	70.00	01/31/2012	Traded
PPL Inc. Source Location: Holtwood Station County: Lancaster Contact Person: Linda A. Boyer (610) 774-5410	NOx VOCs PM10 SOx	3521.09 9.70 105.50 13241.30	04/29/2009	Trading
North American Refractories Company Source Location: Womelsdorf County: Lebanon Contact Person: Rhonda Vete (412) 469-6122	NOx NOx VOCs PM10 SOx CO	5.11 62.57 0.25 15.60 24.85 19.45	12/15/2010 09/30/2008 09/30/2008	Trading
The Quaker Oats Company Source Location: Shiremanstown Plant County: Cumberland Contact Person: Richard C. Pitzer (717) 731-3334	NOx VOCs PM	4.00 1.68 60.49	Varies from 04/3/2010 to 07/15/2011	Trading
Glasgow, Inc. Source Location: Plymouth Meeting County: Montgomery Contact Person: Brian Chabak (215) 884-8800	NOx VOCs NOx VOCs	2.72 0.21 6.54 0.52	12/31/2010 12/31/2010 06/01/2010 06/01/2010	Trading
Scranton-Altoona Terminals Corporation Source Location: East Freedom Terminal County: Cumberland County Contact Person: Thomas M. Carper (717) 939-0466	VOCs	9.19	04/1/2009	Trading
SLI Lighting Inc. Source Location: Ellwood City County: Lawrence Contact Person: Tim Haubach (724) 752-6493	VOCs	5.70	06/3/2010	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Harvard Industries, Inc. Plant name: Pottstown Precision Casting Inc. Source Location: West Pottsgrove Township County: Montgomery Contact Person: Allan B. Currie, Jr. (517) 740-2991 or (517) 592-3706	NOx VOCs	28.25 8.70	11/12/2011	Trading
Recipient/Holder of ERC: Morgan Stanley Capital Group Inc. ERC Generating Facility: Occidental Chemical Corp. ERC Generating Source Location: Pottsgrove Township County: Montgomery Contact Person: Trevor Woods (212) 761-8895	NOx	71.40	02/28/2007	Trading
Recipient/Holder of ERC: Kvaerner Philadelphia Shipyard, Inc. ERC Generating Facility: Occidental Chemical Corp. ERC Generating Source Location: Pottsgrove Township County: Montgomery County Contact Person: Michael Masington (215) 875-2649	NOx	50.00	02/28/2007	Trading
Alcoa, Inc. Source Location: Lebanon Township County: Lebanon Contact Person: Kevin S. Barnett (412) 553-2094	VOCs	468.43	Varies from 09/29/2010 to 05/1/2012	Trading
American Color Graphics, Inc. Formerly Flexi-Tech Graphics, Inc. Source Location: Barnhart Drive, Hanover County: York Contact Person: Glenn Shaffer (717) 792-8104	VOCs	9.60	01/15/2012	Trading
Allegro Microsystems, Inc. Source Location: Upper Moreland Township County: Montgomery Contact Person: Wendy Cooper (610) 286-7434	VOCs	42.61	03/29/2012	Trading
Williams Generation Company Source Location: Hazleton Co-Gen Facility County: Luzerne Contact Person: Terrie Blackburn (918) 573-9766	NOx PM10 SOx CO	794.60 50.40 308.40 89.50	01/31/2007	Trading
Calumet Lubricants Company Source Location: Rouseville Plant County: Venango Contact Person: Daniel R. Chapman (814) 678-4602	NOx VOCs SOx	89.80 2.38 87.70	05/21/2012	Trading
Avery Dennison Corporation Source Location: Dungan Road County: Philadelphia Contact Person: Frank J. Brandauer (626) 398-2773	VOCs	3.13	06/30/2012	
Henry Miller Spring & Manufacturing Company Source Location: Sharpsburg County: Allegheny Contact Person: David J. Jablonowski (412) 782-7300	NOx VOCs	10.96 36.47	01/22/2010	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Penco Products, Inc. Source Location: Lower Providence Township County: Montgomery Contact Person: Allan J. Goss (610) 666-0500	NOx VOCs	3.11 29.48	10/1/2011	Trading
Norfolk Southern Railway Co. Source Location: Hollidaysburg Car Shop County: Blair Contact Person: Carl Russo (814) 949-1479	NOx VOCs	4.35 69.80	07/19/2012	Trading
World Kitchen Inc. Source Location: Charleroi Plant County: Washington Contact Person: James Rowlett (724) 489-2288	NOx	251.43		Trading
PPG Industries, Inc. Source Location: Greenwood Township County: Crawford Contact Person: David J. Neal (412) 492-5507	NOx	1118.50		Trading
Sentry Paint Technologies, Inc. Source Location: Mill Street, Darby County: Delaware Contact Person: Benjamin Breskman (610) 522-1900	VOCs	3.56	04/30/2013	Trading
R. H. Sheppard Company, Inc. Source Location: Core making operation in Hanover County: York Contact Person: Julie L. Smith (717) 637-3751	VOCs	14.43	04/15/2013	Trading
International Paper Source: Bleach Plant, Erie Mill County: Erie Contact Person: Gary Morrow (814) 870-6782	VOCs	72.06		Trading
International Paper Source Location: Erie Mill County: Erie Contact Person: Gary Morrow (814) 870-6782	NOx VOCs	1235.00 943.00	09/30/2012	Trading
Corning Incorporated Source Location: College Township County: Centre Contact Person: Douglas A. Wolf (607) 974-4267	NOx	1400.01	06/23/2013	Trading
Sea Gull Lighting Products, Inc Source Location: 25th and Wharton St County: Philadelphia Contact Person: Mark Gardiner (215) 468-7255	VOCs	12.50	03/1/2013	Trading
Allegro Microsystems, Inc. Source Location: Upper Moreland Township County: Montgomery Contact Person: Wendy Cooper (610) 286-7434	NOx CO	2.90 1.30	10/20/2013	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Recipient/Holder of ERC: First Quality Tissue, LLC ERC Generating Facility: PPL Holtwood, LLC ERC Generation Source Location: Martic Township County: Lancaster Contact Person: Mark Zeffiro (814) 231-5267	NOx	74.98	04/29/2009	Internal Use
Recipient/Holder of ERC: First Quality Tissue, LLC ERC Generating Facility: Alcoa Inc. ERC Generation Source Location: South Lebanon County: Lebanon Contact Person: Mark Zeffiro (814) 231-5267	VOCs	43.72	04/05/2012	Internal Use
Lancaster Malleable Castings Company Source Location: Manheim Township County: Lancaster Contact Person: Jeffrey L. Ressler (717) 295-8200	VOCs CO	11.71 1.30	03/31/2013	Internal use/Trading
International Paper Source: Lock Haven Mill Source Location: Castanea Township County: Clinton Contact Person: Thomas M. Sauer (570) 740-1211	NOx VOC SOx	1287.00 27.90 6606.00	03/22/2012	Offsets/Trading
CMS Gilbreth Packaging Systems Source: Label and Packaging Network County: Bucks Contact Person: Patricia M. Henry Unrath (610) 789-2277	VOC	17.40	05/31/2008	Trading
Brodart Company Source Location: Montgomery Facility County: Lycoming Contact Person: Robyn J. Dincher (570) 326-2461 Ext. 6408	VOCs	24.91	04/18/2013	Trading
Pennsylvania House White Deer Furniture Plant Source: Conveyor and Monorail lines Source Location: White Deer Plant County: Union Contact Person: Robert J. Varney (570) 523-2356	VOCs	82.90	03/15/2012	Trading
Exelon Power Source: Delaware Generating Station Source Location: Philadelphia County: Philadelphia Contact Person: Kimberly Scarborough (610) 765-5883	NOx	286.5	12/16/2014	Trading
Worthington Steel Company Source Location: East Whiteland Township County: Chester Contact Person: Matt Johnson (614) 438-7960	NOx	10.00	04/01/2013	Trading
Buckeye Pipe Line Company, L.P. Source Location: Reed Township County: Dauphin Contact Person: Jason Mengel (484) 232-4491	VOCs	12.00	02/28/2012	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Bollman Hat Company Source Location: Willow St., Adamstown County: Lancaster Contact Person: David L. Wails (717) 484-4361	VOCs	14.34	10/03/2013	Trading
Property Investing Center (Goodville Industrial Center) Source Location: East Earl Township County: Lancaster Contact Person: Richard Stauffer (717) 738-3488	VOCs	84.09	09/13/2013	Trading
Armstrong World Industries, Inc. (Lancaster Flooring) Source Location: 1067 Dillerville Road County: Lancaster Contact Person: Gene Hartzell (717) 396-3668	VOC NOx	31.79 1.9	09/01/2013 to 08/20/2014 08/20/2014	Internal use/ Trading
RUTGERS Organics Corporation Source Location: 201 Struble Road, State College County: Centre Contact Person: Mary Jo Smith (814) 231-9277	NOx NOx VOC	5.27 3.35 2.17	08/15/2013 04/16/2014 03/26/2014	Internal use/ Trading
AK Steel Corporation Source Location: Butler County: Butler Contact Person: Robert J. Hocks (724) 284-2685	NOx NOx NOx	28.55 24.82 139.45	11/06/2011 01/30/2012	Trading/ Internal use
Cabinet Industries, Inc. Source Location: Danville Borough County: Montour Contact Person: Laura Lee Spatzer (570) 275-1400, Ext. 1400	VOC	7.29	09/01/2015	Trading
Honeywell-International Source Location: Emlenton Plant County: Venango Contact Person: Shane Dunn (814) 887-4081	VOC	49.82	04/30/2010	Trading
Naval Surface Warfare Center, Carderock Division Source Location: Philadelphia Naval Shipyard County: Philadelphia Contact Person: Michael Santella Telephone Number: (215) 897-1315; DSN 443	NOx	116.50 157.50	09/30/2007 09/30/2008	Internal use
Eljer Plumbingware, Inc. Source: Ford City Plant Source Location: Ford City County: Armstrong Contact Person: Bill Harasty (724) 763-6233	NOx VOC NOx VOC NOx VOC	85.68 3.22 73.06 2.64 55.48 1.40	3/15/2014 6/8/2014 10/4/2014	Trading
Reliant Energy Mid-Atlantic Power Holdings, LLC Source Location: Pennsylvania Avenue, Warren County: Warren Contact Person: Keith A. Schmidt (814) 533-8193	NOx VOCs SOx PM CO	695.76 2.99 2925.36 64.60 20.85	9/28/2012	Trading
Arbill Safety Products Source Location: 2207 West Glenwood Avenue County: Philadelphia Contact Person: Barry Bickman (800) 523-53673	VOCs NOx SOx	20.32 0.38 0.21	01/01/2016	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Dominion Transmission Inc Source Location: Big Run Compressor Station County: Jefferson Contact Person: David Testa (412) 690-1815	NOx	10.00	10/13/2013	Trading
Carmeuse Lime, Inc Source Location: Hanover Lime Plant County: Adams Contact Person: Kenneth Kauffman (717) 630-8266	NOx VOC SOx PM10 PM2.5	46.61 1.96 10.26 14.64 7.18	01/03/2016	Trading
Port Glenshaw Glass, LLC Source Location: 1101 William Flynn Hwy., Glenshaw PA 15116 County: Allegheny Contact Person: William A. Kelman (724) 547-3544	VOC NOx SOx PM2.5 PM10	10.64 59.46 74.89 23.11 25.40	11/24/2014	Trading/ Internal use

[Pa.B. Doc. No. 07-161. Filed for public inspection February 2, 2007, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for the Johnstown 8-Hour Ozone Nonattainment Area; Public Hearing

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. The Johnstown (Cambria County) 8-hour Ozone Nonattainment Area has met the health-based National ambient air quality standard for ozone based on 2003-2005 concentrations. Therefore, the Department of Environmental Protection (Department) plans to submit a request to the United States Environmental Protection Agency (EPA) to redesignate this nonattainment area to attainment of the 8-hour ozone National ambient air quality standard (NAAQS). The Department is seeking public comment on the 8-hour ozone redesignation request, the 2002 base year inventory and a State Implementation Plan revision setting forth a Maintenance Plan demonstrating that the area can maintain the health-based ozone standard for the next 10 years as required under section 175A(a) of the Federal Clean Air Act (42 U.S.C.A. § 7505a). The Maintenance Plan, once approved by the EPA, will also establish new motor vehicle emission budgets for purposes of transportation conformity.

This proposal is available on the Department's website at www.depweb.state.pa.us (choose "Air Topics") or through the contact persons listed.

The Department will hold a public hearing to receive comments on the proposals on Tuesday, March 6, 2007, at 1 p.m. at the Cambria District Mining Office (Department of Environmental Protection), Conference Room 2F, 286 Industrial Park Road, Ebensburg, PA 15931. Persons wishing to present testimony at the hearing should contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495 or yhouse@state.pa.us to reserve a time. Persons who do not reserve a time will be able to testify as time allows. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Yvette House at (717) 787-9495 or yhouse@state.pa.us. TDD users may contact the AT&T

Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than March 9, 2007. Written comments should be sent to the attention of J. Wick Havens, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, jhavens@state.pa.us. Use "Johnstown Ozone SIP" as the mail addressee or in the subject line.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-162. Filed for public inspection February 2, 2007, 9:00 a.m.]

Small Water Systems Technical Assistance Center Advisory Board; Meeting Cancellation

The Small Water Systems Technical Assistance Center Advisory Board's regular quarterly board meeting scheduled for February 15, 2007, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA is cancelled. The next meeting of the Board is scheduled for May 17, 2007, at the same time and location.

Questions concerning the next scheduled meeting of the Small Water Systems Technical Assistance Center Advisory Board should be directed to Ray Braun at (717) 772-2186 or rbraun@state.pa.us. The agenda and meeting materials for the May 17, 2007, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Ray Braun at (717) 772-2186 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-163. Filed for public inspection February 2, 2007, 9:00 a.m.]

Technical Advisory Committee on Diesel-Powered Equipment; Special Meeting

The Technical Advisory Committee on Diesel-Powered Equipment will hold a special meeting on Monday, February 12, 2007, at 10 a.m. in the Fayette County Health Center, 100 New Salem Road, Uniontown, PA 15401. The purpose of the meeting is to address "Conditions of Use" for diesel-powered equipment in slope and shaft construction operations in mines in this Commonwealth.

Questions concerning this meeting should be directed to Allison Gaida at (724) 439-7289 or agaida@state.pa.us. The agenda for the meeting, including meeting materials, will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Allison Gaida directly at (724) 439-7289 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-164. Filed for public inspection February 2, 2007, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale; Union County

The Department of General Services (Department) will accept bids for the purchase of 1.8 acres of land and residence located at 18250 Old Turnpike Road, SR 45, Hartley Township, Union County. Bids are due April 20, 2007. Interested parties wishing to receive a copy of Solicitation No. 94067 should view the website at www.dgs.state.pa.us or call Victor Piro at (717) 787-5546.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 07-165. Filed for public inspection February 2, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Brookville Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Brookville Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.10E (relating to MRI square footage requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-166. Filed for public inspection February 2, 2007, 9:00 a.m.]

Application of Dermatology & Cosmetic Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Dermatology & Cosmetic Surgery Center has requested an exception to the requirements of 28 Pa. Code § 555.22(b) (relating to preoperative care).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 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 a request for exception and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-167. Filed for public inspection February 2, 2007, 9:00 a.m.]

Application of The Endoscopy Center at Gateway for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Endoscopy Center at Gateway has requested an exception to the requirements of 28 Pa. Code §§ 551.3 and 555.31(a) (relating to definitions; and principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request for exception and require an auxiliary aid service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-168. Filed for public inspection February 2, 2007, 9:00 a.m.]

Application of Laurel Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Laurel Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request for exception and require an auxiliary aid service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-169. Filed for public inspection February 2, 2007, 9:00 a.m.]

Application of PGC Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that PGC Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request for exception and require an auxiliary aid service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-170. Filed for public inspection February 2, 2007, 9:00 a.m.]

Application of Regional Ambulatory Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Regional Ambulatory Surgical Center has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 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 a request for exception and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-171. Filed for public inspection February 2, 2007, 9:00 a.m.]

Application of Southwest Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Southwest Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires

compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.1.3.2 (relating to exam room square footage requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 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 a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-172. Filed for public inspection February 2, 2007, 9:00 a.m.]

Application of Uniontown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Uniontown Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(2) (relating to additional committees).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 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 a request for exception and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons, V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-173. Filed for public inspection February 2, 2007, 9:00 a.m.]

Availability of Funds for Traumatic Brain Injury Sports Injury Education and Awareness Through Mini-Grants

The Bureau of Family Health's Division of Child and Adult Health Services is accepting applications to support education and awareness of the causes and consequences of concussion/mild-severe traumatic brain injury (TBI) among youth in junior and high school. It is entitled: Sports Injury Education and Awareness Mini-grant Program. Funding for up to \$5,000 is available to support education and awareness of the causes of traumatic brain injury as a result of sports or other activities. Activities should educate school staff (that is, teachers, athletic trainers, coaches, school nurses), community sports programs and/or providers of recreational opportunities which could result in physical injury, in appropriate prevention strategies and intervention activities in the event that youth sustain concussions which could result in mild to severe head injury.

For the purpose of this funding opportunity, a traumatic brain injury is defined as an insult to the brain, not of a degenerative or congenital nature, caused by an external physical force that may produce a diminished or altered state of consciousness which results in impairment of cognitive abilities or physical functioning or in the disturbance of behavioral or emotional functioning. These impairments may be either temporary or permanent and cause partial or total functional disability or psychosocial maladjustment.

Eligible applicants are Commonwealth public and private organizations, foundations or community-based agencies recognized by Federal Tax ID number. Individuals may not apply. Informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group.

Project funds must be used to reimburse purchases and activities occurring between January 1, 2007, and March 31, 2007. Applicants may apply for funding to cover multiple purchases/activities, not to exceed \$5,000.

Completed applications will be accepted up to the due date, February 9, 2007. Awards will be made after that date and will be contingent upon the availability of funds and Department of Health (Department) approval. Copies of application forms and other background information are available on the Department's website at www.health.state.pa.us (search word: "mini-grant").

Completed applications will be scored by an independent review panel. Rating factors include the following:

1. The need for the awareness and educational program is justified.
2. The audience of the proposed activity meets the intended target.
3. The activities meet the learning objectives, which are:
 - a. How to prevent concussions/mild head injuries.
 - b. How to recognize the warning signs that indicate a concussion/mild TBI has occurred.
 - c. How to intervene when a concussion/mild TBI is suspected.
4. The activities, trainer and training content is described, if applicable.
5. The application includes evidence of identified relationships or awareness of TBI services that are accessible to an athlete as well as a method of connecting them to these services.

6. The proposed budget and purchases are reasonable.
7. The measures or evaluation can demonstrate a change in awareness and knowledge of TBI.
8. The proposed activity will have an ongoing, systemic benefit to the community.

Applicants will be notified of approval/disapproval in writing within 30 days of the due date. Awardees are expected to abide by the provisions and limitations of the Federal funding source, the TBI Implementation and Partnership Grant.

To request application materials or for additional information related to this initiative, contact Danielle M. Tedesco, TBI Program Administrator, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor East, 7th and Forster Streets, Harrisburg, PA 17120, (717) 772-2762, fax (717) 772-0323, dtedesco@state.pa.us.

Persons with disabilities who require an alternative format of this notice or of the application materials (for example, large print, audiotape, Braille) should contact Danielle M. Tedesco, Bureau of Family Health at (717) 772-2762 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-174. Filed for public inspection February 2, 2007, 9:00 a.m.]

Availability of Title V Funds through Infant Safe Sleep Promotion Mini-grants

The Bureau of Family Health (Bureau) is accepting mini-grant applications of up to \$3,000 to support initiatives that directly address the promotion of safe sleeping practices and environments for infants. Funds acquired through the Infant Safe Sleep Promotion Program are to be used for activities to improve the health and safety of infants and reduce infant mortality rates across this Commonwealth.

Purpose: The Infant Safe Sleep Promotion Program will provide financial support to local communities for efforts to decrease the incidence of infant death due to factors such as Sudden Infant Death Syndrome (SIDS) and accidental suffocation/strangulation of infants in adult beds. Communities are encouraged to focus efforts on high-risk and minority populations and use funding to eliminate health disparities among these groups. Examples of activities can include community outreach, education for families and the public on proper sleep practices for infants and training for professionals regarding the risk of injury and death of infants due to unsafe sleep environments.

Project funds must be used to reimburse purchases and activities occurring between July 1, 2006, and June 30, 2007. Copies of this application and its attachments are available on the Department of Health's (Department) website at www.health.state.pa.us; search word: "Bureau of Family Health Mini-grants."

Requirements: Eligible applicants include Commonwealth public and private organizations, foundations or community-based agencies as recognized by Federal Tax ID number. Individuals may not apply. Informal groups

without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group. For-profit organizations may apply. However, no applicant may take a profit from these funds and certain fund restrictions apply to for-profit entities (see Application Attachment B). Applicants may not have received any other Department mini-grant during the same State fiscal year.

Applicants may include but are not limited to:

- Day care centers/child care providers
- Medical providers
- Educational providers
- Places of worship/congregations
- Community groups/Civic clubs
- Minority groups

Application Deadlines: It is anticipated that 25 awards of \$3,000 or less will be made for this fiscal year period. To apply for funding, a complete application must be postmarked or sent to the Department by 5 p.m. EST on March 16, 2007. Applications may be mailed or hand delivered. Applications may not be faxed. Late applications will not be accepted regardless of the reason.

Application Process: Complete "2006-2007 APPLICATION," which is available on the Department's website at www.health.state.pa.us; search word: "Bureau of Family Health Mini-grants," and attach a clear and concise narrative of no more than five typewritten pages that include the following information, labeled by section:

1. The organization's mission and primary activities.
2. A description of need for the proposed activity and target audience.
3. A plan that describes how infant safe sleep will be addressed, how the efforts will be measured and evaluated and the degree to which efforts will be long-lasting and/or ongoing.
4. A description of how funds will be expended.

An authorized official of the organization must sign and date the application. Submit an original and three complete copies of your application (including the narrative and any supporting attachments). Applications should be page-numbered and unbound. Incomplete applications will not be reviewed.

Award Determination: Funding decisions are contingent upon the availability of allocated Maternal and Child Health Services Block Grant funds and Department approval. Applications are scored by a three-member review panel using a rating scale with the following pre-established criteria:

1. The degree of need for the proposed activity, as justified by the applicant.
2. The extent to which the activity can demonstrate a change in awareness and actions.
3. The likelihood that the proposed activity will be of ongoing, systemic benefit to the community.

Notification of Award: Applicants will be notified of their award status within 6 weeks of the submission due date. This program reimburses applicants once after they have purchased the approved budget items.

Eligible Costs: Applicants may apply for funding reimbursement of multiple purchases or activities. However, the maximum cumulative award to any one applicant (as identified by Federal Tax ID number) is \$3,000 per fiscal

year. In all cases, Department funds should be used as payer of last resort. Grant funds may not supplant existing funds. Grant funds may be used for reimbursement of one time purchases only. Grantee is the sole owner of the purchased property. The budget section of the application must include a budget narrative detailing by line item how project funds will be used and the degree to which competitive bids were secured for purchases. Price quotes, estimates, catalog samples or any other proof of cost must be submitted for every purchase proposed.

Expenses eligible for reimbursement under this project include but are not limited to:

1. Equipment: cribs, pack n plays, mattresses, and the like.
2. Education: training materials, books, workbooks, brochures, posters; translation of educational materials into different languages and for different populations, and the like.
3. Technology: computer equipment/software, videos, tapes, cds, DVDs, and the like.

Ineligible Costs: The following costs are not eligible for reimbursement under this program:

1. Administrative/Indirect costs (that is, costs not uniquely attributable in full to the programmatic activity).
2. New building construction or structural renovation of an existing space.
3. Capital expenses or equipment.
4. Staffing/Personnel.
5. One-time consumables (that is, event tickets, food/refreshments, child care, and the like).

By applying for mini-grant funding, applicants acknowledge and affirm that they will abide by the spending limitations and the provisions of the Maternal and

Child Health Services Block Grant legislation (Application Attachment B), for all money awarded under that application.

Mini-grant Evaluation Procedures: All grantees will receive at least one onsite visit from a Department Maternal and Child Health (MCH) Consultant located within the applicant's health district. The results of the visit will be provided to the Infant Safe Sleep Promotion Program Administrator in writing and used for project evaluative purposes. The Infant Safe Sleep Promotion Program Administrator will facilitate initial contact between the grantee and MCH Consultant at the time project funds are awarded.

Summary Report and Invoice Procedures: Approved applicants will be reimbursed with one check for all approved expenses. To receive reimbursement of approved expenses, awardees must submit the following documentation, found in Attachment A, to the Bureau within 30 days following completion of funded activity no later than July 28, 2007:

1. A summary report of funded activities, including evaluation results.
2. A continuation plan for the program or activities.
3. An invoice with expense documentation supporting line item amounts

Applications should be submitted to Infant Safe Sleep Promotion Program Administrator, Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor East Wing, 7th and Forster Streets, Harrisburg, PA 17120, (717) 772-2762.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-175. Filed for public inspection February 2, 2007, 9:00 a.m.]

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code, Part IV, Subparts B—G.

Section 51.33(d) provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from July 2006 through December, 2006. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception requests and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals and ambulatory surgical facilities shall be addressed to the Division of Acute and Ambulatory Care, Sandra Knoble, Director, Room 532, Health and Welfare Building, Harrisburg, PA 17120. Inquiries regarding long-term care facilities shall be addressed to the Division of Nursing Care Facilities, William Bordner, Director, P. O. Room 526, Health and Welfare Building, Harrisburg, PA 17120. Those persons requiring special assistance for speech and/or hearing impairment should call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

Hospitals

Facility Name	Regulation	Relating to	Request Published	Decision
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 51.3(f)(g)	reporting requirements	08/19/06	denied
Lancaster Regional Medical Center	28 Pa. Code § 51.6	staff identification	09/30/06	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Harrisburg Interventional Pain Management Center	28 Pa. Code § 51.6	staff identification	10/14/06	denied
Saint Vincent Health Center	28 Pa. Code § 51.23	mobile PET services	07/29/06	granted
Medical Outsourcing Services	28 Pa. Code § 51.23	mobile PET services	08/19/06	granted
Adler Institute for Advanced	28 Pa. Code § 51.23	mobile PET services	08/19/06	granted
Aliquippa Community Hospital	28 Pa. Code § 51.23	mobile PET services	11/11/06	granted
Grand View Hospital	28 Pa. Code § 51.23	mobile PET services	12/09/06	granted
Geisinger Medical Center	28 Pa. Code § 101.4	outpatient services	05/06/06	withdrawn
UPMC Presbyterian	28 Pa. Code § 101.172	patient limits	11/11/06	withdrawn
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 101.31	hospital requirements	08/19/06	granted
Kindred Hospital Philadelphia—Havertown	28 Pa. Code § 101.31(1)	governing body	07/15/06	granted
Crichton Rehabilitation Center	28 Pa. Code § 101.31(1)	governing body	07/29/06	granted
Crichton Rehabilitation Center	28 Pa. Code § 101.31(2)	CEO	07/29/06	granted
Kindred Hospital Philadelphia—Havertown	28 Pa. Code § 103.1	principle-governing body	07/15/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 103.1	governance	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 103.3	governance	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 103.4	governance	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 103.5	governance	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 103.31(2)	CEO	08/19/06	granted
Crichton Rehabilitation Center	28 Pa. Code § 107.1	medical staff	07/29/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.1	medical staff	08/19/06	granted
Sunbury Community Hospital	28 Pa. Code § 107.2	medical staff membership	07/29/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.2	medical staff membership	08/19/06	granted
Corry Memorial Hospital	28 Pa. Code § 107.2	medical staff membership	11/11/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.3	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.4	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.5	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.11	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.12	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.12a	medical staff	08/19/06	granted
Excelsa Health—Latrobe Hospital	28 Pa. Code § 107.26	tissue committee	10/14/06	granted
Select Specialty Hospital—Danville	28 Pa. Code § 107.26	tissue committee	09/30/06	denied
Clearfield Hospital	28 Pa. Code § 107.26(b)(2)	additional committees—tissue	12/09/06	granted
UPMC Horizon	28 Pa. Code § 107.32	monthly departmental meetings	07/15/06	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.51	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.52	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.53	medical staff	08/19/06	granted
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 107.54	medical staff	08/19/06	granted
Cancer Treatment Centers of America (Eastern Regional Medical Center in Philadelphia)	28 Pa. Code § 107.62(b)	oral orders for licensed dietician	12/16/06	granted
Western Pennsylvania Hospital	28 Pa. Code § 107.64	admin. of drugs	09/30/06	denied
Crichton Rehabilitation Center	28 Pa. Code §§ 115.1—115.6	medical records	07/29/06	granted
UPMC Horizon	28 Pa. Code § 123.25(2)	control of anesthetic explosion hazards	09/23/06	denied
UPMC Passavant Cranberry	28 Pa. Code § 123.25(2)	control of anesthetic explosion hazards	09/30/06	denied
Geisinger Medical Center—Woodbine	28 Pa. Code § 127.31(b)	policies	09/30/06	granted
Gettysburg Hospital	28 Pa. Code § 127.31(b)	policies	11/11/06	granted
Uniontown Hospital	28 Pa. Code § 127.32	written orders	07/15/06	denied
Meadville Medical Center	28 Pa. Code § 138.2, 138.15, 138.17c	cardiac cath services	02/04/05	denied
Chestnut Hill Hospital	28 Pa. Code § 138.15	cardiac cath services	02/04/05	denied
The Washington Hospital	28 Pa. Code § 143.5	clinical privileges for podiatrists	11/11/06	granted
Crichton Rehabilitation Center	28 Pa. Code § 146.1(a)	infection control committee	07/29/06	granted
Crichton Rehabilitation Center	28 Pa. Code § 149.1	central supply	07/29/06	granted
Crichton Rehabilitation Center	28 Pa. Code § 149.2	central supply	07/29/06	granted
Nason Hospital	28 Pa. Code § 153.1 7.8.A3(a) and (b)	cesarean/delivery suite	07/15/06	granted
Elk Regional Health Center	28 Pa. Code § 153.1 7.10.H1	cardiac cath lab	07/15/06	granted
Sunbury Community Hospital	28 Pa. Code § 153.1 7.6.B12 and B13	for behavioral health unit	07/29/06	granted
Western Pennsylvania Hospital,	28 Pa. Code § 153.1 7.2.A4	handwashing stations	07/15/06	granted
Crichton Rehabilitation Center	28 Pa. Code § 153.1 10.6(a)	dining, recreation and day spaces	07/29/06	granted
UPMC St. Margaret	28 Pa. Code § 153.1 10.15.C 10.15.B9 10.15B13	(patient bathing fac), (clean workroom), (nourishment station)	08/19/06	granted in part
Lancaster General Hospital	28 Pa. Code § 153.1	7.2.C4 self-closing defices on airborne infection isolation rooms	08/19/06	denied
Wayne Memorial Hospital	28 Pa. Code § 153.1	7.2.B10 (examination/treatment room); 7.2.B7 (staff lounge)	08/19/06	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
St. Luke's Hospital and HealthNetwork—Allentown Campus	28 Pa. Code § 153.1	7.9.C2 emergency svcs treatment room	08/19/06	denied
Windber Medical Center	28 Pa. Code § 153.1	7.8.A2.b(8) patients' lounge; 7.8.A3(3)(b) waiting room	08/19/06	granted
Nason Hospital	28 Pa. Code § 153.1	7.4A6 airborne infection isolation	09/30/06	granted
Select Specialty Hospital—Pittsburgh/UPMC	28 Pa. Code § 153.1	7.2.B10 examination/treatment room	09/30/06	granted
Jersey Shore Hospital	28 Pa. Code § 153.1	numerous requests	09/30/06	granted in part
Allegheny General Hospital—Suburban Campus	28 Pa. Code § 153.1	7.7.A6	10/14/06	granted in part
Saint Vincent Health Center	28 Pa. Code § 153.1	7.10.H1 cardiac cath suite	10/14/06	granted
UPMC Passavant	28 Pa. Code § 153.1	10.15.B6, 10.15.B7, 10.15.B8, 10.15.B9, 10.15.B10, 10.15.B11, 10.15.B13, 10.15.C	10/14/06	granted
UPMC St. Margaret	28 Pa. Code § 153.1	7.2.B19 showers and tubs	10/14/06	denied
LifeCare Hospitals of Pittsburgh—North	28 Pa. Code § 153.1	7.13.C2 handwashing stations	10/14/06	granted
Pinnacle Health Hospitals Harrisburg Hospital	28 Pa. Code § 153.1	7.2.B19 bathing rms	11/11/06	granted
Saint Vincent Health Center	28 Pa. Code § 153.1	7.30B2 elevators	11/11/06	granted
Southwest Regional Medical Center	28 Pa. Code § 153.1	7.2.A5 hand washing stations	12/06/06	granted
St. Joseph Medical Center	28 Pa. Code § 153.1	7.7.A2 pump room	12/16/06	denied
Central Montgomery Medical Center	28 Pa. Code § 153.1	7.4.A6 isolation nsry	12/16/06	granted

Ambulatory Surgical Facilities

College Heights Endoscopy Center	28 Pa. Code § 551.3	classification—PS3	11/11/06	granted
Central Pennsylvania GI Endoscopy Center	28 Pa. Code § 551.3	classification—PS3	12/16/06	denied
Endoscopic Associates	28 Pa. Code § 551.3	classification—PS3	03/18/06	granted
Wellspan Endoscopy Center	28 Pa. Code § 551.3	classification—PS3	07/15/06	granted
Berks Center for Digestive Health	28 Pa. Code § 551.3	classification—PS3	08/19/06	granted
Main Line Hospital Bryn Mawr	28 Pa. Code § 551.3	classification—PS3	08/19/06	granted
Rhawn Street Endoscopy Center	28 Pa. Code § 551.3	classification—PS3	08/19/06	denied
Digestive Health Center of Indiana, P.C.	28 Pa. Code § 551.3	classification—PS3	08/19/06	granted
The Endoscopy Center, LLC	28 Pa. Code § 551.3	classification—PS3	09/09/06	granted
Mountain Laurel Surgery Center	28 Pa. Code § 551.3	classification—PS3	09/09/06	denied
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 551.3	classification—PS3	09/09/06	denied
AFP Surgery Center	28 Pa. Code § 551.3	classification—PS3	09/30/06	granted
Delaware Valley Laser Surgery Institute	28 Pa. Code § 551.3	classification—PS3	10/14/06	granted
Valley Surgical Center, Inc.	28 Pa. Code § 551.3	classification—PS3	10/14/06	denied
Bucks County GI Endoscopic Surgical Center	28 Pa. Code § 551.3	classification—PS3	11/11/06	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
US Vascular Access Center of Philadelphia	28 Pa. Code § 551.3	classification—PS3	11/11/06	granted
Hamot Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	01/14/06	granted
Surgery Center at Limerick	28 Pa. Code § 551.21(d)(2)	criteria for surgery	08/13/05	granted
Surgery Center of Lebanon (Physicians Surgical Center)	28 Pa. Code § 551.21(d)(2)	criteria for surgery	09/17/05	granted
Heritage Valley Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	02/11/06	withdrawn
Lebanon Outpatient Surgical Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	04/22/06	granted
Reading Hospital SurgiCenter at Spring Ridge	28 Pa. Code § 551.21(d)(2)	criteria for surgery	05/20/06	granted
Physicians Surgical Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	06/03/06	granted
Childrens Hospital of Pittsburgh North Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	07/15/06	denied
Childrens Hospital of PittsburghSouth Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	07/15/06	denied
Susquehanna Valley Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	07/15/06	denied
Elmwood Endoscopy Center, PC	28 Pa. Code § 551.21(d)(2)	criteria for surgery	07/29/06	granted
West Shore Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	08/19/06	granted
Laurel Surgical Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	08/19/06	granted
Geisinger Medical Center Outpatient Surgery Woodbine	28 Pa. Code § 551.21(d)(2)	criteria for surgery	09/09/06	granted
Reading Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for surgery	09/30/06	granted in part
Geisinger Wyoming Valley Med Center	28 Pa. Code § 553.1	principle	06/25/05	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 553.1	governing body	07/09/06	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 553.1	governing body	08/19/06	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 553.2	ownership	06/25/05	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 553.3	governing body	06/25/05	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 553.3	governing body	08/19/06	granted
Ambulatory Surgery Center	28 Pa. Code § 553.3(13)	governing body	07/15/06	denied
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 553.3(13)	governing body—contracts	08/19/06	denied
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 553.3(14)	governing body	08/19/06	denied
Ambulatory Surgery Center	28 Pa. Code § 553.3(14)	governing body	07/15/06	denied
Geisinger Wyoming Valley Med Center	28 Pa. Code § 553.4	other functions	06/25/05	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 553.4	other functions	08/19/06	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 553.31(a)	admin responsibilities	07/29/06	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 553.31(a)	admin responsibilities	08/19/06	denied
Brandywine Cosmetic Surgery	28 Pa. Code § 553.31(a)	admin responsibilities	07/15/06	not needed

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Childrens Hospital of Pittsburgh North Surgery Center	28 Pa. Code § 553.31(a)	admin responsibilities	07/15/06	granted
Childrens Hospital of Pittsburgh South Surgery Center	28 Pa. Code § 553.31(a)	admin responsibilities	07/15/06	granted
AFP Surgery Center	28 Pa. Code § 553.31(a)	admin responsibilities	09/30/06	granted
Childrens Hospital of Philadelphia	28 Pa. Code § 553.31(a)	admin responsibilities	09/30/06	not needed
SurgiCenter at Ligonier	28 Pa. Code § 553.31(a)	admin responsibilities	11/11/06	granted
Altoona Hospital Surgery Center	28 Pa. Code § 553.31(a)	admin responsibilities	12/09/06	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 553.31(b)	management	06/25/05	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 553.31(b)	management	08/19/06	granted
UPMC St. Margaret Harmar Outpatient Center	28 Pa. Code § 553.31(b)	management and procedures	09/30/06	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 555.1	med staff—principle	06/25/05	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 555.1	medical staff	07/29/06	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 555.2	medical staff	07/29/06	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 555.2	med staff memb	06/25/05	granted
Geisinger Wyoming Valley MedCenter	28 Pa. Code § 555.3	req for membership and privileges	06/25/05	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 555.3	medical staff	08/19/06	granted
UPMC St. Margaret Harmar Outpatient Center	28 Pa. Code § 555.3	medical staff	10/14/06	granted
UPMC St. Margaret Harmar Outpatient Center	28 Pa. Code § 555.4	clinical activities	10/14/06	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 555.4	clinical activities	08/19/06	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 555.4	clinical activities	06/25/05	granted
Rhawn Street Endoscopy Center	28 Pa. Code § 555.31(a)	anesthesia services	08/19/06	granted
Bryn Mawr Medical Specialists Endoscopy Associates	28 Pa. Code § 555.31(a)	anesthesia services	03/18/06	granted
Manoa Diagnostic Center	28 Pa. Code § 555.31(a)	anesthesia services	04/15/06	granted
Twin Rivers Endoscopy Center	28 Pa. Code § 555.31(a)	anesthesia services	04/15/06	granted
Mountain Laurel Surgery Center	28 Pa. Code § 555.31(a)	anesthesia services	07/15/06	granted
Tri-County Surgery Center	28 Pa. Code § 555.31(a)	anesthesia services	07/15/06	granted
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 555.31(a)	anesthesia services	08/19/06	denied
Proserpi-Schlechter Center for Plastic Surgery	28 Pa. Code § 555.31(a)	anesthesia services	08/19/06	granted
The Endoscopy Center, LLC	28 Pa. Code § 555.31(a)	anesthesia services	09/09/06	granted
Main Line Endoscopy Center, West	28 Pa. Code § 555.31(a)	anesthesia services	09/09/06	granted
Main Line Endoscopy Center, East	28 Pa. Code § 555.31(a)	anesthesia services	09/09/06	granted
Valley Pain Center, LLC	28 Pa. Code § 555.31(a)	anesthesia services	09/09/06	granted
Main Line Spine Surgery Center	28 Pa. Code § 555.31(a)	anesthesia services	09/09/06	granted
Mt. Airy Ambulatory Endoscopy Surgery Center	28 Pa. Code § 555.31(a)	anesthesia services	09/09/06	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
AFP Surgery Center ASC at Eston	28 Pa. Code § 555.31(a)	anesthesia services	09/30/06	granted
Delaware Valley Laser Surgery Institute	28 Pa. Code § 555.31(a)	anesthesia services	09/30/06	granted
Valley Surgical Center, Inc.	28 Pa. Code § 555.31(a)	anesthesia services	10/14/06	denied
Washington Square Endoscopy Center	28 Pa. Code § 555.31(a)	anesthesia services	11/11/06	granted
Carbon-Schuylkill Endoscopy	28 Pa. Code § 555.31(a)	anesthesia services	12/09/06	granted
Central Pennsylvania GI Endoscopy Center	28 Pa. Code § 555.31(a)	anesthesia services	12/16/06	granted
Wyomissing Hills Podiatric Surgical Center	28 Pa. Code § 555.32(b)	admin. of anesthesia	09/30/06	denied
UPMC St. Margaret Harmar Outpatient Center	28 Pa. Code Ch. 557	quality assurance	09/30/06	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 557.2	QA plan	06/25/05	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 557.3	QA and improvement program	06/25/05	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 557.3	quality assurance	07/29/06	granted
Geisinger Wyoming Valley MedCenter	28 Pa. Code § 557.4	QA and improvement committee	06/25/05	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 557.4	quality assurance	07/29/06	granted
Ambulatory Surgery Center	28 Pa. Code § 559.1	nursing department	07/15/06	denied
Ambulatory Surgery Center	28 Pa. Code § 559.2	director of nursing	07/15/06	denied
Grand View Hospital Endoscopy Center at Harleysville	28 Pa. Code § 559.2	director of nursing	08/19/06	denied
Childrens Hospital of Philadelphia ASC at Exton	28 Pa. Code § 559.2	director of nursing	09/30/06	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code Ch. 563	medical records	07/29/06	granted
Geisinger Wyoming Valley Med Center	28 Pa. Code § 567.2(1)	infection control committee responsibilities	06/25/05	granted
Childrens Hospital of Pittsburgh North Surgery Center	28 Pa. Code § 567.2(2)	comm responsibilities infection control	07/15/06	granted
Childrens Hospital of Pittsburgh South Surgery Center	28 Pa. Code § 567.2(2)	comm responsibilities infection control	07/15/06	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 567.2	quality assurance	07/29/06	granted
Childrens Hospital of Pittsburgh North Surgery Center	28 Pa. Code § 569.1	fire, safety and disaster program	07/15/06	granted
Childrens Hospital of Pittsburgh South Surgery Center	28 Pa. Code § 569.1	fire, safety and disaster program	07/15/06	granted
Conemaugh Ambulatory Surgery Facility	28 Pa. Code § 569.1	fire, safety and disaster program	07/29/06	granted
Northeast Rehab Pain Center	28 Pa. Code § 571.1	9.5.F3e recovery sts	08/19/06	denied
Valley Surgical Center	28 Pa. Code § 571.1	9.5.D3, 9.5.D5 private consult room	08/19/06	not needed
AFP Surgery Center	28 Pa. Code § 571.1	9.5.F2c, 9.5.F3, 9.5.F4, 9.5.F5(a), 9.5.F5c, 9.5.F5(d), 9.5.F5(i), 9.5.F5(j), 9.5.F5(m)	08/19/06	granted
Physicians' Surgery Center Lancaster	28 Pa. Code § 571.1	9.5.D2 public toilets general	11/11/06	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
US Vascular Access Center of Philadelphia	28 Pa. Code § 571.1	9.5.D1 covered entrance; 9.5.F1 exam room; 9.5F2C & 9.2 oxygen and vacuum outlets	11/11/06	granted in part
Nursing Care Facilities				
Cross Keys Village—The Brethren	28 Pa. Code § 201.3	definitions	06/17/06	granted
St. Anne's Retirement Community	28 Pa. Code § 201.3	definitions	09/09/06	granted
Loyalhanna Care Center	28 Pa. Code § 201.3	definitions	10/14/06	granted
Charles M. Morris Nursing and Rehab Center	28 Pa. Code § 201.3	definitions	11/18/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 201.17	location	07/29/06	granted
Parklane At Bellingham, Inc.	28 Pa. Code § 201.17	location	09/09/06	granted
Millcreek Community Hospital Transitional Care Unit	28 Pa. Code § 201.17	location	10/14/06	granted
Kindred Hospital—Pittsburgh North Shore	28 Pa. Code § 201.17	location	10/14/06	granted
UPMC Passavant Skilled Nursing Unit	28 Pa. Code § 201.17	location	10/14/06	granted
Sunbury Community Hospital Skilled Nursing Facility	28 Pa. Code § 201.17	location	11/04/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 201.18(e)	management	07/29/06	denied
Altoona Center for Nursing Care Transitional Care Unit (Bon Secours)	28 Pa. Code § 201.18(e) 28 Pa. Code § 201.18(e)	management management	08/12/06 08/19/06	denied denied
Woodland Retirement Center	28 Pa. Code § 205.6(a)	function of building	07/01/06	granted
The Lutheran Home at Holidaysburg	28 Pa. Code § 205.6(a)	function of building	07/01/06	granted
Soutwestern Nursing Center	28 Pa. Code § 205.6(a)	function of building	07/15/06	granted
Green Acres	28 Pa. Code § 205.6(a)	function of building	07/15/06	granted
ManorCare Health Svcs—North Hills	28 Pa. Code § 205.6(a)	function of building	07/15/06	granted
Mountain City Nursing and Rehab Ctr	28 Pa. Code § 205.6(a)	function of building	07/15/06	granted
Colonial Manor Nursing Home	28 Pa. Code § 205.6(a)	function of building	07/22/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 205.6(a)	function of building	07/29/06	granted
St. Paul Homes	28 Pa. Code § 205.6(a)	function of building	08/12/06	granted
Guardian Elder Care Center	28 Pa. Code § 205.6(a)	function of building	08/19/06	granted
Guy and Mary Felt Manor, Inc.	28 Pa. Code § 205.6(a)	function of building	08/26/06	granted
Hampton House	28 Pa. Code § 205.6(a)	function of building	09/02/06	granted
Washington County Health Center	28 Pa. Code § 205.6(a)	function of building	09/02/06	granted
Concordia Lutheran Health and Human Care	28 Pa. Code § 205.6(a)	function of building	09/02/06	granted
LGAR Health and Rehabilitation Ctr	28 Pa. Code § 205.6(a)	function of building	10/14/06	granted
Shippensburg Health Care Center	28 Pa. Code § 205.6(a)	function of building	10/14/06	granted
Green Acres	28 Pa. Code § 205.6(a)	function of building	11/04/06	granted
Landis Homes	28 Pa. Code § 205.6(a)	function of building	11/11/06	granted
Rouse Warren County Home	28 Pa. Code § 205.6(a)	function of building	11/18/06	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Concordia Lutheran Health and Human Care	28 Pa. Code § 205.6(a)	function of building	11/18/06	granted
Lutheran Home at Kane	28 Pa. Code § 205.6(a)	function of building	11/18/06	granted
Garden Spot Village	28 Pa. Code § 205.9(a)	corridors	09/30/06	granted
Millcreek Community Hospital Transitional Care Unit	28 Pa. Code § 205.19(b)	windows and window sills	11/18/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 205.24(a)	dining room	07/29/06	granted
UPMC Passavant Skilled Nursing Unit	28 Pa. Code § 205.24(a)	dining room	10/14/06	granted
Stapeley In Germantown	28 Pa. Code § 205.24(a)	dining room	11/04/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 205.25(a)	kitchen	07/29/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 205.27	lounge and rec rooms	07/29/06	granted
UPMC Passavant Skilled Nursing Unit	28 Pa. Code § 205.27	lounge and rec rooms	10/14/06	granted
Jameson Memorial Hospital Transitional Care Unit	28 Pa. Code § 205.28(b)	nurses' station	11/04/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 205.36(g)	bathing facilities	07/29/06	granted
Beverly Healthcare—Uniontown	28 Pa. Code § 205.36(h)	bathing facilities	07/29/06	granted
Bradford Ecumenical Home, Inc.	28 Pa. Code § 205.36(h)	bathing facilities	08/12/06	granted
Millcreek Community Hospital Transitional Care Unit	28 Pa. Code § 205.36(h)	bathing facilities	11/18/06	granted
Hospitality Care Ctr of Hermitage, Inc	28 Pa. Code § 205.38(a)	toilet facilities	07/22/06	granted
HealthSouth Transitional Rehab Unit of Reading	28 Pa. Code § 205.39(b)	toilet room equipment	07/29/06	not needed
The Health Center at the Hill at White Marsh	28 Pa. Code § 205.67(j) and (k)	electric requirements	09/30/06	granted
Mercy Jeannette Hospital Skilled Nursing Center	28 Pa. Code § 211.12(b)	nursing services	07/01/06	granted
Skilled Nursing Unit, Armstrong Memorial Hospital	28 Pa. Code § 211.12(b)	nursing services	11/04/06	granted
Mercy Jeannette Hospital Skilled Nursing Center	28 Pa. Code § 211.12(b)	nursing services	11/04/06	granted

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-176. Filed for public inspection February 2, 2007, 9:00 a.m.]

Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral Act (11 P. S. §§ 876-1—876-9) will hold a public meeting on Friday, March 2, 2007, from 9:30 a.m. to 2:30 p.m. The meeting will be held in the Commonwealth Keystone Building, Plaza Level, Hearing Room 4, Commonwealth Avenue and Forster Streets, Harrisburg, PA.

For additional information, contact Arthur A. Florio, Public Health Program Administrator, Newborn Hearing

Screening Program, Division of Newborn Screening and Genetics at (717) 783-8143.

Persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so should contact the Newborn Hearing Screening Program at (717) 783-8143 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-177. Filed for public inspection February 2, 2007, 9:00 a.m.]

Request for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building).

Laurel View Village
2000 Cambridge Drive
Davidsville, PA 15928
FAC ID 0437

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(b) (relating to nursing services).

Mercy Jeannette Hospital Skilled Nursing Center
600 Jefferson Avenue
Jeannette, PA 15644
FAC ID 100302

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail, or facsimile to the Division and address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotope, Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously or, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-178. Filed for public inspection February 2, 2007, 9:00 a.m.]

Traumatic Brain Injury Support Group Program

The Bureau of Family Health's (Bureau) Division of Child and Adult Health Services is accepting applications to promote education, greater public awareness and networking for individuals with traumatic brain injury (TBI) and their family members. Funding for up to \$3,500 is available to establish support groups in areas of need or expand existing support groups within the community that focus on TBI as it relates to the individual with TBI or family members. Activities should assist in facilitating a support group in underserved areas or expanding an existing support group. The goal is to promote education and networking at the grass roots level focused on TBI.

For the purpose of this funding opportunity, TBI is defined as an insult to the brain, not of a degenerative or congenital nature, caused by an external physical force that may produce a diminished or altered state of con-

sciousness which results in impairment of cognitive abilities or physical functioning or in the disturbance of behavioral or emotional functioning. These impairments may be either temporary or permanent and cause partial or total functional disability or psychosocial maladjustment.

Eligible applicants are Commonwealth public and private organizations, foundations or community-based agencies recognized by Federal Tax ID number. Individuals may not apply. Informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group.

Project funds must be used to reimburse purchases and activities occurring between January 1, 2007, and March 31, 2007. Applicants may apply for funding to cover multiple purchases/activities, not to exceed \$3,500.

Completed applications will be accepted up to the due date, February 9, 2007. Awards will be made after that date and will be contingent upon the availability of funds and Department of Health (Department) approval. Copies of application forms and other background information are available on the Department's website at www.health.state.pa.us (search word: "mini-grant").

Completed applications will be scored by an independent review panel. Rating factors include the following:

1. Estimated numbers of persons benefiting from proposal.
2. Reasonableness of expenditures/purchases (with respect to both nature and cost).
3. Demonstration of interest/need of a TBI Support Group.
4. Descriptions of meeting parameters, group facilitator and marketing for the support group.
5. Collaboration plans with other TBI support groups.
6. Plans for continuing the support group beyond the project period.

Applicants will be notified of approval/disapproval in writing within 30 days of the due date. Awardees are expected to abide by the provisions and limitations of the Federal funding source, the TBI Implementation and Partnership Grant.

To request application materials or for additional information related to this initiative, contact Danielle M. Tedesco, TBI Program Administrator, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor East, 7th and Forster Streets, Harrisburg, PA 17120, (717) 772-2762, fax (717) 772-0323, dtedesco@state.pa.us.

Persons with disabilities who require an alternative format of this notice or of the application materials (for example, large print, audiotope, Braille) should contact Danielle M. Tedesco in the Bureau of Family Health at (717) 772-2762 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-179. Filed for public inspection February 2, 2007, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Prevailing Wage; Petitions to Intervene

A hearing in the matter of the *Commonwealth of Pennsylvania, Department of Labor and Industry, Bureau of Labor Law Compliance v. Worth & Company, Inc.* (Doc. No. PW-2005-614) is scheduled to resume on March 12, 2007, beginning at 9 a.m. and on March 13, 2007 through March 16, 2007, and March 19, 2007, through March 20, 2007, beginning at 8:30 a.m. at the Labor and Industry Building, First Floor, Room E-100, 7th and Forster Streets, Harrisburg, PA 17120.

Persons claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the Prevailing Wage Act (43 P. S. §§ 165-1—165-17), must file a petition to intervene under 1 Pa. Code §§ 35.27—35.32 (relating to intervention) by 5 p.m. on February 13, 2007.

Petitions to intervene shall be filed with Jackie Wiest Lutz, Hearing Officer, Department of Labor and Industry, 901 N. 7th Street, 3rd Floor North, Harrisburg, PA 17102. Copies of all Petitions to Intervene shall be served on counsel of record as follows:

<i>Bureau of Labor</i>	Peter Von Getzie
<i>Law Compliance:</i>	Assistant Counsel Office of Chief Counsel Department of Labor and Industry 10th Floor, Labor and Industry Building 7th and Forster Streets Harrisburg, PA 17120
<i>Worth & Company, Inc.:</i>	Marc Furman, Esquire Thomas C. Zipfel, Esquire Jonathan Landesman, Esquire United Plaza, 19th Floor 30 South 17th Street Philadelphia, PA 19103
<i>Pennsylvania State Building and Construction Trade Council, AFL-CIO:</i>	Irwin W. Aronson, Esquire Willig, Williams & Davidson 212 Locust Street, Suite 400 P. O. Box 11997 Harrisburg, PA 17108
<i>ABC Pennsylvania:</i>	Thomas R. Davies, Esquire Harmon & Davies, P. C. 2306 Columbia Avenue Lancaster, PA 17603

Answers to Petitions to Intervene shall be filed with Jackie Wiest Lutz, Hearing Officer, at the address listed previously, no later than 5 p.m. February 23, 2007.

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 07-180. Filed for public inspection February 2, 2007, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$100,000 Club Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$100,000 Club.

2. *Price:* The price of a Pennsylvania \$100,000 Club instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania \$100,000 Club instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), Moneybag symbol (MNYBAG) and a Star symbol (STAR).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2.⁰⁰ (TWO DOL), \$5.⁰⁰ (FIV DOL), \$6.⁰⁰ (SIX DOL), \$10.⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$2,500 (TWYFIVHUN) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$5, \$6, \$10, \$15, \$25, \$50, \$100, \$250, \$2,500 and \$100,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania \$100,000 Club instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$250 (TWOHUNFTY) appears under the Star symbol (STAR) on a single ticket, shall be entitled to a prize of \$2,500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$250 (TWOHUNFTY) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$25\$ (TWY FIV) appears under the Star symbol (STAR) on a single ticket, shall be entitled to a prize of \$250.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$100 (ONE HUN) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Star symbol (STAR) on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$50\$ (FIFTY) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the Star symbol (STAR) on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25\$ (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol

(MNYBAG), and a prize symbol of \$25\$ (TWY FIV) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15\$ (FIFTN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$15\$ (FIFTN) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$6⁰⁰ (SIX DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$6⁰⁰ (SIX DOL) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$6.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the Moneybag symbol (MNYBAG) on a single ticket, shall be entitled to a prize of \$5.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Of Your Numbers Match Any Of The Winning Numbers, Win With Prize(s) Of:

\$5
\$5 w/MNYBAG

Win:
\$5
\$5

Approximate Odds Are 1 In:
30
19.35

Approximate No. Of Winners Per 7,200,000 Tickets
240,000
372,000

When Any Of Your
Numbers Match Any
Of The Winning Numbers,
Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets
\$6	\$6	30	240,000
\$6 w/MNYBAG	\$6	30	240,000
\$2 × 5	\$10	150	48,000
\$5 × 2	\$10	150	48,000
\$10	\$10	150	48,000
\$10 w/MNYBAG	\$10	100	72,000
\$5 × 3	\$15	600	12,000
\$10 + \$5	\$15	600	12,000
\$15	\$15	600	12,000
\$15 w/MNYBAG	\$15	300	24,000
\$5 × 5	\$25	85.71	84,000
\$25	\$25	85.71	84,000
\$25 w/MNYBAG	\$25	100	72,000
\$5 × 10	\$50	300	24,000
\$10 × 5	\$50	300	24,000
\$25 × 2	\$50	600	12,000
\$50	\$50	300	24,000
\$5 w/STAR	\$50	300	24,000
\$50 w/MNYBAG	\$50	600	12,000
\$10 × 10	\$100	2,400	3,000
\$50 × 2	\$100	2,400	3,000
\$100	\$100	1,200	6,000
\$10 w/STAR	\$100	1,200	6,000
\$100 w/MNYBAG	\$100	1,200	6,000
\$25 × 10	\$250	17,143	420
\$50 × 5	\$250	17,143	420
\$250	\$250	17,143	420
\$25 w/STAR	\$250	15,000	480
\$250 w/MNYBAG	\$250	17,143	420
\$250 × 10	\$2,500	1,200,000	6
\$250 w/STAR	\$2,500	1,200,000	6
\$2,500	\$2,500	600,000	12
\$100,000	\$100,000	600,000	12

MONEYBAG (MNYBAG) = Win prize shown under it automatically.
STAR (STAR) = Win 10 times the prize shown under it automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$100,000 Club instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$100,000 Club, prize money from winning Pennsylvania \$100,000 Club instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$100,000 Club instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania \$100,000 Club or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 07-181. Filed for public inspection February 2, 2007, 9:00 a.m.]

Pennsylvania Lucky Cherries Doubler Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Lucky Cherries Doubler.

2. *Price:* The price of a Pennsylvania Lucky Cherries Doubler instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Lucky Cherries Doubler instant lottery game ticket features a play area and a "PRIZE" area. The play area will contain "GAME

1," "GAME 2," "GAME 3" and "GAME 4." Each "GAME" is played separately. The play symbols and their captions located in the play area are: Gold Bar symbol (GBAR), 7 symbol (SEVN), Bell symbol (BELL), Star symbol (STAR), Diamond symbol (DMND), Horse Shoe symbol (SHOE), Pot of Gold (PTGOLD), Nugget symbol (NUGGET) and Cherries symbol (CHERRIES).

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area of each "GAME" are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$1,000 (ONE THO) and \$4,000 (FOR THO).

5. *Prizes:* The prizes that can be won in this game are: Free Ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$40, \$100, \$1,000 and \$4,000. The player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 15,840,000 tickets will be printed for the Pennsylvania Lucky Cherries Doubler instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$4,000 (FOR THO) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$4,000.

(b) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a Cherries (CHERRIES) play symbol, and a prize symbol of \$40\$ (FORTY) appearing in the "PRIZE" area to the right of that Cherries (CHERRIES) play symbol, on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$40\$ (FORTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets with a Cherries (CHERRIES) play symbol, and a prize symbol of \$20\$ (TWENTY) appearing in the "PRIZE" area to the right of that Cherries (CHERRIES) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$20\$ (TWENTY) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with a Cherries (CHERRIES) play symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appearing in the "PRIZE" area to the right of that

Cherries (CHERRIES) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with a Cherries (CHERRIES) play symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appearing in the "PRIZE" area to the right of that Cherries (CHERRIES) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets with a Cherries (CHERRIES) play symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appearing in the "PRIZE" area to the right of that Cherries (CHERRIES) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(o) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets with a Cherries (CHERRIES) play symbol, and a prize symbol of \$1⁰⁰ (ONE DOL) appearing in the "PRIZE" area to the right of that Cherries (CHERRIES) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(r) Holders of tickets with three matching like play symbols in the same "GAME," and a prize symbol of FREE (TICKET) appears in the "PRIZE" area to the right of that "GAME," on a single ticket, shall be entitled to a prize of one Pennsylvania Lucky Cherries Doubler instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Get 3 Like Symbols In Any Game, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 15,840,000 Tickets</i>
FREE	TICKET	11.54	1,372,800
\$1	\$1	42.86	369,600
\$1 × 2	\$2	50	316,800
\$1 w/CHERRIES	\$2	75	211,200
\$2	\$2	50	316,800
\$1 × 4	\$4	200	79,200
\$2 × 2	\$4	200	79,200
\$2 w/CHERRIES	\$4	150	105,600
\$4	\$4	150	105,600
\$1 × 3 + \$2	\$5	150	105,600
\$5	\$5	300	52,800
\$3 × 3 + \$1	\$10	500	31,680
\$5 × 2	\$10	500	31,680
\$5 w/CHERRIES	\$10	500	31,680
\$10	\$10	428.57	36,960
\$5 × 4	\$20	1,500	10,560
\$10 × 2	\$20	1,500	10,560
\$10 w/CHERRIES	\$20	750	21,120
\$20	\$20	1,500	10,560
\$10 × 4	\$40	3,333	4,752
\$20 × 2	\$40	3,333	4,752
\$20 w/CHERRIES	\$40	3,333	4,752
\$40	\$40	3,243	4,884
\$20 × 3 + \$40	\$100	9,231	1,716
\$40 × 2 + \$10 × 2	\$100	9,231	1,716
\$40 w/CHERRIES + \$20	\$100	8,276	1,914
\$100	\$100	9,231	1,716
\$1,000	\$1,000	120,000	132
\$1,000 × 4	\$4,000	1,584,000	10
\$4,000	\$4,000	1,584,000	10

CHERRIES (CHERRIES) = Win double the prize shown for that game.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lucky Cherries Doubler instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lucky Cherries Doubler, prize money from winning Pennsylvania Lucky Cherries Doubler instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Lucky Cherries Doubler instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote

Pennsylvania Lucky Cherries Doubler or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 07-182. Filed for public inspection February 2, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Delaware County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Secretary of Transportation (Secretary) makes the following written finding:

The Department of Transportation (Department) plans to replace the Meyers Bridge (Delaware County Bridge No. 209) which carries Old Forge Road over Rocky Run in Middletown Township, Delaware County. The project also includes widening of the bridge approaches and minor improvements along Yearsley Mill Road. The subject project will require the use of approximately 0.23 hectare (0.58 acre) of the Emlen Mill Historic District and will require the acquisition of approximately 0.05 hectare (0.13 acre) of right-of-way from the district. The Emlen Mill Historic District is recommended eligible for listing in the National Register of Historic Places.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize the effects. In order to minimize the harm to the section 2002 protected property impacted by the project, the replacement bridge abutments and wingwalls will be constructed with an architectural stone form liner and color to provide the appearance of stone facing.

The Secretary has considered the environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 and has concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effect. No adverse environmental effect is likely to result from the reconstruction of this section of highway.

M. G. PATEL, P. E.,
Chief Engineer/Highway Administration

[Pa.B. Doc. No. 07-183. Filed for public inspection February 2, 2007, 9:00 a.m.]

Finding

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Chief Engineer for Highway Administration, Department of Transportation (Department) makes the following written finding.

The Federal Highway Administration (FHWA) and the Department are planning the construction of a 10 to 12 mile four-lane limited access highway connecting the four-lane Meyersdale Bypass to the four-lane US 219 in Somerset, PA.

This project will require the acquisition of approximately 117.20 acres from the 3,100 acres Swamp Creek Valley Historic District and the acquisition of approximately 10 acres from the 3,200 acres State Game Lands No. 50. Acquisition of land from the Swamp Creek Valley Historic District and State Game Lands No. 50 will constitute a use of the Section 2002 resource.

Information describing the project together with the associated environmental analysis is contained in the Final Environmental Impact Statement/Final Section 4(f) Evaluation that was prepared for this project. The FHWA issued a Record of Decision on November 14, 2006, for this project.

Based upon studies, there is no prudent and feasible alternative to the proposed action.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

M. G. PATEL, P. E.,
Chief Engineer/Highway Administration

[Pa.B. Doc. No. 07-184. Filed for public inspection February 2, 2007, 9:00 a.m.]

FISH AND BOAT COMMISSION

Lake Erie Commercial Fishing—2007

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.31(b) (relating to seasons), has determined that the 2007 total allowable commercial catch for walleye from the Commonwealth waters of Lake Erie is 4,000 pounds. The commercial fishing season for walleye on Lake Erie is January 1 to midnight March 15 and 12:01 a.m. the first Saturday in May to December 31. This season shall end when the Executive Director determines that 4,000 pounds of walleye probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

The Executive Director of the Commission, acting under the authority of 58 Pa. Code § 69.31(c), has established that the 2007 total allowable commercial catch for yellow perch from the Commonwealth waters of Lake Erie is 35,000 pounds. The commercial fishing season for yellow perch on Lake Erie is January 1 until the date the Executive Director determines that 35,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in the Commonwealth waters of Lake Erie.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 07-185. Filed for public inspection February 2, 2007, 9:00 a.m.]

GOVERNOR'S OFFICE

Regulatory Agenda

Executive Order 1996-1, 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 twenty-second 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 (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 time.			
AGING			
PA Code Title VI Chapter 3 Fair Hearings and Appeals	December 2008, 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. It is being reviewed internally to improve Departmental procedures and efficiencies.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 11 Older Adult Daily Living Centers	September 2008, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussions regarding development of long term care services.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 15 Protective Services for Older Adults	June 2008, as proposed.	The law and regulations are under review in light of the decision of the Pennsylvania Supreme Court in <i>Nixon et al. v. Commonwealth, et al.</i> , which found the current protective services law and regulations to be unconstitutional.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 20 Family Caregiver Support Program	December 2008, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussion regarding development of the family caregiver support program.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 21 Domiciliary Care Services for Adults	December 2009, as proposed.	A review of these regulations will be conducted in order to assure consistency with ongoing interdepartmental discussions regarding development of community living alternatives.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 23 Long Term Care Ombudsman Program	December 2007, as proposed.	The Department wishes to promulgate regulations for the Long Term Care Ombudsman program in order to bring it into conformity with national standards.	Robert Hussar 717-783-6207
AGRICULTURE			
Domestic Animal 7 Pa. Code Chapter 2	June, 2007, 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).	Paul Knepley, DVM (717) 772-2852
Cervidae 7 Pa. Code Chapter 18	June, 2007, as proposed.	Act 190 of 2002 amended the Domestic Animal Law to require the Department to license and regulate cervidae livestock operations.	Paul Knepley, DVM (717) 772-2852
Animal Exhibition Sanitation 7 Pa. Code Chapter 21	June, 2007, as proposed.	Act 190 of 2002 amended the Domestic Animal Law to require the Department to enforce sanitation requirements at animal exhibitions, and to regulate as necessary to meet this requirement.	Paul Knepley, DVM (717) 772-2852
Amusement Rides 7 Pa. Code Chapter 139	March, 2007, 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).	Bill Wehry (717) 787-4626

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Harness Racing Commission 58 Pa. Code Chapters 181, 183, 185 and 186—190	June, 2007, 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
Horse Racing Commission 58 Pa. Code Chapters 161, 163, 165, 167, 169, 171 and 173	May, 2007, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in thoroughbred horse 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 161, 163, 165, 167, 169, 171 and 173 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.	Benjamin H. Nolt, Jr. (717) 787-1942
Horse Racing Commission 58 Pa. Code § 163.531 Definitions	Published as final in the October 7, 2006 edition of the <i>Pennsylvania Bulletin</i> .	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in thoroughbred horse racing that did not exist when the current regulations were originally promulgated. This regulation is a short-term project and would amend 58 Pa. Code § 163.531 by amendment to the Definitions Section of the Pennsylvania Breeders' Fund Program found at 58 Pa. Code §§ 163.531—163.538.	Benjamin H. Nolt, Jr. (717) 787-1942
Pesticide Regulations 7 Pa. Code Chapter 128	September, 2007, as proposed.	This regulation will amend 7 Pa. Code Chapter 128 and is necessary to update current regulations, to make them more user friendly, address pesticide security issues, set minimum certification age requirements, dealer licensing, and changes in federal pesticide registration changes.	David Scott (717) 772-5214
Chemsweep Regulations 7 Pa. Code Chapter 128b	Published as final in the July 1, 2006 edition of the <i>Pennsylvania Bulletin</i> .	This regulation will amend 7 Pa. Code Chapter 128b to expand the pesticide disposal program which has been limited to agricultural pesticide products. The amendment will include all Commonwealth citizens who are in possession of cancelled, unused or suspended pesticides.	Don Gilbert (717) 772-5210
Fertilizer Regulations 7 Pa. Code Chapter 73	September, 2008, as proposed.	This regulation will replace 7 Pa. Code Chapter 73 and implement provisions of 3 Pa.C.S.A. §§ 6701—6725 (Fertilizer Act).	John Breitsman (717) 772-5215
Soil and Plant Amendment Regulations 7 Pa. Code Chapter 130a	September, 2008, as proposed.	This regulation will replace 7 Pa. Code Chapter 130a and implement provisions of 3 Pa.C.S.A. §§ 6901—6921 (Soil and Plant Amendment Act.)	John Breitsman (717) 772-5215

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Dog Law 7 Pa. Code Chapters 23, 25 and 27	Published as proposed in the December 16, 2006 edition of the <i>Pennsylvania Bulletin</i> .	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 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.	Mary Y. Bender (717) 787-4833
Clean and Green Regulations 7 Pa. Code Chapter 137b	March, 2007, as proposed.	This regulation will address statutory changes made by Act 235 of 2004, and will otherwise update the current regulation.	Sandra E. Robison (717) 783-3167
Agricultural Conservation Easement Purchase Program Regulations 7 Pa. Code Chapter 138e	July, 2007, as proposed.	This regulation will address statutory changes made by Act 61 of 2005 and Act 46 of 2006, and will otherwise update the current regulation.	Sandra E. Robison (717) 783-3167
Seed Testing Labeling and Standards 7 Pa. Code Chapter 111	September, 2007, as proposed.	This regulation will supplant the current regulation and implement provisions of 3 Pa.C.S.A. §§ 7101—7122 (Seed Act).	Joe Garvey (717) 787-5609
General Provisions and Standards for Seed Certification 7 Pa. Code Chapter 113	September, 2007, as proposed.	This regulation will replace 7 Pa. Code Chapter 113 and 115 by combining them into one chapter—Chapter 113 and implement provisions of 3 Pa.C.S.A. §§ 7101—7122 (Seed Act).	Joe Garvey (717) 787-5609
Commercial Manure Hauler and Broker Certification Program 7 Pa. Code Chapter 130e.	To be published in January, 2007, as final.	This will establish regulations for the Commercial Manure Hauler and Broker Certification Program. This regulation will establish certification requirements for those persons commercially hauling or applying manure on behalf of an agricultural operation.	Johan E. Berger (717) 772-4189
<i>BANKING</i>			
Annual Assessment Regulation	Late 2007	Required pursuant to 17 Pa.C.S. § 503(a) and 71 P. S. § 733-204.A.	Carter D. Frantz (717) 787-1471
Regulations defining proper conduct of the mortgage loan business	Late 2007	63 P. S. § 456.310(a); 7 P. S. § 6616(1); 7 P. S. § 6212.	Carter D. Frantz (717) 787-1471
Regulations governing check cashing business	Late 2007	63 P. S. § 2304(1)	Carter D. Frantz (717) 787-1471
Regulations governing money transmission business	Early 2008	7 P. S. § 6114	Carter D. Frantz (717) 787-1471
<i>BOARD OF PARDONS</i>			
No regulations being developed or considered at this date.			
<i>COMMUNITY & ECONOMIC DEVELOPMENT</i>			
Industrialized Housing and Components 12 Pa. Code Chapter 145 (Final Regulation)	Spring of 2007	The purpose of the final regulation is to eliminate the exception for the insulation requirement for industrialized homes and adopt the model code requirements for energy efficiency; designate the International Residential Code as the primary standard; provide clarity for the third-party agencies regarding the frequency of inspections; and to reduce the number of required inspections by the Department.	Matthew Speicher (717) 720-7317

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Pennsylvania Industrial Development Authority 12 Pa. Code Chapter 73 (Statement of Policy)	Spring of 2007	The purpose of the statement of policy is to make comprehensive changes to PIDA's policy with respect to project eligibility, advanced technology designation, financial considerations, engineering guidelines, and project format.	Tim Anstine (717) 720-7312
Neighborhood Assistance Program 12 Pa. Code Chapter 135 (Statement of Policy)	Spring of 2007	The purpose of the statement of policy is to update the special program priorities.	Jill Busch (717) 720-7314
COMMISSION ON CRIME AND DELINQUENCY			
No regulations being developed or considered at this time.			
CONSERVATION & NATURAL RESOURCES			
Conservation of Native Wild Plants (Chapter 45)	Publish proposed rulemaking September 2007.	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 field work 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 Susan Wood, Esq. 717-772-4171
State Forests (Chapter 21)	Publish proposed rulemaking September 2007.	A number of provisions in this chapter need to be clarified and updated. The State Forest Picnic Area chapter (23) will be incorporated into this chapter to eliminate duplication and for ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313, 1340.502)	Matt Beaver, 717-783-4543 Susan Wood, Esq. 717-772-4171
State Forest Picnic Areas (Chapter 23)	Publish proposed Rulemaking September 2007	The provisions of this chapter will be incorporated into Chapter 21 (State Forests) for purposes of simplification and ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313, 1340.502)	Matt Beaver, 717-783-4543 Susan Wood, Esq. 717-772-4171
CORRECTIONS			
Revisions to the existing regulations governing county correctional facilities, 37 Pa. Code Chapter 95.	February, 2007 as final.	The regulations are being revised to eliminate unnecessary regulations and amending necessary regulations to be consistent with current correctional practice.	William Sprenkle (717) 975-4965
Promulgation of state intermediate punishment regulations.	January, 2006, as proposed	The regulations will replace the guidelines currently in effect.	Randall N. Sears (717) 731-0444
Amendments to 37 Pa. Code § 94.3(a)(2)	June 2006, as proposed	The amendment will permit the Secretary to waive the Department's requirement that an inmate serve a minimum of nine months in a facility prior to placement in a community corrections center.	Randall N. Sears (717) 731-0444
EDUCATION			
Higher Education—Institutional Approval 22 Pa. Code, Chapter 40	March 2007, as proposed.	These regulations establish procedures for the approval and operation of independent two-year college, college seminary or university, or for status as a State System, State-related or State-aided institution for the purposes of awarding college credits and granting degrees.	Jim Buckheit (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>
Higher Education—Foreign Corporation Standards 22 Pa. Code, Chapter 36	March 2007, as final.	These regulations are necessary to establish procedures for the approval and operation of out-of-state institutions of higher education currently operating or seeking to operate programs in the Commonwealth.	Jim Buckheit (717) 787-3787
Certification of Professional Personnel 22 Pa. Code, Chapter 49	March 2007, as final.	Regulations outline requirements for teacher preparation, certification and professional educators. These revisions restructure the requirements for early childhood, elementary/middle school and special education teachers. They also impose new policy on continuing professional education.	Jim Buckheit (717) 787-3787 or Sharon Brumbaugh (717) 705-8642
Standards for Approved Private Schools 22 Pa. Code, Chapter 171 Subchapters A & C	Spring 2007, as final.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). These standards contain general provisions and allowable expenses and costs. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, P. L. 30, No. 14, March 16, 1949, P. S. Section 1-101, et seq. The revised standards will reflect the changes in Chapter 14 and IDEA.	John Tommasini (717) 783-6134
Chapter 16 Special Education for Gifted Students 22 Pa. Code, Chapter 16	May 2007, as proposed	These regulations outline how special education programs and services are to be provided to students identified as gifted.	Jim Buckheit (717) 787-3787 or Linda Rhen (717) 783-2311
Charter School Standards, Chapter 711	July 2007, as proposed	These Department Standards govern Charter Schools, revision is required in order to comply with IDEA 2004.	Linda Rhen (717) 783-2311 or Sheri Rowe (717) 783-9280
Special Education Services and Programs 22 Pa. Code, Chapter 14	July 2007, as proposed.	These regulations outline how special education services and programs are to be provided to children with disabilities. Specific revisions are necessary to incorporate the recent changes to IDEA 2004.	Jim Buckheit (717) 787-3787 or Linda Rhen (717) 783-2311
Academic Standards and Assessment, 22 Pa. Code, Chapter 4	July 2007, as final.	These regulations outline state academic standards that public schools must provide instruction to bring students up to proficiency and also provides for the Pennsylvania System of School Assessment, high school graduation requirements and requirements for credentials other than the high school diploma.	Jim Buckheit (717) 787-3787 or Diane Castelbuono (717) 787-2127
Higher Education—Program Approval 22 Pa. Code, Chapter 42	July 2007, as proposed.	These regulations establish procedures for approval of specialized associate degree programs, upper division programs at two-year and community colleges, graduate programs and vocational education programs.	Jim Buckheit (717) 787-3787
General Vocational Education Standards 22 Pa. Code, Chapter 339	Fall 2007, as final.	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, regarding Vocational Education, and section 2502.8, regarding Vocational Education Funding. These standards are also provided for under Chapter 4 of Title 22 of the Pa. Code, section 4.32(a).	Lee Burket (717) 787-5530

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Regulations of the State Board of Private Academic Schools 22 Pa. Code, Chapters 51, 53, 55, 57, 61 & 63	The Board has informally discussed revision of the regulations, received public input and is reviewing that input with the Department to determine appropriate next steps.	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board plans to update the regulations, which were promulgated in 1988. The regulations are promulgated under the Authority of the Private Academic Schools Act (24 P. S. § 6701 et seq.)	Mary Ramirez (717) 783-3755
EMERGENCY MANAGEMENT AGENCY			
No regulations being developed or considered at this time.			
ENVIRONMENTAL HEARING BOARD			
PA Code Title 25 Chapter 1021 Practice and Procedure	The Board published final rulemaking of previously proposed rule changes in the <i>Pennsylvania Bulletin</i> on February 11, 2006. No new rulemaking is expected for the remainder of 2006 or early 2007.	The Environmental Hearing Board Rules Committee has recommended revising the Board's rules of practice and procedure to add new rules addressing the following issues: 1) default judgment; 2) withdrawal of appeals without prejudice; 3) prepayment of penalties. The Rules Committee is also considering the clarification of existing rules.	Mary Anne Wesdock 412-565-5245
ENVIRONMENTAL PROTECTION			
Noncoal Program Noncoal Surface Mining Conservation and Reclamation Act 25 Pa. Code, Chapter 77	FY06-07	Revisions to Chapter 77 (Noncoal Mining) that govern the licensing of mine operators and permitting of mines for minerals other than coal. Specific areas for revision include clarification of permit application requirements including, hydrologic data requirements.	Bill Allen 717-783-9580
Oil & Gas Well Program Oil and Gas Act 25 Pa. Code, Chapter 78	FY06-07	Revisions to Chapter 78 (Oil and Gas Wells) that governs the drilling, operation and plugging of oil and gas wells. Includes changes to bond amount and plugging procedures to attain a more effective seal; quantity and quality for replacement water supplies as well as adequate operation and maintenance; and alternate requirements for casing, cementing and plugging wells through mineable coal seams to facilitate future mining through the wells or recovery of coal bed methane prior to mining.	Ron Gilius 717-772-2199
Coal Mine Reclamation Surface Mining Conservation and Reclamation Act 25 Pa. Code, Chapter 86	FY06-07	Revisions to Chapter 86 (Surface and Underground Mining: General) to eliminate an existing reclamation fee and to provide for the reclamation of sites where the operator reclamation bond has been forfeited	Keith Brady 717-787-4814
Program Conditions and Remining Financial Guarantees Surface Mining Conservation & Reclamation Act 25 Pa. Code, Chapters 86, 87, 88	FY06-07	Revisions to Chapter 86, 87 & 88 program conditions, responding to OSM disapprovals and remining financial guarantees proposal that includes revisions to self-bonding, seismic safety factors, and impoundments	Bill Allen 717-783-9580

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Title 25, Chapter 401. Mine Subsidence Insurance Fund General Provisions/ The act of August 23, 1961 (P. L. 1068, No. 484) as amended (52 P. S. §§ 3201—3225) (act). See note in Summary	FY06-07	Revisions to Chapter 401 to expand Mine Subsidence Insurance (MSI) coverage to apply to appurtenances to structures as well as to structures, the removal provisions that change periodically, such as premium rates and policy limits, so that they can be provided in the insurance policy, and other editorial changes. Note: Section 19 of the act provides that the MSI Board has the authority to promulgate rules and regulations and to establish other provisions of the insurance policy as it deems prudent.	Larry Ruane 717-783-9590
Water Supply Replacement Surface Mining Conservation & Reclamation Act 25 Pa. Code, Chapters 87, 88	FY06-07	Revisions to Chapters 87 & 88, which will clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies.	Keith Brady 717-787- 4814
Chapter 85—Bluff Recession and Setback Amendments Bluff Recession and Setback Act 25 Pa. Code, Chapter 85	FY06-07	This proposal will update Chapter 85 based on the bluff study that resulted from a petition submitted by the Millcreek Township Board of Supervisors, Erie County.	Andrew Zemba 717-772-5633
Mine Opening Blasting Surface Mine Conservation and Reclamation Act 25 Pa. Code, Chapter 89	FY06-07	Revisions to Chapter 89 (Underground Mining of Coal and Coal Preparation Facilities) to better coordinate regulation of blasting of underground mine entries between surface blasting requirements and underground blasting requirements.	Bill Allen 717-783-9580
NPDES Permitting Program Amendments Clean Streams Law 25 Pa. Code, Chapter 91 & 92	FY06-07	Revisions to Chapter 91 (General Provisions) and 92 (National Pollution Discharges Elimination System Permitting, Monitoring and Compliance—NPDES) that govern the NPDES permitting program for point source discharges of water pollution.	Tom Franklin 717-787-8184
Watershed Permits Clean Streams Law 25 Pa. Code, Chapter 92	FY06-07	Revision to Chapter 92 (National Pollution Discharges Elimination System Permitting, Monitoring and Compliance—NPDES) to allow for a watershed permit in watersheds covered by a TMDL or similar allocation.	Lee McDonnell 717-787-8184
Big Brook et al Redesignation Package Clean Streams Law 25 Pa. Code, Chapter 93	FY06-07	This proposal identifies eight streams (Big Brook (Wayne County), Beaver Creek (Chester County), Clarion River (Clarion County), Furnace Run (Lancaster & Lebanon Counties), Mill Creek (Berks County), Stone Creek (Bedford County), and Brooke Evans Creek (Montgomery County) that should be redesignated to provide the correct aquatic life use designation in the water quality standards for these Commonwealth streams.	Rodney McAllister 717-787-9637

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Clark Creek et al Redesignation Package Clean Streams Law 25 Pa. Code, Chapter 93	FY06-07	This proposal identifies nine streams (UNT Lackawanna River (Clark Creek)(Wayne County), Upper Lehigh River (Lackawanna, Monroe, Wayne & Luzern Counties), Pine Creek (Schuylkill County), UNT Conestoga Creek (Lancaster County), L. Lehigh (Lehigh & Berks Counties), Hammer Creek, (Lebanon & Lancaster Counties), Spring Mill Creek (Montgomery County), Cacoosing (Berks County), and Fishing Creek (Lancaster County) that should be redesignated to provide the correct aquatic life use designation in the water quality standards for these Commonwealth streams.	Rodney McAllister 717-787-9637
Water Quality Network Stream Redesignation Package Clean Streams Law 25 Pa. Code, Chapter 93	FY06-07	This proposal identifies nine stream segments (Blue Eye Run (Warren County); Conewago Creek (Adams County), E. Br. Dyberry Creek (Wayne County), East Hickory Creek (Warren County), Minister Creek (Forest County), Muncy Creek (Sullivan County), Spruce Run (Union County), UNT Tunkhannock Creek (Susquehanna County), and Young Womans Creek (Lycoming County) that should be redesignated to provide the correct aquatic life use designation in the water quality standards for these Commonwealth streams.	Rodney McAllister 717-787-9637
Erosion and Sediment Control and Stormwater Management Clean Streams Law 25 Pa. Code, Chapter 102	FY06-07	Several major modifications/revisions include: addition of provisions from Chapter 92 that relate to NPDES permitting requirements for discharges associated with Construction activity; incorporate post construction storm water management; incorporate buffer provisions; and revise permit requirements.	Barbara Beshore 772-5961
Dam Safety and Waterways Management Dam Safety and Encroachments Act and Clean Streams Law 25 Pa. Code, Chapter 105	FY06-07	Several major modifications/revisions include: changes to permit requirements; permit application requirements; environmental assessment, and wetland replacement criteria.	Troy Conrad 772-5970
Public Notification Revisions Safe Drinking Water Act 25 Pa. Code, Chapter 109	FY06-07	Amendments to several sections in Chapter 109 to strengthen the public notification (PN) requirements for imminent threat violations and situations. Will include enhancements to the preplanning requirements in the Operation and Maintenance Plan and Emergency Response Plan sections, and revisions to the Tier 1 PN delivery requirements.	Lisa Daniels, Deb Rotz 717-772-4018
Stage 2 Disinfectants and Disinfection Byproducts Rule Safe Drinking Water Act 25 Pa. Code, Chapter 109	FY06-07	This rule will implement the requirements of the Federal Stage 2 DDBR that was effective March 6, 2006. The rule will require community water systems and noncommunity water systems, which treat drinking water with a primary disinfectant other than UV to conduct additional compliance monitoring for trihalomethanes and haloacetic acids.	Tom Franklin 717-783-1820

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 109 General Update Safe Drinking Water Act 25 Pa. Code, Chapter 109	FY06-07	This general update will revise several sections in Chapter 109 to retain or obtain primacy, including monitoring and reporting requirements for lead, copper, arsenic, radionuclides inorganic chemicals, volatile synthetic organic chemicals and synthetic organic chemicals. Other sections will be clarified, such as QA/QC requirements for on-line instrumentation; reporting requirements for failure to monitor; and compliance determinations for the chemical contaminants. The update also will include mandatory electronic data reporting requirements.	Lisa Daniels 717-772-2189
Water Resources Planning Water Resources Planning Act 25 Pa. Code, Chapter 110	FY06-07	Addition of new Chapter 110 (Water Resources) establishing requirements for the registration, record keeping and periodic reporting of water withdrawals and water uses in accordance with the Water Resources Act (Act 220 of 2002) to provide information for water resources planning and development of the State Water Plan.	Susan Weaver 717-783-8055
Glass Furnaces Air Pollution Control Act 25 Pa. Code, Chapters 121 and 129	FY06-07	The proposal would add nitrogen oxide emission reduction requirements for glass furnaces.	Terry Black 717-787-2030
Clean Air Interstate Rule Air Pollution Control Act 25 Pa. Code, Chapters 121, 129 and 145	FY06-07	Revise Air Quality Regulations to comply with the Federal Clean Air Interstate Rule by reducing emissions of sulfur oxides and nitrogen oxides from electric generating units.	Wick Havens 717-772-3436
Nonattainment New Source Review Air Pollution Control Act 25 Pa. Code, Chapter 127	FY06-07	The Department's existing nonattainment new source review (NSR) regulations will be amended to clarify existing requirements and to develop an approvable "equivalency" demonstration as a revision to the State Implementation Plan	Terry Black, John Slade 717-787-2030
Air Quality Permit Streamlining Air Pollution Control Act 25 Pa. Code, Chapter 127	FY06-07	The proposed regulation will revise certain public notice provisions and public comment provisions to extend from 120 to 180 days the duration for temporary "shake-down" operation of new equipment subject to the Plan Approval requirements.	Terry Black, John Slade 717-787-2030
Cement Kilns Air Pollution Control Act 25 Pa. Code, Chapters and 129	FY06-07	The proposal would add nitrogen oxide emission reduction requirements for cement kilns.	Terry Black 717-787-2030
Portable Fuel Containers Air Pollution Control Act 25 Pa. Code, Chapter 130	FY06-07	The proposal would revise the portable fuel container regulation to reflect new technology. The new technology makes the containers user-friendlier and provides a slight increase in volatile organic compound and hazardous air pollutant emission reductions.	Terry Black 717-787-2030
Consumer Products Air Pollution Control Act 25 Pa. Code, Chapter 130	FY06-07	The proposal would revise the consumer product regulation to add additional categories of regulated products. The revisions will reduce volatile organic compound and hazardous air pollutant emissions.	Terry Black 717-787-2030

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Adhesives and Sealants Air Pollution Control Act 25 Pa. Code, Chapter 130 and Chapter 129	FY06-07	The proposal would add volatile organic compound (VOC) content limits for adhesive and sealant products.	Terry Black 717-787-2030
Surface Mine Safety Surface Mine Conservation and Reclamation Act, Noncoal Surface Mine Conservation and Reclamation Act 25 Pa. Code, Chapter 209	FY06-07	Revision to Chapter 209 (Coal Mines) to adopt by reference the Federal MSHA regulations for surface coalmines and surface noncoal mines.	Bill Allen 717-783-9580
Radiation Protection Program Radiation Protection Act, Radon Certification Act 25 Pa. Code, Chapter 215-240	FY06-07	Rewording of existing requirements and definitions for clarity; updating of U.S. Nuclear Regulatory Commission incorporation by reference citations; reinstating industrial radiography incident reporting requirement inadvertently deleted by previous rulemaking; updating radon protocols and deleting notary requirements from radon services permit applications	L. Ray Urciuolo 717-783-9730
Storage Tank Amendments Storage Tank and Spill Prevention Act 25 Pa. Code, Chapter 245	FY06-07	This final regulation represents comprehensive amendments to the Storage Tank and Spill Prevention provisions of Chapter 245, which was last updated in 1997.	Ray Powers 717-772-5809
Waste Facility Notification near Military Airports Solid Waste Management Act 25 Pa. Code, §§ 271.1, 279.112, 287.1 & 293.112	FY06-07	This proposed regulation is in response to a petition filed by the U.S. Department of Defense. It would amend the Municipal and Residual Waste Regulations to include military airport in the definition of "airport" and require a transfer facility applicant to notify the PENNDOT's Bureau of Aviation and the Federal Aviation Administration and the airport if a proposed transfer facility or expansion is within 6 miles of an airport runway.	Steve Socash 717-787-7381
Hazardous Waste Program Solid Waste Management Act 25 Pa. Code, Chapters 260-270	FY06-07	This proposed regulation revises various chapters in Article VII (Hazardous Waste Management) of Subpart D that govern the generation, treatment, storage, transportation and disposal of hazardous waste.	Rick Shipman 717-783-1736
Triennial Review of Water Quality Standards Clean Streams Law 25 Pa. Code, Chapter 93 Water Quality Standards and Chapter 16 Water Quality Toxics Management Strategy—Statement of Policy	FY06-07	This review identifies amendments to the Water Quality Standards and the Water Quality Toxics Management Strategy—Statement of Policy. Water Quality Criteria and Standards in Chapters 93 and 16 are revised to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the federal Clean Water Act.	Tom Barron 717-787-9637

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of the Land Recycling Program (Act 2) Land Recycling and Environmental Remediation Standards Act 25 Pa. Code, Chapter 250	FY06-07	Revisions to Chapter 250 (Administration of the Land Recycling Program) that govern the remediation of sites contaminated by the release of regulated substances. This proposal includes numeric Statewide health standards that have been revised because of updates to toxicological information and physical and chemical parameters. Other modifications include increased public notice requirements, additional requirements for postremediation care at properties where institutional and engineering controls are used, additional deed notice provisions, assuring portability of water supplies by applying federal Maximum Contaminant Levels to drinking water at points of use and providing for notice when contamination is discovered during remedial activities.	Dave Hess 717-783-9480
GENERAL SERVICES			
Surplus State Property 4 Pa. Code Chapters 41, 43, 45 & 47	Spring 2007, as final omitted.	These regulations should be updated to reflect current agency practice and procedure.	Mary Benefield Seiverling (717) 772-2749
Responsibility, 4 Pa. Code Chapter 60	Spring 2007, as proposed	This chapter should be amended to be consistent with the Procurement Code and to provide for uniform debarment and suspension procedures.	Mary Benefield Seiverling (717) 772-2749
Committee on Construction Contract Documents, 4 Pa. Code Chapter 62	Summer 2007, as final omitted	The Procurement Code repealed the legislation creating this committee, which no longer exists.	Mary Benefield Seiverling (717) 772-2749
Selections Committee, 4 Pa. Code Chapter 64	Fall 2007, as final omitted	These regulations will be reviewed to ensure that they accurately reflect present practice and are consistent with the Procurement Code.	Mary Benefield Seiverling (717) 772-2749
Emergency Construction Repairs 4 Pa. Code Chapter 67	Fall 2007, as final omitted	The regulations should be amended to more accurately reflect present practice and to delete antiquated contract provisions.	Mary Benefield Seiverling (717) 772-2749
Contract Compliance 4 Pa. Code Chapter 68	Summer 2007, as proposed	References to the Human Relations Commission need to be replaced by procedures under the current DGS programs.	Mary Benefield Seiverling (717) 772-2749
Methods of Awarding Contracts, 4 Pa. Code Chapter 69	Spring 2007, as final omitted	These regulations should be repealed since they have been superseded by enactment of the Commonwealth Procurement Code.	Mary Benefield Seiverling (717) 772-2749
Commonwealth Parking Facilities, 4 Pa. Code Chapter 71	Spring 2007, as final omitted	The regulations need to be updated to reflect changes to agency procedure and practice.	Mary Benefield Seiverling (717) 772-2749
Commonwealth Automotive Fleet 4 Pa. Code Chapter 73	Fall 2007, as final omitted	These regulations need to be reviewed and updated to reflect current practice.	Mary Benefield Seiverling (717) 772-2749
Processing Subscriptions and Sales of <i>Pennsylvania Code</i> and Related Publications, 4 Pa. Code Chapter 81	Fall 2007, as final omitted	These regulations should be revised since the DGS Bureau of Management Services no longer has responsibility for processing subscriptions and orders for the <i>Pennsylvania Code</i> .	Mary Benefield Seiverling (717) 772-2749
Bookstore Operations, 4 Pa. Code Chapter 83	Fall 2007, as final omitted	These regulations should be revised since the bookstore operations were transferred to the Pa Historical and Museum Commission by statute.	Mary Benefield Seiverling (717) 772-2749

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Exercise of First Amendment Rights on Commonwealth Property 4 Pa. Code Chapter 85	Summer 2007, as final omitted	The regulation will be rewritten to reflect the current organizational structure and to conform to changes which will be made to the Statement of Policy in Chapter 86	Mary Benefield Seiverling (717) 772-2749
Use of the Forum 4 Pa. Code Chapter 87	Summer 2007, as final omitted	The regulations should be amended to reflect the Department's current use of a rental agreement instead of a permit and to reflect the current organizational structure.	Mary Benefield Seiverling (717) 772-2749
Death Benefits for Survivors of Fireman and Law Enforcement Officers, 4 Pa. Code Chapter 89	Winter 2007, as final omitted	Amendments are needed to this regulation to make it consistent with legislative amendments.	Mary Benefield Seiverling (717) 772-2749
HEALTH			
Health Facility Licensure—General Administrative Chapter & General and Special Hospitals 28 Pa. Code § 51.1 et seq. 28 Pa. Code § 101.1 et seq.	June, 2007, as proposed.	The amendments to existing regulations will update the licensure requirements for hospitals and other health care facilities. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.101—448.904b.	Barbara Holland 717-346-9692 James T. Steele, Jr. 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	July 2007, as proposed.	The amendments to existing regulations will clarify the Department's authority to perform disease surveillance and investigation. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1—521.21.	Yvette M. Kostelac 717-783-2500
Supplemental Nutrition Program for Women, Infant's and Children (WIC) 28 Pa. Code § 1101.1 et seq.	March 2007, as proposed.	The amendments to existing regulations will bring the Commonwealth into compliance with the requirements of the Federal Child Nutrition and WIC Reauthorization Act of 2004. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.102, 448.201(12), 448.601, 448.801a, and 448.803(2) and The Administrative Code of 1929 (71 P. S. § 532(a) and (g)).	Robert Datorre 717-783-2500
School Immunization Requirements 28 Pa. Code §§ 23.83 and 23.86	March 2007, as proposed	The amendments to existing regulations will revise immunization requirements for school entry and attendance, add a grace period for the provision of vaccinations in order for them to be considered valid, and change school reporting requirements to require reporting of doses of vaccine given. Pursuant to the Disease Prevention and Control Law of 1955 35 P. S. § 521.1 et seq.; The Administrative Code of 1921 (71 P. S. § 541(c.1)) and the Public School Code of 1949 (24 P. S. § 13-1303a).	Yvette M. Kostelac 717-783-2500
Sexual Assault Victims Emergency Services Regulations 28 Pa. Code §§ 117.51—58.	March 2007, as final.	The amendments to existing regulations will establish minimum parameters for the treatment of sexual assault victims presenting at Pennsylvania hospitals. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.102, 448.201(12), 448.601, 448.801a, and 448.803(2) and The Administrative Code of 1929 (71 P. S. 532(a) and (g)).	Robert Datorre 717-783-2500
Drug and Alcohol confidentiality, disclosure of client-oriented information. 4 Pa. Code § 255.5 (a) (in part) and (b).	January, 2007, as proposed	The amendment of existing regulations will rescind parts of 4 Pa. Code § 255.5(a) and all of 4 Pa. Code § 255.5(b), relating to disclosure of information and restrictions on the type of information which can be disclosed to various individuals and entities. Pursuant to 71 P. S. § 751-25 and 71 P. S. § 1690-101 et seq.	Keith B. Fickel 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>
HOUSING FINANCE AGENCY			
No regulations being developed or considered at this date.			
INFRASTRUCTURE INVESTMENT AUTHORITY			
25 Pa. Code §§ 963.12(a)(6) and (7) 963.13(b) (2), 963.13(c), 963.14(a), 963.15(a), 963(15)(c), 25 Pa. Code § 965.4(9), and 25 Pa. Code § 965.7.	Spring 2007	<p>PENNVEST recommends the following revisions:</p> <p>(1) Delete 25 Pa. Code § 963.12(a) (6) in its entirety and the second sentence of 25 Pa. Code § 963.13(b)(2) thereby allowing PENNVEST to provide financial assistance (loan or grant) for costs associated with the development of an approvable official sewage plan under the Sewage Facilities Act, 35 P. S. § 750.1 et seq.</p> <p>(2) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor.</p> <p>(3) Amend 25 Pa. Code § 963.13 (c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment on principal and interest on the 60th month.</p> <p>(4) Amend 25 Pa. Code § 963.14(a) by revising the section to clarify when the use of an affordability analysis for the award of grants is necessary.</p> <p>(5) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only preceding the 20 year term.</p> <p>(6) Amend 25 Pa. Code § 963.15 (c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date.</p> <p>(7) Amend 25 Pa. Code § 965.4 (9) to allow for eligible land costs under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.</p> <p>(8) Amend 25 Pa. Code § 965.7 to eliminate the requirement for a second opinion project review if the applicant is able to prove to the satisfaction of PENNVEST that no alternative methodologies are available to reduce project costs for projects with construction costs plus contingency in excess of \$10 million.</p>	Shawn W. Weis (717)-783-6776
INSURANCE			
Producer Licensing, 31 Pa. Code, Chapter 37, §§ 37.1—37.84	Spring/Summer 2007, as proposed.	Act 147 of 2002 sets new standards for Producers in the Commonwealth. This chapter will be repealed and replaced with new regulation consistent with the statute.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Motor Vehicle Financial Responsibility Law—Evidence of Financial Responsibility, 31 Pa. Code, Chapter 67, §§ 67.21—28	Spring/Summer 2007, as proposed	Amend to make the regulation consistent with statutory requirements.	Peter J. Salvatore, Regulatory Coordinator 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)	Spring 2007, 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, Regulatory Coordinator 717-787-4429
Preparation of Filing of Property and Casualty Forms for Approval, 31 Pa. Code, Chapter 133, §§ 133.1—133.12	Spring 2007, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Description of Reserves—Prohibited Phrases, 31 Pa. Code, Chapter 139, §§ 139.1—139.3	Spring 2007, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices, 31 Pa. Code, Chapter 146, §§ 146.1—146.10	Spring/Summer 2007, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Requirements for Qualified Reinsurers 31 Pa. Code, Chapter 161 §§ 161.1—161.9	Spring/Summer 2007, as proposed.	Amend to update requirements for assets held in trust.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
LABOR AND INDUSTRY			
Repeal of mine and excavation regulations, Title 34, Chap. 33, Bureau of Occupational and Industrial Safety.	Submit final-omitted regulation in Winter 2007.	Will revoke Labor and Industry's authority to regulate mines and excavations. The Department of Environmental Protection now has this authority.	Edward Leister 717-787-3323
Liquefied Petroleum Gas, Title 34. Bureau of Occupational and Industrial Safety.	Submit proposed rulemaking in Winter 2007.	Will enact the Propane and Liquefied Petroleum Gas Act passed in June 2002. Will govern the design, installation and construction of containers and equipment for storage and handling of liquefied petroleum gas, specify the odorization of the gases and establish guidelines for the processing and technologies that are not covered by industry standards.	Edward Leister 717-787-3323
Business Enterprise Program, Title 34. Bureau of Blindness and Visual Services	Submit proposed rulemaking in August 2007.	Concerns operation of snack bars and similar operations in Commonwealth facilities under the Federal Randolph-Sheppard Act and related Pennsylvania laws.	Lucy Shumaker 717-783-3784
Office of Vocational and Rehabilitation, Title 34.	Submitted Final Rulemaking in Winter 2007.	Regulations will govern the registration process and implement the Sign Language Interpreter and Transliterator Registration Act which was enacted in 2004. (Act 57 of 2004).	Catherine N. Wojciechowski 717-787-4186
Prevailing Wage Appeals Board (PWAB), Title 34, Chap 213.	Submit proposed rulemaking in Spring 2007.	PWAB will amend its regulations to reduce paperwork requirements and improve/streamline procedures.	Richard C. Lengler 717-783-9288

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Unemployment Compensation, Title 34, Bureau of Unemployment Compensation Tax Services	Submit proposed rulemaking in Winter 2007.	Update Unemployment Compensation tax and select benefit regulations.	Scott Miedrich 717-787-2097
Unemployment Compensation, Title 34, Bureau of Unemployment Compensation Benefits	Submit proposed rulemaking in Winter 2007.	Update requirements and procedures for filing benefit claims and applications.	Jeri Morris 717-787-3667
Unemployment Compensation, Title 34, Chapter 101, Unemployment Compensation Board of Review	Submit proposed rulemaking in Spring 2007.	Update appeal and hearing procedures to reflect evolving procedures and statutory changes.	Edward Rawlings 717-787-1620
Bureau of Workers' Compensation Title 34, Chapter 121	Submit final-form regulation Spring 2007.	Updating regulations concerning processing of claims forms/petitions to reflect changes in law and technology.	Thomas Dinsmore 717-772-0621
Bureau of Workers' Compensation, Title 34, Chapter 127, Medical Cost Containment	Submitted proposed rulemaking on Fall, 2007	Update processes governing medical care and costs under the Workers' Compensation Act.	Eileen Wunsch 717-772-1912
Bureau of Workers' Compensation, Title 34, Chapter 123	Re-submit final-form regulation in Spring 2007.	Update procedures for qualifications of vocational experts to reflect passage of Act 88.	Eileen Wunsch 717-772-1912
Bureau of Workers' Compensation, Title 34, Chapter 125A, Self-Insurance	Submit proposed rulemaking in Fall 2007.	Clarify standards and security requirements for individual self-insured employees.	George Knehr 717-783-4476
Bureau of Workers' Compensation, Title 34, Chapter 123	Submit proposed rulemaking in Fall 2007.	Clarify procedures for obtaining benefits under the Uninsured Employer Guaranty Fund.	John T. Kupchinsky 717-783-5421
Bureau of Workers' Compensation, Title 34, Chapter 131	Submit proposed rulemaking in Fall 2007.	Update procedures for proceedings before workers' compensation judges and incorporating Act 147 of 2006.	Elizabeth A. Crum 717-787-5082
Workers' Compensation Appeal Board, Title 34, Chapter 111	Submit proposed rulemaking in Fall 2007.	Update procedures for Workers' Compensation Appeal Board.	Susan McDermott 215-560-4583
Bureau of Mediation, Title 34	Submit proposed rulemaking in Fall 2007	Specify procedures and process for Bureau mediators.	William D. Gross 717-787-2803
Bureau of Labor Law Compliance, Title 34, Chapter 231, Minimum Wage	Submit proposed rulemaking in Fall 2007	Address statutory amendments for training wages, clarify overtime exclusions and delete expired Food-Service Employee Incentive Program	James A. Holzman 717-787-4186
MILITARY AND VETERANS AFFAIRS			
State Veterans' Homes 43 Pa. Code Section 7.1 et. seq.	January 2007 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.	Dennis T. Guise 717-861-8503

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Persian Gulf Conflict Veterans' Compensation Program. 43 Pa. Code Chapter 9	February 2007	This regulation is needed to implement Act 29 of 2006, which established the Persian Gulf Conflict Veterans' Compensation Program. The funding for this program was approved by Pennsylvania voters in November 2006, and the Act took effect in December 2006. DMVA's goal is to have regulations (which relate directly to military affairs) in effect by September 2007.	Dennis T. Guise 717-861-8503
MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION			
Municipal Police Officers' Education and Training Commission. 37 Pa. Code Chapter 203	Final regulations, May 2007.	The Commission intends to publish regulations to allow physicals to be performed by physicians' assistants and certified nurse practitioners. Current regulations require all physicals to be performed only by licensed physicians.	Syndi L. Guido 717-772-0905
Municipal Police Officers' Education and Training Commission. 37 Pa. Code Chapter 204	Proposed regulations, May 2007.	Act 79 of 2005 requires the Commission to promulgate regulations to implement the Retired Law Enforcement Identification Act.	Syndi L. Guido 717-772-0905
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM			
No regulations being developed or considered at this time.			
PROBATION AND PAROLE			
The County Probation and Parole Officers Firearms Education and Training Law 61 P. S. § 332.5(13) requires the Commission to "make rules and regulations and to perform other duties as may be reasonably necessary or appropriate to implement the training program for county probation and parole officers."	The proposed regulation was published in the Pa. Bulletin in the fall of 2006.	The County Probation and Parole Officers' Education and Training Commission is in the process of promulgating these regulations and anticipates the completion of proposed regulations by Summer 2007 for publication in the PA Bulletin.	Henry L. Van Brederode 717-787-5699 x 389
The Domestic and Sexual Violence Victim Address Confidentiality Act 23 Pa.C.S.A. § 6712 requires the Office of the Victim Advocate to promulgate regulations to establish an address confidentiality program to protect victims of sexual and domestic violence.	The regulation will be published in the Pa. Bulletin in the summer of 2007 using the "final-omitted" process.	23 Pa.C.S.A. § 6712(2) requires the Office of the Victim Advocate to promulgate the required regulations by July 1, 2006.	Victoria Sostack 717-783-5157
PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM			
No regulations being developed or considered at this time.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
PUBLIC WELFARE			
Administration of County Children and Youth Programs 55 Pa. Code Chapter 3130	June 2007, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the 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.	Ruth O'Brien (717) 783-2800
Administration and Operation of a Children and Youth Social Services Agency 55 Pa. Code Chapter 3680	December 2007, as proposed	This regulation incorporates the changes identified in the Child and Family Services Review, including requirements for visitation with fathers and noncustodial parents and between siblings; concurrent planning; improving permanency outcomes for children; and preserving connections with family and community for children placed out of the home.	Ruth O'Brien (717) 783-2800
Food Stamp Disqualification Penalties 55 Pa. Code Chapter 501	October 2007, 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 6 months to 1 year for the first violation and from 1 year to 2 years for the second violation. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization and other client advocacy groups.	Ruth O'Brien (717) 783-2800
Family Violence Option 55 Pa. Code Chapter 187	February 2008, as proposed	This regulation codifies the provision in the TANF State Plan to screen and identify victims of domestic violence, refer those individuals to counseling and supportive services, establish service plans, provide universal notification and make appropriate referrals to social service agencies. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization and other client advocacy groups.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Breast and Cervical Cancer Prevention and Treatment Program 55 Pa. Code Chapter 140	February 2007, as final-form	This regulation provides Medicaid benefits to individuals diagnosed with Breast and Cervical Cancer, effective January 1, 2002. The BCCPT Act of 2000 amended Title XIX of the Social Security Act by giving states the option of providing full Medicaid benefits to a new group of individuals. This regulation provides Medical Assistance for women who have breast and cervical cancer, including precancerous conditions of the breast and cervix, in addition to full Medicaid benefits. Specifically, uninsured and underinsured women under the age of 65, screened and diagnosed with either breast or cervical cancer, including precancerous conditions of the breast or cervix, by a provider or facility funded in full or part by the Centers for Disease Control and Prevention under its National Breast and Cervical Cancer Early Detection Program, will be eligible for Medicaid benefits. Pennsylvania has chosen the Department of Health Healthy Woman Project as the screening entity for this program. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, professional medical organizations and other client advocacy groups.	Ruth O'Brien (717) 783-2800
Medical Assistance Changes (MAC) 55 Pa. Code Chapters 133, 140, 141, 178 and 181	April 2007, as proposed	This regulation incorporates eligibility requirements for Temporary Assistance for Needy Families (TANF)-related, Supplemental Security Income (SSI)-related and General Assistance (GA)-related Medicaid. Some of the major changes include revisions to: 1) the application and redetermination process; 2) the qualification requirements and eligibility rules for Healthy Beginnings; 3) the income eligibility methodologies for TANF-related categories of Medicaid; 4) the income and resource requirements for the Medicaid Program; 5) Extended Medical Coverage to include provisions as set forth in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); 6) the GA-related Nonmoney Payment (NMP) and Medically Needy Only (MNO) eligibility criteria as set forth in Act 35; 7) the qualifying criteria for TANF-related categories to include a new eligibility group as set forth in § 1931 of the Social Security Act.	Ruth O'Brien (717) 783-2800
Payment for Burial and Cremation 55 Pa. Code Chapters 283, 285	March 2007 as proposed	The proposed rulemaking increases the maximum payment to funeral directors for burial or cremation services to a standard \$750 for all eligible individuals. This rulemaking also increases maximum level of contributions that may be made by another agency or individual towards burial expenses without reducing the Department payment. This amount is increased from \$180 to \$750. Additionally, this proposed rulemaking eliminates several restrictive requirements for burial, thus allowing families and funeral directors more flexibility and choice in planning and selecting burial goods and services.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Revisions to Special Allowances for Supportive Services 55 Pa. Code Chapter 165	April 2007 as proposed	The purpose of this proposed regulation is to ensure adequate and consistent availability and distribution of special allowances. These special allowances are for supportive services to recipients of cash assistance who are engaged or intend to engage in employment and training activities approved by the Department.	Ruth O'Brien (717) 783-2800
Deficit Reduction Act of 2005 (TANF Reauthorization) 55 Pa. Code Chapter 165	April 2007 as proposed	The purpose of this proposed regulation is to incorporate revised policies for work participation according to Federal statutes and regulations.	Ruth O'Brien (717) 783-2800
Early and Periodic Screening Diagnosis Treatment (EPSDT) 55 Pa. Code Chapters 1101, 1121, 1123, 1147, 1241	March 2007, 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 State Plan. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Medical Assistance Case Management Services 55 Pa. Code Chapter 1239	March 2007, as proposed	This 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. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
OMNIBUS Pharmacy 55 Pa. Code Chapters 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243	September 2007, 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. This regulation also 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). This regulation was reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Physician Assistant/Midwife 55 Pa. Code Chapter 1141	June 2007, as final-omitted	This final regulation codifies revised supervision requirements for physician assistants and midwives. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Discontinuance of the Mandatory Second Opinion Program 55 Pa. Code Chapter 1150	June 2007, as final-omitted	This final regulation removes the mandatory second opinion program requirement for certain surgical procedures. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Capital Component Payment for Replacement Beds 55 Pa. Code Chapter 1187	July 2008, as proposed	This regulation codifies the policy as set forth in the Statement of Policy published at 27 Pa.B. 6238 (November 29, 1997). This regulation will specify the conditions under which the Department will recognize nursing facility beds as replacement beds for purposes of making capital component payments for those beds. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
New Definition of "Emergency Medical Condition" 55 Pa. Code Chapters 1101, 1141, 1150, 1221	March 2007, as proposed	This regulation codifies the revised definition of "emergency medical condition" contained in the Balanced Budget Act of 1997, effective July 1, 1998. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Definition of Medically Necessary 55 Pa. Code Chapter 1101	July 2007, as proposed	This proposed regulation replaces the current definition of "medically necessary" with the definition found in the HealthChoices Request for Proposal. This regulation was reviewed on 9/21/01 by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Tobacco Cessation and Nutritional Supplements 55 Pa. Code Chapter 1121	September 2007, as final-omitted	This final regulation will provide coverage under the Medical Assistance Program for tobacco cessation products and counseling services and will extend coverage for nutritional supplements to eligible Medical Assistance recipients 21 years of age and older. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Dental Services 55 Pa. Code Chapter 1149	May 2007, as final-omitted	This final regulation will provide coverage for crown core build-up and will revise the Medical Assistance Orthodontia Program. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Preadmission Requirements for Nursing Facility Services 55 Pa. Code Chapter 1187	July 2007, as final	This regulation will require nursing facilities to have all individuals applying for nursing facility services, evaluated by the Department or an independent assessor if it is likely that the applicant will use Medical Assistance as a payer source within 12 months of admission. The purpose of this regulation is to allow an individual to remain in the community by delaying or eliminating the need for admission to a nursing facility. This regulation will be reviewed by the Medical Assistance Advisory Committee.	Ruth O'Brien (717) 783-2800
Home Health Regulation 55 Pa. Code Chapter 1249	February 2007 as final-form	The proposed regulation: 1. removes the State requirement that clients be homebound to receive home health agency services. Requiring a client to be homebound is in violation of "Olmstead Update No. 3" codified at 42 CFR 440.230(c) and 440.240(b); 2. moves service limitations from the regulations to the fee schedule which will permit program exceptions to the limitations when appropriate.	Ruth O'Brien (717) 783-2800
Changes to Nursing Facility Rate Setting System 55 Pa. Code Chapter 1187	June 2007, as final-omitted	This regulation will support the balancing of long term care by encouraging the continued trend of having nursing facilities serve higher acuity MA recipients, encouraging right sized facilities and decreased reliance on MA payments. Further objectives of this regulation will be to provide greater predictability in rate setting, reduce the number of appeals and incorporate performance standards/incentives to encourage cost effective and high quality care in the most appropriate setting.	Ruth O'Brien (717) 783-2800
Medical Assistance Copayment Changes 55 Pa. Code Chapter 1101	February 2007, as final-omitted	This regulation will codify new MA copayment exclusions mandated by the Federal Deficit Reduction Act (DRA) of 2005, and reduce the copayment for brand name drugs identified as preferred on the Department's Preferred Drug List (PDL) as authorized under the DRA. This regulation will be reviewed by the Medical Assistance Advisory Committee (MAAC).	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Third Party Liability Programs 55 Pa. Code Chapter 259	June 2007, as proposed	Section 1902(a)(25) of the Social Security Act (42 U.S.C. § 1396a(a)(25)) requires the Department to develop and implement a TPL program to ensure that Medicaid is the payor of last resort. Section 1906 of the Social Security Act (42 U.S.C. § 1396(e)) authorizes the Department to have a special program to enroll certain MA recipients into group health insurance. Both the general TPL program and the special group health insurance program have been in operation in Pennsylvania for a number of years. During this period of operation, questions have arisen as to interpretation and procedures under the Federal and state's statutes. This proposed regulation is needed to supply guidance with respect to issues not directly addressed by the Federal and state statutes, to resolve ambiguities and to fill gaps in the State statutory language.	Ruth O'Brien (717) 783-2800
Licensure and Approval Appeal Procedures 55 Pa. Code Various Chapters	April 2007, as proposed	This regulation replaces the uncodified regulation at 7 Pa.B. 3266 with the General Rules of Administrative Practice and Procedure (1 Pa. Code Chs. 31—35) for all facilities and agencies certified by the Department.	Ruth O'Brien (717) 783-2800
Family-Based Mental Health Service Providers Draft Regulation, 55 Pa. Code Chapter 5260	June 2007, as proposed	This proposed regulation would establish requirements for the delivery of services, and payment of family-based mental health services for children and adolescents.	Ruth O'Brien (717) 783-2800
Residential Treatment Facilities (RTF) for Mental Health Services 55 Pa. Code Chapters 31, 1157, 1165	April 2007, as proposed	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation was reviewed by the Medical Assistance Advisory Committee (MAAC) on 3/28/02 and again to the MAAC as well as other interested stakeholders on 4/20/06. The comments and revised regulations are under review by the Department.	Ruth O'Brien (717) 783-2800
Intermediate Care Facilities for the Mentally Retarded 55 Pa. Code Chapter 6650	July 2007, as proposed	This regulation applies to private and public residential facilities receiving monies for intermediate care facilities for the mentally retarded (ICFs/MR) or intermediate care facilities for persons with other related conditions (ICFs/ORC). This regulation will include facility capacity, facility expansion, new ICF/MR development, conversion of State-funded programs to ICF/MR, conversion of existing ICF/MR to the Medicaid Consolidated Waiver program, medication administration, medication administration training, self-administration of medications and medication log.	Ruth O'Brien (717) 783-2800
Child Care Facilities 55 Pa. Code Chapters 3270, 3280, 3290, 3300	May 2007 as final-form	The purpose of the proposed rulemaking is to update the minimum standards for child care facilities. The regulations need to be updated to reference the current laws that directly impact on the operation of child care facilities, to incorporate the Department's statements of policy issued since 1992, to implement changes in recommended health and safety practices, to clarify regulations and to reflect best practice in the field of child care.	Ruth O'Brien (717) 783-2800

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
REVENUE			
Construction Contractors 61 Pa. Code, §§ 31.11—31.16 and 46.11—46.17	December 2007, as proposed	The regulation will provide an update to the rules regarding contracts with exempt and nonexempt entities following Act 45 of 1998. Department awaiting decision of the Pennsylvania Supreme Court.	Douglas Berguson 717-346-4633
Construction Contractors 61 Pa. Code §§ 31.11, 46.2, 46.3, 46.6 and 46.9	September 2007, as final.	Chapter 46 Construction Contractors Sales Tax Requirements and Amendment to § 31.11 to avoid duplication of regulations.	Douglas Berguson 717-346-4633
Regulations Governing the Collection of a School District Personal Income Tax 61 Pa. Code Chapters 141—148	Published as final December 2, 2006	The regulation provides uniform rules for the levy, implementation, administration, assessment and collection of the School District Personal Income Tax authorized by the Taxpayer Relief Act of 2006. Regulation published at 36 Pa.B. 7253 (December 2, 2006).	Douglas Berguson 717-346-4633
Realty Transfer Tax Amendments 61 Pa. Code, Chapter 91	September 2007, as final.	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 Berguson 717-346-4633
Organ and Bone Marrow Donor Tax Credit 61 Pa. Code § 11.1	Published as final December 2, 2006	Chapter 11 implements the organ and bone marrow donor tax credit under sections 3 and 4 of the Organ and Bone Marrow Donor Act of 2006. Regulation published at 36 Pa.B. 7252 (December 2, 2006).	Douglas Berguson 717-346-4633
Support Offset and Other Personal Income Tax Provisions	July 2007, as proposed	This regulatory change will amend certain regulatory provisions to provide for the intercept of income tax refunds from individuals who are delinquent in support payments and redirect the funds accordingly. Other amendments are proposed to update and/or clarify personal income tax provisions.	Douglas Berguson 717-346-4633
Pennsylvania Gaming Cash Flow Management 61 Pa. Code §§ 1001.1— 1001.11	July 2007, as final	The Department is proposing “permanent” regulations for Chapter 1001, Pennsylvania Gaming Cash Flow Management in accordance with the Pennsylvania Race Horse Development and Gaming Act 2004 (Act 71).	Douglas Berguson 717-346-4633
Contract Carriers Exemption Certificate—Transfer of Registration § 31.46	July 2007, as proposed	This regulatory change will amend certain regulatory provisions for exemption from sales tax for transfer of registration to conform to Federal legislation.	Douglas Berguson 717-346-4633
SECURITIES COMMISSION			
No regulations being developed or considered at this time.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
STATE			
Bureau of Commissions, Elections and Legislation Alteration of Local Election Districts 4 Pa. Code § 184 (16-36) Lobbying Disclosure 51 Pa. Code (number not yet assigned)	Fall 2007, as Proposed. Spring 2007, as Proposed.	The regulation would address the statutory requirements relating to local redistricting in Article V of the Election Code, 25 P. S. §§ 2701—2750. Statutory Authority: Section 2750 of the Election Code, 25 P. S. § 2570, which authorizes the Secretary of the Commonwealth to promulgate regulations relating to Election District Alteration and Data Reporting. This proposed rulemaking is required to implement the Lobbying Disclosure Act, Act 134 of 2006, which requires the Lobbying Disclosure Committee to deliver proposed regulations implementing the provisions of Act 134 within 180 days. Statutory Authority: Section 1310-A of the Lobbying Disclosure Act, Act 134 of 2006.	L. Lawrence Boyle (717) 783-1657
Bureau of Professional and Occupational Affairs Recording Devices 49 Pa. Code, §§ 43b.101— 43b.102 (number not yet assigned)	Spring 2007, as Proposed.	The regulation would provide rules for the use of electronic (audio and visual) recording devices during meetings of the boards and commissions within the Department of State for which the Bureau of Professional and Occupational Affairs provides administrative support. Statutory Authority: Sections 710 and 711 of the Sunshine Act, Act of October 15, 1998 (P. L. 179, No. 93) authorizes the adoption of rules and regulations governing the use of recording devices in public meetings.	Thomas A. Blackburn (717) 783-7200
State Board of Accountancy General Revisions 49 Pa. Code, Chapter 11. (16A—559) Continuing Education 49 Pa. Code §§ 11.61— 11.69a (16A-5511)	Spring 2007, as Final. Spring 2007, as Proposed.	The regulation would clarify certain issues related to the enforcement of the C.P.A. Law; make requirements consistent with the language of the C.P.A. Law; repeal outdated and unnecessary requirements; and make editorial changes. Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3. The regulation would amend continuing professional education requirements for licensed certified public accountants and public accountants. Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.	Penny Walker (717) 783-1404
State Architects Licensure Board Architect Registration Examination Requirements 49 Pa. Code § 9.45(b) (16A-419)	Spring 2007, as Proposed.	This regulation would adopt a 5-year “rolling clock” requirement that applicants pass all divisions of the Architect Registration Examination within a rolling 5-year period. Statutory Authority: Section 6(a) and (d) of the Architects Licensing Law, 63 P. S. § 34.6(a) and (d).	Penny Walker (717) 783-3397
State Athletic Association Communicable Disease Testing 58 Pa. Code § 21.8 (16-37)	Spring 2007, as Proposed.	This regulation would alter the Commission’s current regulations that authorize the testing of boxers for communicable diseases to require such testing no more than 6 months prior to the date of the application for licensure. Statutory Authority: Sections 103(b) and 501 of the State Athletic Code, 5 Pa.C.S. §§ 103(b) and 501, authorize the Commission to promulgate regulations implementing changes to the health and safety rules as recommended by the Medical Advisory Board.	Greg Sirb (717) 787-5720

<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 Barber Examiners Student Records and Curriculum 49 Pa. Code, Chapter 3 (16A-427)	Spring 2007, as Proposed	This regulation would amend the current regulations to allow for part-time attendance at barber schools; to allow for transfer of hours between a barber shop and a barber school or between barber shops regardless of whether the shop or school is in-state or out-of-state; to require shop owners and schools to submit a quarterly report of student hours to the Board; to require a shop owner, or a shop owner's designee, to notify the Board of each student to be trained in the shop. Statutory Authority: Section 15-A.4(b) of the Barbers' License Law, 63 P. S. § 566.4(b).	Hilarene Staller (717) 783-3402
State Board of Certified Real Estate Appraisers General Revisions 49 Pa. Code, Chapter 36. (16A-7014)	Spring 2007, as Final.	The regulation represents a comprehensive revision of requirements relating to education and experience for initial certification, continuing education for renewal of certification, standards of practice, and supervision of appraisal assistants. Statutory Authority: Section 5(2) of the Real Estate Appraisers Certification Act, 63 P. S. § 457.5(2); and Section 3 of the Assessors Certification Act, 63 P. S. § 458.3.	Michelle Smey (717) 783-4866
State Board of Chiropractic Chiropractic specialties 49 Pa. Code Ch. 5 (16A-4312)	Spring 2007, as Proposed.	The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. The regulation would identify the certifications acceptable to the Board. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).	Deborah Smith (717) 783-7155
Patient records 49 Pa. Code § 5.51 (16A-4313)	Spring 2007, as Final.	The regulation would clarify the requirements for patient records. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).	
Reactivation Competency Requirements 49 Pa. Code § 5.17 (16A-4314)	Spring 2007, as Proposed.	This regulation will update the Board's requirement that a licensee whose license has been inactive for more than 5 years demonstrate current competence in order to reactivate the licensee's license. Statutory Authority: Sections 302(3) and 501(b) of the Chiropractic Practice Act, 63 P. S. §§ 625.302(3) and 625.501(b).	
Volunteer license 49 Pa. Code § 5.20 (number not yet assigned)	Spring 2007, as Final (Proposed-omitted).	This regulation is required to conform the regulations to the amendments to the Volunteer Health Services Act under Act 58 of 2002. Statutory Authority: Section 302 of the Chiropractic Practice Act, 63 P. S. § 625.302.	
Corporation Bureau UCC Revised Article 9 (16-35)	Spring 2007, as Proposed.	This regulation would adopt (with some revisions) the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments. Statutory Authority: Section 9526 of the Uniform Commercial Code Modernization Act of 2001, 13 Pa.C.S. § 9526.	Martha Brown (717) 787-6802
State Board of Cosmetology General Revisions 49 Pa. Code Chapter 7 (16A-4514)	Spring 2007, as Proposed.	This regulation would implement the omnibus amendments to the Beauty Culture Law provided by Act 99 of 2006. Statutory authority: Section 16 of Act 99 requires the Board to promulgate regulations within 18 months of its effective date (September 5, 2006).	Hilarene Staller (717) 783-7130

<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 Dentistry EFDA Program Approval 49 Pa. Code, Chapter 33 (16A-4616)	Spring 2007, as Proposed.	This regulation is intended to establish criteria for Board approval of education programs for expanded function dental assistants. Statutory Authority: Section 3(a) of the Dental Law, 63 P. S. § 122(a).	Lisa Burns (717) 783-7162
Dental Hygienists Scope of Practice/Local Anesthesia 49 Pa. Code, Chapter 33 (16A-4617)	Spring 2007, as Proposed.	This regulation is intended to update and amend the scope of practice of dental hygienists to conform to modern dental practices and will establish the requirements under which a dental hygienist may be permitted to administer local anesthesia under the direct supervision of a dentist. Statutory Authority: Section 3(d) of the Dental Law, 63 P. S. § 122(d).	
Sexual Misconduct 49 Pa. Code, Chapter 33 (16A-4618)	Spring 2007, as Final.	This regulation will define sexual misconduct as it pertains to dentists, dental hygienists and expanded function dental assistants. Statutory Authority: Sections 3(c), (d) (d.1) and (o) of the Dental Law, 63 P. S. § 122(c), (d), (d.1) and (o).	
Volunteer license 49 Pa. Code § 33.110 (number not yet assigned)	Spring 2007, as Final (Proposed-omitted).	This regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
State Registration Board for Professional Engineers, Land Surveyors and Geologists General Revision 49 Pa. Code, Chapter 37 (number not yet assigned)	Spring 2007, as Proposed.	The regulation would clarify education and experience requirements for regular and "grandfathered" candidates for examination and licensure; revise categories of acceptable professional references for candidates; update the branches of engineering for which license examinations are offered; prescribe standards relating to the use of an electronic seal and signature; clarify criteria for approval of fictitious and corporate names that use variations of professional titles; eliminate unnecessary administrative requirements; and make editorial changes. Statutory Authority: Section 4 of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. § 151.	Terrie Kocher (717) 783-7049

<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 Funeral Directors Forms Review 49 Pa. Code §§ 13.204 and 13.244 (16A-4813)	Spring 2007, as Proposed.	This proposed regulation would clarify the criteria by which the Board will review form statements of funeral goods and services and preneed contracts and add grounds for the Board to disapprove forms. Statutory Authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	Michelle Smey (717) 783-3397
Professional Misconduct 49 Pa. Code §§ 13.201, 13.202. (16A-4814)	Spring 2007, as Final.	The amendment would add to the Board's standards of practice and conduct. Statutory Authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	
Preneed Funeral Arrangements 49 Pa. Code, Chapter 13 (16A-4815)	Spring 2007, as Proposed.	This regulation would clarify and add additional requirements for funeral directors who enter into preneed funeral arrangement agreements. Statutory Authority: Sections 13(c) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.13(c) and 479.16(a).	
Preneed Activities of Unlicensed Employee 49 Pa. Code, Chapter 13 (16A-4816)	Spring 2007, as Proposed.	The regulation would clarify what conduct by an unlicensed individual is permitted, as strongly urged by the court in <i>Walker v. Flitton</i> , 364 F.Supp.2d 503 (U.S.D.C. M.D. Pa. 2005). Statutory Authority: Sections 13(c) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.13(c) and 479.16(a).	
Renewal Fee 49 Pa. Code § 13.12 (16A-4817)	Spring 2007, as Proposed.	The proposed rulemaking would increase the biennial renewal fee for licensed funeral directors. Statutory Authority: Section 18.1 of the Funeral Director Law, 63 P. S. § 479.18.1.	
General Revisions 49 Pa. Code, Chap. 13 (number not yet assigned)	Spring 2007, as Proposed.	These amendments would update the Board's regulations related to advertising, application procedures, facility requirements, qualifications for licensure and responsibilities of supervisors. Statutory authority: Section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a).	
State Board of Medicine Athletic Trainers 49 Pa. Code, Chap. 16 (16A-4915)	Spring 2007, as Final.	This joint regulation would implement Act 92 and 93 of 2001, which gave the Medical and Osteopathic Boards jurisdiction over athletic trainers (formerly regulated by the State Board of Physical Therapy). Statutory Authority: Section 3 of Act 92 of 2001 and Section 3 of Act 93 of 2001.	Tammy Radel (717) 783-1400
Acupuncture Registration 49 Pa. Code, Chapter 18, §§ 18.11—18.19 (16A-4919)	Spring 2007, as Final.	This regulation will amend the Board's existing regulations so that they comport with recent amendments to the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.	
Qualifications of Expert Witnesses 49 Pa. Code § 16.52 (16A-4923)	Spring 2007, as Proposed.	This proposed regulation will adopt the criteria for qualification as an expert established by section 512 of the Mcare Act for all proceedings before the Board. Statutory Authority: Sections 8 and 9 of the Medical Practice Act of 1985, 63 P. S. §§ 422.8 and 422.9.	
Volunteer License 49 Pa. Code § 16.18 (number not yet assigned)	Spring 2007, as Final (Proposed-omitted).	This regulation is required to amend the current regulations regarding volunteer licenses to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	

<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 Nursing LPN/IV Therapy 49 Pa. Code § 21.145 (16A-5122)	Spring 2007, as Proposed	This regulation addresses the LPN's role in working with peripherally inserted central catheters (PICC lines). Statutory Authority: Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	Ann Steffanic (717) 783-7142
RN and LPN Program Examination Pass Rates 49 Pa. Code, Chapter 21 (16A-5123)	Spring 2007, as Proposed.	This regulation will clarify the procedure for removing a nursing education program from the approved list and further establish standards for placing a nursing education program on provisional approval or removing the program from the approved list based on the failure rate for first-time examinees on the licensure examination. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k), and section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	
CRNP General Revisions 49 Pa. Code, Chapter 21, Subchapter C (16A-5124)	Spring 2007, as Proposed.	This regulation is required to implement Act 206 of 2002, which gave exclusive jurisdiction over CRNPs to the State Board of Nursing and to revise the existing regulations to allow the effective use of CRNPs to the full extent of their education and training. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k), and section 7(c) of Act 306 of 2002, P. L. 1567, No. 206, December 9, 2002.	
Fees for CRNP Continuing Education Course Approval 49 Pa. Code, Chapter 21 (16A-5128)	Spring 2007, as Proposed.	This regulation would establish a fee for the approval of CRNP continuing education courses. Statutory Authority: Sections 8.1(c) and 11.2(a) and (d) of the Professional Nursing Law, 63 P. S. §§ 218.1(c), 221.2(a) and (d).	
Nursing Programs and Faculty Requirements 49 Pa. Code, Chapter 21 (16A-5129)	Spring 2007, as Proposed.	This regulation updates the Board's regulations relating to nursing education programs as part of a systematic review of the professional nursing regulations undertaken by the Board. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
Continuing Education for RNs 49 Pa. Code, Chapter 21 (16A-5130)	Spring 2007, as Proposed.	The proposed regulation is required to implement the continuing education requirements mandated by Act 58 of 2006. Statutory authority: Section 12 of the Professional Nursing Law, 63 P. S. § 222.	
State Board of Nursing Administration of Conscious Sedation Medications 49 Pa. Code, Chapter 21 (number not yet assigned)	Spring 2007, as Proposed.	The proposed regulation would provide standards for registered nurses in the administration of conscious sedation medications. Statutory authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Ann Steffanic (717) 783-7142
Volunteer License 49 Pa. Code, Chapter 21, Subchapter F, §§ 21.601—21.607. (number not yet assigned)	Spring 2007, as Final (Proposed-omitted).	This regulation is required to amend the regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	

<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 Examiners of Nursing Home Administrators Administrator-In Training 49 Pa. Code, Chapter 39 (16A-627)	Spring 2007, as Proposed.	This regulation would create an alternative method for obtaining experience and training prior to admission to the licensing examination. Statutory Authority: Section 4(c) of the Nursing Home Administrators Licensing Act, 63 P. S. § 1104(c).	Chris Stuckey (717) 783-7155
State Board of Occupational Therapy Education and Licensure Orders 49 Pa. Code § 42.25 (16A-676)	Spring 2007, as Final.	This regulation would authorize an occupational therapist to receive an oral order when it is impracticable to receive a written order. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Chris Stuckey (717) 783-1389
State Board of Optometry Volunteer License 49 Pa. Code § 23.26 (number not yet assigned)	Spring 2007, as Final (Proposed-omitted).	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).	Deborah Smith (717) 783-7155
State Board of Osteopathic Medicine Athletic Trainers 49 Pa. Code, Chap. 16 (16A-4915)	Spring 2007, as Final	This joint regulation would implement Act 92 and 93 of 2001, which gave the Medical and Osteopathic Boards jurisdiction over athletic trainers (formerly regulated by the State Board of Physical Therapy). Statutory Authority: Section 3 of Act 92 of 2001 and Section 3 of Act 93 of 2001.	Gina Bittner (717) 783-4858
Physician Assistant Prescriptive Authority 49 Pa. Code, Chapter 25 (16A-5318)	Spring 2007, as Proposed.	This joint rulemaking (with the Pharmacy Board) sets forth the requirements for physician assistants with regard to prescriptive authority under the direction of a licensed physician. Statutory Authority: Section 10(p) of the Osteopathic Medical Practice Act, 63 P. S. § 271.10(p).	
Volunteer License 49 Pa. Code, Chapter 25, Subchapter L, §§ 25.601—25.607. (number not yet assigned)	Spring 2007, as Final (Proposed-omitted).	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 16 of the Osteopathic Medicine Act, 63 P. S. § 271.16.	

<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 Pharmacy Supplies and Equipment 49 Pa. Code, Chapter 27 (16A-5415)	Spring 2007, as Proposed.	The regulation would amend existing regulations pertaining to supplies and equipment to eliminate a specific list of supplies and allow pharmacies to keep on hand supplies specific to the pharmacy's area of practice. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	Melanie Zimmerman (717) 783-7156
General Revisions 49 Pa. Code, Chapter 27 (16A-5416)	Spring 2007, as Proposed.	The proposed regulation would update the regulations of the Board to delete outdated portions and amend sections to recognize current pharmacy practice. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	
Continuing Education 49 Pa. Code § 27.32 (16A-5417)	Spring 2007, as Proposed.	The proposed regulation would clarify the Board's continuing education requirements. Statutory Authority: Section 3.1 of the Pharmacy Act, 63 P. S. § 390-3.1.	
Syringes and Needles 49 Pa. Code, Chapter 27 (16A-5418)	Spring 2007, as Proposed.	This regulation would amend existing regulations to eliminate the requirement for a prescription prior to dispensing needles and syringes by a pharmacist. Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j) and 390-6(k)(1) and (9).	
Pharmacist Breaks 49 Pa. Code, Chapter 27 (16A-5419)	Spring 2007, as Proposed.	This regulation would permit a sole pharmacist on duty to take up to a 30-minute break while the pharmacy remains open. Statutory Authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1) and (9).	
State Board of Physical Therapy Biennial Renewal Fees 49 Pa. Code § 40.5 (16A-6511)	Spring 2007, as Final.	This regulation would increase the biennial renewal fees for physical therapists, physical therapy assistants and certificate holders. Statutory Authority: Section 8(b) of the Physical Therapy Practice Act, 63 P. S. § 1308(b).	J. Robert Kline (717) 783-7134
State Board of Podiatry Certificate of Authority to Perform Acupuncture 49 Pa. Code, Chapter 29 (16A-449)	Spring 2007, as Proposed.	This regulation is required to establish the fees and regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.	Gina Bittner (717) 783-4858
Volunteer License 49 Pa. Code § 29.55 (number not yet assigned)	Spring 2007, as Final (Proposed-Omitted).	This regulation is required to amend the Board's regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	

<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 Psychology Qualifications 49 Pa. Code, Chapter 41 (16A-6315)	Spring 2007, as Proposed.	This regulation amends education, experience and examination requirements as well as creates new and amends existing supervisor requirements. Statutory Authority: Sections 3.2(1) and (2) of the Professional Psychologists Practice Act, 63 P. S. §§ 1203.2(1) and (2).	Chris Stuckey (717) 783-7155
Continuing Education 49 Pa. Code § 41.59 (16A-6317)	Spring 2007, as Proposed.	This regulation would amend the Board's continuing education requirements regarding home study, instruction and carry over. Statutory Authority: Section 15 of the Professional Psychologists Practice Act, 63 P. S. § 1215.	
Code of Ethics 49 Pa. Code § 41.61 (16A-6318)	Spring 2007, as Proposed	This regulation would update the Board's Code of Ethics so that it would be in line with changes to the American Psychological Association and the Association of State and Provincial Psychology Boards. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).	
State Real Estate Commission Seller's Property Disclosure Statement 49 Pa. Code§ 33.335a (16A-5611)	Spring 2007, as Proposed.	This regulation adopts a form "seller's property disclosure statement" as required by Act 114 of 2000. Statutory Authority: Section 7304(a) of the Residential Real Estate Transfers Law, 63 P. S. § 7304(a).	Patricia Ridley (717) 783-3658
Education 49 Pa. Code § 35.384, 35.385. (16A-5613)	Spring 2007, as Proposed.	The Proposed Regulation would require new licensees to complete a mandatory 14-hour post-licensure course in lieu of their continuing education. Statutory Authority: Sections 404 and 404.1 of the Real Estate Licensing and Registration Act, 63 P. S. §§ 455.404 and 455.404a.	
Consumer Notice 49 Pa. Code § 35.336 (16A-5614)	Spring 2007, as Proposed.	This regulation would shorten and simplify the Consumer Notice mandated by section 608 of the Real Estate Licensing and Registration Act. Statutory Authority: 63 P. S. § 455.608.	
Partial Fees 49 Pa. Code, Chapter 35 (16A-5615)	Spring 2007, as Proposed.	The proposed regulation would eliminate the partial fees charged to licensees who apply mid-biennium. Statutory authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.	
Commercial Property Exclusion 49 Pa. Code § 35.336 (16A-5617)	Spring 2007, as Final (Proposed-omitted).	This regulation would incorporate the exemption from the consumer notice requirement for commercial property transactions involving entities as set forth in Act 125 of 2006. Statutory Authority: Section 608 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.608, as amended by Act 125 of 2006.	

<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 Social Workers, Marriage and Family Therapists and Professional Counselors Technical Amendments 49 Pa. Code §§ 47.1 and 47.1a. (16A-699)	Spring 2007, as Final.	This regulation clarifies the definition of "accredited school," amends the name of the examination, and provides that students who graduate from social work programs that are in candidacy for accreditation at the time of their graduation may apply for licensure once the program obtains accreditation. Statutory Authority: Section 6 of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906.	Sandra Matter (717) 783-1389
Standards of Professional Conduct 49 Pa. Code, Chapters 47, 48 and 49 (16A-6911)	Spring 2007, as Proposed	The regulation would establish a code of ethics and standards of professional conduct for social workers, clinical social workers, marriage and family therapists, and professional counselors licensed by the board. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).	
State Board of Examiners in Speech-Language and Hearing General Revisions 49 Pa. Code, Chapter 45. (number not yet assigned)	Summer 2007, as Proposed.	This regulation is intended to be a general update of the regulations of the Board to delete or amend outdated regulations. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).	Sandra Matter (717) 783-1389
State Board of Vehicle Manufacturers, Dealers and Salespersons Salesperson License 49 Pa. Code, Chapter 19 (16A-609)	Spring 2007, as Proposed.	The Board of Vehicles Act requires every person who is engaged in the buying, selling or exchanging of vehicles for a commission, compensation or other consideration, to be a licensed salesperson on behalf of a dealer, unless that person is the dealer. This regulation would clarify that the reference to "dealer" in the phrase "unless that person is the dealer" refers only to a person holding a dealer license as a sole proprietor. Statutory Authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).	Pamela Marsden (717) 783-1697
Biennial Renewal Fees 49 Pa. Code, Chapter 19, § 19.4 (16A-6010)	Spring 2007, as Final.	The Board is proposing to increase biennial renewal fees for its licensees in order to recoup the current deficit and to meet its expected expenditures through at least FY 2016-2017. Statutory Authority: Section 30 of the Board of Vehicles Act, 63 P. S. § 818.30, requires the Board to increase biennial licensure fees whenever revenues are inadequate to meet the Board's expenditures.	

<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 Veterinary Medicine Certified Veterinary Technician Specialties 49 Pa. Code § 31.38. (16A-5716)	Spring 2007, as Final.	This regulation would provide that only an individual certified by a veterinary technology academy recognized by the National Association of Veterinary Technicians may hold himself or herself out as a specialist. Statutory Authority: Section 11 of the Veterinary Medicine Practice Act, 63 P. S. § 485.11.	J. Robert Kline (717) 783-7134
Veterinary Dentistry 49 Pa. Code, Chapter 31 (16A-5718)	Spring 2007, as Proposed.	This regulation would address issues relating to veterinary dentistry. Statutory Authority: Section 5 of the Veterinary Medicine Practice Act, 63 P. S. § 485.5.	
Recordkeeping 49 Pa. Code, Chapter 31 (16A-5719)	Spring 2007, as Final.	This regulation would establish standards for veterinary medical records. Statutory Authority: Section 5 of the Veterinary Medicine Practice Act, 63 P. S. § 485.5.	
Facilities 49 Pa. Code, Chapter 31 (16A-5720)	Spring 2007, as Proposed.	This regulation would establish standards for and require registration of veterinary facilities. Statutory Authority: Sections 5 and 27 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.27.	
Professional Conduct 49 Pa. Code, Chapter 31 (16A-5721)	Spring 2007, as Proposed	This regulation would clarify the types of conduct that constitutes unprofessional conduct which may lead to disciplinary action under section 21(1) of the Veterinary Medicine Practice Act. Statutory Authority: Sections 5 and 21 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.21.	
<i>STATE EMPLOYEES' RETIREMENT SYSTEM</i>			
4 Pa. Code § 250.2. Time to appeal. (This proposed regulation will supercede that portion of 1 Pa. Code § 35.35 pertaining to the 10-day period of time to appeal from delegated actions of subordinate officers and substitute a 30-day period of time to file an appeal.)	The proposed regulation was delivered to IRRC and the legislative committees in early Fall 2006 but the legislative committees didn't act prior to the end of session. SERS will resubmit it in the 2007 legislative session and also address IRRC's technical comments.	Current hearing regulations are inconsistent with operational practice supporting member-friendly service.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
4 Pa. Code §§ 250.1 and 250.15. Applicability of general rules. (These current regulations will be modified to permit the application of proposed 4 Pa. Code § 250.2.)	The proposed regulation was delivered to IRRC and the legislative committees in early Fall 2006 but the legislative committees didn't act prior to the end of session. SERS will resubmit it in the 2007 legislative session and also address IRRC's technical comments	Specific provisions in SERS' regulations should be exceptions to the general rules of administrative practice and procedure.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 247.11 Priority of taxation, attachments and assignments of funds. (This proposed regulation will clarify the priority of payments to be made from the members' accounts by SERS pursuant to 71 Pa. C.S. § 5953.)	2007	The statute does not set priorities among conflicting demands on members' accounts. A recent court decision has offered partial guidance in this area. A regulation would enable consistent application of the statute and would reduce litigation of priority issues. This is also being considered as a statutory amendment.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 247.7(c). Priority of death benefit payment. (This proposed regulation will clarify the priority of death benefit payments to be made by SERS pursuant to the second sentence of 71 Pa.C.S. § 5905(g).)	2007	The statute does not set priorities among conflicting demands on members' death benefits. A regulation would enable consistent application of the statute and would reduce litigation of priority issues.	Paul Stahlnecker, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 249.53. Exemption from execution; assignment of rights. (This proposed regulation amendment would delete State Employees' Credit Union payment language.)	2007	The language is obsolete. No credit union currently meets the statutory requirements and it is unlikely that any new ones will. A corresponding statutory amendment is also being considered.	Brian McDonough (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 247.6(a). Termination of Annuities. (This proposed regulation would delete the 30-day requirement to elect multiple service.)	2007	The regulation has been rendered obsolete by changes to SERS' enabling legislation.	Brian McDonough (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
4 Pa. Code § 247.4 (c). Disability Annuities. (This proposed regulation will clarify: 1) the methodology used to determine the employer-funded offset credit; 2) the service-connected disability supplement; and 3) the rights of terminated members to apply for a disability.)	2007	The statute does not expressly determine the methodology, the effects of these formulas and when terminated members can apply. Recent court and administrative decisions have offered partial guidance in this area. A regulation would enable consistent application of the statute and would reduce litigation of disability and supplement issues. This is also being considered as a statutory amendment.	Brian McDonough (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 245.4. Member contributions for the purchase of credit for previous State service or to become a full coverage member. (The regulation would be amended to specify the effects of a service purchase or reinstatement.)	2007	This regulation would be amended to clarify the effects of the reinstatement or purchase of previous State service. A recent administrative decision has offered partial guidance in this area. A regulation would enable consistent application of the statute and would reduce litigation of purchase of service issues. This is also being considered as a statutory amendment.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 241.1. Definitions. (The definition of "Beneficiary" would be amended to specify that the beneficiaries must be named rather than merely described.)	2007	The amendment would clarify and settle whether a proper name ("John Doe") or a general description ("my children", "my issue", "per stirpes") suffices. A lack of named beneficiaries can cause significant legal and administrative ambiguities that this amendment would avoid. This is also being considered as a statutory amendment.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 241.2. Electronic submission of member documents and electronic benefit transactions.	2007	This new regulation would specify procedures for electronic member transactions consistent with Commonwealth practice and policy and include a hold harmless provision.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
4 Pa. Code § 243.8. Membership rules for educational employees.	2007	This new regulation would clarify the requirements for membership and final average salary calculations for educational employees.	Brian McDonough, Esq. (717) 787-7317 Robert Gentzel (717) 787-9657 Tom Wanich (717) 783-7310
STATE POLICE			
Interception, maintenance, and destruction of Mobile Video Recordings 37 Pa. Code Chapter 50	June 2007, as proposed.	Act 53 of 2002 requires the State Police Commissioner, in consultation with the Attorney General, to promulgate these regulations. 18 Pa.C.S. §§ 5704(16), 5749	Syndi L. Guido Policy Director 717-772-0905

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
DNA Detection of Sexual and Violent Offenders. 37 Pa. Code Chapter 58	June 2007, as proposed	Act 185 of 2004 repealed Chapter 47 of Title 42 of the Pennsylvania Consolidated Statutes and amended Title 44 to add Chapter 23, DNA Data and Testing. The act requires the State Police to promulgate rules and regulations to carry out its provisions.	Syndi L. Guido Policy Director 717-772-0905
Administration of Megan's Law-Neighbor Notification 37 Pa. Code Chapter 55	June 2007, as proposed	Act 18 of 2000, known as Megan's Law, provides for the registration of sexual offenders and community notification for sexually violent predators. The act requires the Department to promulgate guidelines for the general administration of the act in consultation with the Department of Corrections, the Office of Attorney General, the Pennsylvania Board of Probation and Parole, and the chairmen and minority chairmen of the Senate and House Judiciary Committees. The act also requires the Department to write regulations regarding neighbor notification of sexually violent predators' residence, school, or employer. See 42 Pa.C.S. § 9799.1 Although the requisite guidelines and regulations have been promulgated, the Department is in the process of updating them in light of Act 152 of 2004, which made substantive amendments to Megan's Law.	Syndi L. Guido Policy Director 717-772-0905
STATE SYSTEM OF HIGHER EDUCATION			
No regulations being developed or considered at this date.			
TRANSPORTATION			
43 - Temporary Registration Cards and Plates 67 Pa. Code, Chapter 43	December 2007	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supercedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations or fines will be removed from the regulation, as these items are now addressed in the required contracts.	Andy Cleaver 717-787-2171
75 - Driver's License Exam 67 Pa. Code, Chapter 75	March 2007	The regulation is being revised to allow chiropractors to complete the learner's permit physical. HB1912, Act 76, passed July 15, 2004, requires us to allow chiropractors to complete this physical.	Anne Titler 717-783-4737
21 - Odometer Read Disclosure Statements 67 Pa. Code, Chapter 21	August 2007	Changes are needed to bring the regulation current with the Vehicle Code, to specify the age at which a vehicle becomes exempt from odometer disclosure.	Andy Cleaver 717-787-2171
23 - Delivery of Certificates of Title 67 Pa. Code, Chapter 23	August 2007	The method of title delivery has changed due to the electronic lien and title program (75 PA C. S, Section 1151). This Chapter needs to be updated to reflect the ability to transmit titles with liens electronically, rather than by mail.	Andy Cleaver 717-787-2171
13 - Special Mobile Equipment 67 Pa. Code, Chapter 13	August 2007	Act 211 of 2004, which took affect January 29, 2005, changed the vehicle code definition of special mobile equipment. The regulation needs revised to align with that definition change.	Andy Cleaver 717-787-2171
17 - Authorization to Verify ID Numbers 67 Pa. Code, Chapter 17	August 2007	Changes needed to document the Vehicle Identification Number (VIN) verification process. The VIN verification process is not currently documented in either the Vehicle Code or in regulations.	Andy Cleaver 717-787-2171

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
51 - Transfer, Exchange & Reclassification of Registration 67 Pa. Code, Chapter 51	September 2007	An amendment is needed to eliminate the actual transfer fee dollar amount reference in the regulation, and replace with a reference to Section 1927 of the Vehicle Code where the fee is already listed. This will eliminate regulatory changes, if the fee amount changes in the Vehicle Code.	Phil VanBriggle 717-787-2171
71 - School Bus Drivers 67 Pa. Code, Chapter 71	June 2007	The regulation needs to be revised to allow chiropractors to complete the school bus driver physical. HB1912, Act 76, passed July 15, 2004, requires this change. This change is currently under review by IRRC. (Proposed Promulgation Date March 2007) Additionally, the regulation is being revised to clarify requirements for diabetic drivers by in part making terminology consistent with the American Diabetic Association.	Scott Shenk 717-772-1782
83 - Physical & Mental Criteria - Including Vision Standards Relating to the Licensing of Drivers 67 Pa. Code, Chapter 83	June 2007	Physical and Mental Criteria for Licensure. The regulation needs to be revised to allow chiropractors to complete the learners permit. HB 1912, Act 76, passed July 15, 2004, requires this change. This change is currently under review by IRRC. (Proposed Promulgation Date March 2007) The regulation is being revised to clarify requirements for diabetic drivers by in part making terminology consistent with the American Diabetic Association.	Scott Shenk 717-772-1782
221 - Obligations of Insurer and Vehicle Owner 67 Pa. Code, Chapter 221	June 2007	This regulation should be updated to reflect the changes that have been implemented for more use of electronic reporting of insurance cancellation information by insurers.	Phil VanBriggle 717-787-2171
255 - Messenger Services 67 Pa. Code, Chapter 255	March 2007	Act 152 of 2002 enacted legislation (requiring contracts for all messenger and agent services) that supercedes several facets of this regulation. Based on the legislation, any reference to bond, hearings, written warnings, suspensions, revocations, or fines will be removed from the regulation as these items are now addressed in the required contracts.	Andy Cleaver 717-787-2171
171 - School Buses and School Vehicles. 67 Pa. Code, Chapter 171	June 2007	The regulation needs to be updated to incorporate continued improvements in technology and engineering related to pupil transportation and to make general references to the Federal standards so that the regulation does not need changed as changes are made to the Federal standards.	Scott Shenk 717-772-1782
471 - Aviation 67 Pa. Code, Chapter 471	September 2007	This regulation is being revised to clarify requirements and to allow for more practical application and enforcement of those requirements.	Brian Gearhart 717-705-1250 Scott Wagner 717-346-4304
457 - Prequalification of Bidders 67 Pa. Code, Chapter 457	September 2007	The Bureau of Construction Materials is proposing changes to the regulation due to policy changes and ECMS bid procedure changes since the last modification which was in 1998.	Joe Cribben 717-787-3733

[Pa.B. Doc. No. 07-186. Filed for public inspection February 2, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority

Trinity Living Center, LP has applied for a continuing care provider Certificate of Authority to operate a facility located in Grove City, PA. The filing was received on January 5, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Written statements must

include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557, sohnmacht@state.pa.us.

M. DIANE KOKEN,
Secretary

[Pa.B. Doc. No. 07-187. Filed for public inspection February 2, 2007, 9:00 a.m.]

Eligible Surplus Lines Insurer List

Under section 1605(b) of The Insurance Company Law of 1921 (40 P. S. § 991.1605(b)), the Insurance Department publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List as of July 10, 2006, published at 36 Pa.B. 3923 (July 22, 2006).

Persons who have any questions concerning this notice should contact Robert Brackbill, Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

As of Friday, January 19, 2007

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
48123	ACE EUROPEAN GROUP LIMITED	100 LEADENHALL STREET LONDON, GREAT BRITAIN EC3A 3BP
10512	ADMIRAL INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10513	ADRIATIC INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
39908	ALEA LONDON LIMITED	THE CORN EXCHANGE 55 MARK LANE LONDON, GREAT BRITAIN EC3R7NE
48099	ALLIANZ GLOBAL CORPORATE & SPECIALTY AG	GROBER BURSTAH 3 HAMBURG, GERMANY D-20457
10516	ALLIANZ UNDERWRITERS INSURANCE COMPANY	2350 EMPIRE AVENUE BURBANK, CA 91504-3350
10535	ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10519	AMERICAN EMPIRE SURPLUS LINES INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10520	AMERICAN EQUITY INSURANCE COMPANY	2401 WEST PEORIA AVENUE PHOENIX, AZ 85029
36855	AMERICAN HEALTHCARE SPECIALTY INSURANCE COMPANY	425 W. CAPITOL AVENUE SUITE 1800 LITTLE ROCK, AR 72201
10521	AMERICAN INTERNATIONAL SPECIALTY LINES INSURANCE COMPANY	1400 WEST BENSON BOULEVARD SUITE 315 ANCHORAGE, AK 99503
63828	AMERICAN MODERN SURPLUS LINES INSURANCE COMPANY	7000 MIDLAND BLVD AMELIA, OH 45102-2607
18146	AMERICAN SAFETY INDEMNITY COMPANY	600 BANK OF OKLAHOMA PLAZA 201 ROBERT S. KERR AVENUE OKLAHOMA CITY, OK 73102
10522	AMERICAN WESTERN HOME INSURANCE COMPANY	600 BANK OF OKLAHOMA PLAZA OKLAHOMA CITY, OK 73102
10524	APPALACHIAN INSURANCE COMPANY	1301 ATWOOD AVENUE JOHNSTON, RI 02919-0500

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
33748	ARCH EXCESS & SURPLUS INSURANCE COMPANY	10306 REGENCY PARKWAY DRIVE OMAHA, NE 68113
10587	ARCH SPECIALTY INSURANCE COMPANY	300 FIRST STAMFORD PLACE STAMFORD, CT 06902
35611	ASPEN SPECIALTY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58502
22348	ASSICURAZIONI GENERALI S.p.A.	PIAZZA DUCA DEGLI ABRUZZI, 2 TRIESTE, ITALY 34132
22349	ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED	THE MAXWELL ROBERTS BUILDING 4TH FLOOR HAMILTON, BERMUDA HM11
10525	ASSOCIATED INTERNATIONAL INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
41586	ATLANTIC CASUALTY INSURANCE COMPANY	400 COMMERCE COURT GOLDSBORO, NC 27534
10526	AUDUBON INDEMNITY COMPANY	C/O CORPORATION SERVICE COMPANY 506 SOUTH PRESIDENT STREET JACKSON, MS 39201
22371	AVIVA INTERNATIONAL INSURANCE LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, GREAT BRITAIN EC3P3DQ
41562	AXA CORPORATE SOLUTIONS ASSURANCE	4 RUE JULES LEFEBVRE PARIS, FRANCE 75009
59554	AXIS SPECIALTY EUROPE LIMITED	MOUNT HERBERT COURT 34 UPPER MOUNT STREET DUBLIN , IRELAND
10536	AXIS SPECIALTY INSURANCE COMPANY	ONE STATE STREET SUITE 1700 HARTFORD, CT 06103
10592	AXIS SURPLUS INSURANCE COMPANY	303 WEST MADISON SUITE 500 CHICAGO, IL 60606
63055	BERKSHIRE HATHAWAY INTERNATIONAL INSURANCE LIMITED	BIRCHIN COURT FOURTH FLOOR LONDON, GREAT BRITAIN EC3V 9DU
22369	BRITISH AVIATION INSURANCE COMPANY LIMITED	FITZWILLIAM HOUSE 10 ST. MARY'S AXE LONDON, GREAT BRITAIN EC3ABEQ
10528	CANAL INDEMNITY COMPANY	400 EAST STONE AVENUE GREENVILLE, SC 29601
48319	CAPITOL SPECIALTY INSURANCE CORPORATION	1600 ASPEN COMMONS MIDDLETON, WI 53562
64641	CATLIN INSURANCE COMPANY (UK) LIMITED	3 MINSTER COURT MINCING LANE LONDON, UNITED KINGDOM EC3R 7DD
48890	CATLIN INSURANCE COMPANY LTD.	CUMBERLAND HOUSE, 6TH FLOOR 1 VICTORIA STREET HAMILTON, BERMUDA HM11
10529	CENTENNIAL CASUALTY COMPANY	2200 WOODCREST PLACE SUITE 200 BIRMINGHAM, AL 35209
10531	CENTURY SURETY COMPANY	465 CLEVELAND AVENUE WESTERVILLE, OH 43082
10532	CHUBB CUSTOM INSURANCE COMPANY	C/O CORPORATE SERVICE COMPANY 2711 CENTERVILLE ROAD WILMINGTON, DE 19808-1645

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
18617	CLARENDON AMERICA INSURANCE COMPANY	224 WEST STATE STREET TRENTON, NJ 08608
10533	COLONY INSURANCE COMPANY	8720 STONEY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
10582	COLONY NATIONAL INSURANCE COMPANY	8720 STONEY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
10534	COLUMBIA CASUALTY COMPANY	CNA PLAZA CHICAGO, IL 60685
22388	COMMONWEALTH INSURANCE COMPANY	595 BURRARD STREET, SUITE 1500 BOX 49115 BENTALL TOWER THREE VANCOUVER, V7X 1G4
37372	CRUM & FORSTER SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018
66658	CUMIS SPECIALTY INSURANCE COMPANY, INC.	2000 HERITAGE WAY WAVERLY, IA 50677
10600	DARWIN SELECT INSURANCE COMPANY	320 WEST CAPITAL STREET SUITE 1000 LITTLE ROCK, AR 72201-3525
37001	DISCOVER SPECIALTY INSURANCE COMPANY	200 NORTH LASALLE STREET CHICAGO, IL 60661
10541	EMPIRE INDEMNITY INSURANCE COMPANY	630 NE 63RD STREET OKLAHOMA CITY, OK 73105
63338	ENDURANCE AMERICAN SPECIALTY INSURANCE COMPANY	767 THIRD AVENUE FIFTH FLOOR NEW YORK, NY 10017
10542	ESSEX INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10543	EVANSTON INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
10544	EVEREST INDEMNITY INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10545	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	82 HOPMEADOW STREET SIMSBURY, CT 06070-7683
10547	FIREMAN'S FUND INSURANCE COMPANY OF OHIO	312 WALNUT STREET SUITE 1100 CINCINNATI, OH 45202
10548	FIRST FINANCIAL INSURANCE COMPANY	528 SOUTH FIFTH STREET SUITE 210 SPRINGFIELD, IL 62701-1822
10549	FIRST MERCURY INSURANCE COMPANY	ONE SOUTH WACKER DRIVE SUITE 2740 CHICAGO, IL 60606
10550	FIRST SPECIALTY INSURANCE CORPORATION	237 EAST HIGH STREET JEFFERSON CITY, MO 65102
18477	GEMINI INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10553	GENERAL AGENTS INSURANCE COMPANY OF AMERICA, INC.	115 SOUTHWEST 89TH STREET OKLAHOMA CITY, OK 73139
10552	GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA	2338 W. ROYAL PALM ROAD SUITE J PHOENIX, AZ 85021

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10554	GENERAL STAR INDEMNITY COMPANY	695 EAST MAIN STREET P. O. BOX 10354 STAMFORD, CT 06904-2354
22411	GENERALI ASSURANCES IARD	7 BOULEVARD HAUSSMAN PARIS, FRANCE 75009
10555	GENESIS INDEMNITY INSURANCE COMPANY	316 NORTH FIFTH STREET BISMARCK, ND 58501
44715	GLENCOE INSURANCE LIMITED	RENAISSANCE HOUSE 8 EAST BROADWAY PO BOX HM 2527 HAMILTON, BERMUDA HM GX
10556	GOTHAM INSURANCE COMPANY	919 THIRD AVENUE 10TH FLOOR NEW YORK, NY 10022
10514	GREAT AMERICAN E & S INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10518	GREAT AMERICAN FIDELITY INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10540	GREAT AMERICAN PROTECTION INSURANCE COMPANY	580 WALNUT STREET CINCINNATI, OH 45204
22412	GREAT LAKES REINSURANCE (UK) PLC	UPPER GROUND FLOOR, 1 MINSTER COURT MINCING LANE LONDON, GREAT BRITAIN EC3R7AA
36489	GUILFORD INSURANCE COMPANY	528 SOUTH FIFTH STREET SUITE 210 SPRINGFIELD, IL 62701-1822
10557	GULF UNDERWRITERS INSURANCE COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
66133	HCC SPECIALTY INSURANCE COMPANY	201 ROBERT S. HERR AVENUE OKLAHOMA, OK 73102
44169	HOMELAND INSURANCE COMPANY OF NEW YORK	201 NORTH SERVICE ROAD MELVILLE, NY 11747
10559	HOUSTON CASUALTY COMPANY	13403 NORTHWEST FREEWAY HOUSTON, TX 77040
37373	HUDSON SPECIALTY INSURANCE COMPANY	17 STATE STREET 29TH FLOOR NEW YORK, NY 10004
10560	ILLINOIS EMCASCO INSURANCE COMPANY	717 MULBERRY STREET DES MOINES, IA 50309-3872
10561	ILLINOIS UNION INSURANCE COMPANY	525 WEST MONROE STREET CHICAGO, IL 60631
10562	INDIAN HARBOR INSURANCE COMPANY	CT CORPORATION SYSTEM 314 EAST THAYER AVENUE BISMARCK, ND 58501
10563	INEX INSURANCE EXCHANGE	1 SOUTH WACKER DRIVE SUITE 2720 CHICAGO, IL 60606-4617
45736	INTEGON SPECIALTY INSURANCE COMPANY	500 WEST FIFTH STREET WINSTON-SALEM, NC 27152
28076	INTERNATIONAL INSURANCE CO OF HANNOVER, LTD	L'AVENIR OPLADEN WAY, BRACKNELL BERKSHIRE, GREAT BRITAIN UK RG12 OPH
10564	INTERSTATE FIRE & CASUALTY COMPANY	33 WEST MONROE CHICAGO, IL 60603

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10566	ITT PACIFIC INSURANCE COMPANY	HARTFORD PLAZA HARTFORD, CT 06115
10546	JAMES RIVER INSURANCE COMPANY	52 EAST GAY STREET COLUMBUS, OH 43215
8967	LANDMARK AMERICAN INSURANCE COMPANY	115 S.W. 89TH STREET OKLAHOMA CITY, OK 73139-8501
10567	LANDMARK INSURANCE COMPANY	2730 GATEWAY OAKS DRIVE SUITE 100 SACRAMENTO, CA 95833
45576	LANTANA INSURANCE LTD.	RENAISSANCE HOUSE 8-12 EAST BROADWAY HAMILTON, BERMUDA HM 19
10569	LEXINGTON INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
22415	LIBERTY MUTUAL INSURANCE EUROPE LIMITED	3TH FLOOR, TWO MINSTER COURT MINCING LANE LONDON, GREAT BRITAIN EC3R 7YE
18457	LIBERTY SURPLUS INSURANCE CORPORATION	175 BERKELEY STREET BOSTON, MA 02117
22416	LLOYD'S (UNDERWRITERS AT)	ONE LIME STREET LONDON, GREAT BRITAIN EC3M7HA
22417	LONDON AND EDINBURGH INSURANCE COMPANY LIMITED	8 SURREY STREET NORWICH NR1 3NG ENGLAND, GREAT BRITAIN EC3M5BT
22418	MARINE INSURANCE COMPANY LIMITED	ST MARKS COURT. CHART WAY HORSHAM, WEST SUSSEX ENGLAND, GREAT BRITAIN RH 12 1XL
22455	MARKEL INTERNATIONAL INSURANCE COMPANY LIMITED	THE MARKEL BUILDING 49 LEADENHALL STREET LONDON, GREAT BRITAIN EC3A2EA
10527	MAXUM INDEMNITY COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10570	MONTICELLO INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10571	MT. HAWLEY INSURANCE COMPANY	9025 N. LINDBERGH DRIVE PEORIA, IL 61615
10572	NAMIC INSURANCE COMPANY, INC.	3601 VINCENNES ROAD INDIANAPOLIS, IN 46268
10573	NATIONAL FIRE & MARINE INSURANCE COMPANY	3024 HARNEY STREET OMAHA, NE 68131-3580
10574	NAUTILUS INSURANCE COMPANY	7233 E. BUTHERUS DRIVE SCOTTSDALE, AZ 85260
10575	NIC INSURANCE COMPANY	ONE PENN PLAZA 55TH FLOOR NEW YORK, NY 10119-0002
10537	NOETIC SPECIALTY INSURANCE COMPANY	111 S. WACKER DRIVE CHICAGO, IL 60606-4410
10576	NORTH AMERICAN CAPACITY INSURANCE COMPANY	650 ELM STREET MANCHESTER, NH 03101-2524
10577	NORTHFIELD INSURANCE COMPANY	1270 OFFICE PLAZA DRIVE WEST DES MOINES, IA 50266
10578	NUTMEG INSURANCE COMPANY	HARTFORD PLAZA HARTFORD, CT 06115
22421	OCEAN MARINE INSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, GREAT BRITAIN EC3P3DQ

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10579	OLD REPUBLIC UNION INSURANCE COMPANY	307 NORTH MICHIGAN AVENUE CHICAGO, IL 60601
58179	PENN-PATRIOT INSURANCE COMPANY	11 SOUTH 12TH STREET P. O. BOX 1463 RICHMOND, VA 23218
40659	PRAETORIAN SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120
23150	PRINCETON EXCESS AND SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
10583	PROFESSIONAL UNDERWRITERS LIABILITY INSURANCE COMPANY	136 EAST SOUTH TEMPLE, SUITE 2100 SALT LAKE CITY, UT 84111
22449	QBE INSURANCE (EUROPE) LIMITED	PLANTATION PLACE 30 FENCHURCH STREET LONDON, GREAT BRITAIN EC3M 3BD
47448	QBE SPECIALTY INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
53074	QUANTA SPECIALTY LINES INSURANCE COMPANY	3500 DEPAUW BOULEVARD SUITE 3050 INDIANAPOLIS, IN 46268
44436	RED MOUNTAIN CASUALTY INSURANCE COMPANY, INC.	100 BROOKWOOD PLACE SUITE 500 BIRMINGHAM, AL 35209
10603	ROCKHILL INSURANCE COMPANY	2999 NORTH 44TH STREET, SUITE 250 PHOENIX, AZ 85018
10588	ROYAL SURPLUS LINES INSURANCE COMPANY	9 FARM SPRINGS ROAD FARMINGTON, CT 06032
10589	SAFECO SURPLUS LINES INSURANCE COMPANY	SAFECO PLAZA SEATTLE, WA 98185
10590	SAVERS PROPERTY AND CASUALTY INSURANCE COMPANY	700 WEST 47TH STREET KANSAS CITY, MO 64112-1802
10591	SCOTTSDALE INSURANCE COMPANY	ONE NATIONWIDE PLAZA COLUMBUS, OH 43215
44276	SENECA SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018-7256
33514	SIRIUS INTERNATIONAL INSURANCE CORPORATION	BIRGER JARISGATAN 57B STOCKHOLM, SWEDEN SE 113 96
10565	SPECIALTY SURPLUS INSURANCE COMPANY	1 KEMPER DRIVE LONG GROVE, IL 60049-0001
22453	SR INTERNATIONAL BUSINESS INSURANCE COMPANY LIMITED	30 ST. MARY AXE LONDON, GREAT BRITAIN EC3A8EP
10593	ST. PAUL SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
38980	STARR EXCESS LIABILITY INSURANCE COMPANY	2711 CENTERVILLE ROAD LTD. SUITE 400 WILMINGTON, DE 19808
10594	STEADFAST INSURANCE COMPANY	SUITE 202 32 LOOCKERMAN SQUARE DOVER, DE 19904
54486	THROUGH TRANSPORT MUTUAL INSURANCE ASSOCIATION (EURASIA) LIMITED	INTERNATIONAL HOUSE CREECHURCH LANE LONDON, GREAT BRITAIN EC3A 5BA
10596	TIG SPECIALTY INSURANCE COMPANY	777 ARNOLD DRIVE SUITE 200 MARTINEZ, CA 94553

<i>Key No.</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10597	TRAVELERS EXCESS AND SURPLUS LINES COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
10598	TUDOR INSURANCE COMPANY	91 COURT STREET KEENE, NH 03431
10599	U. S. UNDERWRITERS INSURANCE COMPANY	316 NORTH FIFTH STREET SIXTH FLOOR BISMARCK, ND 58501
44120	UNITED NATIONAL CASUALTY INSURANCE COMPANY	5253 HOHMAN AVENUE PO BOX 1150 HAMMOND, IN 46320
10558	UNITED NATIONAL SPECIALTY INSURANCE COMPANY	411 EAST WISCONSIN AVENUE SUITE 700 MILWAUKEE, WI 53202
64798	UNITED SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
58119	USF&G SPECIALTY INSURANCE COMPANY	1340 SMITH AVENUE SUITE 200 BALTIMORE, MD 21209
52712	VICTORIA INSURANCE COMPANY	2301 E.LAMAR BOULEVARD 5TH FLOOR ARLINGTON, TX 76006
10605	VOYAGER INDEMNITY INSURANCE COMPANY	260 INTERSTATE NORTH CIRCLE NW ATLANTA, GA 30339
63239	WELLINGTON SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
10607	WESTCHESTER SURPLUS LINES INSURANCE COMPANY	500 COLONIAL CENTER PARKWAY SUITE 200 ROSWELL, GA 30076
10608	WESTERN HERITAGE INSURANCE COMPANY	6263 N. SCOTTSDALE ROAD SUITE 240 SCOTTSDALE, AZ 85250
10610	WESTERN WORLD INSURANCE COMPANY	91 COURT STREET KEENE, NH 03431
49219	WILSHIRE INSURANCE COMPANY	702 OBERLIN ROAD RALEIGH, NC 27605-0800
52746	WIND RIVER INSURANCE COMPANY, LTD.	CANON'S COURT 22 VICTORIA STREET HAMILTON, BERMUDA HM 12
10604	XL SELECT INSURANCE COMPANY	735 FIRST NATIONAL BUILDING OKLAHOMA CITY, OK 73102
10611	ZC SPECIALTY INSURANCE COMPANY	400 WEST 15TH STREET SUITE 710 AUSTIN, TX 78701
22461	ZURICH INTERNATIONAL (BERMUDA) LIMITED	WELLESLEY HOUSE, 90 PITT'S BAY ROAD P. O. BOX HM 2268 HAMILTON, BERMUDA HMJX
22462	ZURICH SPECIALTIES LONDON LIMITED	THE ZURICH BUILDING 90 FENCHURCH STREET LONDON, GREAT BRITAIN EC3M4JX

[Pa.B. Doc. No. 07-188. Filed for public inspection February 2, 2007, 9:00 a.m.]

First Priority Health; Blue Care HMO Non-Group Conversion; Rate Filing

On August 15, 2006, First Priority Health submitted a filing to increase the premium rates and modify the benefit structure for its Individual Blue Care HMO Conversion Plan for a March 1, 2007, effective date. After review, the Insurance Department (Department) approved the proposed rate increase and benefit change on December 1, 2006. On January 17, 2007, First Priority Health submitted a filing requesting that the Department rescind the premium rates approved on December 1, 2006, and the corresponding benefit changes. This proposal restores the premium rates and benefit structure to the level effective January 1, 2006. That is, the contract form and premium rates will remain at the level in effect for January 1, 2006.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-189. Filed for public inspection February 2, 2007, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Lehigh County, Wine & Spirits Shoppe #3910, 1583 Lehigh Street, Allentown, PA 18103.

Lease Expiration Date: October 31, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,600 net useable square feet of new or existing retail commercial space. Location must be within 1/2 mile of the intersection of Lehigh Street and South 12th Street.

Proposals due: March 2, 2007, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

Susquehanna County, Wine & Spirits Shoppe #5801, 605 Main Street, Forest City, PA 18421.

Lease Expiration Date: May 31, 2008

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,100 net useable square feet of new or existing retail commercial space. The location must be within 1/4 mile of Center Street, Forest City.

Proposals due: March 2, 2007, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Matthew L. Sweeney, (717) 657-4228

Wayne County, Wine & Spirits Shoppe #6402, 541 Main Street, Honesdale, PA 18431.

Lease Expiration Date: April 30, 2010

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board

with approximately 3,000 to 4,000 net useable square feet of new or existing retail commercial space. The location must be on Route 6 between Park Street and Route 652, Honesdale.

Proposals due: March 2, 2007, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Matthew L. Sweeney, (717) 657-4228
PATRICK J. STAPLETON, III
Chairperson

[Pa.B. Doc. No. 07-190. Filed for public inspection February 2, 2007, 9:00 a.m.]

PENNSYLVANIA ENERGY DEVELOPEMENT AUTHORITY

Pennsylvania Energy Development Authority; Meeting Cancellation

The February 7, 2007, board meeting of the Pennsylvania Energy Development Authority (PEDA) to be held at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA is cancelled.

Notice of future scheduled meetings will be published in the *Pennsylvania Bulletin* as well as announced on PEDA's website at www.depweb.state.pa.us (DEP Keywords: PEDA). Questions concerning PEDA should be directed to Jeanne Dworetzky at (717) 783-8911 or jdworetzky@state.pa.us.

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 07-191. Filed for public inspection February 2, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application for Approval of Reorganization

A-121100F0006. Equitable Resources, Inc. Application of Equitable Resources, Inc. for approval of the reorganization of Equitable Resources, Inc. into a holding company structure with the Equitable Gas Division becoming a separate legal entity.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 20, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Equitable Gas Company

Through and By Counsel: Charles E. Thomas, Jr., Esquire, Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong and Niesen, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-192. Filed for public inspection February 2, 2007, 9:00 a.m.]

Gas Service

A-120002F2000. Gasco Distribution Systems, Inc. Application of Gasco Distribution Systems, Inc. for approval of the transfer of its Kane Division's assets to Utility Pipeline, Ltd. and immediately thereafter to Knox Energy Cooperative Association, Inc., a bona fide cooperative, and for the abandonment of gas service by Gasco Distribution Systems, Inc. with the immediate commencement of Gas Service by Knox Energy Cooperative Association, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 20, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Gasco Distribution Systems, Inc.

Through and By Counsel: William T. Hawke, Esquire, Amy A. Whitney, Esquire, Hawke, McKeon, Sniscak and Kennard, LLP, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105-1778

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-193. Filed for public inspection February 2, 2007, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 26, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-00123424 BCC Liberty, Inc. t/d/b/a Car 1 (300 Domino Lane, Philadelphia, PA 19128), a corporation of the Commonwealth—persons in airport transfer service: (1) from the Lehigh Valley International Airport in the Township of Hanover, Lehigh County, to points in Pennsylvania east of US 15, and vice versa; subject to the following condition: That no person shall be transported from points in the said territory to the Lehigh Valley International Airport in Hanover Township, Lehigh County, who are farther than 35 air-miles from said airport; (2) persons, who are passengers from diverted flights or who are stranded passengers, from the Lehigh Valley International Airport in the Township of Hanover, Lehigh County, to any other airport located in Pennsylvania. Application for temporary authority has been filed at A-00123424 seeking the rights cited. *Attorney:* Jeff Killino, 1800 John F. Kennedy Boulevard, Philadelphia, PA 19103.

Application of the following for the approval of the transfer of stock as described under the application.

A-00095548 F.5000 Paoli Airport Limousine Service, Inc. (105 Quaker Lane, Malvern, Chester County, PA 19355)—a corporation of the Commonwealth—for the approval of the transfer of 100 shares of issued and outstanding stock held by John H. Norcross, Jr. to John S. Norcross.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-194. Filed for public inspection February 2, 2007, 9:00 a.m.]

Water Service

A-212285F0142. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service through a 6-inch general service line for the Center for Technical Studies of Montgomery County, in a portion of Plymouth Township, Montgomery County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 20, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-195. Filed for public inspection February 2, 2007, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

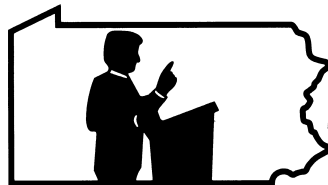
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)
 Vendor Services Section
 717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

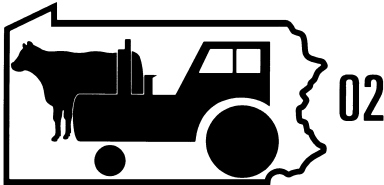
DO BUSINESS WITH STATE AGENCIES

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. The bureau is, by law, the central repository for all state contracts over \$5,000. Contract Specialists can supply you with descriptions of contracts, names of previous bidders, pricing breakdowns and other information. They can also direct you to the appropriate person and agency looking for your product or service. Copies of state contracts are also available. (Duplicating and mailing costs may apply). For more information, visit us online at www.patreaury.org.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania Treasury Department
 201 Finance Building
 Harrisburg, PA 17120
 Phone: (717) 787-2990 or 1-800-252-4700
 Fax: (717) 772-0977

ANTHONY E. WAGNER,
Acting Treasurer
 Deputy State Treasurer for Investments and Programs

SERVICES



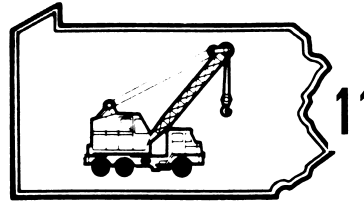
Agricultural Services

PGC-2893 Agency is seeking contractor to deliver approximately 50 Tons of Game Bird Pheasant Breeder Feed, or equivalent of, to Western Game Farm, 25761 Highway 408, Cambridge Springs, PA 16403. Complete specifications and requirements can be obtained by contacting the agency. Bid opening date is February 5, 2007 2:00 PM.

Department: Game Commission
Location: Pennsylvania Game Commission, Automotive & Procurement Division, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: from award through May 18, 2007.
Contact: Diane Shultz or Barb Kline, 717/787-6594

6/4 Provide fish food used in a statewide fish culture program during the period April 01 — June 30, 2007. Fish food products purchased in bulk and bagged quantities and delivered to various state fish hatcheries located throughout the Commonwealth. Bid opening Date and Time: February 09, 2007, 2:30 pm.

Department: Fish and Boat Commission
Location: Various state fish hatcheries located throughout the Commonwealth.
Duration: April 01 — June 30, 2007.
Contact: Debbie Rose, 814-359-5141



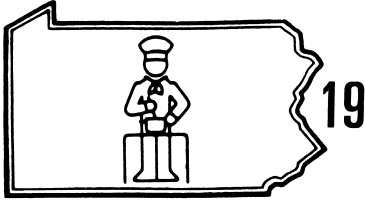
Demolition—Structural Only

033045 Property Demolition, Lycoming County, SR 0015-C41. Sealed bids for the demolition and removal of the following property located along Route 15 will be accepted by the Pennsylvania Department of Transportation, 715 Jordan Ave, Montoursville, PA, 17754 until 10:00 AM Wednesday February 21, 2007. An inspection of the property will be held from 11:00 AM until 1:00 PM on Wednesday February 7, 2007. The property is located at PO Box 2, Trout Run, Pa 17771. From Williamsport, take Route 15 north, turn right on Steam Valley Road (5.1 miles past the Route 14/Trout Run exit). Go .1 mile and turn left on the first driveway to the left, go to the top of the hill. Property #1 Claim # 4100164000, Parcel # 7. 1620 sf "A" frame with addition, as well as a front and rear deck with an integral 1 car basement garage. Prequalification of bidders is not required on bids under \$25,000.

Department: Transportation
Location: RR Trout Run, PA 17771
Duration: 30 days
Contact: Lenny P. Confer, 570-368-4337

00079-A18 The Pennsylvania Department of Transportation will be accepting sealed bids for the sale and removal of four (4) residential dwellings located at 442, 448, 450, and 458 Hickman Street in the Borough of Bridgeville, Allegheny County. The structure(s) are located just east of State Route 0079 and south of Collier Township. Contractors will be required to demolish or remove all structure(s), outbuildings, and site improvements. The contractor will also be required to comply with all Local, State, and FHWA Regulations. For bid information, specifications, and further information, please contact Mr. Michael Sudar, District Property Manager at (412) 429-4830.

Department: Transportation
Location: Borough of Bridgeville
Duration: 30 days from Notice to Proceed
Contact: Michael Sudar, (412) 429-4830



Food

CN00024567 FRESH FRUITS AND VEGETABLES: Apples, bananas, grapefruit, oranges, pears, tangerines, cabbage, carrots, celery, cucumbers, onions, peppers, potatoes, radishes, salad mix and tomatoes, etc. Bid Opening Date: 02/14/2007. Time Bid Opening: 1:00 pm.

Department: Corrections
Location: SCI-Huntingdon, 1100 Pike Street, Huntingdon, PA 16654
Duration: March 1st through March 30th, 2007.
Contact: Phyllis K. Norris, 814-643-2400, x 303

CN 00024611 Vendor will provide food stuffs, including but not limited to: Meat, Poultry, Seafood, Dairy and Frozen Vegetables to the State Correctional Institution at Mahanoy. Bid package to be request in writing to the Purchasing Agent of the Institution. Bid due date: 2/6/07 3 PM.

Department: Corrections
Location: State Correctional Institution at Mahanoy, 301 Morea Road, Frackville, PA 17932
Duration: February 26, 2007 to April 26, 2007
Contact: Dawn M. Troutman, Purchasing, (570) 773-2158

CN00024574 Fresh fruits and vegetables for month of February 2007. Bid opening date: 01/26/07 3:00 PM.

Department: Corrections
Location: State Correctional Institution at Coal Township, 1 Kelley Drive, Coal Township, PA 17866
Contact: Nancy A. Lasko, 570-644-7890 x 142

CN 00024626 Vendor will provide food stuffs, including but not limited to: meat, poultry, seafood, dairy and frozen vegetables to the State Correctional Institution at Mahanoy, 301 Morea Road, Schuylkill County, Mahanoy Township, Frackville, PA. Bid package to be requested in writing to the purchasing agent of the institution. Bid due date: 2/7/07 3 PM.

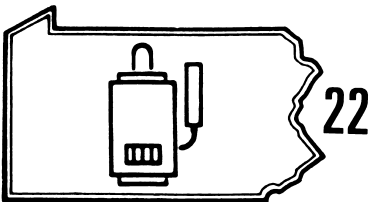
Department: Corrections
Location: State Correctional Institution at Mahanoy, 301 Morea Road, Frackville, PA 17932
Duration: February 26, 2007 to April 26, 2007
Contact: Dawn M. Troutman, Purchasing, (570) 773-2158

CN00024568 Fresh Fruit & Vegetables – Apples, oranges, bananas, pears, cabbage, carrots, salad mix, potatoes, tomatoes, peppers & etc.

Department: Corrections
Location: SCI Smithfield, Attn: Food Service, 1120 Pike Street, Huntingdon, PA 16652
Duration: March 1, 2007 through March 31, 2007
Contact: Susan Barben, Purchasing Agent, 814-643-2400 ext. 305

CN00024332 Fresh Fruit & Vegetables. Contract period month of March 2007 with weekly deliveries. Bid package available from Purchasing Office at the Institution. Bid will open, 2/13/07, 2 PM.

Department: Corrections
Location: State Correctional Institution – Frackville, 1111 Altamont Boulevard, Frackville, PA 17931
Duration: March 1 to 31, 2007
Contact: Mary Lou Neverosky, Purchasing Agent II, 570/773-2158, Ext. 419



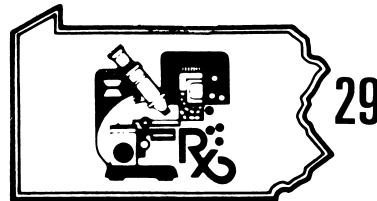
HVAC Services

CN0024614 The contractor shall provide all necessary supervision, labor, material and equipment to install a 600 CF Exhaust Fan to run 24/7 to keep designated smoking room under negative pressure. Additional details available upon request. Bid opening 02/06/2007.

Department: Military Affairs
Location: Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, PA 15206
Duration: 03/01/2007 through 06/30/2007
Contact: Ken Wilson, 412-665-6727

CN00024373 The Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, Bureau of State Parks, Beltzville State Park, requires services for rehabilitation of the maintenance area heating system, which entails replacement of the hot water boiler and two (2) unit heaters at Beltzville State Park, 2950 Pohopoco Drive, Lehighton, PA 18235-8905. Interested vendors must be registered with the Commonwealth and have a registered vendor number. To register and obtain number, call 1-866-775-2868 or online at www.vendorregistration.state.pa.us. Each bidder may visit the site and acquaint themselves with the existing conditions and the activity involved after calling the Park Manager, Tony Willoughby, at 610-377-0045, and arranging the visit. Bid Opening Date/Time: 02/08/2007 2:00 p.m.

Department: Conservation and Natural Resources
Location: Beltzville State Park, 2950 Pohopoco Drive, Lehighton, PA 18235-8905
Duration: The contract shall commence upon receipt of Purchase Order and Notice to Proceed letter, and terminates June 30, 2007.
Contact: Steven E. Smith, 717-783-1896



Medical Services

CN00024597 Staff psychiatric services by psychiatrist(s) for Danville State Hospital residents.

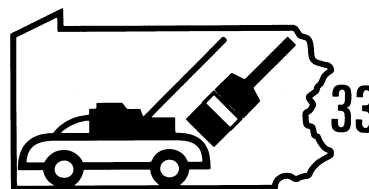
Department: Public Welfare
Location: Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821
Duration: 4/1/07 – 11/30/07
Contact: Tina Robbins, 570-271-4578

CN00024596 Outpatient Services for Consumers of Danville State Hospital

Department: Public Welfare
Location: Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821
Duration: 4/1/07 – 12/31/11
Contact: Tina Robbins, 570-271-4578

RS0031 Vendor to provide services of an optometrist and optician to our residents when presented to their office. When, in the opinion of the medical director or the attending physician, the residents would be best served by the provision of in-house service, vendor agrees to provide services on-site at 2701 Southampton Road, Philadelphia, Pennsylvania 19154. For information regarding the bid package please send inquiries to fax number 215-965-0377 or e-mail to Ruth Suder, Purchasing Agent, as listed below. (If you are not on the Commonwealth Vendors List you need to register at www.ies.state.pa.us). Bid will be due Monday, February 12, 2007.

Department: Military Affairs
Location: Delaware Valley Veterans' Home, 2701 Southampton Road, Philadelphia, Pennsylvania 19154
Duration: One year with possible options of renewal
Contact: Ruth Suder, 215-965-0312



Property Maintenance

CN00024541 The Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, Bureau of Facility Design and Construction, requires services to remove all shingles and roofing materials, install new flashing, shingles and drip edge, door frames, and paint the exterior of the green core building, repair the door lock on the man door of the white core building and cut off and seal all pipes from the treatment pond to the main building at the Bureau of Topographic and Geologic Survey's site located in Hollywood, North Route 255, Huston Township, Clearfield County, Pennfield, PA 15849. Interested vendors must be registered with the Commonwealth and have a registered vendor number. To register and obtain number, call 1-866-775-2868 or online at www.vendorregistration.state.pa.us. Each bidder shall visit the site and acquaint himself with the existing conditions and the activity involved prior to the time of bidding. The site may be visited Monday through Friday from 8:00 A.M. to 4:00 P.M., after calling the following and arranging the visit: 814-486-5637. Bid Opening Date/Time: 02/08/2007 2:00 p.m.

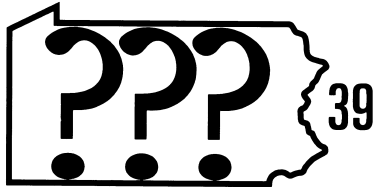
Department: Conservation and Natural Resources
Location: Bureau of Topographic/Geologic Survey, Hollywood, North Route 255, Huston Township, Clearfield County, Pennfield, PA 15849.
Duration: The contract shall commence upon receipt of Purchase Order and Notice to Proceed letter, and terminates April 30, 2007.
Contact: Steven E. Smith, 717-783-1896

CN00024489 Mowing of residential properties in Snyder, Union and Northumberland Counties as per bid specifications. To request a bid package contact the individual listed below by February 9, 2007. Vendors requesting bid documents are to include your MySAP vendor identification number with all requests.

Department: Transportation
Location: PennDOT Engineering District 3, PO Box 218, 715 Jordan Avenue, Montoursville, PA 17754
Duration: One year for the 2007 mowing season.
Contact: Lyndon Mink, 570-368-4224

KUCC-0063 Deatrck Hall Renovations — Phase 1, KUCC-0063: Kutztown University is seeking qualified General, HVAC, Plumbing and Electrical Contractors who are interested in submitting bids for the renovation of a student housing building at Kutztown University. The contractor selection process will be via sealed competitive bids. Renovations will occur during the summer recess period only. The work includes but is not limited to the furnishing of all labor, superintendence, materials, tools and equipment and performing all work necessary for the renovation of a student housing building to include replacement of doors and hardware, renovations to the Entrance Lobby, improvements to the Lounge area, addition of air conditioning to the Lobby and Lounge areas, replacement of the fin tube radiation throughout the building, and replacement of the existing water softener. Bid packages are available for a non refundable fee of \$150.00 from: Muhlenberg Greene Architects, 400 Washington St., Suite 1000, Reading, PA 19601, Phone (610) 376-4927, Attn: John Hill. Bid packages are available February 5, 2007 through the Pre-Bid meeting. A MANDATORY pre-bid meeting is scheduled for February 13, 2007 at 1:30 PM in Dining Room #1 of the South Dining Hall, Kutztown University. Bids from contractors who do not attend the mandatory pre-bid meeting will not be accepted. All questions must be submitted in writing to Muhlenberg Greene Architects by 4:00 PM on February 15, 2007 to the attention of John Hill fax: (610) 376-0720 or email to jhillmgaarchitects-ltd.com. Bids are to be received no later than 2:00 PM, February 27, 2007 in Room 229, Facilities Project Services, Kutztown University. Persons with a disability, and who require accommodation, should notify the Disability Services Office two weeks prior to the pre-bid/proposal meeting, or bid/proposal due date, at 610-683-4108 or email accommodationkutztown.edu, TDD number: 610-683-4499, in order to discuss accommodations. Every effort will be made to provide reasonable accommodations. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

Department: State System of Higher Education
Location: Kutztown, PA
Duration: June 2007 through August 2007.
Contact: Craig Kleinsmith, 610-683-4602



Miscellaneous

RFP No. SWP 2006 Notice is given that the Department of Environmental Protection is soliciting proposals from qualified vendors to assist in the development and production of documents related to updating the State Water Plan. All proposals must be submitted to the Department of Environmental Protection, Bureau of Office Services, Division of Contracts, Procurement and Bonding, P. O. Box 8473, Harrisburg, PA 17105-8473 no later than 4:00 p.m. on Friday February 27, 2007. Note that for hand delivery or special mail delivery, the address is 15th Floor, Rachel Carson State Office Building (RCSOB), 400 Market Street, Harrisburg, PA 17101. A pre-proposal conference is scheduled for Tuesday, February 6, 2007 at 1:00 PM Rachel Carson State Office Building, 2nd Floor Auditorium, 400 Market Street, Harrisburg, PA 17105. It is recommended that prospective proposers attend but it is not mandatory. The RFP is available at <http://www.dgsweb.state.pa.us/comod/main.asp> The deadline to submit questions via e-mail to jstefankostate.pa.us is February 5, 2007.

Department: Environmental Protection
Location: Statewide
Duration: One (1) year with option to renew one (1) additional year.
Contact: John J. Stefanko, 717-787-2471

CN00024618 DEP requires a Masterline Booster Pump Model # 7000A-2 to be used for pumping Breathing Air, Oxygen, Argon, and Helium. It allows users to fill breathing air cylinders to 6000 psi an oxygen cylinders to 4500 psi from low pressure supply cylinders. The Booster has a 10:1 boost ratio. This is a no substitute bid with part numbers supplied from CSE Corporation. Items must be CSE Corporation.

Department: Environmental Protection
Location: Tremont Mine Rescue Station, 44 N. Crescent Street, Tremont, PA 17981
Contact: David Stillions, 717-783-8551

RFP 01-06 Bloomsburg University is seeking firms to provide architectural and engineering services for open-ended contracts, as services are required. These contracts will be for a total of three, two-year terms, if agreeable by both parties. Type of work required will be feasibility studies, code reviews, construction jobs (both large and small), planning services, estimates, hazardous material evaluations and other work as required by the University. If interested in receiving the RFP, submit a request by email to dshambur@bloomu.edu or fax to 570-389-2017. The RFP will be released in early to mid February 2007 with all submission requirements and dates included in the RFP package.

Department: State System of Higher Education
Location: Bloomsburg University, 400 E. Second Street, Bloomsburg, PA 17815
Duration: 6 years
Contact: Diann Shamburg, 570-389-4312

PGC-2892 Agency seeking a contractor to provide ground application of herbicide in forested areas of the Commonwealth of Pennsylvania (for an approximate two-month period) at specifically designated locations. Herbicide to aid in the establishment of stands of high-value trees by eliminating competing understory vegetation consisting primarily of hay scented fern, striped maple, beech brush, spicebush and various species of grass. Additional specifications are available in the bid package. Bid Opening Date: February 9, 2007 at 2:00 P.M.

Department: Game Commission
Location: Pennsylvania Game Commission, Bureau of Administrative Services, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.
Duration: June 01, 2007 through July 15, 2007
Contact: Diane Shultz or Barb Kline, 717/787-6594

CN00024592 FUNERAL SERVICES Funeral Services for indigent veterans for the period of 01 July 2007 through 30 June 2010. This contract will cover only a limited number of funerals per year for those veterans who are financially unable to pay for the costs of such services (we estimate approximately 4 per year). The bid opening is scheduled for 2/21/07. If you would like a bid packet, please either email or fax your request, along with your Vendor Registration number, to the information below. You MUST be registered with the Commonwealth. In order to do so, please visit (www.vendorregistration.state.pa.us).

Department: Military Affairs
Location: Hollidaysburg Veterans Home, PO Box 319, RT 220 & Meadows Intersection, Hollidaysburg PA 16648-0319
Duration: 01 July 2007 through 30 June 2010 with renewal options
Contact: Becky J. Clapper, FAX: 814/696-5395

CN00024566 The PA Fish & Boat Commission is procuring an outboard motor, Volvo Penta Sterndrive Boat Engine, Model 5.7Gi with SX outdrive st.

Department: Fish and Boat Commission
Location: PA Fish & Boat Commission, 1601 Elmerton Avenue, Harrisburg, PA 17110
Duration: One time purchase
Contact: Gay Cartwright, 717-705-7915

228-0122 8 1/2 x 11 xerographic paper- 16000 reams. Bids due 01/30/07 2:30 PM.

Department: State System of Higher Education
Location: West Chester University of Pa., West Chester, Pa. 19383
Duration: Bid due 1/30/07 2:30 PM
Contact: Karen Kehler, 610-436-2603

RFA 06-07-03 Through this RFA the Department of Health is soliciting applications for infrastructure support of adolescent health care services for high risk and hard to reach adolescents. For the purposes of this RFA an adolescent is defined as an individual 13 years of age up to his/her 22nd birthday. Services may include but are not limited to: primary and preventative healthcare services, behavioral health care services, reproductive health care services, unintentional injury and violence prevention services, and youth development/empowerment programs. Objectives of this RFA include: promoting a comprehensive approach to providing adolescent health care services, increasing access to health care services, promoting health and mental well being, diminishing barriers to mental health care services, reducing unintentional/violent injuries and deaths, reducing suicides, and reducing health disparities among adolescents.

Department: Health
Location: Statewide
Duration: September 1, 2007 — June 30, 2009 with a one year renewal option.
Contact: Kelly L. Holland, 717-772-2762

cn00024595 Milk 2%, 1/5 gallon and 1/2 pint, Skim milk 1/2 pint.

Department: Corrections
Location: SCI-Huntingdon, 1100 Pike Street, Huntingdon, PA 16654
Duration: February 1, 2007 through February 28, 2007
Contact: Phyllis K. Norris, PA1, 814-643-2400, x 303

[Pa.B. Doc. No. 07-196. Filed for public inspection February 2, 2007, 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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JAMES P. CREEDON,
Secretary

