



Volume 33 (2003)

Pennsylvania Bulletin
Repository

4-19-2003

April 19, 2003 (Pages 1919-2034)

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: https://digitalcommons.law.villanova.edu/pabulletin_2003

Recommended Citation

Pennsylvania Legislative Reference Bureau, "April 19, 2003 (Pages 1919-2034)" (2003). *Volume 33 (2003)*. 16.

https://digitalcommons.law.villanova.edu/pabulletin_2003/16

This April is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 33 (2003) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

PENNSYLVANIA BULLETIN

Volume 33

Number 16

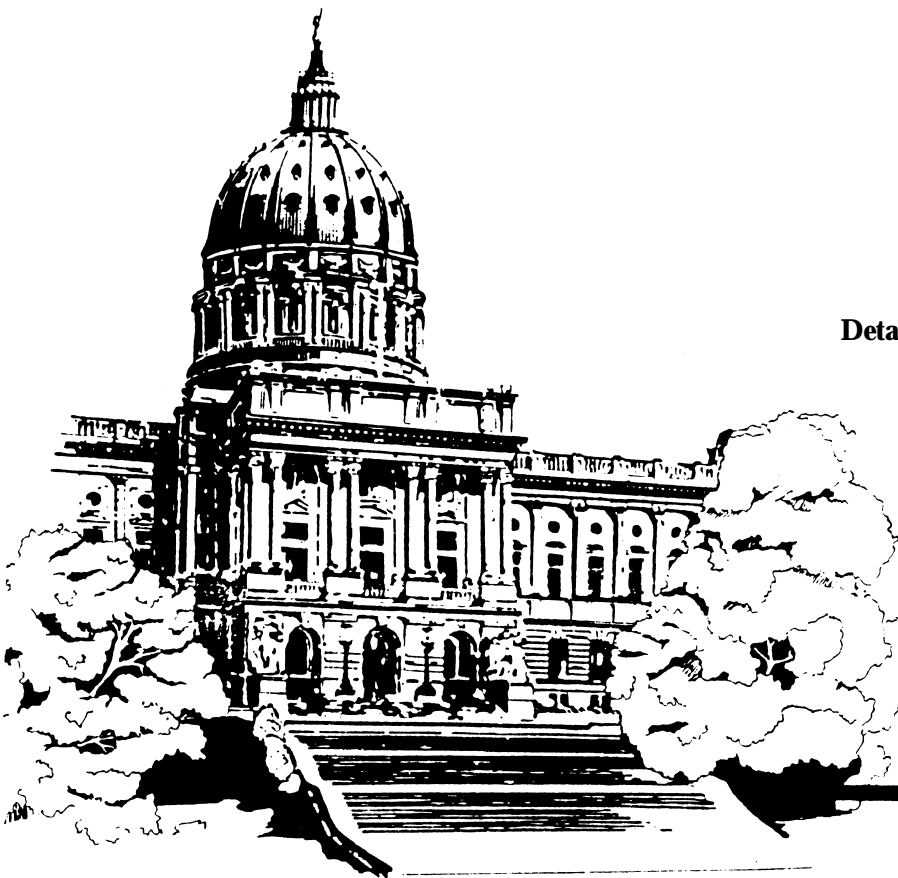
Saturday, April 19, 2003 • Harrisburg, Pa.

Pages 1919—2034

Agencies in this issue:

The Courts
Department of Agriculture
Department of Banking
Department of Community and Economic
Development
Department of Environmental Protection
Department of General Services
Department of Health
Department of Public Welfare
Department of State
Department of Transportation
Environmental Hearing Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Legislative Reference Bureau
Pennsylvania Public Utility Commission

Detailed list of contents appears inside.



PRINTED ON 100% RECYCLED PAPER



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

No. 341, April 2003

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE

If information on mailing label is incorrect, please make changes in space provided below and mail to:

**FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



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.

Postmaster send address changes to:

FRY COMMUNICATIONS
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

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

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

Copyright © 2003 Commonwealth of Pennsylvania
ISBN 0-8182-0004-9

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

CONTENTS

THE COURTS

LOCAL COURT RULES

Dauphin County

Promulgation of local rules; no. 1793 S 1989..... 1929

RULES OF CIVIL PROCEDURE

Amendment of notes to Rules 1023.1 and 1036; no. 386 civil procedural rules; doc. no. 5 1926

Promulgation of new Rule 2355; no. 387 civil procedural rules; doc. no. 5 1927

RULES OF CRIMINAL PROCEDURE

Order approving the revision of the comments to Rules 702 and 704; no. 293 criminal procedural rules; doc. no. 2..... 1927

RULES OF JUDICIAL ADMINISTRATION

Amendment of Rule 1701; no. 254 judicial administration; doc. no. 1..... 1926

EXECUTIVE AGENCIES

DEPARTMENT OF AGRICULTURE

Notices

Plum Pox Virus commercial orchard fruit tree indemnity program 1949

DEPARTMENT OF BANKING

Notices

Action on applications..... 1950

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Notices

Designated distress areas 1952

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices..... 1965

Availability of technical guidance 2018

DEPARTMENT OF GENERAL SERVICES

Notices

Special notice..... 2034

State contracts information..... 2028

DEPARTMENT OF HEALTH

Notices

Infant Hearing Screening Advisory Committee meeting..... 2018

Requests for exception; long-term care nursing facilities..... 2018

DEPARTMENT OF PUBLIC WELFARE

Notices

Income limits for the categorically needy nonmoney payment Medicaid program..... 2019

Medical Assistance program fee schedule; addition of procedure code 2020

Medical Assistance program fee schedule revision... 2020

Payments to nursing facilities; January 1, 2003 final rates..... 2021

Proposed Federal child care and development fund block grant public hearing..... 2022

DEPARTMENT OF STATE

Notices

State Plan Advisory Board meeting 2022

DEPARTMENT OF TRANSPORTATION

Proposed Rulemaking

Official traffic control devices..... 1930

ENVIRONMENTAL HEARING BOARD

Notices

Bethlehem Steel Corporation v. DEP; EHB doc. no. 2003-070-MG..... 2022

Hatfield Township Municipal Authority v. DEP; EHB doc. no. 2003-085-K..... 2022

FISH AND BOAT COMMISSION

Notices

Alcohol restrictions; Sheidy Access, Blue Marsh Lake, Berks County; Sweet Arrow Lake Access, Schuylkill County..... 2023

Closure of Upper Hereford Manor Lake, Beaver County..... 2023

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of filing of final rulemakings..... 2023

INSURANCE DEPARTMENT

Notices

Beaton, Bobbi Jo; hearing..... 2023

Buerger, Alan; hearing 2024

Ellenburg, Darren, D.P.M..... 2024

Erie Insurance Exchange; homeowners insurance rate revision..... 2024

Manuel, Laureano M., M.D. (Carpenter); prehearing 2025

Manuel, Laureano M., M.D. (Sweeney); prehearing.. 2025

Memorial Hospital of Towanda; prehearing..... 2026

Review procedure hearings; cancellation or refusal of insurance 2026

LEGISLATIVE REFERENCE BUREAU

Notices

Documents filed but not published..... 2026

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Railroad..... 2027

Telecommunications..... 2027

Now Available Online at <http://www.pabulletin.com>

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.

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

Printing Format

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

Fiscal Notes

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

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

Reproduction, Dissemination or Publication of Information

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

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)	31	1359
Adopted Rules	40	1715
1		1452
Proposed Rulemaking		
243		892
249		892
Statements of Policy		
1 (with correction)		1624
9		34, 760, 1722
7 Pa. Code (Agriculture)		
Adopted Rules		
21		1329
106		541
17 Pa. Code (Conservation and Natural Resources)		
Adopted Rules		
23		21
22 Pa. Code (Education)		
Adopted Rules		
4		255, 283
Proposed Rulemaking		
4		1847
215		882
25 Pa. Code (Environmental Protection)		
Adopted rules		
93		1226, 1227
Proposed Rulemaking		
109 (with correction)		1234, 1239, 1350
31 Pa. Code (Insurance)		
Adopted Rules		
115		346
165		24
34 Pa. Code (Labor and Industry)		
Adopted Rules		
65		25
37 Pa. Code (Law)		
Adopted Rules		
421		353
431		1617
Proposed Rulemaking		
203		1246
49 Pa. Code (Professional and Vocational Standards)		
Adopted Rules		
9		28
36		358
49		1346
Proposed Rulemaking		
9		1116
13		1358
19		1124
23		1118, 1120
52 Pa. Code (Public Utilities)		
Proposed Rulemaking		
53		1106
54		31
55 Pa. Code (Public Welfare)		
Adopted Rules		
1101 (with correction)		361
4225		1051
4226		1051
58 Pa. Code (Recreation)		
Adopted Rules		
51		1348
53		1228
61		1229
63		1468
65		1229
69		1230
91		1348
93		1348
111		1231
137		1470, 1471
141		1473
143		1475
147		1714
Proposed Rulemaking		
65		1479
69		1479
75		1479
77		1479
91		1482
109		1482
111		1479
117		1482
135		1350
139		1098, 1103
141		1103, 1351, 1353, 1355, 1357
143		1357, 1484
147		1350
Proposed Statements of Policy		
57		1487
61 Pa. Code (Revenue)		
Adopted Rules		
71		1842
85		1842
815		1845
64 Pa. Code (Securities)		
Proposed Rulemaking		
102		884
202		884
203		884
204		884
207		884
305		884
606		884

67 Pa. Code (Transportation)
Proposed Rulemaking
 201 1930
 203 1930
 211 1930
 212 1930

Statements of Policy
 102 1624
 204 1361

201 Pa. Code (Rules of Judicial Administration)
Adopted Rules
 7 634
 17 1926
 19 1711

204 Pa. Code (Judicial System General Provisions)
Adopted Rules
 85 967

Proposed Rulemaking
 83 744

207 Pa. Code (Judicial Conduct)
Adopted Rules
 121 1449

Proposed Rulemaking
 51 745

210 Pa. Code (Appellate Procedure)
Adopted Rules
 21 1711

225 Pa. Code (Rules of Evidence)
Proposed Rulemaking
 IV 197
 VII 198

231 Pa. Code (Rules of Civil Procedure)
Adopted Rules
 200 634, 748, 1712
 1000 748, 751, 1450, 1926
 1930 13

2120 751, 1450
 2150 751, 1450
 2170 751, 1450
 2350 1927
 4000 748

Proposed Rulemaking
 1930 1580

234 Pa. Code (Rules of Criminal Procedure)
Adopted Rules
 1 1324
 4 969, 1324
 7 1927

Proposed Rulemaking
 1 967, 1048
 6 1049

237 Pa. Code (Juvenile Rules)
Proposed Rulemaking
 1 1581
 2 1581
 3 1581
 4 1581
 5 1581
 6 1581
 8 1581

246 Pa. Code (Minor Court Civil Rules)
Proposed Rulemaking
 600 753
 1000 753

249 Pa. Code (Philadelphia Rules)
 Unclassified 532

252 Pa. Code (Allegheny County Rules)
 Unclassified 757

255 Pa. Code (Local Court Rules)
 Unclassified 14, 17, 200, 341, 540, 635, 758
 873, 874, 875, 878, 879, 880, 1221, 1450,
 1713, 1838, 1929

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 17]

Amendment of Rule 1701; No. 254 Judicial Administration; Doc. No. 1

Order

Per Curiam:

And Now, this 2nd day of April, 2003, Rule 1701 of the Rules of Judicial Administration is amended to read as follows.

To the extent that notice of the proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the immediate amendment of Rule 1701 is hereby found to be required in the interest of justice and the efficient administration.

This Order shall be effective immediately and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 17. JUDGES AS WITNESSES

JUDGES AS WITNESSES

Rule 1701. Appearance of judge or district justice [of the peace] as character witness.

(a) For purposes of this rule, judge or district justice includes those judicial officers in active judicial service or senior status.

[(a)](b) No subpoena to compel a judge or district justice to testify as a character witness shall be issued or enforced unless the issuance of the subpoena shall have been specially allowed by the Supreme Court pursuant to this rule.

[(b)](c) * * *

* * * * *

[(c)](d) * * *

[(d)](e) No judge or district justice [of the peace] shall testify voluntarily as a character witness. The provisions of this subdivision shall constitute a canon of ethics for the purposes of Section 17 of the Judiciary Article.

[Pa.B. Doc. No. 03-703. Filed for public inspection April 18, 2003, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1000]

Amendment of Notes to Rules 1023.1 and 1036; No. 386 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 2nd day of April, 2003, the Pennsylvania Rules of Civil Procedure are amended as follows:

1. The note following Rule 1023.1(e) is amended to read as follows.

2. The note following Rule 1036(a) is amended to read as follows.

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

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective June 1, 2003.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1000. ACTIONS AT LAW

Subchapter A. CIVIL ACTION

PLEADINGS

Rule 1023.1. Scope. Signing of Documents. Representations to the Court. Violation.

* * * * *

(e) Section 8355 of the Judicial Code, 42 Pa.C.S. § 8355, is suspended absolutely, in accordance with the provisions of the Constitution of 1968, Article V, Section 10(c).

Official Note: Section 8355 of the Judicial Code provides for the certification of pleadings, motions and other papers.

[See also Order of January 17, 1997, Civil Procedural Rules Docket No. 5, No. 269, suspending the following sections of the Health Care Services Malpractice Act, added by Act No. 1996-135; Section 813-A, 40 P. S. § 1301.813-A, providing for the signing and certification of pleadings, motions and other papers and Section 821-A, 40 P. S. § 1301.821-A, providing for the signing and certification of a complaint.]

Rule 1036. Dismissal Upon Affidavit of Noninvolvement.

(a) As used in this rule, "action" means an action subject to an Act of Assembly which provides for dismissal of the action as to a party based upon an affidavit of noninvolvement.

Official Note: Actions pursuant to the following Acts of Assembly are within the scope of this rule: Section 7502 of the Judicial Code, 42 Pa.C.S. § 7502, an action for negligence against a construction design professional and [Section 827-A of the Health Care Services Malpractice Act, 40 P.S. § 1301.827-A] Section 506 of the Medical Care Availability and Reduction of Error (Mcare) Act, 40 P.S. § 1303.506, a medical [malpractice] professional liability action naming a health care provider as a defendant.

* * * * *

[Pa.B. Doc. No. 03-704. Filed for public inspection April 18, 2003, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 2350]

Promulgation of New Rule 2355; No. 387 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 2nd day of April, 2003, new Pennsylvania Rule of Civil Procedure 2355 is promulgated to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective June 1, 2003.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 2350. SUBSTITUTION OF PARTIES

Rule 2355. Notice of Death of a Party. Substitution of Personal Representative.

(a) If a named party dies after the commencement of an action, the attorney of record for the deceased party shall file a notice of death with the prothonotary. The procedure to substitute the personal representative of the deceased party shall be in accordance with Rule 2352.

Official Note: Counsel for the deceased party should file the notice of death promptly upon learning of the death of the party and serve a copy upon every other party to the action.

See Section 3375 of the Decedents, Estates and Fiduciaries Code, 20 Pa.C.S. § 3375 which provides that if a plaintiff dies and a personal representative is not appointed within one year after a suggestion of the death, the court, upon petition, shall abate the action if the delay in taking out letters is not reasonably explained.

This rule does not address the case law discussing whether the commencement of an action by or against a deceased person is a nullity and therefore does not toll the running of the statute of limitations.

(b) The notice of death required by subdivision (a) shall be substantially in the following form:

(CAPTION)

NOTICE OF DEATH

The death of _____, a party to the above action, during the pendency of this action is noted upon the record.

Attorney for the Deceased Party

Address

Explanatory Comment

The rules of civil procedure previously made no mention of the death of a party to an action. New Rule 2355 applies when a named party dies after an action has been commenced. The new rule alerts the parties to the necessity of noting the death upon the record and of substituting as a party to the action the personal representative of the deceased party. The rule provides a form of Notice of Death which is to be filed with the prothonotary. The rule also incorporates the procedure of Rule 2352 governing substitution of a successor.

By the Civil Procedural Rules Committee

R. STANTON WETTICK, Jr.,
Chair

[Pa.B. Doc. No. 03-705. Filed for public inspection April 18, 2003, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 7]

Order Approving the Revision of the Comments to Rules 702 and 704; No. 293 Criminal Procedural Rules; Doc. No. 2

The Criminal Procedural Rules Committee has prepared a Final Report explaining the revision of the Comments to Rules of Criminal Procedure 702 (Aids in Imposing Sentence) and 704 (Procedure at Time of Sentencing). These changes alert members of the bench and bar to the statutory requirements concerning consideration of preexisting orders when determining the amount of restitution at the time of sentencing. The Final Report follows the Court's Order.

Order

Per Curiam:

Now, this 27th day of March, 2003, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3), the changes being perfunctory in nature, 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 the revision of the Comments to Rules of Criminal Procedure 702 and 704 is hereby approved in the following form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective July 1, 2003.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES

PART A. Sentencing Procedures

Rule 702. Aids in Imposing Sentence.

* * * * *

Comment

For purposes of paragraph (A)(2)(c), whether the defendant has a prior juvenile adjudication is immaterial. Paragraph (A)(3) indicates in general terms what the contents of the pre-sentence investigation report must include. With respect to the particularized contents of such reports, see *Commonwealth v. Martin*, 351 A.2d 650 (Pa. 1976). **Concerning other information that would be helpful for the sentencing judge to have in the pre-sentencing investigation report, see 18 Pa.C.S. § 1106(c)(2)(iv) (the judge, when determining the amount of restitution, must consider "any other preexisting orders imposed on the defendant, including, but not limited to, orders imposed under this title or any other title").**

* * * * *

Official Note: Rule 1403 adopted July 23, 1973, effective 90 days hence; amended June 28, 1976, effective January 1, 1977; amended November 1, 1991, effective January 1, 1992; amended March 22, 1993, effective January 1, 1994; Comment revised April 18, 1997, effective immediately; renumbered Rule 702 and amended March 1, 2000, effective April 1, 2001; **Comment revised March 27, 2003; effective July 1, 2003.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the March 27, 2003 Comment revision adding a cross-reference to 18 Pa.C.S. § 1106 published with the Court's Order at 33 Pa.B. 1928 (April 19, 2003).

Rule 704. Procedure at Time of Sentencing.

* * * * *

Comment

* * * * *

SENTENCING PROCEDURES

* * * * *

It is difficult to set forth all the standards [**which**] that a judge must utilize and consider in imposing sentence. It is recommended that, at a minimum, the judge look to the standards and guidelines as specified by statutory law. See the Judicial Code, 42 Pa.C.S. § 9701 et seq. See also *Commonwealth v. Riggins*, 377 A.2d 140 (Pa. 1977) and *Commonwealth v. Devers*, 546 A.2d 12 (Pa. 1988). **The judge also should consider other preexisting order imposed on the defendant. See 18 Pa.C.S. § 1106(c)(2)(iv). And see 42 Pa.C.S. § 9728.**

* * * * *

Official Note: Previous Rule 1405 approved July 23, 1973, effective 90 days hence; Comment amended June 30, 1975, effective immediately; Comment amended and paragraphs (c) and (d) added June 29, 1977, effective September 1, 1977; amended May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; Comment amended April 24, 1981, effective July 1, 1981; Comment amended November 1, 1991, effective January 1, 1992; 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 1405. Present Rule 1405 adopted March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; amended January 3, 1995, effective immediately; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date

extended to April 1, 1996. Comment revised December 22, 1995, effective February 1, 1996. The April 1, 1996 effective date extended to July 1, 1996. Comment revised September 26, 1996, effective January 1, 1997; Comment revised April 18, 1997, effective immediately; Comment revised January 9, 1998, effective immediately; amended July 15, 1999, effective January 1, 2000; renumbered Rule 704 and amended March 1, 2000, effective April 1, 2001; **Comment revised March 27, 2003, effective July 1, 2003.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the March 27, 2003 Comment revision adding cross-reference to 18 Pa.C.S. § 1106 and 42 Pa.C.S. § 9728 published with the Court's Order at 33 Pa.B. 1928 (April 19, 2003).

FINAL REPORT¹

Proposed Revision of the Comments to Pa.Rs.Crim.P. 702 and 704

CONSIDERATION OF PREEXISTING ORDERS WHEN DETERMINING RESTITUTION

On March 27, 2003, effective July 1, 2003, upon the recommendation of the Criminal Procedural Rules Committee, the Court approved the revision of the Comments to Pa.Rs.Crim.P. 702 (Aids in Imposing Sentence) and 704 (Procedure at Time of Sentencing). These changes alert members of the bench and bar to the statutory requirements concerning consideration of preexisting orders when determining the amount of restitution at the time of sentencing.

The Committee undertook a review of the sentencing rules after receiving correspondence from the Court's Domestic Relations Procedural Rules Committee that requested we consider a change to the Criminal Rules that would require the sentencing courts to take into consideration child support orders when ordering restitution. The Domestic Relations Committee specifically noted that 18 Pa.C.S. § 1106(c)(2)(iv), concerning restitution for injuries to person or property, requires the court, when determining the method and amount of restitution, to "consider any other preexisting orders imposed on the defendant, including, but not limited to, orders imposed under this title or any other title." Relying on this language, the Domestic Relations Committee suggested that "existing support orders should be considered in ordering restitution . . ." and there should be "a standard procedure in place to assure that at least some of the defendant's available income goes to the support of his or her dependents"

The Committee carefully considered the issue raised by the Domestic Relations Committee. We do not think the Criminal Rules specifically should refer to domestic relations orders because there are other types of orders that are governed by 18 Pa.C.S. § 1106(c)(2)(iv), and we concluded it would be (1) confusing to the bench and bar to single out domestic relations orders in the Criminal Rules, and (2) difficult and even mischievous to attempt to list all the types of orders that might fall within the parameters of 18 Pa.C.S. § 1106(c)(2)(iv). However, we agreed it would be helpful to include a cross-reference to Section 1106 in the sentencing rules to alert members of the bench and bar to this statutory provision. To accomplish this, the following language has been added to the Rule 702 Comment:

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.

Concerning other information that would be helpful for the sentencing judge to have in the pre-sentence investigation report, see 18 Pa.C.S. § 1106(c)(2)(iv) (the judge, when determining the amount of restitution, must consider “any other preexisting orders imposed on the defendant, including, but not limited to, orders imposed under this title or any other title”).

A reference to 18 Pa.C.S. § 1106(c)(2)(iv) also has been included in the Rule 704 Comment.

In addition, as part of our review, the Committee considered the provision of 42 Pa.C.S. § 9728 (Collection of restitution, reparation, fees, costs, fines and penalties) that requires, notwithstanding a defendant’s obligations, at least 50% of all moneys collected must be used to pay restitution to victims. We agreed a citation to 42 Pa.C.S. § 9728(g.1) also should be added in the Rule 704 Comment to highlight this requirement. Accordingly, the following provision has been added to the Rule 704 Comment:

The judge also should consider other preexisting orders imposed on the defendant. See 18 Pa.C.S. § 1106(c)(2)(iv). And see 42 Pa.C.S. § 9728.

[Pa.B. Doc. No. 03-706. Filed for public inspection April 18, 2003, 9:00 a.m.]

Title 25—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 4th day of April, 2003, Dauphin County Local Rules of Civil Procedure are hereby amended as follows:

Rule 1920.42. Affidavit Under Section 3301(d)(1) of the Divorce Code

The affidavit required under Section 3301(d) of the Divorce Code shall be filed with the Prothonotary before it is served. The opposing party must be served with a certified copy of the Affidavit. Moving party must wait a minimum of twenty (20) days after service of the Affidavit before serving the Notice of Intention to File Praecepto to Transmit Record and Counter Affidavit or filing the Waiver of Notice as provided in Pa.R.C.P. 1920.72(c).

This amendment shall be effective 30 days from date of publication in the *Pennsylvania Bulletin*.

By the Court

JOSEPH H. KLEINFELTER,
President Judge

[Pa.B. Doc. No. 03-707. Filed for public inspection April 18, 2003, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CHS. 201, 203, 211 AND 212]

Official Traffic Control Devices

The Department of Transportation (Department), Bureau of Highway Safety and Traffic Engineering (Bureau), under the authority contained in 75 Pa.C.S. §§ 6103, 6105, 6121 and 6122, proposes to delete Chapters 201, 203 and 211 (relating to engineering and traffic studies; work zone traffic control; and official traffic control devices) to add Chapter 212 (relating to official traffic control devices) to read as set forth in Annex A. Included as part of the new Chapter 212, the Department will adopt the *National Manual on Uniform Traffic Control Devices* (MUTCD) as published by the Federal Highway Administration.

Purpose of Proposed Chapter 212

The purpose of Chapter 212 is to adopt the MUTCD, to establish new rules regarding additional study requirements, warrants, principles and guidelines not included in the MUTCD; and to establish greater uniformity for the design, location and operation of all official traffic signs, signals, markings and other traffic control devices within this Commonwealth.

Purpose of this Proposed Rulemaking

With the promulgation of these regulations, the most recent edition of the MUTCD will become the standard for traffic control in this Commonwealth. As provided in 75 Pa.C.S. §§ 6103(c) and 6121 (relating to promulgation or rules and regulations by department; and uniform system of traffic-control devices), this proposed rulemaking will also establish additional rules regarding study requirements, warrants, principles, and guidelines and insure uniformity for the design, location, and operation of all official signs, signals, markings and other traffic control devices within this Commonwealth, incorporating, revising and adding to provisions now found in the chapters proposed for rescission.

Traffic control devices are defined as all signs, signals, markings and devices placed on, over or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn or guide traffic. The purpose of traffic control devices and warrants is to safeguard highway safety by providing for the orderly and predictable movement of all traffic, motorized and nonmotorized, throughout the National, State and local highway transportation systems. This chapter provides guidance and standards needed to insure the safe and uniform operation of individual elements in the traffic stream. Traffic control devices are used to direct and assist vehicle operators in the guidance and navigation tasks required to safely traverse any facility open to public travel. Guide and information signs are solely for the purpose of traffic control; advertising media and attraction signs are not generally considered to be traffic control devices.

The need for uniform standards for traffic control devices was recognized many years ago. In 1927, the American Association of State Highway and Transportation Officials (AASHTO) published a manual for use on rural highways, and the National Conference on Street

and Highway Safety followed with a manual for urban streets in 1929. Even at that early time, the need for unification of the standards applicable to the different classes of road and street systems was obvious. To meet this need, a joint committee of the AASHTO and the National Conference on Street and Highway Safety developed, and in 1935 published, the original edition of the MUTCD. That committee, though changed from time to time in organization and personnel, has been in continuous existence since its origin and has contributed to periodic revisions of the MUTCD. The committee's name has now been formally changed to the National Committee on Uniform Traffic Control Devices.

Federal directives and Commonwealth statutes dictate implementation of the standards contained in the MUTCD. The Department expects to obtain basic uniformity in the visible features and functioning of traffic control devices on all highways through implementation of the MUTCD, which sets forth the basic principles that govern the design and use of traffic control devices. These principles appear throughout the text of the proposed rulemaking in discussion of the devices to which they apply, and it is important that they be given primary consideration in the selection, application and use of each device.

The MUTCD presents traffic control device standards for all streets and highways open to public travel, regardless of type or class or governmental agency having jurisdiction. Where a device is intended for limited application only, or for use on a specific system, the text of the MUTCD specifies the restrictions on its use. The study procedures and warrants for the establishment, revision, and removal of traffic restrictions, as well as the basic principles and guidelines for the control of traffic within construction, maintenance and utility/permit work zones are, with few exceptions, included in the MUTCD. All procedures, warrants and standards, either in addition to or exclusive of those in the MUTCD, are also included in Chapter 212. When the MUTCD is silent regarding the establishment of certain traffic restrictions, work zone traffic control standards or in instances when the Department has additional study procedures, warrants, standards or guidelines in addition to those in the MUTCD, those procedures, warrants and standards are included in Chapter 212. The chapter also contains additional requirements for some official traffic control devices used in this Commonwealth. The incorporation of these additional regulatory requirements in the chapter may require slight departure from some of the text in certain parts of the MUTCD. Three existing chapters are being deleted with the establishment of this new chapter: Chapter 201 which contains required study procedures and warrants for the establishment, revision and removal of all traffic restrictions on public highways within this Commonwealth; Chapter 203 which defines the basic principles and guidelines for the control of traffic within construction, maintenance and utility/permit work zones on highways within this Commonwealth; and Chapter 211 which contained provisions regarding traffic control devices. The significant provisions of these regulations include the following:

1. Section 212.3 (relating to *Pennsylvania Supplement to the Manual on Uniform Traffic Control Devices*) will supplement the MUTCD. The *Pennsylvania Supplement to the Manual on Uniform Traffic Control Devices* (PSMUTCD), will include the requirements of this chap-

ter. Any additional information or recommended practice included in the PSMUTCD that is not in this chapter will be clearly labeled as information or guidance.

2. Section 212.5(a)(2) (relating to erection and maintenance responsibilities) is intended to relieve local authorities of the regulatory responsibility for maintaining railroad grade crossing markings on State-designated highways. Other current Department manuals already identify the Department as having responsibility for maintaining railroad grade crossing markings, and the Department has been routinely maintaining them.

3. Section 212.8 (relating to use, test, approval, and sale of traffic control devices) will require nonmetallic barricades, portable barriers, vertical panels, yield to pedestrian channeling devices, and citizen band radio traffic alert devices to be approved by the Department to insure their compliance with Federal standards.

4. Section 212.11 (relating to metric measurement) permits the use of hard metric dimensions as an alternative to those with English dimensions when designing and placing traffic control devices. Current Federal law (the Omnibus Trade and Competitiveness Act of 1988) encourages the use of metric dimensions for the design and deployment of all traffic control devices.

5. Section 212.302(b) (relating to traffic-control signals) adopts the MUTCD's eight warrants for traffic control signals. While Pennsylvania's warrants are generally similar to the warrants in the 1988 edition of the MUTCD, the warrant numbers were different. The adoption of the MUTCD numbers will bring Pennsylvania's warrants and warrant numbering into conformity with those in other states. The MUTCD does not have provisions that address traffic signal studies at intersections not yet constructed; that is, future intersections. As such, the "ADT Volume Warrant" which is currently in Chapter 201, is proposed for inclusion in Chapter 212.

6. Sections 212.401—212.416 (relating to temporary traffic control) bring the Commonwealth's requirements for traffic control in work zones into general conformity with practices in other states.

Persons and Entities Affected

This proposed rulemaking will affect the Commonwealth, the Pennsylvania Turnpike Commission, local authorities, contractors, consultants, utility companies, vendors and the motoring public.

Fiscal Impact

Elimination of current Department Publications, Nos. 68, 201 and 203, is projected to annually reduce publication costs by approximately \$30,000. Although these savings will be passed on to the consultants, contractors, local authorities and other end users, these savings will be offset by the need of some users to purchase the MUTCD. In addition, contractors and highway agencies may have some modest savings since fewer traffic control devices will be required in some construction and maintenance projects.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 9, 2003, the Department submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Transportation. The Department has also provided IRRC and the Committees with a detailed Regulatory Analysis Form. A copy of this material is available to the public upon request.

If IRRC has any objections to any portions of the proposed rulemaking, it will notify the Department by June 18, 2003. The notification shall specify the regulatory review criteria which has not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulations, by the agency, the General Assembly and the Governor of objections raised.

Sunset Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Arthur Breneman, P. E., Chief, Traffic Engineering and Operations Division, Bureau of Highway Safety and Traffic Engineering, Commonwealth Keystone Building, 400 North Street, 6th Floor, Harrisburg, PA 17120-0064 (mailing address is P. O. Box 2047, Harrisburg, PA 17105-1724; telephone (717) 787-3620) within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

Contact Person

The contact person is also Arthur Breneman.

ALLEN D. BIEHLER,
Secretary

Fiscal Note: 18-373. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 67. TRANSPORTATION
PART I. DEPARTMENT OF TRANSPORTATION
Subpart A. VEHICLE CODE PROVISIONS
ARTICLE VIII. ADMINISTRATION AND ENFORCEMENT
CHAPTER 201. (Reserved)

(Editor's Note: The Department is proposing to delete Chapter 201 in its entirety. The present text of Chapter 201 appears at 67 Pa. Code pages 201-1—201-56, serial pages (212953) to (212960), (245565) to (245567), (221377) to (221378) and (212965) to (213008).)

- §§ 201.1—201.6. (Reserved).
- § 201.21. (Reserved).
- § 201.22. (Reserved).
- §§ 201.31—201.33. (Reserved).
- § 201.35. (Reserved).
- § 201.51—201.55. (Reserved).
- § 201.61. (Reserved).
- § 201.62. (Reserved).
- § 201.71. (Reserved).
- § 201.72. (Reserved).
- §§ 201.81—201.83. (Reserved).
- § 201.91. (Reserved).

CHAPTER 203. (Reserved)

(Editor's Note: The Department is proposing to delete Chapter 203 in its entirety. The present text of Chapter

203 appears at 67 Pa. Code pages 203-1—203-127, serial pages (216503) to (216508), (250971) to (250974), (216513) to (216544), (253437) to (253438), (216547) to (216548), (253439) to (253440), (216551) to (216552), (253441) to (253442), (216555) to (216556), (253443) to (253444) and (216559) to (216629).)

§ 203.1. (Reserved).

§§ 203.3—203.9. (Reserved).

§§ 203.21—203.24. (Reserved).

§§ 203.41—203.44. (Reserved).

§§ 203.51—203.61. (Reserved).

§ 203.71. (Reserved).

§ 203.72. (Reserved).

§§ 203.81—203.87. (Reserved).

§§ 203.101—203.106. (Reserved).

§§ 203.121—203.131. (Reserved).

Appendix A. (Reserved).

CHAPTER 211. (Reserved)

(Editor's Note: The Department is proposing to delete Chapter 211 in its entirety. The present text of Chapter 211 appears at 67 Pa. Code pages 211-1—211-654, serial pages (218051) to (218052), (210497) to (210500), (236851) to (236853), (210503) to (210504), (246765) to (246768), (210509) to (210658), (282251) to (282252), (210661) to (210666), (222465) to (222470), (210673) to (211060), (221379) to (221380), (211063) to (211082), (226957) to (226958), (211085) to (211086), (288357) to (288360) and (211091) to (211148).)

§§ 211.1—211.12. (Reserved).

§§ 211.21—211.32. (Reserved).

§§ 211.41—211.43. (Reserved).

§§ 211.51—211.57. (Reserved).

§§ 211.71—211.81. (Reserved).

§§ 211.91—211.98. (Reserved).

§§ 211.111—211.133. (Reserved).

§ 211.141. (Reserved).

§§ 211.151—211.153. (Reserved).

§§ 211.155—211.167. (Reserved).

§§ 211.181—211.193. (Reserved).

§§ 211.201—211.206. (Reserved).

§§ 211.221—211.223. (Reserved).

§§ 211.231—211.245. (Reserved).

§§ 211.251—211.256. (Reserved).

§ 211.271. (Reserved).

§ 211.272. (Reserved).

§ 211.274. (Reserved).

§ 211.275. (Reserved).

§§ 211.291—211.297. (Reserved).

§§ 211.301—211.307. (Reserved).

§§ 211.322—211.329. (Reserved).

§§ 211.341—211.345. (Reserved).

§§ 211.351—211.357. (Reserved).

§ 211.371. (Reserved).

§ 211.372. (Reserved).

§ 211.381. (Reserved).

§ 211.383. (Reserved).

§ 211.384. (Reserved).

§§ 211.391—211.395. (Reserved).

§§ 211.411—211.424. (Reserved).

§§ 211.431—211.440. (Reserved).

§§ 211.451—211.453. (Reserved).

§§ 211.457. (Reserved).

§ 211.458. (Reserved).

§ 211.471. (Reserved).

§ 211.472. (Reserved).

§§ 211.474—211.479. (Reserved).

§§ 211.491—211.495. (Reserved).

§ 211.511. (Reserved).

§ 211.517. (Reserved).

§ 211.519. (Reserved).

§ 211.531. (Reserved).

§§ 211.534—211.538. (Reserved).

§§ 211.541—211.545. (Reserved).

§§ 211.546a—211.555. (Reserved).

§ 211.561. (Reserved).

§ 211.562. (Reserved).

§ 211.571. (Reserved).

§ 211.581. (Reserved).

§ 211.583. (Reserved).

§ 211.585. (Reserved).

§ 211.587. (Reserved).

§ 211.589. (Reserved).

§ 211.591. (Reserved).

§§ 211.592a—211.600. (Reserved).

§§ 211.602—211.605. (Reserved).

§ 211.611. (Reserved).

§ 211.612. (Reserved).

§ 211.613a—211.615. (Reserved).

§§ 211.631—211.633. (Reserved).

§§ 211.641—211.642a. (Reserved).

§§ 211.642c—211.645. (Reserved).

§§ 211.651—211.656. (Reserved).

§§ 211.671—211.682. (Reserved).

§ 211.691. (Reserved).

§ 211.692. (Reserved).

§§ 211.694—211.696. (Reserved).

§§ 211.701—211.703. (Reserved).

§ 211.711. (Reserved).

§§ 211.721—211.732. (Reserved).

§§ 211.741—211.744. (Reserved).

§§ 211.751—211.760. (Reserved).

§§ 211.771—211.777. (Reserved).

§§ 211.781—211.797. (Reserved).

§ 211.811. (Reserved).

§§ 211.821—211.824. (Reserved).

§ 211.831. (Reserved).

- § 211.832. (Reserved).
- §§ 211.841—211.843. (Reserved).
- § 211.851. (Reserved).
- §§ 211.861—211.864. (Reserved).
- §§ 211.871—211.875. (Reserved).
- §§ 211.881—211.883. (Reserved).
- § 211.885. (Reserved).
- § 211.886. (Reserved).
- § 211.901. (Reserved).
- § 211.902. (Reserved).
- § 211.911. (Reserved).
- § 211.914. (Reserved).
- § 211.921. (Reserved).
- § 211.923. (Reserved).
- § 211.924. (Reserved).
- § 211.926. (Reserved).
- § 211.927. (Reserved).
- §§ 211.941—211.947. (Reserved).
- §§ 211.961—211.971. (Reserved).
- § 211.981. (Reserved).
- § 211.983. (Reserved).
- §§ 211.991—211.1017. (Reserved).
- §§ 211.1031—211.1042. (Reserved).
- §§ 211.1051—211.1058. (Reserved).
- §§ 211.1071—211.1075. (Reserved).
- §§ 211.1081—211.1085. (Reserved).
- §§ 211.1091—211.1095. (Reserved).
- §§ 211.1097—211.1111. (Reserved).
- §§ 211.1131—211.1141. (Reserved).
- §§ 211.1151—211.1185. (Reserved).
- § 211.1201. (Reserved).
- §§ 211.1211—211.1214. (Reserved).

CHAPTER 212. OFFICIAL TRAFFIC CONTROL DEVICES

- Subchap. A. GENERAL PROVISIONS
- B. SIGNS
- C. MARKINGS
- D. SIGNALS
- E. TEMPORARY TRAFFIC CONTROL
- F. TRAFFIC CONTROLS FOR SCHOOL AREAS
- G. SPECIAL EVENTS
- H. MISCELLANEOUS PROVISIONS

Subchapter A. GENERAL PROVISIONS

- Sec. 212.1. Definitions.
- 212.2. Adoption of Federal standards.
- 212.3. Pennsylvania's Supplement to the MUTCD.
- 212.4. Application.
- 212.5. Erection and maintenance responsibilities.
- 212.6. Removal of interfering lights.
- 212.7. Signs and banners across or within the legal limits of a State-designated highway.
- 212.8. Use, test, approval and sale of traffic control devices.
- 212.9. Traffic calming.
- 212.10. Requests for changes, interpretations or permission to experiment.
- 212.11. Metric measurements.
- 212.12. Department publications.

§ 212.1. Definitions.

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

Angle parking—Parking, other than parallel parking, that is designed and designated so that the longitudinal axis of the vehicle is not parallel with the edge of the road.

Bureau of Highway Safety and Traffic Engineering—The office of the Department that is responsible for traffic regulations and Statewide policies regarding the application of traffic control devices. The Bureau is located at the Commonwealth Keystone Building, 400 North Street, 6th Floor, Harrisburg, Pennsylvania 17120-0064 (mailing address: Post Office Box 2047, Harrisburg, Pennsylvania 17105-2047; telephone (717) 787-3620).

Conventional highway—Any highway other than an expressway or a freeway.

Crash—

(i) A collision involving one or more vehicles.

(ii) Unless the context clearly indicates otherwise, the term only includes those accidents that require a police report, that is, the accident involves one of the following:

(A) Injury to or death of any person.

(B) Damage to any vehicle involved to the extent that it cannot be driven under its own power in its customary manner without further damage or hazard to the vehicle, to other traffic elements, or to the roadway, and therefore requires towing.

Department—The Department of Transportation of the Commonwealth.

85th percentile speed—The speed that is exceeded by only 15% of the drivers during free-flowing conditions.

Engineering and traffic study—An orderly examination or analysis of physical features and traffic conditions conducted in accordance this title and conforming to generally accepted engineering standards and practices for the purpose of ascertaining the need or lack of need for a particular action by the Department or local authorities.

Expressway—A divided arterial highway for through traffic with partial control of access and generally with grade separations at major intersections.

Freeway—A limited access highway to which the only means of ingress and egress is by interchange ramps.

Grade—The up or down slope in the longitudinal direction of the highway, expressed in percent, which is the number of units of change in elevation per 100 units of horizontal distance. An upward slope is a positive grade; a downward slope is a negative grade.

Highway—

(i) The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(ii) The term includes a roadway open to the use of the public for vehicular travel on grounds of a college or university, or public or private school, or public or historical park.

Local authorities—

(i) County, municipal, and other local boards or bodies, and State agencies, boards and commissions other than the Department, having authority to enact regulations relating to traffic.

(ii) The term includes governing bodies of colleges, universities, public and private schools, public and historical parks, and airport authorities except when those authorities are within counties of the first class or counties of the second class.

MUTCD—The current edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways*, published by the Federal Highway Administration, and available from the Superintendent of Documents, United States Government Printing Office, Washington, D. C. 20402.

Night or nighttime—The time from 1/2 hour after sunset to 1/2 hour before sunrise.

Numbered traffic route—A highway that has been assigned an interstate, United States or Pennsylvania route number.

Official traffic control devices—Signs, signals, markings and devices consistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

Roadway—That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder. In the event a highway includes two or more separate roadways the term "roadway" refers to each roadway separately but not to all roadways collectively.

Safe-running speed—The official speed limit as posted by signs or, in the absence of a posted speed limit, average speed for a portion of a highway determined by making a minimum of five test runs in each direction and periodically recording the operating speed at different locations while driving at a speed which is reasonable and prudent, giving consideration to the available sight distance, spacing of intersections, roadside development, environment and other conditions.

School—A facility for education wherein a resident of this Commonwealth can fulfill compulsory school requirements, including kindergarten through grade 12.

School zone—A portion of a highway that abuts a school property and is used by students to walk to or from school.

Secretary—The Secretary of the Department.

State-designated highway—A highway or bridge on the system of highways and bridges over which the Department has assumed or has been legislatively given jurisdiction.

Through highway—

(i) A highway or portion of a highway on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right-of-way in obedience to a Stop Sign (R1-1), Yield Sign (R1-2) or other official traffic control device when the signs or devices are erected as provided in this title.

(ii) The term includes all expressways and freeways.

Traffic calming—Traffic calming is the combination of primarily physical measures taken to reduce the negative

effects of motor vehicle use, alter driver behavior and improve conditions for nonmotorized street users. The primary objectives of traffic calming measures are to reduce speeding and to reduce the volume of cut-through traffic on neighborhood streets.

Traffic control plan—A plan for maintaining traffic through or around a work area.

Warrant—A specific threshold condition, either visually observed or determined based on the results of data collection including traffic counts or physical measurements, used to authorize but not mandate, the installation of traffic signals, Stop Signs (R1-1), Multiway Stop Signs, Yield Signs (R1-2) and other traffic control devices.

§ 212.2. Adoption of Federal standards.

(a) *General provisions.* Consistent with the authority contained in 75 Pa.C.S. §§ 6103(c) and 6121 (relating to promulgation of rules and regulations by the Department; and a uniform system of traffic-control devices), the Department hereby adopts the most recent edition of the MUTCD, as published by the Federal Highway Administration. The MUTCD is adopted in its totality except where this chapter clearly indicates that it is not being adopted, or that additional warrants or criteria are being provided.

(b) *Modification of Federal statutes, regulations or provisions.* As provided in 75 Pa.C.S. § 6103(d), if the MUTCD is amended or modified by the Federal Highway Administration, the amendment will take effect unless the Department publishes a notice in the *Pennsylvania Bulletin* stating that the amendment or modification does not take effect.

§ 212.3. Pennsylvania's Supplement to the Manual on Uniform Traffic Control Devices for Streets and Highways.

The Department will publish a supplement to the MUTCD. The supplement will include additional requirements for official traffic control devices contained in this chapter, and include additional guidance information, which will be clearly marked as such.

§ 212.4. Application.

(a) *General.* This chapter applies to the approval, location, installation, revision, operation, maintenance and removal of all traffic signs, signals, markings and other traffic control devices on all streets and highways in this Commonwealth. All signs, signals, markings and other traffic control devices erected shall conform to this chapter. Traffic restrictions, which were previously posted or erected in accordance with the regulations in effect at that time, are not subject to this chapter, providing the Department or local authorities have on file evidence that the traffic restrictions were so posted or erected in accordance with then-current regulations.

(b) *New restrictions.*

(1) The establishment or revision of a traffic restriction may be warranted if one of the following applies:

(i) One or more of the engineering and traffic study warrants covered in this chapter justifies the traffic restriction.

(ii) Sound engineering judgment based upon a combination of all data sources substantiates the need for the restriction.

(2) The fact that a warrant for a particular traffic control device is met is not in itself conclusive justification for the installation of the device.

(c) *Removal of an existing restriction.* The removal of an existing traffic restriction may be warranted if one of the following applies:

(1) A study indicates that none of the engineering and traffic study elements covered in this chapter justify the existing traffic restriction.

(2) The condition that originally justified the restriction no longer exists.

(d) *Traffic control during emergencies.* During National, State or local emergencies including, floods, fires, hurricanes, tornadoes, earthquakes, sink holes and bridge collapses, the Department on State-designated highways and local authorities on highways under their jurisdiction may suspend existing restrictions or effect temporary restrictions without an engineering and traffic study as provided in 75 Pa.C.S. §§ 6108 and 6109(a)(20) (relating to power of Governor during emergency; and specific powers of department and local authorities). These temporary restrictions shall expire at the end of the emergency.

§ 212.5. Erection and maintenance responsibilities.

(a) *State-designated highways.* Local authorities may not install, revise or remove any traffic control device on a State-designated highway that is an expressway or a freeway or on any approach to an expressway or a freeway, or within the limits of any Department construction project without the Department's written approval. On other highways, local authorities shall obtain Department approval before installing, revising or removing any official traffic control device on a State-designated highway or on a local highway at its intersection with a State-designated highway, except as follows:

(1) First and second class cities are responsible for the installation, revision and removal of all official traffic control devices, unless an agreement between the city and the Department requires Department approval.

(2) Local authorities are responsible for the installation, revision, removal, maintenance and operation of any of the following official traffic control devices without Department approval:

(i) Stop Signs (R1-1) on local roadways intersecting State-designated highways.

(ii) Do Not Enter signs (R5-1), One-Way signs (R6 Series) and other prohibitions on intersecting local roadways.

(iii) Stopping, standing or parking signs (R7 and R8 Series).

(iv) Parking meters and parking meter plaques or signs.

(v) Street name signs and advance street name signs (D3 Series).

(vi) School signs (S series).

(vii) Crosswalk markings.

(viii) Stop lines at approved Stop Signs (R1-1).

(ix) Curb markings.

(x) Parking stall markings, except angle parking.

(3) Local authorities other than first and second class cities, or other agencies as indicated, are responsible for installing and maintaining the following types of signs after approval to erect the signs has been obtained from the Department:

(i) Speed Limit Signs (R2-1) for all speed limits of 35 miles per hour or less except on freeways, in Department rest areas and welcome centers, within Department weigh stations, and for hazardous grade and bridge speed limits.

(ii) Pedestrian group signs (R9 Series).

(iii) Traffic signal group signs (R10 Series).

(iv) Street Closed () to () Sign (R11-10).

(v) Snowmobile Road () Closed to All Other Vehicles Sign (R11-11).

(vi) All Trucks Must Enter Weigh Station Sign (R13-1), except Department owned and operated weigh stations.

(vii) Railroad Crossbuck Sign (R15-1) and Track Sign (R15-2), which shall be installed by the railroad company.

(viii) Signal Ahead Sign (W3-3).

(ix) Children group signs (W15 Series).

(x) Entrance and crossing signs (W11 Series), except W11-3, W11-3A, W11-11, W11-21, W11-21-1 and W11-21-2 signs.

(xi) Parking Area Sign (D4-1).

(xii) Weigh Station signs (D8 Series), except Department owned and operated weigh stations.

(xiii) Telephone With Arrow Sign (D9-1A) and Telephone () Mile Sign (D9-1B), which shall be installed by the telephone company.

(xiv) Traffic Signal Speed Sign (I1-1).

(xv) Trail group signs (I4 Series).

(xvi) Bicycle Route Sign (D11-1).

(xvii) Snowmobile and all terrain vehicles group signs (I12 Series).

(xviii) School signs (S Series) and school zone speed limits.

(4) Local authorities are responsible for installing and maintaining the signs as may be provided in an agreement between the local authority and the Department.

(5) Traffic control devices installed by the Department or by a contractor for the Department may not be removed without the Department's written approval.

(6) Police officers may install temporary signs without Department approval to close highways in emergencies or to weigh vehicles, perform sobriety checkpoints or conduct other enforcement programs.

(b) *Local highways.* As provided in 75 Pa.C.S. § 6122 (relating to authority to erect traffic control devices), local authorities are responsible for the installation, revision, removal, operation and maintenance of any official traffic control device on highways under their jurisdictions, except that local authorities shall obtain Department approval before:

(1) Installing, revising or removing any school zone speed limit or traffic signal on local highways, except in first and second class cities or by local authorities that have municipal traffic engineering certification in accordance with Chapter 205 (relating to municipal traffic engineering certification).

(2) Revising or removing any traffic control device installed in accordance with an agreement between the local authorities and the Department.

§ 212.6. Removal of interfering lights.

The Secretary and local authorities, in their respective jurisdictions, shall have the authority to cause the removal of all colored or flashing light signs or other lights, signs, or markings so located as to interfere with traffic or to be confused with or to obstruct the view or effectiveness of official traffic control devices.

§ 212.7. Signs and banners across or within the legal limits of a State-designated highway.

(a) *Prohibition.* It is unlawful to place any sign, marking or banner containing advertising matter of any kind on, across, or within the right-of-way of any State-designated highway without the written consent of the Department.

(b) *Abatement.* A sign marking or banner containing advertising matter placed without the written consent of the Department will be declared to be a public nuisance and may be removed by the Department with or without notice to the persons responsible for the placing of the sign, marking or banner containing advertising matter.

§ 212.8. Use, test, approval and sale of traffic control devices.

(a) *Legislative requirements.* 75 Pa.C.S. § 6127 (relating to dealing in nonconforming traffic-control devices) makes it unlawful for a person to manufacture, sell, offer for sale or to lease for use on the highway any traffic control device unless it has been approved and is in accordance with this title.

(b) *Devices requiring Department approval.* Department approval is required prior to the sale or use of the following types of traffic control devices on any highway:

- (1) Retroreflective sheeting materials used for all traffic control devices.
- (2) Traffic signs and associated supports.
- (3) Pavement marking materials including paint, epoxy, polyesters, methyl, methacrylate, thermoplastic, preformed tapes and glass beads.
- (4) Delineation devices, including flexible delineator posts, guide rail and barrier-mounted delineators, retroreflective pavement markers and center-mount delineators.
- (5) Yield to pedestrian channelizing devices, which are designed for placement between lanes of traffic to remind motorists to yield to pedestrians in crosswalks.
- (6) Traffic signal equipment, including the following:
 - (i) Controllers and flasher units.
 - (ii) Vehicle and pedestrian detector units.
 - (iii) Vehicle, pedestrian and lane direction control signals, including audible traffic pedestrian signals.
 - (iv) Electrically-powered signs, except for guide and information type signs included in Department construction contracts and covered by detailed specifications.
 - (v) Signal preemption equipment controlled from emergency or authorized vehicles.
 - (vi) Dimming devices.
 - (vii) Local intersection coordinating units.
 - (viii) Auxiliary or minor phase traffic signal controllers.
 - (ix) External traffic signal controller timers.
- (7) The following work zone traffic control devices:
 - (i) Attenuators.

- (ii) Barricades.
- (iii) Citizen band traffic alert radios.
- (iv) Drums.
- (v) Flashing arrow panels.
- (vi) Portable barriers.
- (vii) Portable traffic control signals.
- (viii) Portable traffic sign supports.
- (ix) Portable variable message signs.
- (x) Traffic cones.
- (xi) Tubular markers.
- (xii) Vertical panels.
- (xiii) Warning lights.

(c) *Approval procedure.* A manufacturer or person desiring approval for the sale, use or lease of one or more of the devices listed in subsection (b) shall contact the Bureau of Highway Safety and Traffic Engineering, Commonwealth Keystone Building, 400 North Street, 6th Floor, Harrisburg, Pennsylvania 17120-0064 (mailing address Post Office Box 2047, Harrisburg, Pennsylvania 17105-2047, telephone (717) 787-3620).

(d) *Listing of approved traffic control devices.* Approved traffic control devices will be listed in the Department's *Approved Construction Materials* (Department Publication 35), available from the Department of Transportation Sales Store, Post Office Box 2028, Harrisburg, Pennsylvania 17105-2028 (or at the Department's website <http://www.dot.state.pa.us>). The Sales Store may also be contacted by telephone at (717) 787-6746, or visited at the Commonwealth Keystone Building, 5th Floor, 400 North Street, Harrisburg, Pennsylvania 17120-0041.

§ 212.9. Traffic calming.

(a) The Department on State-designated highways, and local authorities on any highway within their boundaries, may implement traffic calming measures, which shall be installed and maintained in conformance with Pennsylvania's *Traffic Calming Handbook* (Department Publication 383).

(b) Local authorities shall obtain approval of the Department prior to implementing a traffic calming measure on a State-designated highway, except when the Department's handbook provides otherwise or when the Department has entered into an agreement with local authorities that provides otherwise.

§ 212.10. Requests for changes, interpretations or permission to experiment.

A person may submit a request to the Department for a change or an interpretation of the provisions of this chapter, or for approval to use an alternate device or to experiment with a device in a way not provided for in this chapter.

(1) The request shall be submitted in writing to the Bureau of Highway Safety and Traffic Engineering, Post Office Box 2047, Harrisburg, Pennsylvania 17105-2047.

(2) The request shall include sufficient information to allow the Department to make a ruling, or to forward the request to the Federal Highway Administration as may be necessary.

(3) The type of information to be compiled during any experiment shall be stated as a part of the request, and the collection of data shall be a conditional part of the approval.

§ 212.11. Metric measurements.

(a) *General policy.* The Omnibus Trade and Competitiveness Act of 1988, the act of August 23, 1988, Pub. L. No. 100-418, 102 Stat 1107, encourages the use of metric dimensions for the design and deployment of all traffic control devices. The following hard conversion factors may be used for the design and placement of traffic control devices as included herein:

- (1) One inch equals 25 millimeters.
- (2) One foot equals 0.30 meter.
- (3) One mile equals 1.6 kilometers.

(b) *Metric sign messages.* Unless authorized in writing by the Secretary, sign messages on regulatory, warning and guide signs, except for auxiliary signs used for educational purposes, may not display metric units of measurement.

§ 212.12. Department publications.

The Department will publish or make available documents to assist those persons responsible for conducting engineering and traffic studies; manufacturing traffic signs and other traffic control devices; erecting, maintaining and operating traffic control devices; and maintaining traffic in work zones. The following documents will be available from the Department of Transportation Sales Store, Post Office Box 2028, Harrisburg, Pennsylvania 17105-2028. The Sales Store may also be contacted by telephone at (717) 787-6746, or visited at the Commonwealth Keystone Building, 5th Floor, 400 North Street, Harrisburg, Pennsylvania 17120-0041:

(1) *Approved Construction Materials* (Department Publication 35) which contains the list of approved suppliers and specific materials.

(2) *Traffic Control Devices* (Department Publication ###) which contains this chapter, a cross-reference between this chapter and the MUTCD, and an appendix containing additional guidance on the elements of engineering and traffic studies.

(3) *Pavement Marking and Delineation Standards* (Department Publication ###) which contains the drawings designed for use by contractors, local authorities, the Department and its consultants to assist in the application of pavement markings and delineation devices. The publication will include detailed drawings of pavement marking lines and symbols, and the placement of delineation devices at on-ramps, off-ramps and lane drops.

(4) *Pennsylvania Handbook of Approved Signs* (Department Publication 236M) which contains the design and application details of official traffic signs.

(5) *Traffic Control Signing Standards, TC-8700 Series* (Department Publication 111M) which contains the traffic standards which includes detailed guidance for sign legends, expressway and freeway signs, sign spacing and location criteria and sign posts.

(6) *Traffic Signal Design Handbook* (Department Publication 149M) which contains information for use in the design and operation of a traffic signal installation.

(7) *Traffic Signal Standard Drawings, TC-8800 Series* (Department Publication 148M) which contains detailed guidance for the construction of traffic signals, controller assemblies, traffic signal supports, electrical distribution, signal heads and detectors.

(8) *Work Zone Traffic Control Guide* (Department Publication ###) which provides additional suggested traffic control plans for maintaining traffic through highway

construction, maintenance and utility work zones to supplement various situations not included in the MUTCD.

Subchapter B. SIGNS

Sec.

- 212.101. Official signs.
- 212.102. Sign manufacturers.
- 212.103. Sign size.
- 212.104. Retroreflectorization.
- 212.105. Sign posts and mountings.
- 212.106. Additional warrants for Stop Signs (R1-1) and Yield Signs (R1-2).
- 212.107. Except Right Turn Sign (R1-1-1).
- 212.108. Speed limits, except those in work areas or school zones, or on bridges or hazardous grades.
- 212.109. Bridge speed limits.
- 212.110. Hazardous grade speed limits.
- 212.111. Turn restriction warrants.
- 212.112. Signs to prohibit passing.
- 212.113. One-way streets.
- 212.114. Stopping, standing and parking restrictions.
- 212.115. No Turn on Red Sign (R10-11a).
- 212.116. Weight, size and load restrictions.
- 212.117. Street name signs.
- 212.118. Signing of named highways.
- 212.119. General motorist service signs.
- 212.120. Specific service signs.
- 212.121. Recreational and cultural interest area signs.
- 212.122. Tourist-oriented directional signs.

§ 212.101. Official signs.

(a) *Approved signs.* The Department will publish the *Pennsylvania Handbook of Approved Signs* (Department Publication 236M) which includes sign standards that show the shape, color, dimensions, legends, application and placement of official signs. Whenever possible, the handbook will include the same sign design requirements and nomenclature used by the Federal Highway Administration in its *Standard Highway Signs* book. When sign messages are required other than those provided for in the *Pennsylvania Handbook of Approved Signs* the Bureau of Highway Safety and Traffic Engineering may authorize new sign standards. When approved by the Department, these signs shall also be regarded as official signs.

(b) *Existing nonstandard signs.* Official signs shall replace existing signs of nonstandard design or application as rapidly as is economically feasible.

(c) *Unacceptable variations.* Variations in the proportion of symbols, stroke width and height of letters, width of borders or layout of word or symbol messages will be sufficient cause for the Secretary to order the removal or replacement of a sign, but will not be a defense in prosecution for violation of any mandatory traffic control provided by the sign.

§ 212.102. Sign manufacturers.

Only signs manufactured by the Department or a Department-approved sign manufacturer shall be used on any highway. Commercial or municipal sign manufacturers who wish to obtain Department approval to manufacture signs shall request an application from the Bureau of Highway Safety and Traffic Engineering, Commonwealth Keystone Building, 400 North Street, 6th Floor, Harrisburg, Pennsylvania 17120-0064 (mailing address is Post Office Box 2047, Harrisburg, Pennsylvania 17105-2047), telephone (717) 787-3620.

§ 212.103. Sign size.

Signs smaller than the minimum size or larger than the largest size specified on the sign standards in the *Pennsylvania Handbook of Approved Signs* (Department Publication 236M) are not permitted without written approval from the Department.

§ 212.104. Retroreflectorization.

Retroreflective sheeting or other approved retroreflective materials shall be used on all signs that do not have sign illumination, unless the sign standard as included in the *Pennsylvania Handbook of Approved Signs* (Department Publication 236) indicates that the sign does not need to be retroreflective. Type III or higher type retroreflective sheeting is encouraged to improve nighttime visibility of signs, especially for older drivers.

§ 212.105. Sign posts and mountings.

Unless properly protected or beyond the clear zone as defined in the Department's *Design Manual, Part 2*, all sign posts shall be of a Department-approved breakaway design.

§ 212.106. Additional warrants for Stop Signs (R1-1) and Yield Signs (R1-2).

(a) *Through highways.* The Department and local authorities may designate highways as through highways to permit more continuous movement and less delay to the major flow of traffic.

(1) Stop Signs (R1-1) or Yield Signs (R1-2) may be installed at all approaches to the through highway to provide preferential right-of-way at intersections.

(2) The designation of a highway as a through highway does not prevent modification of the right-of-way assignment at intersections of the through highway.

(3) The justification for the modification at a particular intersection will be based on the warrants in the MUTCD and the additional warrants in subsection (b), (c), (d) or (e).

(b) *Stop Signs (R1-1) at intersections.* In addition to the warrants in Section 2B.05 of the MUTCD, 2000 edition (relating to stop sign applications), a Stop Sign (R1-1) may be installed on a channelized right-turn roadway at a signalized intersection where the traffic control signals are not readily visible, and the right-turn roadway does not have separate signals, and a Yield Sign (R1-2) is not appropriate.

(c) *Multiway stop applications.* In addition to the criteria and options warranting multiway stop applications in Section 2B.07 of the MUTCD, 2000 edition (relating to multiway stop applications), the following apply:

(1) The five or more reported crashes in a 12-month period for Warrant B may include both reportable crashes, and nonreportable crashes that are documented in the police files, that occurred during a 12-month period during the most recent 3 years of available crash data.

(2) Multiway stop applications may not be used because of limited sight distance unless there is no practical method of improving the sight distance or reducing the speed limit to satisfy the minimum stopping sight distance values.

(d) *Stop and yield control at locations other than intersections.*

(1) *One-lane bridges and underpasses.* Stop Signs (R1-1) are warranted in advance of a one-lane bridge or underpass when roadway geometry is such that drivers cannot see an approaching vehicle in sufficient time for both vehicles to stop prior to entering the bridge or underpass. If sight distance is not a problem, a Yield Sign (R1-2) with the supplemental To Oncoming Traffic Sign (R1-2-1) may be installed at both ends of a one-lane bridge or underpass.

(2) *Crossings.* Stop Signs (R1-1) may be installed on highways on a temporary basis at officially designated crossings such as construction haul roads. These Stop Signs (R1-1) should only be visible and in effect during the time periods the crossing is being used and should be supplemented with a flashing red beacon for added visibility.

(3) *Private roads and driveways.* Stop Signs (R1-1) or Yield Signs (R1-2) may be installed to control traffic exiting from a private road or driveway onto a highway or to control traffic on the highway at a private road or driveway if the warrants applied at highway intersections are satisfied.

(4) *Truck pulloffs on hazardous grades.* A Stop Sign (R1-1) may be installed within an officially designated truck pull-off area in advance of a hazardous grade indicating the location that trucks are to stop within the pulloff.

(5) *Construction, maintenance or utility operations.* Stop Signs (R1-1) may be installed at both ends of short one-lane construction, maintenance or utility operation to provide self-regulating traffic control providing the one-lane section is not greater than approximately 250 feet in length, excluding tapers, the ADT is not greater than 1,500, and the sight distance is sufficient.

§ 212.107. Except Right Turn Sign (R1-1-1).

When a major traffic movement at an intersection is a right turn, the Except Right Turn Sign (R1-1-1) may be placed below the Stop Sign (R1-1) on that approach to minimize the total delay at the intersection. When this sign is used, Stop Signs (R1-1) are required on all other intersection approaches except for the approach with a corresponding left-turn movement.

§ 212.108. Speed limits, except those in work areas or school zones, or on bridges or hazardous grades.

(a) *General.* This section applies to maximum speed limits established according to 75 Pa.C.S. §§ 3362 and 3363 (relating to maximum speed limits; and alteration of maximum limits).

(b) *Engineering and traffic studies.* Speed limits established in accordance with 75 Pa.C.S. § 3363 may be established in multiples of 5 miles per hour up to the maximum lawful speed. The speed limit should be within 5 miles per hour of the average 85th percentile speed or the safe-running speed on the section of highway, except the speed limit may be reduced up to 10 miles per hour below either of these values if one or more of the following conditions are satisfied:

(1) A major portion of the highway has insufficient stopping sight distance if traveling at the 85th percentile speed or the safe-running speed.

(2) The available corner sight distance on a number of side roads is less than the appropriate minimum stopping sight distance values for through vehicles.

(3) An analysis of crashes indicates that the majority of crashes are related to excessive speed—those crashes with causation factors including driving too fast for conditions, turning without clearance, failing to yield right-of-way—and that the crash rate during a minimum 12-month period is greater than the applicable rate in the most recent high-crash rate or high-crash severity rate table developed by the Department.

(c) *Special speed limits.*

(1) Within rest areas and welcome centers, a 25 mile per hour speed limit may be established without the need for an engineering and traffic study if pedestrians walk across the access roadways between the parking lot and the rest facilities.

(2) Within truck weight stations, an appropriate speed limit may be established without an engineering and traffic study by the authorities in charge to enforce the safety of the operations or to protect the scales.

(d) *Posting of speed limits.* A Speed Limit Sign (R2-1) showing the maximum speed limit shall be placed on the right side of the highway at the beginning of each numerical change in the speed limit. If the new speed limit begins at an intersection, the first Speed Limit Sign (R2-1) should be installed within 200 feet beyond the intersection. The placement of this sign shall satisfy both the requirement to post the beginning of the new speed limit and the requirement to post the end of the previous speed limit. Additional requirements for posting shall be as follows:

(1) All speed limits of 50 miles per hour or less shall be posted as follows:

(i) A Reduced Speed (___) Ahead Sign (R2-5) shall be placed on the right side of the highway 500 to 1,000 feet before the beginning of every speed reduction unless the speed reduction is only 5 or 10 miles per hour, or the speed reduction begins at an intersection and all traffic entering the roadway with the speed reduction has to either stop at a Stop Sign (R1-1) or make a turn.

(ii) Speed Limit Signs (R2-1) showing the maximum speed shall be placed on the right side of the highway at the beginning of the speed limit and at intervals not greater than 1/2 mile throughout the area with the speed limit.

(iii) The end of a speed limit is typically identified by the placement of a sign indicating a new speed limit, but the End Plaque (R2-10) may be placed above a Speed Limit Sign (R2-1) at the end of the zone if the appropriate speed limit is not known on the following section of roadway.

(2) On freeways, a Speed Limit Sign (R2-1) shall be installed after each interchange.

§ 212.109. Bridge speed limits.

(a) *Establishment.* A bridge speed limit shall be established under 75 Pa.C.S. § 3365(a) (relating to special speed limitations) if an engineering investigation establishes the need to reduce the vibration and impact of vehicles due to a structural deficiency of the bridge or elevated structure. A structural engineer shall conduct a structural analysis of the bridge or elevated structure.

(b) *Posting.* An established bridge speed limit shall be posted similar to other speed limits in § 212.108(d) (relating to speed limits except those in work areas or school zones, or on bridges or hazardous grades), except that a Bridge Sign (R12-1-2) shall be mounted directly above each Speed Limit Sign (R2-1) and, if applicable, a Reduced Speed (___) Ahead Sign (R2-5). The sign indicating the beginning of the bridge speed limit should be installed within 50 feet of the beginning of the structure. The end of the bridge or elevated structure shall be the end of the bridge speed limit.

§ 212.110. Hazardous grade speed limits.

(a) *Establishment.* A hazardous grade speed limit shall be established under 75 Pa.C.S. § 3365(c) (relating to special speed limitations) if an engineering and traffic

study establishes the need for all vehicles or vehicles having a gross weight over a designated weight to be limited to a maximum speed on a downgrade.

(1) The designated weight should be based on a review of any operational problems that vehicles have when either ascending or descending the grade.

(2) When a hazardous-grade speed limit is established, it should be consistent with the speed that similar vehicles can climb the hill, except that a hazardous-grade speed limit may not be greater than the lowest advisory speed or legal speed limit either on the hill or at the base of the hill.

(3) A hazardous-grade speed limit may be established when one or more of the following conditions exist:

(i) The length of grade exceeds the value set forth in the following table:

Average Grade (Percent)	Length of Grade (feet)	
	Condition A*	Condition B**
-3	20,000	—
-4	8,000	16,000
-5	5,000	10,000
-6	3,000	6,000
-7	2,000	4,000
-8	1,800	3,600
-10	1,500	3,000
-12	1,250	2,500
-15	1,000	2,000

* Condition A applies if vehicles are required to stop or reduce speed at or before the bottom of the hill, or if there is an urban district situated at the base of the hill.

** Condition B pertains to all other locations.

(ii) A crash has occurred on the downgrade that can be attributed to the speed of a vehicle having a gross weight in excess of the designated weight.

(iii) A verified report has been received of an operator losing control of a vehicle on the grade, and the vehicle is a type having a gross weight in excess of the designated weight.

(b) *Posting.* A hazardous grade speed limit shall be posted with official traffic control devices as follows:

(1) A Reduced Speed (___) Ahead Sign (R2-5), advising of the maximum hazardous grade speed limit, with a Truck Marker (M4-4), or other marker as applicable, mounted directly above the Reduced Speed (___) Ahead Sign (R2-5), shall be placed on the right side of the highway at a distance of 500 to 1,000 feet before the hazardous grade speed limit, except that this advance sign is not required if the hazardous grade speed limit begins at a vehicle pull-off where all applicable vehicles are required to stop.

(2) A Trucks Over (___) Lbs. Speed Sign (R2-2-1), or other sign as applicable, shall be erected at the beginning of the hazardous grade speed zone and at intervals not greater than 1/4 mile throughout the zone.

(3) A Trucks Over (___) Lbs. Speed Sign (R2-2-1), or other sign as applicable, with an End Sign (R2-10) mounted above the Trucks Over (___) Lbs. Speed Sign (R2-2-1) or other sign, shall be installed at the end of the hazardous grade speed limit.

§ 212.111. Turn restriction warrants.

A straight-through or turning movement may be restricted if the movement can be made at an alternate location, and if one or more of the following conditions are present:

- (1) A review of vehicle crashes shows that ten crashes have occurred during the previous 3 years, or five crashes have occurred during any 12-month period in the previous 3 years that can be attributed to vehicles making or attempting to make the movement.
- (2) When a capacity analysis or field review of the intersection indicates that turning or crossing vehicles are causing unreasonable delays or creating a potential crash problem for through vehicles.
- (3) When a field review of the intersection indicates that significant conflicts occur between vehicles making or attempting to make a particular movement and other vehicular or pedestrian movements.
- (4) When a field review of the intersection indicates that a turn or straight-through movement delays the platoon of vehicles through a progressive signal system.
- (5) When a field review of the intersection indicates that the geometric design or the available sight distance does not adequately provide for the movement, or the movement frequently cannot be safely executed.
- (6) A study shows that the turning movement is frequently being made by through traffic onto a residential street to avoid downstream congestion.

§ 212.112. Signs to prohibit passing.

The No Passing Zone Pennant (W14-3) is the primary sign to identify the beginning of a no-passing zone on a two-lane highway and shall be installed on the left side of the road. The Do Not Pass Sign (R4-1) may be installed on the right side of the roadway to supplement the No Passing Zone Pennant Sign (W14-3). The Pass With Care Sign (R4-2) may be installed at the end of the no-passing zone. Warrants for no-passing zones are included in § 212.202 (relating to no-passing zones).

§ 212.113. One-way streets.

A one-way street may be established if all of the following conditions are satisfied:

- (1) The traffic volume demand can be accommodated in both directions. Whenever possible, an adjacent parallel street should be used to form a one-way couplet.
- (2) The street has a reasonable number of intersections for entrance to or exit from the one-way street or one-way system.
- (3) The roadways at the terminal points of the one-way street provide satisfactory transitions to and from the two-way operation.
- (4) There will be a reduction of intersection delays.
- (5) Existing mass transit routes can be satisfactorily accommodated.
- (6) Emergency vehicles can reasonably and expeditiously reach their destinations.

§ 212.114. Stopping, standing and parking restrictions.

(a) *General.* Stopping, standing or parking may be restricted along the curb or edge of a roadway when one or more of the following conditions exist:

- (1) The distance between the center of the center line pavement markings (or the center of the roadway if

center line pavement markings are not present) and the curb or edge of roadway is less than 19 feet on major arterial highways, or less than 18 feet on other roadways.

- (2) The street width is such that, if vehicles are parked along one or both curb faces or edges of the roadway, two vehicles cannot move abreast of one another in the same or the opposite direction without one yielding to allow the other vehicle to pass.

- (3) A capacity analysis indicates that parking should be removed at all times or during certain hours to accommodate the traffic volume.

- (4) At an intersection, the available corner sight distance for a driver on the minor road is less than the appropriate minimum stopping sight distance value for the driver on a through roadway.

- (5) An analysis of vehicle crashes indicates that at least three crashes during the previous 3-year period have been directly or indirectly attributed to one of the following primary causes:

- (i) Vehicles parking on the roadway.
- (ii) Vehicles entering or leaving the parked position.
- (iii) Drivers or passengers getting out of parked vehicles on the street side.
- (iv) Reduced sight distance due to the parked vehicles.

- (6) The area is designated as an official bus stop or as a loading and unloading zone.

- (7) The area is adjacent to or opposite of a fire station driveway or any other type driveway or intersection where turning maneuvers would be restricted if parking were present.

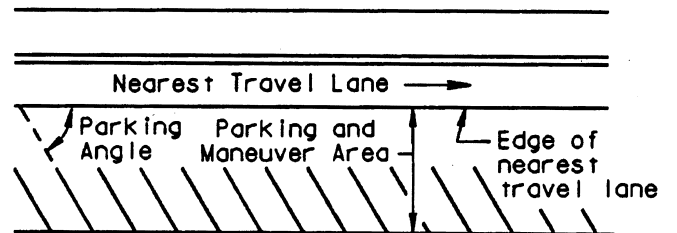
- (8) The width of the shoulder is not sufficient to allow a vehicle or its load to park completely off the roadway.

(b) *Angle parking.* As defined in § 212.1 (relating to definitions), angle parking shall only be authorized as follows:

- (1) New angle parking may be established only along streets where the following criteria are satisfied:

- (i) The parking and maneuver area, as shown in the diagram below, adjacent to the near edge of the nearest travel lane equals or exceeds the distance indicated in the following table:

<i>Parking Angle (degrees)</i>	<i>Parking and maneuver area (feet)</i>
30	26
45	30
60	37
90	43



- (ii) Parked vehicles do not adversely affect intersection sight distance.

(iii) Additional travel lanes are not required for the existing traffic volumes to achieve a satisfactory level of operation.

(iv) Parking stalls will be adequately marked and spaced.

(v) Pedestrian activity is minimal within the parking maneuver area.

(2) It is recommended that existing angle parking be eliminated if an analysis of vehicle crashes indicates that the parking-related crash rate within the area of existing angle parking is greater than the rate on similar portions of the same street or other streets within the same municipality which have parallel parking.

(c) *Parking meters.* When parking is permitted, local authorities may install parking meters and appropriate pavement markings to designate parking stalls. The hours of effectiveness of parking meters shall be indicated either on the meter or within the dome of the meter, but official traffic signs shall be erected to indicate hours when parking is prohibited.

(d) *Prohibition of kinds and classes.* When parking is permitted, local authorities or the Department may prohibit certain kinds and classes of vehicles from parking for safety, capacity or environmental reasons. Official signs shall indicate the prohibitions.

(e) *Parking reserved for persons with disabilities.* The Reserved Parking Penalties Sign (R7-8B) shall be installed below all Reserved Parking Signs (R7-8), as provided in 75 Pa.C.S. § 3354(d)(2) and (3)(i) (relating to handicapped persons and severely disabled veterans).

(f) *Miscellaneous restrictions.* Local authorities or the Department may restrict or regulate parking without an engineering and traffic study, to facilitate construction, maintenance or utility operations; to eliminate long-term parking or parking in excess of a specified time limit; to provide for reserved parking spaces; to provide for snow emergency routes; or to provide for mail delivery or pickup. Restrictions for the elimination of long-term parking shall apply only during short periods of time such as early morning hours when it will not seriously inconvenience local residents.

(g) *Double parking.* When parking is permitted, local authorities may, by local ordinance without an engineering and traffic study, authorize double parking (standing or parking on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway) for the purpose of loading or unloading persons or property. On State-designated highways, double parking is not permitted without written approval of the Department.

(h) *Authority.* Local authorities may establish, revise or remove stopping, standing or parking restrictions on State-designated highways within their physical boundaries. Department approval is required prior to revising or removing any stopping, standing or parking restriction if the restriction meets one of the following conditions:

- (1) Established in conjunction with a State or Federal aid project.
- (2) Requested or posted by the Department for safety or capacity reasons.
- (3) Included as a condition on a traffic signal permit.

§ 212.115. No Turn on Red Sign (R10-11a).

(a) *Warrants for no-turn-on-red restrictions.* The following warrants for no-turn-on-red restrictions may be used

in place of the warrants in Section 2B.40 of the MUTCD, 2000 edition (relating to traffic signal signs).

(1) A right turn on red, or left turn on red from a one-way highway to another one-way highway, may be prohibited from an intersection approach where an engineering and traffic study indicates that one or more of the following conditions exist:

(i) The sight distance to vehicles approaching on the cross street is less than the minimum shown on the following table:

<i>Cross street speed limit (mph)</i>	<i>Minimum sight distance* (feet)</i>
20	120
25	150
30	190
35	220
40	270
45	320
50	360
55	410

* Sight distance is measured from a location 10 feet before a marked pedestrian cross walk, or, if none, 10 feet from the edge of the cross street pavement or curb line.

(ii) The intersection has more than four approaches or has restrictive geometry likely to cause conflicts not easily identified by drivers.

(iii) The turning movement is allowed from more than one lane on a specific approach.

(iv) The vehicular turning movement would result in significant vehicular and pedestrian conflicts such as locations where the crosswalk is designated as a school crossing or is used by large numbers of children, senior citizens or persons with physical disabilities. A no-turn-on-red restriction at these locations shall only apply during the time periods that significant vehicular-pedestrian conflicts would occur, in accordance with paragraph (3).

(v) Opposing traffic has unusual movements, such as double left turns, which would not be expected by drivers turning on a red signal.

(vi) An analysis of vehicle crash data indicates that the turn-on-red movement has created an unsafe condition.

(2) Part-time or intermittent prohibition of the turn-on-red movement shall be used at locations where a potential safety problem exists for only a portion of the day. These restrictions shall be implemented by the use of one or more of the following:

(i) A Restricted Hours Panel (R3-20) under the No Turn On Red Sign (R10-11a).

(ii) A supplemental message incorporated directly into the No Turn On Red Sign (R10-11a).

(iii) A sign designating the hours the restriction is effective.

(iv) A blank-out No-Turn-On-Red Sign (R10-11a).

(3) A part-time or intermittent prohibition of the turn-on-red movement, or of the left turn on red from a one-way highway to another one-way highway, may be used at an intersection approach where vehicles turning on red would cross an at-grade railroad crossing within 200 feet and the traffic signal controller is preempted during train movements during the time the signal controller is preempted in accordance with paragraph (2).

(b) *Application.* This section applies to all signalized roadway and driveway intersections along all highways.

(c) *Engineering and traffic studies.* Engineering and traffic studies required by subsection (a)(1) shall be conducted by local authorities. The Department will be responsible for conducting the study as follows:

- (1) In cities of the first and second class.
- (2) At intersections where the traffic signal controller is preempted during train movements for a nearby crossing.
- (3) At new or revised traffic signal installations when the traffic signal is designed by the Department.
- (d) *Department approval.* Written approval of the Department's District Engineer shall be obtained prior to installation of a No Turn on Red Sign (R10-11a) at any intersection where the Department has issued the traffic signal permit.

§ 212.116. Weight, size and load restrictions.

(a) *Weight restriction based on condition of bridge.* Traffic on a bridge may be prohibited or restricted by weight of vehicle, number of vehicles, or kinds or classes of vehicles when warranted by an engineering evaluation. Engineering evaluation of a bridge or bridge component may be based on structural analysis and rating computations, testing, engineering judgment or a combination thereof. Restriction is warranted when one or more of the following conditions are present:

- (1) The safe load capacity of the bridge is exceeded by the load effect of any of the legal load configurations. The safe load capacity of the bridge determined in accordance with Department standards is to be greater than its Inventory Rating Capacity, but is not to exceed its Operating Rating Capacity.
- (2) Engineering judgment indicates that the condition or material of construction of one or more portions or components of a bridge is such that further use by heavy vehicles may damage the bridge because of severe impact, fatigue or other reasons.
- (3) The bridge is damaged due to fire, a vehicle crash or environmental deterioration, and engineering judgment indicates that a vehicle weight restriction is necessary to ensure an adequate level of safety.

(b) *Weight restriction based on condition of highway.* Traffic on a highway may be prohibited or restricted by weight of vehicle, or kinds or classes of vehicles when warranted by an engineering evaluation. Engineering evaluation may be based on structural analysis, testing, engineering judgment or a combination thereof. Restriction is warranted when one or more of the following conditions are present:

- (1) The highway pavement or shoulders have inadequate structural capacity or have been weakened due to deterioration, high traffic volumes or climatic condition, and may be seriously damaged unless a restriction is imposed.
- (2) An engineering evaluation of previous similar climatic conditions on the highway or on similar highways indicates that vehicles over a certain weight should have been prohibited.

(c) *Size restriction based on condition of bridge or highway.* Traffic on a bridge or highway may be restricted by size of vehicle or kinds or classes of vehicles when, after an engineering evaluation, one or more of the following conditions are found to be present:

(1) A bridge has poor alignment, inferior bridge rails or guide rails, substandard horizontal or vertical clearance, or substandard underclearance, or the restriction is otherwise necessary to protect the bridge from vehicle crashes or damage.

(2) A highway has inadequate turning radii, horizontal width or underclearance at one or more locations.

(d) *Weight and size restrictions based on traffic conditions.* Traffic on a highway or bridge may be prohibited or restricted by weight or size of vehicle, or kinds or classes of vehicles when, following an engineering evaluation considering the horizontal and vertical alignment, prevailing traffic speeds, compatibility of the various types of traffic, history of vehicle crashes or vehicular characteristics, it is determined that the movement of certain vehicles constitutes a safety hazard. Restrictions may include weight; height, width or length of vehicles or their loads; types of cargo; speed or gearing; stopping requirements; specified travel lanes; and hours of operation.

(e) *Erection of signs.* Appropriate signs shall be erected within 25 feet of each end of a restricted portion of a highway or bridge whenever vehicles are prohibited under subsection (a), (b), (c) or (d). In the case of a restriction on a highway or bridge which does not begin or end at an intersection with an unrestricted highway, an advance information sign shall also be erected at the intersection nearest each end of the restricted highway or bridge to allow drivers to avoid the restricted highway or bridge.

(f) *Alternate routes.* An alternate route shall be established whenever vehicles are prohibited under subsection (a) or (b) on either a numbered traffic route or a State-designated highway on the National Highway System, as established by the Federal Highway Administration, when the following apply:

- (1) A reasonable alternate route exists which is not readily perceived by drivers.
- (2) The alternate route can legally, safely, structurally and physically accommodate the weight and size of vehicles and their loads that are being detoured.
- (3) Five or more vehicles per day are estimated to be prohibited from using the original route.

§ 212.117. Street name signs.

For street name signs, white lettering on a green background is recommended, but local authorities may use other contrasting colors provided the same colors are used systematically throughout the municipality. To improve sign legibility, upper and lower case lettering is recommended.

§ 212.118. Signing of named highways.

Notwithstanding Section 2D.48 of the MUTCD, 2000 edition (relating to signing of named highways), signs carrying the name of the highway will be permitted at intervals of at least 15 miles on conventional highways.

§ 212.119. General motorist service signs.

The application of general motorist service signs shall be in accordance with the Department's Statewide policy, and will generally be limited to expressways and freeways, except trailblazers from expressways and freeways will be permitted on conventional highways, and hospital symbol signs are permitted on all highways. Symbols shall be as specified in the *Traffic Control Signing Standards, TC-8700 Series* (Department Publication 111M).

§ 212.120. Specific service signs.

(a) The Department may enter into an agreement with a private agency to administer a program for specific service signs for gas, food, lodging, camping and attractions. Specific service signs shall only be installed in accordance with Department policy and only on expressways and freeways, except trailblazers will be authorized on conventional highways as necessary. If a trailblazer is required on a local roadway to direct motorists to a specific business, and the local authority refuses to install or allow others to install the trailblazer on their local highway, specific service signs may not be provided for that business on the expressway, freeway or conventional highway.

(b) Airports may be signed on either major guide signs or on specific service signs at freeway-to-freeway interchanges.

§ 212.121. Recreational and cultural interest area signs.

Recreational and Cultural Interest Signs, as described in Chapter 2H of the MUTCD, 2000 edition (relating to the RG, RM, RA, RL, RW and RS Series signs), shall be authorized for use within any State park, State forest picnic area, Federal recreation area, National forest or public park.

§ 212.122. Tourist-oriented directional signs.

Tourist-Oriented Directional Signs (D7-4) shall be of the size and type specified in the Department's *Handbook of Official Signs* (PennDOT Publication 236M) or as specified in an agreement with the Department, instead of the design included in Chapter 2G of the MUTCD, 2000 edition (relating to tourist-oriented directional signs). The Department may enter into an agreement with an outside entity to administer a program for tourist-oriented directional signs.

Subchapter C. MARKINGS

- Sec. 212.201. Pavement marking standards.
- 212.202. No-passing zones.
- 212.203. Delineation.

§ 212.201. Pavement marking standards.

The Department will publish *Pavement Marking and Delineation Standards* (Department Publication ###) to show additional design details for pavement markings. All pavement markings for lane drops, expressways, freeways, on-ramps and off-ramps, and all pavement marking words and symbols shall conform to the *Pavement Marking and Delineation Standards*.

§ 212.202 No-passing zones.

(a) *Additional warrants on two-lane, two-way highways.* In addition to the sight distance warrant in Section 3B.02 of the MUTCD, 2000 edition (relating to no-passing zone pavement marking and warrants), no-passing zones may be established at the following locations on two-lane, two-way highways with center line pavement markings:

- (1) In advance of a divided highway or an obstruction such as a bridge support pillar, a channelizing island or a safety zone, which separates the two lanes of traffic.
- (2) On or within, and in advance of any bridge, tunnel or underpass designated as a narrow bridge or underpass in accordance with § 212.1 (relating to definitions).
- (3) On and in advance of a railroad grade crossing, Stop Sign (R1-1), Yield Sign (R1-2) or traffic signal.

(4) On the approach to an intersection where passing may be undesirable due to the high number of crossing or turning movements.

(5) Within a school zone.

(6) In areas where an analysis of vehicle crashes shows an unusually high number of passing-related crashes.

(7) In areas where the roadside development includes many driveways and intersections where passing would create frequent potential conflicts.

(8) At locations where the roadway width is very restrictive, shoulders are nonexistent or in poor condition, the roadway cross-section has an excessive crown, or obstacles are close to the roadway.

(9) In areas where a capacity analysis indicates Level of Service D.

(10) At locations where a passing zone would otherwise be less than 400 feet in length or less than two-thirds of the required minimum passing sight distance for the posted speed limit.

(11) At locations where engineering judgment indicates that allowing passing is undesirable because a better passing area exists farther ahead.

(b) *Minimum advance distance.* No passing zones established according to subsection (a)(1)—(5) shall precede the location by the minimum distance noted in the following table:

<i>Speed Limit or 85th Percentile Speed (mph)</i>	<i>Distance (feet)</i>
35 or less	300
40	350
45	400
50	450
55	500

§ 212.203. Delineation.

The 4-foot mounting height specified in Section 3D.04 of the MUTCD, 2000 edition (relating to delineator placement and spacing) is not applicable for guide rail and barrier-mounted delineators.

Subchapter D. SIGNALS

- Sec. 212.301. Purpose.
- 212.302. Traffic-control signals.
- 212.303. Pedestrian-control signals.

§ 212.301. Purpose.

This subchapter sets forth additional guidance and criteria relating to the design, application and operation of traffic signals within this Commonwealth. The *Traffic Standards—Signals TC-8800 Series* (Department Publication 148M) and the *Traffic Signal Design Handbook* (Department Publication 149M) contain additional design details, specifications, checklists and forms.

§ 212.302. Traffic-control signals.

(a) *Operation of traffic-control signals.* Two primary signal heads on each approach shall be flashed during emergency flashing operation. Any other signal heads may be blanked out.

(b) *Warrants.* In addition to the criteria in the MUTCD, the following criteria also apply:

- (1) *Traffic volumes.* The traffic volume for channelized right-turn movements may not be included in any warrant analysis.

(2) *Vehicle crashes.* In Section 4C.08 of the MUTCD, 2000 edition (relating to crash experience), the five or more reported crashes within a 12-month period for Warrant 7 may include both reportable crashes, and nonreportable crashes that are documented in the police files, that occurred within a 12-month period during the most recent 3 years of available crash data.

(3) *ADT volume warrant.* An “ADT volume” warrant is added as “Warrant 9” and may be used in addition to the eight warrants contained in Sections 4C.02 through 4C.09 of the MUTCD, 2000 edition (relating to Warrants 1 through 8). This warrant shall apply at a proposed intersection, an intersection revised by a highway construction project, or at the driveway of a proposed commercial or residential development where vehicle counts cannot be taken. If a traffic signal is installed under this warrant, a traffic count shall be taken within 6 months of the opening of a development or within 2 years of the opening of a highway. If the traffic volumes do not satisfy this warrant or one or more of the other eight warrants, the traffic signal shall be removed. This warrant is satisfied when:

(i) The projected ADT volumes on the major street and on the higher volume minor street or driveway approach to the intersection, when estimated using an accepted procedure such as put forth in the Trip Generation Manual published by the Institute of Transportation Engineers, 525 School Street, S. W., Washington, D.C. 20024, equal or exceed the values in the following table:

<i>Lanes for Moving Traffic on Each Approach</i>		<i>Estimated ADT*</i>	
Major Street	Minor Street	Major Street (both approaches)	Minor Street (one approach)
1	1	10,000	3,000
2 or more	1	12,000	3,000
2 or more	2 or more	12,000	4,000
1	2 or more	10,000	4,000
1	1	15,000	1,500
2 or more	1	18,000	1,500
2 or more	2 or more	18,000	2,000
1	2 or more	15,000	2,000

* Based on the volume projected to be present within 6 months of the opening of the development or within 2 years of the opening of the highway.

(ii) If the 85th percentile speed of the major street traffic exceeds 40 miles per hour or the intersection lies within the built-up area of an isolated community having a population of less than 10,000, this warrant may be met with 70% of the volume requirements of subparagraph (i).

§ 212.303. Pedestrian-control signals.

Pedestrian-control signals provide special types of traffic signal indications for the exclusive purpose of controlling pedestrian traffic. These indications consist of the illuminated symbols of a walking person (symbolizing WALK) and an upraised hand (symbolizing DON'T WALK) or the illuminated words WALK and DON'T WALK.

(1) New pedestrian-control signals shall use symbolized messages.

(2) Signals using word messages may be retained for their useful service life and new replacement signal indications with word messages may be used for maintenance of existing installations with word messages.

Subchapter E. TEMPORARY TRAFFIC CONTROL

- Sec.
- 212.401. General.
- 212.402. Exempt work.
- 212.403. Traffic control plans.
- 212.404. Signs.
- 212.405. Channelizing devices.
- 212.406. Markings.
- 212.407. Impact attenuators.
- 212.408. Rumble strips.
- 212.409. Delineators.
- 212.410. Flaggers.
- 212.411. Portable traffic control signals.
- 212.412. Regulatory speed limits.
- 212.413. Emergency work.
- 212.414. Flagging.
- 212.415. Type D Arrow Panels.
- 212.416. Shadow vehicles.

§ 212.401. General.

This subchapter supplements the criteria in Part 6 of the MUTCD, 2000 edition (relating to temporary traffic control), and shall apply to contractors; Federal, State, county and municipal employees; public utility employees; and others doing applicable construction, maintenance, utility, permit work, or incident management on highways or so close to a highway that workers, equipment, or materials encroach on the highway. Compliance with this subchapter does not relieve the contractor or others of their general responsibility for the protection of the public and the employees in work zones.

§ 212.402. Exempt work.

(a) *General.* The following types of work shall be exempt from the guidelines contained in this chapter and in the MUTCD:

- (1) Snow plowing and other snow or ice control operations.
- (2) Refuse collection, trash collection, leaf pick-up, street cleaning, street sweeping and residential lawn care. Sweeping operations performed as part of a highway construction project are not exempt.
- (3) Operations which do not involve construction, maintenance, permit or utility work, such as mail, newspaper, home fuel or other local deliveries.
- (4) Studies or inspections of highway or utility features which may be completed without blocking any part of a travel lane.

(5) Construction, maintenance or utility work in areas outside the highway right-of-way; except when the work is so close to the highway that workers, equipment or materials encroach on the highway.

(6) Construction, maintenance or utility work behind a guide rail, more than 2 feet behind a curb or 15 feet or more from the edge of a roadway; except when workers, equipment or materials are between the guide rail or curb and the roadway.

(7) Mowing operations on roads with less than 10,000 vehicles per day and where equipment does not encroach on the roadway.

(8) Traffic data collection.

(b) *Safety considerations.* While the types of work in subsection (a) are exempt from the specific traffic control guidelines of this subchapter, they shall be accomplished in a manner that will provide an adequate degree of safety for the workers and the public.

§ 212.403. Traffic control plans.

Plans for construction projects that are competitively bid by contractors shall reference or include a traffic control plan. The traffic control plan shall consist of one of the following:

(1) A reference to a specific figure either in the MUTCD or in the Department's Publication entitled *Work Zone Traffic Control Guide* that properly depicts actual site conditions.

(2) A copy of a specific figure either in the MUTCD or the Department's Publication entitled *Work Zone Traffic Control Guide* which has been modified to depict actual site conditions and the necessary traffic control requirements for the specific project.

(3) One or more detailed plan sheets or drawings showing the actual site conditions and traffic control requirements for the specific project.

§ 212.404. Signs.

(a) *Post-mounted signs.* Post-mounted signs or signs on fixed supports shall be installed in accordance with *Traffic Control Signing Standards, TC-8700 Series* (Department Publication 111M).

(1) Post-mounted sign installations shall be of a breakaway or yielding design unless they are adequately placed behind guide rail or median barrier.

(2) Signs may not be mounted on existing utility poles or other structures unless the owner grants written permission and the signs can be properly positioned to convey their messages effectively.

(b) *Portable sign supports.* Portable sign supports shall be of a type approved by the Department.

§ 212.405. Channelizing devices.

(a) *Device consistency.* Channelizing devices used to form a particular taper or a particular longitudinal line of devices shall all be of a single type. For example, cones, drums, barricades and vertical panels may not be intermixed within the same taper or line. The type of device being used in a taper may differ from the type of device being used in a longitudinal section.

(b) *Cones.* Cones may only be used as a channelizing device for operations where work is in active progress. Cones that are only 18 inches high may only be used to protect new pavement markings.

(c) *Yield to Pedestrian Sign.* A Yield to Pedestrian Sign (R9-9), when used, shall be displayed on both the front and the back of the channelizing device.

§ 212.406. Markings.

When lane line and center line pavement markings on more than 250 linear feet of highway are covered or destroyed by construction, maintenance, utility, permit or other work, they shall be replaced, before ending work each day, with standard pavement markings, or with temporary pavement markings as included in Section 6F.66 of the MUTCD, 2000 edition (relating to temporary pavement markings in work zones), unless one of the following conditions is present:

(1) The roadway surface has loose aggregate or a surface texture that will not retain pavement markings including raised pavement markers authorized to be used alone in work areas.

(2) The roadway or portion of a roadway will not be opened to traffic until a later date and pavement marking

patterns will be installed on the roadway or portion of a roadway before reopening the roadway.

(3) The work is on a two-lane, two-way highway that has an ADT of 5,000 or less, and Do Not Pass Signs (R4-1) and No Pavement Marking Signs (W21-16) are installed at the beginning of the work area and alternating at intervals not greater than 1/4 mile within the work area in both directions.

(4) For a period of approximately 2 weeks during which time both of the following occur:

(i) A strip of white temporary pavement marking tape with minimum dimensions of 4 inches wide and 24 inches long, is placed at 40-foot intervals for all lane lines.

(ii) Two strips of yellow temporary pavement marking tape with minimum dimensions of 4 inches wide and 24 inches long, are placed side by side at 40-foot intervals for all center line markings on two-lane, two-way roadways, and Do Not Pass Signs (R4-1) are installed at the beginning of the work area and at intervals not greater than 1/2 mile throughout the work area where the interim markings are used.

§ 212.407. Impact attenuators.

The design and application of temporary impact attenuators shall comply with the *Roadway Construction Standards* (Department Publication 72M) for concrete median barrier and other obstructions.

§ 212.408. Rumble strips.

Temporary bituminous rumble strips may be used to provide an audible warning to alert drivers of a potentially dangerous situation including a median crossover, lane reduction and congested area. Recommended rumble strip designs are available from the Bureau of Highway Safety and Traffic Engineering. When rumble strips are used, it is desirable to extend the rumble strip patterns onto the shoulder whenever possible to discourage drivers from making erratic maneuvers in an attempt to bypass or avoid the rumble patterns.

§ 212.409. Delineators.

The application of delineators shall comply with *Traffic Control Signing Standards TC-8700 Series* (Department Publication 111M).

§ 212.410. Flaggers.

In addition to the requirements of the MUTCD, flaggers shall wear a protective helmet, and a fluorescent orange or a fluorescent yellow-green vest, or a vest with a combination of the two colors.

§ 212.411. Portable traffic control signals.

Portable traffic control signals may be used to control one-lane, two-way traffic. They may also be used for other special applications such as a highway or street intersection with a temporary haul road or equipment crossing. The design and application of portable traffic control signals shall conform with the applicable requirements of the Department's certificate of approval issued to the manufacturer for portable traffic control signals, and with any special requirements defined in the Traffic Control Plan. For these applications, it may be desirable to use traffic-actuated or manual control to compensate for unbalanced traffic flows.

§ 212.412. Regulatory speed limits.

(a) *General.* Regulatory speed limits in work areas, and in the area in advance of the work area where traffic queues are anticipated may be established as follows:

(1) A regulatory speed limit up to 15 miles per hour below the normal speed limit may be established without an engineering and traffic study, provided the reduced regulatory speed limit is at least 25 miles per hour. Regulatory speed limits less than 25 miles per hour or more than 15 miles per hour below the normal speed limit require an engineering and traffic study and the prior approval of the Department for State-designated highways and approval of local authorities for local highways. To qualify for an additional speed limit reduction, the engineering and traffic study shall indicate that traffic queues, erratic maneuvers, high vehicle crash rates or undesirable working conditions exist on the project or have existed on similar projects.

(2) Reduced regulatory speed limits shall be signed with Work Area Speed Limit Signs (R2-2-2) spaced not greater than 1/2 mile apart throughout the limits of the reduced speed limit zone. Conflicting regulatory or warning signs shall be removed, covered, folded or turned so that they are not readable by oncoming traffic whenever the reduced regulatory speed limit is in effect.

(3) An End Road Work Sign (G20-2A), an End Work Area Sign (G20-3) or a Speed Limit Sign (R2-1) showing the speed limit on the section of highway following the work zone shall be positioned at the end of the reduced regulatory speed limit area to show the end of the reduced speed limit.

(b) *Variable speed limits.* In an effort to avoid unnecessary speed restrictions, variable speed limits are encouraged in lieu of static signs. These speed limits may be remotely controlled, either manually or by a computer using hardware and software to monitor functions such as traffic speeds, volumes, densities and queues.

§ 212.413. Emergency work.

(a) *General.* Emergency work may be initiated without prior compliance with the traffic control provisions specified by this subchapter, provided the foreman or lead worker implements all available safety measures, and the traffic control is brought into compliance with this subchapter as soon as possible. The foreman or lead worker may use flares as attention-getting and warning devices.

(b) *Utility work.* Emergency repair for utility work may be initiated under this section or repair to a utility facility undertaken under Chapter 459 (relating to occupancy of highways by utilities) to repair damage resulting from a vehicle crash or collision with the facility, a failed component or storm damage. Utility service connections or disconnections unrelated to a vehicle crash, a failed component, or storm damage shall otherwise comply with this subchapter.

(c) *Expediting emergency work.* Emergency work may be completed without installation of work zone traffic control devices required by this subchapter, if one of the following exists:

(1) Review of the condition indicates that the emergency work can be completed in less time than it would take to install the work zone traffic control devices, and the work or condition would not create a significant potential hazard.

(2) Work zone traffic control has been set up and it is found that additional work zone traffic control devices are desirable, but that it would take longer to obtain and install additional traffic control devices than it would to complete the work.

§ 212.414. Flagging.

A red flag shall only be used to control traffic in emergencies when a Stop/Slow Paddle (R21-10) is not available, or at intersections where a single flagger is used within an intersection.

§ 212.415. Type D Arrow Panels.

Type D Arrow Panels shall only be used on vehicles during short-term stationary, short duration or mobile operations.

§ 212.416. Shadow vehicles.

When used with a truck-mounted attenuator (TMA), the shadow vehicle shall be loaded to a weight recommended by the manufacturer of the TMA.

Subchapter F. TRAFFIC CONTROLS FOR SCHOOL AREAS

Sec.
212.501. School zone speed limits.

§ 212.501. School zone speed limits.

(a) *Establishment.* A 15 miles per hour school zone speed limit shall be established during the normal hours that students are arriving at or leaving school, in accordance with 75 Pa.C.S. § 3365(b) (relating to special speed limitations). The limits of a school zone may extend beyond the abutting school property line for purposes of improving the visibility of walking students or to encompass a school crosswalk. The length of any school zone may not be greater than 1,600 feet.

(1) Local authorities shall be responsible for conducting an engineering and traffic study for establishment of a school zone and shall provide a copy of the study and a drawing to the Department for approval.

(2) The Department is responsible for approving the establishment of all school zones, including the locations and hours of operation, except local authorities will be responsible for approving school zones at the following locations:

(i) On local highways when the municipality has received municipal traffic engineering certification in accordance with Chapter 205 (relating to municipal traffic engineering certification).

(ii) On State-designated highways when the municipality has entered into an agreement with the Department thereby transferring to the local authorities the authority to install official traffic control devices without specific Department approval.

(iii) On highways in first and second class cities except on expressways.

(b) *Posting.* A school zone speed limit shall be posted on official traffic control devices as follows:

(1) At the beginning of the school zone speed limit, one of the following signs or groups of signs shall be posted either on the right side of the roadway or over the roadway:

(i) A Speed Limit Sign (R2-1) with the appropriate school zone speed limit, with a School Panel (S4-3) mounted above the Speed Limit Sign (R2-1) and a When Flashing Sign (S4-4) mounted below the Speed Limit Sign (R2-1), with two flashing speed limit sign beacons.

(ii) A Speed Limit Sign (R2-1) with the appropriate school zone speed limit, with a School Panel (S4-3) mounted above the Speed Limit Sign (R2-1) and a Restricted Hours Panel (R3-20) mounted below the Speed Limit Sign (R2-1).

(iii) A School Speed Limit When Flashing Sign with a blank-out "15" and flashers as illustrated in the *Traffic Signal Design Handbook* (Department Publication 149M).

(2) An End School Zone Sign (S4-11) shall be posted on the right side of the roadway to define the end of the school zone speed limit.

(3) The limits of a school zone may extend beyond the school property lines to improve the sight distance or to encompass a school crosswalk, except that the length of the zone may not be greater than 1,600 feet.

Subchapter G. SPECIAL EVENTS

Sec.
212.601. Definitions.
212.602. Processions, assemblages and special activities.

§ 212.601. Definitions.

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

Assemblage—An organized gathering of people without vehicles, or with vehicles that are stationary, which encroaches onto a street or highway and interferes with the movement of pedestrian or vehicular traffic. The term includes street fairs, block parties and other recreational events.

Procession—An organized group of individuals, or individuals with vehicles, animals or objects, moving along a highway on the roadway, berm or shoulder in a manner that interferes with the normal movement of traffic. The term includes walks, runs, parades and marches.

Special activity—An organized vehicle race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or any other type of event conducted for the purpose of making a speed record. The term includes those races defined in 75 Pa.C.S. § 3367 (relating to racing on highways).

§ 212.602. Processions, assemblages and special activities.

(a) *Criteria.* The closure or partial closure of a highway for a procession, assemblage or a special activity, may be permitted on local roadways by local authorities and on State-designated highways by the Department if the following criteria are satisfied:

(1) On conventional highways and expressways:

(i) An alternate route, which is not more than 5 miles longer or five times greater in length than the normal travel distance, is established to detour traffic around any closed routes, except an alternate route is not required if one of the following exists:

(A) The highway to be closed is not a numbered traffic route and is primarily used by local drivers who are familiar with the alternate route.

(B) The highway is only partially or periodically closed and police control can safely maintain traffic on the remainder of the highway.

(C) The highway closing is for less than 20 minutes and excessive traffic backup will not occur during the closing.

(ii) The local authorities will provide adequate detour signing or police controls for the rerouting of traffic along the alternate route if required.

(iii) The highway closure or partial closure will not adversely affect adjacent properties.

(iv) A review of previous, similar closures shows no substantial problems or citizen complaints.

(2) On freeways:

(i) The freeway has a minimum of two lanes to move traffic in each direction of flow.

(ii) If a procession, it will orderly and uniformly move along the highway and will be easy to control and regulate by police officers.

(iii) If a procession or assemblage, it will use a maximum of one lane of the highway and police officers can safely maintain traffic on the remainder of the highway.

(iv) Delays for traffic entering or leaving the highway at ramps will not be more than 5 minutes and uniformed police officers will control all delayed traffic.

(v) The Secretary and the Commissioner of the State Police have determined that the procession, assemblage or special activity is in the National, State or regional interest or has National, State or regional significance and can be conducted with greater safety for motorists and procession or special activity participants by using the freeway.

(b) *Use of State-designated highways.* The Department may issue a permit for a procession, assemblage or special activity on a State-designated highway if the criteria in subsection (a) and the following requirements are satisfied:

(1) On conventional highways and expressways, the district engineer may issue a permit for processions, assemblages or special activities. The permit request shall be made in writing by the sponsor, and should be received by the district engineer at least 3 weeks before the proposed event. The request shall include the following items as applicable, a copy of which the sponsor shall also submit to the Commissioner of the State Police:

(i) A map of the proposed routing showing all State Route (SR) numbers and the names of all highways, including terminal points for the special activity.

(ii) The known or anticipated number and type of vehicles or pedestrians that will be in the event.

(iii) The purpose, including the proposed date and duration.

(iv) A statement that the sponsor will agree to reimburse the Commonwealth for all costs for police escort and traffic control services.

(v) A copy of the letter sent from the sponsor of the event to each municipality in which the event is to occur, requesting permission to allow the event.

(vi) A copy of a letter from each municipality in which the event is to occur indicating the following:

(A) Approval of the municipality allowing the sponsor to conduct the event.

(B) That the municipality will agree to fully indemnify, save harmless and, if requested, defend the Commonwealth, Commonwealth departments, and their officers, agents and employees from and against claims, suits or actions for injury, death or property damage arising from or because of the acts or omissions of the sponsor, its officers, agents or employees.

(vii) A statement that the sponsor will fully indemnify, save harmless and, if requested, defend the Commonwealth, Commonwealth departments, and their officers, agents and employees from and against claims, suits or actions for injury, death or property damage arising from

or because of the acts or omissions of the sponsor, its officers, agents or employees. The sponsor shall also name the Department as an additional insured on its liability policies. The liability insurance policies shall be occurrence based and the insurance certificate shall indicate that the insurance is occurrence based.

(2) On freeways, the Secretary may issue a permit for processions, assemblages or special activities. The permit request shall be made in writing by the sponsor, and should be received by the Secretary at least 3 weeks before the proposed partial highway closure. The request shall include the following items as applicable, a copy of which the sponsor shall also submit to the Commissioner of the State Police:

- (i) A map showing the location of the assemblage or the proposed routing of the procession or special activity.
- (ii) The known or anticipated number and type of vehicles or pedestrians that will be in the event.
- (iii) The estimated speed of travel of the procession or special activity.
- (iv) The purpose of the special event, including the proposed date and the duration.
- (v) The reasons the special event should use a freeway, including the safety aspects to both motorists and procession participants.
- (vi) A statement that the sponsor of the procession will agree to reimburse the Commonwealth for all costs for police escort and traffic control services.
- (vii) A statement that the sponsor of the special event will fully indemnify, save harmless and, if requested, defend the Commonwealth, Commonwealth departments and their officers, agents and employees from and against claims, suits or actions for injury, death or property damage arising from or because of the acts or omissions of the sponsor, its officers, agents or employees. The

sponsor shall also name the Department as an additional insured on its liability policies. The liability insurance policies shall be occurrence based and the insurance certificate shall indicate that the insurance is occurrence based.

(c) *Use of local roadways.* Requests to close a local roadway for a procession, assemblage or special activity shall be made in writing to the local authorities at least 3 weeks before the anticipated road closure, except that, if the procession, assemblage or special activity also requires the closure of State-designated highways, the request shall be made in writing to the local authorities at least 2 months before the anticipated road closure.

Subchapter H. MISCELLANEOUS PROVISIONS

Sec.
212.701. Removal of traffic hazards.

§ 212.701. Removal of traffic hazards.

The Department, on State-designated highways, and local authorities, on any highway within their boundaries, may require a property owner to remove or trim a tree, plant, shrub or other obstruction or part thereof which constitutes a traffic hazard. The following are examples of traffic hazards:

- (1) The obstruction restricts the stopping sight distance for drivers of through vehicles or the corner sight distance for drivers entering from side roads or driveways to distances less than the appropriate minimum stopping sight distance values.
- (2) The obstruction critically restricts the sight distance to a traffic control device.
- (3) Vehicle crash records indicate that a crash has involved the obstruction or that the obstruction contributed to one or more of the vehicle crashes.

[Pa.B. Doc. No. 03-708. Filed for public inspection April 18, 2003, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program

The Department of Agriculture (Department) hereby revises the procedures and requirements under which it awards grants under the Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program (program). These procedures and requirements were originally established by a notice published at 30 Pa.B. 4014 (August 5, 2000). The original program provided a formula and mechanism by which the Department could award a reimbursement grant to compensate the owner of a commercial stone fruit orchard for a portion of the economic losses resulting from a Department-issued order to destroy and remove stone fruit trees from the orchard and refrain from replanting stone fruit trees for at least 3 years. In summary, this revision to the program: (1) acknowledges it may be necessary, in some instances, to maintain the current replanting ban for at least 2 additional years; and (2) establishes a formula and mechanism for providing partial compensation for economic losses attributable to the 4th and 5th years of this replanting ban. This notice also restates statutory authority and provides background information.

Authority

Section 208 of the General Appropriation Act of 2002 (act of June 29, 2002) (P. L. _____, No. 7a) appropriates the sum of \$3.1 million to the Department for fruit tree indemnity payments related to the Plum Pox Virus (PPV) and costs related to disease eradication and other prevention and control measures.

Background

PPV is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, cherries, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable. PPV has the potential to cause serious damage to the stone fruit production and stone fruit nursery industries within this Commonwealth. PPV is transmitted from infected trees by aphids and by budding or grafting with PPV-infected plant material. There is no known control for PPV other than the destruction of infected trees. PPV is not known to exist anywhere in the United States except in parts of Adams, Cumberland, Franklin and York Counties.

The Plant Pest Act (act) (3 P. S. §§ 258.1—258.27) provides the Department broad authority with respect to the identification, containment and eradication of plant pests in this Commonwealth. The Department has—under authority of the act—established PPV-related quarantines in parts of Adams, Cumberland, Franklin and York Counties. There are a number of commercial stone fruit production orchards within the quarantined area. Where PPV has been detected in a commercial stone fruit orchard, or where the orchard is near a location where PPV is known to be present, the Department has ordered the destruction and removal of the stone fruit trees and prohibited replanting of stone fruit trees until the quarantine is rescinded. Initially, both the Department and the United States Department of Agriculture (USDA) felt

the quarantine could be lifted following a 3-year stone fruit replanting ban within the quarantined area. It is now apparent the replanting ban needs to remain in effect for at least 2 additional years.

The objective of the program is to provide owners of affected commercial stone fruit production orchards reimbursement grants of 15% of the economic losses they sustain as a result of the destruction of stone fruit trees as part of the Department's PPV eradication effort. The program complements a similar initiative of the USDA to reimburse these owners 85% of these losses. The Department and the USDA use the same economic calculations in determining the value of destroyed trees and lost crop production. The following economic loss calculations expressed are the same as shall be used in a forthcoming revision to the USDA's reimbursement criteria. In combination, the program and its Federal counterpart seek to reimburse affected commercial stone fruit orchard owners 100% of the calculated amount of economic losses resultant from the removal and destruction of affected stone fruit orchards.

The Program's reimbursement formula assumes that affected commercial stone fruit orchards cannot be replanted with stone fruit trees for 3 years after destruction and removal of the trees at the order of the Department. When the Department detects PPV near a location where stone fruit trees have earlier been destroyed and removed by order of the Department, the starting point of the 3-year ban on replanting for both the site of the most recent detection and the site where stone fruit trees have already been removed must be reset. The initial destruction of PPV-infected orchards occurred in Spring 2000. The most recent detections occurred in 2002. This compels the Department to continue the current replanting ban for at least 2 additional years.

Revised Reimbursement Formula

The Program's original reimbursement formula only allowed for reimbursement of 3 years' lost production. This revision supplements that formula by providing a calculation of the values of an additional 1 or 2 years of economic losses. The values are as follows:

1. If commercial stone fruit trees (any species, any age) are destroyed and removed by order of the Department and stone fruit trees cannot be replanted for 4 years from removal, the value of economic loss between the third and fourth years is \$974 per acre. The Department may pay up to \$146.10 (15% of the \$974 per acre sum) with respect to every acre of affected stone fruit production.

2. If commercial stone fruit trees (any species, any age) are destroyed and removed by order of the Department and stone fruit trees cannot be replanted for 5 years from removal, the value of economic loss between the 3rd and 5th year is \$1,840 per acre (\$974 per acre between the 3rd and 4th years, plus \$866 per acre between the 4th and 5th years). The Department may pay up to \$276 (15% of the \$1,840 per acre sum) with respect to every acre of affected stone fruit production. Of this \$276 per acre cap, \$146.10 is 15% of economic loss between the 3rd and 4th years and \$129.90 is 15% of economic loss between the 4th and 5th years.

A person who has previously received partial reimbursement of economic losses from the Department under the program, or a successor owner of the affected orchard, may apply to the Department for partial reimbursement

of economic losses relating to the 4th and 5th years of the ban on the replanting of stone fruit trees in the quarantined area. As stated, the Department's maximum payment with respect to affected stone fruit acreage is \$146.10 per acre if replanting is prohibited for 4 years and \$276 per acre if replanting is prohibited for 5 years. An owner may elect to receive reimbursement 1 year at a time rather than applying to receive the entire 2-year reimbursement in a single payment.

Obtaining an Application

A person seeking a reimbursement grant under the program for economic losses sustained by virtue of the Department extending a stone fruit replanting ban from 3 years to 4 or 5 years shall apply for the grant using a reimbursement grant application/agreement form provided by the Department. The forms may be obtained through the following contact person.

Contents of Application

An application for a reimbursement grant for economic losses relating to the 4 or 5 years of a Department-ordered stone fruit replanting ban will require the following information of an applicant:

1. The name, address and Federal tax identification number (or Social Security number) of the applicant.
2. Verification that the applicant is an owner of the destroyed stone fruit orchard.
3. A listing of the block numbers of the destroyed stone fruit orchard with respect to which a grant is sought.
4. The stone fruit tree acreage figures described in (3).
5. A signature acknowledging that representations made in the application are true and further acknowledging that the criminal punishments and penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) apply to any false statement made in the application.

Review of Applications

The Department will review and approve or disapprove any complete, timely grant application within 30 days of receipt. The Department will stamp or otherwise identify each grant application to record the date and the order in which these applications are received. The Department

will consider grant applications in the order they are received. The Department will approve a grant application if all of the following criteria are met:

1. The application is complete and provides the Department all the information necessary to a reasoned review of the document.
2. There are sufficient unencumbered funds available from the \$3.1 million appropriation contained in the Appropriation Act of 2002 to fund the grant amount sought in the reimbursement grant application.

Notice of Decision

The Department will, within 10 days of completing its review, inform (whether by mail or other means) a grant applicant of whether the grant application is approved or disapproved. If the application is disapproved, the written notice will specify the basis for disapproval.

Expiration of Appropriation

Any portion of the \$3.1 million appropriation funding the Program that is not used by June 30, 2003, shall lapse into the General Fund. If a grant application is not approved by the Department by that date, it shall be disapproved on the basis that funding has lapsed.

No Right or Entitlement to Funds

The appropriation of funds under the General Appropriation Act of 2002 does not create in any person a right or entitlement to a grant from these funds. Departmental approval of a grant application is the event that establishes entitlement of the applicant to the grant funds sought, provided appropriated funds are available in an amount adequate to fund the grant.

Additional Information/Contact Person

Applications and further information can be obtained by contacting the Department of Agriculture, Attn: Lyle B. Forer, Director, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5203.

DENNIS C. WOLFF,
Acting Secretary

[Pa.B. Doc. No. 03-709. Filed for public inspection April 18, 2003, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 8, 2003.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-1-03	Fulton Financial Corporation, Lancaster, to acquire 100% of voting shares of Premier Bancorp, Inc., Doylestown	Lancaster	Filed

NOTICES**1951**

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-1-03	M & T Bank Corporation, Buffalo, NY, to acquire 100% of the voting shares of Allfirst Financial, Inc., Baltimore, MD, and thereby indirectly acquire Allfirst Trust Company of Pennsylvania, N.A., Harrisburg, PA	Buffalo, NY	Effective
4-8-03	Sun Bancorp, Inc., Lewisburg, to acquire 100% of the voting shares of Steelton Bancorp, Inc., Steelton	Lewisburg	Approved

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-4-03	Gateway Bank of Pennsylvania McMurray Washington County <i>Correspondent:</i>	McMurray	Filed

William J. Burt
625 Robinhood Lane
McMurray, PA 15317

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-8-03	Sun Bank, Lewisburg, and Mechanics Savings Bank, Steelton Surviving Institution— Sun Bank, Lewisburg	Lewisburg	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-31-03	Community Banks Millersburg Dauphin County	275 Clifton Road Westminster Carroll County, MD (Previously listed as 309 Woodward Road)	Opened
4-1-03	Fidelity Savings Bank Pittsburgh Allegheny County	1339 Freedom Road Cranberry Township Butler County	Opened
4-7-03	Altoona First Savings Bank Altoona Blair County	Strawberry Meadows 150 Patchway Road Duncansville Blair Township Blair County	Opened
4-8-03	Patriot Bank Pottstown Montgomery County	155 Shillington Rd. Sinking Spring Berks County (Temporary Branch)	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No Activity.

A. WILLIAN SCHENCK, III,
Acting Secretary

[Pa.B. Doc. No. 03-710. Filed for public inspection April 18, 2003, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Designated Distress Areas

The Department of Community and Economic Development (DCED) gives notice of the designation of distressed communities in accordance with section 1303 of the act of June 29, 1996 (P. L. 434, No. 67), as amended, known as the Job Enhancement Act (73 P. S. Section 400.1303). The listing is effective as of the date of publication and will remain in effect until changed by a notice in the *Pennsylvania Bulletin*. The listing follows as Annex A.

Further information can be obtained from the Department of Community and Economic Development, Commonwealth Keystone Building, 4th Floor, 400 North Street, Harrisburg, PA 17120, (800) 379-7448.

DENNIS YABLONSKY,
Secretary

Annex A

A small business enterprise must be currently located in or will be located in a designated distress area at the conclusion of the CED-funded project to be considered for a loan. Distressed areas include state designated Enterprise Zones, Keystone Opportunity Zones, Keystone Opportunity Expansion Zones, Keystone Opportunity Improvement Zones, Federal Enterprise Communities and Empowerment Zones, Act 47 Communities, cities of the first class, second class, second class A or third class and designated distressed municipalities included on the following list.

Classification of Cities

First Class:	Philadelphia		
Second Class:	Pittsburgh		
Second Class A:	Scranton		
Third Class:	Aliquippa Allentown Altoona Arnold Beaver Falls Bethlehem Bradford Butler Carbondale Chester Clairton Coatesville Connellsville Corry DuBois Duquesne Easton Erie Farrell Franklin Greensburg Harrisburg Hazleton Hermitage	Jeannette Johnstown Lancaster Lebanon Lock Haven Lower Burrell McKeesport Meadville Monessen Monongahela Nanticoke New Castle New Kensington Oil City Pittston Pottsville Reading Shamokin Sharon St. Marys Sunbury Titusville Uniontown	Warren Washington Wilkes-Barre Williamsport York

Qualifying Municipality List Based on Distressed Area Criteria
Source—Census 2000 Summary File 3
Prepared by The Pennsylvania State Data Center
February 19, 2003

- Municipality Name*
Adams County
 Carroll Valley Borough
 Fairfield Borough
 Gettysburg Borough
 Highland Township
 McSherrystown Borough
 Conewago Township
 Freedom Township
 Hamiltonban Township
 Liberty Township

- Municipality Name*
Allegheny County
 Avalon Borough
 Baldwin Borough
 Bellevue Borough
 Blawnox Borough
 Brackenridge Borough
 Braddock Borough
 Braddock Hills Borough
 Brentwood Borough
 Bridgeville Borough

*Municipality Name***Allegheny County—continued**

Name Carnegie Borough
 Chalfant Borough
 Clairton City
 Coraopolis Borough
 Crafton Borough
 Dravosburg Borough
 Duquesne City
 East Deer Township
 East McKeesport Borough
 East Pittsburgh Borough
 Elizabeth Borough
 Elizabeth Township
 Etna Borough
 Glassport Borough
 Harrison Township
 Homestead Borough
 Leetsdale Borough
 McDonald Borough
 McKeesport City
 McKees Rocks Borough
 Millvale Borough
 Moon Township
 Mount Oliver Borough
 Munhall Borough
 Neville Township
 North Braddock Borough
 North Fayette Township
 North Versailles Township
 Oakmont Borough
 Pitcairn Borough
 Pittsburgh City
 Plum Borough
 Port Vue Borough
 Rankin Borough
 Scott Township
 Sharpsburg Borough
 South Versailles Township
 Stowe Township
 Swissvale Borough
 Tarentum Borough
 Trafford Borough
 Turtle Creek Borough
 Verona Borough
 Versailles Borough
 Wall Borough
 West Deer Township
 West Elizabeth Borough
 West Homestead Borough
 West Mifflin Borough
 White Oak Borough
 Wilkinsburg Borough
 Wilmerding Borough

Armstrong County

Apollo Borough
 Applewold Borough
 Atwood Borough
 Boggs Township
 Bradys Bend Township
 Cadogan Township
 Cowanshannock Township
 Dayton Borough
 East Franklin Township
 Elderton Borough
 Ford City Borough
 Ford Cliff Borough
 Freeport Borough
 Hovey Township

*Municipality Name***Armstrong County—continued**

Kiskiminetas Township
 Kittanning Borough
 Leechburg Borough
 Madison Township
 Mahoning Township
 Manor Township
 Manorville Borough
 North Apollo Borough
 North Buffalo Township
 Parker City
 Parks Township
 Perry Township
 Pine Township
 Plumcreek Township
 Rayburn Township
 Redbank Township
 Rural Valley Borough
 South Bend Township
 South Bethlehem Borough
 South Buffalo Township
 Sugarcreek Township
 Valley Township
 Washington Township
 Wayne Township
 West Franklin Township
 West Kittanning Borough
 Worthington Borough

Beaver County

Aliquippa City
 Ambridge Borough
 Baden Borough
 Beaver Falls City
 Big Beaver Borough
 Darlington Borough
 Darlington Township
 Daugherty Township
 East Rochester Borough
 Eastvale Borough
 Ellwood City Borough
 Fallston Borough
 Frankfort Springs Borough
 Freedom Borough
 Georgetown Borough
 Glasgow Borough
 Greene Township
 Hanover Township
 Homewood Borough
 Hookstown Borough
 Hopewell Township
 Koppel Borough
 Midland Borough
 Monaca Borough
 New Brighton Borough
 New Galilee Borough
 Ohioville Borough
 Pulaski Township
 Rochester Borough
 Shippingport Borough
 South Heights Borough
 Vanport Township

Bedford County

Bedford Borough
 Bloomfield Township
 Broad Top Township
 Coaldale Borough
 Colerain Township

*Municipality Name***Bedford County—continued**

Cumberland Valley Township
 East Providence Township
 East St. Clair Township
 Everett Borough
 Harrison Township
 Hopewell Borough
 Hopewell Township
 Hyndman Borough
 Juniata Township
 Kimmel Township
 King Township
 Liberty Township
 Lincoln Township
 Londonderry Township
 Mann Township
 Manns Choice Borough
 Monroe Township
 Napier Township
 New Paris Borough
 Pavia Township
 Pleasantville Borough
 Rainsburg Borough
 St. Clairsville Borough
 Saxton Borough
 Schellsburg Borough
 Snake Spring Township
 Southampton Township
 South Woodbury Township
 West Providence Township
 West St. Clair Township
 Woodbury Borough
 Woodbury Township

Berks County

Bern Township
 Cumru Township
 Jefferson Township
 Kutztown Borough
 Leesport Borough
 Lyons Borough
 Marion Township
 Maxatawny Township
 North Heidelberg Township
 Perry Township
 Reading City
 Richmond Township
 Shoemakersville Borough
 South Heidelberg Township
 Spring Township
 Tulpehocken Township
 Wyomissing Borough

Blair County

Allegheny Township
 Altoona City
 Blair Township
 Catharine Township
 Duncansville Borough
 Greenfield Township
 Hollidaysburg Borough
 Huston Township
 Juniata Township
 Logan Township
 Martinsburg Borough
 Newry Borough
 North Woodbury Township
 Tunnelhill Borough
 Tyrone Borough

*Municipality Name***Blair County—continued**

Williamsburg Borough
 Woodbury Township
Bradford County
 Alba Borough
 Albany Township
 Armenia Township
 Asylum Township
 Athens Borough
 Burlington Borough
 Burlington Township
 Canton Borough
 Canton Township
 Columbia Township
 Franklin Township
 Granville Township
 Herrick Township
 Le Raysville Borough
 Leroy Township
 Litchfield Township
 Monroe Borough
 Monroe Township
 New Albany Borough
 North Towanda Township
 Orwell Township
 Overton Township
 Pike Township
 Ridgebury Township
 Rome Borough
 Rome Township
 Sayre Borough
 Sheshequin Township
 South Creek Township
 Standing Stone Township
 Stevens Township
 Sylvania Borough
 Terry Township
 Towanda Township
 Troy Borough
 Troy Township
 Tuscarora Township
 Warren Township
 Wells Township
 West Burlington Township
 Wilmot Township
 Windham Township
 Wyalusing Borough
 Wyalusing Township
 Wysox Township

Bucks County

Bristol Borough
 Bristol Township
 Middletown Township
 Upper Southampton Township
 Warminster Township

Butler County

Adams Township
 Allegheny Township
 Brady Township
 Bruin Borough
 Butler City
 Butler Township
 Callery Borough
 Cherry Township
 Cherry Valley Borough
 Chicora Borough

*Municipality Name***Butler County—continued**

Clay Township
 Clearfield Township
 Clinton Township
 Concord Township
 Donegal Township
 Eau Claire Borough
 Fairview Borough
 Fairview Township
 Franklin Township
 Harrisville Borough
 Karns City Borough
 Marion Township
 Mars Borough
 Mercer Township
 Muddy Creek Township
 Parker Township
 Penn Township
 Petrolia Borough
 Portersville Borough
 Prospect Borough
 Saxonburg Borough
 Slippery Rock Borough
 Slippery Rock Township
 Valencia Borough
 Venango Township
 Washington Township
 West Liberty Borough
 West Sunbury Borough
 Worth Township

Cambria County

Adams Township
 Allegheny Township
 Ashville Borough
 Barr Township
 Blacklick Township
 Brownstown Borough
 Cambria Township
 Carrolltown Borough
 Cassandra Borough
 Chest Township
 Chest Springs Borough
 Clearfield Township
 Conemaugh Township
 Cresson Borough
 Cresson Township
 Croyle Township
 Daisytown Borough
 Dale Borough
 Dean Township
 East Carroll Township
 East Conemaugh Borough
 East Taylor Township
 Ebensburg Borough
 Ehrenfeld Borough
 Elder Township
 Ferndale Borough
 Franklin Borough
 Gallitzin Borough
 Gallitzin Township
 Hastings Borough
 Jackson Township
 Johnstown City
 Lilly Borough
 Lorain Borough
 Loretto Borough
 Lower Yoder Township
 Middle Taylor Township

*Municipality Name***Cambria County—continued**

Munster Township
 Nanty-Glo Borough
 Northern Cambria Borough
 Patton Borough
 Portage Borough
 Portage Township
 Reade Township
 Richland Township
 Sankertown Borough
 Scalp Level Borough
 South Fork Borough
 Stonycreek Township
 Summerhill Borough
 Summerhill Township
 Susquehanna Township
 Tunnelhill Borough
 Vintondale Borough
 Washington Township
 West Carroll Township
 West Taylor Township
 White Township
 Wilmore Borough

Cameron County

Driftwood Borough
 Emporium Borough
 Gibson Township
 Grove Township
 Lumber Township
 Portage Township
 Shippen Township

Carbon County

Banks Township
 Beaver Meadows Borough
 East Side Borough
 Franklin Township
 Kidder Township
 Lansford Borough
 Lausanne Township
 Lehigh Township
 Lehighon Borough
 Packer Township
 Palmerton Borough
 Parryville Borough
 Penn Forest Township
 Weatherly Borough
 Weissport Borough

Centre County

Bellefonte Borough
 Burnside Township
 College Township
 Curtin Township
 Ferguson Township
 Haines Township
 Howard Borough
 Howard Township
 Huston Township
 Liberty Township
 Miles Township
 Millheim Borough
 Patton Township
 Penn Township
 Philipsburg Borough
 Port Matilda Borough
 Rush Township
 Snow Shoe Borough

*Municipality Name***Centre County—continued**

Snow Shoe Township
 South Philipsburg Borough
 State College Borough
 Taylor Township
 Union Township
 Unionville Borough
 Worth Township

Chester County

Avondale Borough
 Caln Township
 Coatesville City
 Londonderry Township
 Modena Borough
 New Garden Township
 Pocopson Township
 South Coatesville Borough
 West Brandywine Township
 West Chester Borough

Clarion County

Ashland Township
 Beaver Township
 Brady Township
 Callensburg Borough
 Clarion Borough
 Clarion Township
 East Brady Borough
 Elk Township
 Emlenton Borough
 Farmington Township
 Foxburg Borough
 Hawthorn Borough
 Highland Township
 Knox Borough
 Knox Township
 Licking Township
 Limestone Township
 Madison Township
 Millcreek Township
 Monroe Township
 New Bethlehem Borough
 Paint Township
 Perry Township
 Piney Township
 Porter Township
 Redbank Township
 Richland Township
 Rimersburg Borough
 St. Petersburg Borough
 Salem Township
 Shippensburg Borough
 Sligo Borough
 Strattanville Borough
 Toby Township
 Washington Township

Clearfield County

Beccaria Township
 Bell Township
 Bigler Township
 Bloom Township
 Boggs Township
 Bradford Township
 Brady Township
 Brisbin Borough
 Burnside Borough
 Burnside Township

*Municipality Name***Clearfield County—continued**

Chest Township
 Chester Hill Borough
 Clearfield Borough
 Coalport Borough
 Cooper Township
 Covington Township
 Curwensville Borough
 Decatur Township
 DuBois City
 Falls Creek Borough
 Ferguson Township
 Girard Township
 Glen Hope Borough
 Goshen Township
 Graham Township
 Grampian Borough
 Greenwood Township
 Gulich Township
 Houtzdale Borough
 Huston Township
 Irvona Borough
 Jordan Township
 Karthaus Township
 Knox Township
 Lawrence Township
 Lumber City Borough
 Mahaffey Borough
 Morris Township
 Newburg Borough
 New Washington Borough
 Osceola Mills Borough
 Penn Township
 Pike Township
 Pine Township
 Ramey Borough
 Sandy Township
 Troutville Borough
 Union Township
 Wallacetown Borough
 Westover Borough
 Woodward Township

Clinton County

Allison Township
 Avis Borough
 Bald Eagle Township
 Beech Creek Borough
 Beech Creek Township
 Castanea Township
 Chapman Township
 Crawford Township
 East Keating Township
 Flemington Borough
 Greene Township
 Liedy Township
 Lock Haven City
 Logan Township
 Loganton Borough
 Mill Hall Borough
 Noyes Township
 Pine Creek Township
 Renovo Borough
 South Renovo Borough
 Wayne Township
 West Keating Township

*Municipality Name***Columbia County**

Ashland Borough
 Beaver Township
 Benton Borough
 Benton Township
 Berwick Borough
 Bloomsburg Town
 Briar Creek Borough
 Briar Creek Township
 Catawissa Borough
 Catawissa Township
 Centralia Borough
 Cleveland Township
 Conyngham Township
 Fishing Creek Township
 Franklin Township
 Greenwood Township
 Hemlock Township
 Jackson Township
 Locust Township
 Madison Township
 Main Township
 Mifflin Township
 Millville Borough
 Montour Township
 Mount Pleasant Township
 North Centre Township
 Orange Township
 Orangeville Borough
 Pine Township
 Roaring Creek Township
 Scott Township
 South Centre Township
 Stillwater Borough
 Sugarloaf Township

Crawford County

Athens Township
 Beaver Township
 Bloomfield Township
 Blooming Valley Borough
 Cambridge Township
 Cambridge Springs Borough
 Centerville Borough
 Conneaut Township
 Conneaut Lake Borough
 Conneautvillea Borough
 Cussewago Township
 East Fallowfield Township
 East Mead Township
 Greenwood Township
 Linesville Borough
 Meadville City
 North Shenango Township
 Pine Township
 Randolph Township
 Richmond Township
 Rockdale Township
 Rome Township
 Sadsbury Township
 Saegertown Borough
 South Shenango Township
 Sparta Township
 Spartansburg Borough
 Spring Township
 Springboro Borough
 Steuben Township
 Summerhill Township
 Summit Township

*Municipality Name***Crawford County—continued**

Titusville City
 Townville Borough
 Troy Township
 Venango Borough
 Venango Township
 Vernon Township
 West Fallowfield Township
 West Mead Township
 West Shenango Township
 Woodcock Borough
 Woodcock Township

Cumberland County

Carlisle Borough
 East Pennsboro Township
 Lower Allen Township
 Newville Borough
 North Newton Township
 Shippensburg Borough
 Shippensburg Township
 West Pennsboro Township

Dauphin County

Berrysburg Borough
 Elizabethville Borough
 Gratz Borough
 Halifax Borough
 Halifax Township
 Harrisburg City
 Highspire Borough
 Jackson Township
 Jefferson Township
 Lower Paxton Township
 Lykens Township
 Middletown Borough
 Mifflin Township
 Pillow Borough
 Reed Township
 Swatara Township
 Washington Township
 Wayne Township
 Williams Township
 Williamstown Borough

Delaware County

Aston Township
 Chester City
 Chester Township
 Colwyn Borough
 Darby Borough
 Darby Township
 Lower Chichester Township
 Marcus Hook Borough
 Marple Township
 Millbourne Borough
 Radnor Township
 Ridley Township
 Upland Borough
 Upper Chichester Township
 Upper Darby Township
 Yeadon Borough

Elk County

Benezette Township
 Highland Township
 Jay Township
 Johnsonburg Borough
 Millstone Township

*Municipality Name***Elk County—continued**

Ridgway Borough
 Ridgway Township
 Spring Creek Township

Erie County

Albion Borough
 Conneaut Township
 Corry City
 Edinboro Borough
 Erie City
 Greenfield Township
 North East Borough
 North East Township
 Union City Borough
 Venango Township
 Wattsburg Borough
 Wesleyville Borough

Fayette County

Belle Vernon Borough
 Brownsville Borough
 Brownsville Township
 Bullskin Township
 Connellsville City
 Connellsville Township
 Dawson Borough
 Dunbar Borough
 Dunbar Township
 Everson Borough
 Fairchance Borough
 Fayette City Borough
 Franklin Township
 Georges Township
 German Township
 Henry Clay Township
 Jefferson Township
 Lower Tyrone Township
 Luzerne Township
 Markleysburg Borough
 Masontown Borough
 Menallen Township
 Newell Borough
 Nicholson Township
 North Union Township
 Ohiopyle Borough
 Perry Township
 Perryopolis Borough
 Point Marion Borough
 Redstone Township
 Saltlick Township
 Seven Springs Borough
 Smithfield Borough
 South Connellsville Borough
 South Union Township
 Springfield Township
 Springhill Township
 Stewart Township
 Uniontown City
 Upper Tyrone Township
 Vanderbilt Borough
 Washington Township
 Wharton Township

Forest County

Barnett Township
 Green Township
 Harmony Township
 Hickory Township

*Municipality Name***Forest County—continued**

Howe Township
 Jenks Township
 Kingsley Township
 Tionesta Borough
 Tionesta Township

Franklin County

Chambersburg Borough
 Fannett Township
 Mercersburg Borough
 Metal Township
 Peters Township
 Washington Township
 Waynesboro Borough

Fulton County

Ayr Township
 Brush Creek Township
 Dublin Township
 Licking Creek Township
 McConnellsburg Borough
 Taylor Township
 Todd Township
 Valley-Hi Borough
 Wells Township

Greene County

Aleppo Township
 Carmichaels Borough
 Center Township
 Clarksville Borough
 Cumberland Township
 Dunkard Township
 Franklin Township
 Freeport Township
 Gilmore Township
 Gray Township
 Greene Township
 Greensboro Borough
 Jackson Township
 Jefferson Borough
 Jefferson Township
 Monongahela Township
 Morgan Township
 Morris Township
 Perry Township
 Rices Landing Borough
 Richhill Township
 Springhill Township
 Washington Township
 Wayne Township
 Waynesburg Borough
 Whiteley Township

Huntingdon County

Alexandria Borough
 Birmingham Borough
 Brady Township
 Broad Top City Borough
 Carbon Township
 Cass Township
 Cassville Borough
 Clay Township
 Coalmont Borough
 Cromwell Township
 Dublin Township
 Dudley Borough
 Franklin Township

*Municipality Name***Huntingdon County—continued**

Henderson Township
Hopewell Township
Huntingdon Borough
Juniata Township
Lincoln Township
Logan Township
Mapleton Borough
Marklesburg Borough
Mill Creek Borough
Morris Township
Mount Union Borough
Oneida Township
Orbisonia Borough
Penn Township
Petersburg Borough
Porter Township
Rockhill Furnace Borough
Saltillo Borough
Shade Gap Borough
Shirley Township
Shirleysburg Borough
Smithfield Township
Springfield Township
Spruce Creek Township
Tell Township
Three Springs Borough
Todd Township
Union Township
Walker Township
Warriors Mark Township
West Township
Wood Township

Indiana County

Armagh Borough
Armstrong Township
Banks Township
Black Lick Township
Blairsville Borough
Brush Valley Township
Buffington Township
Burrell Township
Canoe Township
Center Township
Cherryhill Township
Cherry Tree Borough
Clymer Borough
Conemaugh Township
Creekside Borough
East Mahoning Township
East Wheatfield Township
Ernest Borough
Glen Campbell Borough
Grant Township
Green Township
Homer City Borough
Indiana Borough
Marion Center Borough
Montgomery Township
North Mahoning Township
Pine Township
Plumville Borough
Rayne Township
Saltsburg Borough
Shelocta Borough
Smicksburg Borough
South Mahoning Township
Washington Township

*Municipality Name***Indiana County—continued**

West Mahoning Township
West Wheatfield Township
White Township
Young Township

Jefferson County

Barnett Township
Beaver Township
Big Run Borough
Brookville Borough
Clover Township
Corsica Borough
Eldred Township
Falls Creek Borough
Gaskill Township
Heath Township
Henderson Township
Knox Township
McCalmont Township
Oliver Township
Perry Township
Pine Creek Township
Polk Township
Porter Township
Punxsutawney Borough
Reynoldsville Borough
Ringgold Township
Rose Township
Snyder Township
Summerville Borough
Sykesville Borough
Timblin Borough
Union Township
Warsaw Township
Washington Township
Winslow Township
Worthville Borough

Juniata County

Beale Township
Delaware Township
Fayette Township
Fermanagh Township
Lack Township
Mifflin Borough
Mifflintown Borough
Milford Township
Port Royal Borough
Spruce Hill Township
Thompsontown Borough
Turbett Township
Tuscarora Township
Walker Township

Lackawanna County

Carbondale City
Carbondale Township
Dalton Borough
Dickson City Borough
Dunmore Borough
Fell Township
Glenburn Township
Jermyn Borough
Jessup Borough
La Plume Township
Mayfield Borough
North Abington Township
Old Forge Borough

*Municipality Name***Lackawanna County—continued**

Olyphant Borough
Scranton City
Taylor Borough
Vandling Borough
West Abington Township

Lancaster County

Columbia Borough
Elizabethtown Borough
Ephrata Borough
Ephrata Township
Lancaster City
Lancaster Township
Manheim Township
Manor Township
Millersville Borough
Mount Joy Township

Lawrence County

Bessemer Borough
Ellport Borough
Ellwood City Borough
Mahoning Township
Neshannock Township
New Beaver Borough
New Castle City
New Wilmington Borough
North Beaver Township
Perry Township
Plain Grove Township
Scott Township
Shenango Township
South New Castle Borough
Taylor Township
Union Township
Volant Borough
Wampum Borough
Washington Township
Wayne Township

Lebanon County

Annville Township
Cold Spring Township
Lebanon City
North Cornwall Township
North Lebanon Township
Union Township

Lehigh County

Allentown City
Bethlehem City
South Whitehall Township

Luzerne County

Ashley Borough
Conyngham Township
Courtdale Borough
Dupont Borough
Duryea Borough
Edwardsville Borough
Exeter Borough
Foster Township
Freeland Borough
Hanover Township
Hazle Township
Hazleton City
Hollenback Township
Jeddo Borough

*Municipality Name***Luzerne County—continued**

Kingston Borough
Luzerne Borough
Nanticoke City
Nescopeck Borough
Nescopeck Township
Newport Township
Pittston City
Plains Township
Plymouth Borough
Pringle Borough
Shickshinny Borough
Sugar Notch Borough
Swoyersville Borough
Warrior Run Borough
West Hazleton Borough
West Pittston Borough
Wilkes-Barre City
Wilkes-Barre Township
Wyoming Borough

Lycoming County

Anthony Township
Brown Township
Cogan House Township
Cummings Township
Franklin Township
Hughesville Borough
Jackson Township
Jersey Shore Borough
Jordan Township
McHenry Township
McIntyre Township
McNett Township
Mifflin Township
Mill Creek Township
Moreland Township
Muncy Borough
Muncy Township
Muncy Creek Township
Penn Township
Piatt Township
Picture Rocks Borough
Pine Township
Porter Township
Salladasburg Borough
Shrewsbury Township
Watson Township
Williamsport City
Wolf Township

McKean County

Annin Township
Bradford City
Bradford Township
Ceres Township
Corydon Township
Eldred Borough
Eldred Township
Foster Township
Hamilton Township
Hamlin Township
Kane Borough
Keating Township
Lafayette Township
Lewis Run Borough
Liberty Township
Mount Jewett Borough

*Municipality Name***McKean County—continued**

Norwich Township
 Otto Township
 Sergeant Township
 Smethport Borough
 Wetmore Township

Mercer County

Coolspring Township
 Deer Creek Township
 Delaware Township
 East Lackawannock Township
 Fairview Township
 Farrell City
 Findley Township
 Fredonia Borough
 French Creek Township
 Greene Township
 Greenville Borough
 Grove City Borough
 Hermitage City
 Jamestown Borough
 Jefferson Township
 Lake Township
 Mercer Borough
 Mill Creek Township
 New Lebanon Borough
 New Vernon Township
 Otter Creek Township
 Perry Township
 Pine Township
 Pymatuning Township
 Salem Township
 Sandy Creek Township
 Sandy Lake Borough
 Sandy Lake Township
 Sharon City
 Sharpsville Borough
 Sheakleyville Borough
 Stoneboro Borough
 West Salem Township
 Wheatland Borough

Mifflin County

Armagh Township
 Bratton Township
 Brown Township
 Burnham Borough
 Granville Township
 Juniata Terrace Borough
 Kistler Borough
 Lewistown Borough
 McVeytown Borough
 Menno Township
 Newton Hamilton Borough
 Oliver Township
 Union Township
 Wayne Township

Monroe County

Coolbaugh Township
 East Stroudsburg Borough
 Stroudsburg Borough

Montgomery County

Abington Township
 Bryn Athyn Borough
 Cheltenham Township
 Collegeville Borough

*Municipality Name***Montgomery County—continued**

East Norriton Township
 Franconia Township
 Lower Merion Township
 Lower Pottsgrove Township
 Lower Providence Township
 Norristown Borough
 Pottstown Borough
 Schwenksville Borough
 Skippack Township
 Springfield Township
 Towamencin Township
 West Norriton Township
 Whitmarsh Township

Montour County

Cooper Township
 Danville Borough
 Liberty Township
 Mahoning Township
 Mayberry Township
 Valley Township
 West Hemlock Township

Northampton County

Bethlehem City
 Easton City

Northumberland County

Coal Township
 Delaware Township
 East Cameron Township
 Kulpmont Borough
 Little Mahanoy Township
 McEwensville Borough
 Marion Heights Borough
 Milton Borough
 Mount Carmel Borough
 Mount Carmel Township
 Northumberland Borough
 Point Township
 Shamokin City
 Sunbury City
 Turbot Township
 Watsontown Borough
 West Cameron Township
 West Chillisquaque Township
 Zerbe Township

Perry County

Blain Borough
 Buffalo Township
 Duncannon Borough
 Howe Township
 Jackson Township
 Juniata Township
 Landisburg Borough
 Miller Township
 New Buffalo Borough
 Newport Borough
 Northeast Madison Township
 Oliver Township
 Penn Township
 Saville Township
 Southwest Madison Township
 Toboyne Township
 Tyrone Township
 Watts Township
 Wheatfield Township

*Municipality Name***Philadelphia County**

Philadelphia City

Pike County

Dingman Township

Milford Borough

Milford Township

Potter County

Abbott Township

Allegany Township

Austin Borough

Bingham Township

Clara Township

East Fork District

Galeton Borough

Genesee Township

Harrison Township

Hebron Township

Hector Township

Homer Township

Keating Township

Oswayo Borough

Oswayo Township

Pike Township

Pleasant Valley Township

Portage Township

Roulette Township

Sharon Township

Shinglehouse Borough

Stewardson Township

Summit Township

Sylvania Township

Ulysses Borough

Ulysses Township

West Branch Township

Wharton Township

Schuylkill County

Ashland Borough

Auburn Borough

Barry Township

Blythe Township

Branch Township

Butler Township

Cass Township

Coaldale Borough

Cressona Borough

Deer Lake Borough

Delano Township

East Brunswick Township

East Norwegian Township

East Union Township

Eldred Township

Foster Township

Frackville Borough

Frailey Township

Gilberton Borough

Girardville Borough

Gordon Borough

Hegins Township

Hubley Township

Kline Township

McAdoo Borough

Mahanoy Township

Mahanoy City Borough

Mechanicsville Borough

Middleport Borough

Minersville Borough

*Municipality Name***Schuylkill County—continued**

Mount Carbon Borough

New Castle Township

New Philadelphia Borough

New Ringgold Borough

North Manheim Township

North Union Township

Norwegian Township

Palo Alto Borough

Pine Grove Township

Port Carbon Borough

Port Clinton Borough

Porter Township

Pottsville City

Reilly Township

Ringtown Borough

Rush Township

Ryan Township

St. Clair Borough

Schuylkill Township

Schuylkill Haven Borough

Shenandoah Borough

Tamaqua Borough

Tower City Borough

Tremont Borough

Tremont Township

Union Township

Upper Mahantongo Township

Walker Township

Wayne Township

West Brunswick Township

West Mahanoy Township

West Penn Township

Snyder County

Adams Township

Beaver Township

Beavertown Borough

Center Township

Chapman Township

Franklin Township

Freeburg Borough

Jackson Township

McClure Borough

Middleburg Borough

Middlecreek Township

Monroe Township

Penn Township

Perry Township

Selinsgrove Borough

Shamokin Dam Borough

Spring Township

Union Township

Washington Township

West Beaver Township

West Perry Township

Somerset County

Addison Borough

Addison Township

Allegheny Township

Benson Borough

Berlin Borough

Black Township

Boswell Borough

Brothersvalley Township

Callimont Borough

Casselton Borough

*Municipality Name***Somerset County—continued**

Central City Borough
 Conemaugh Township
 Confluence Borough
 Elk Lick Township
 Fairhope Township
 Garrett Borough
 Greenville Township
 Hooversville Borough
 Indian Lake Borough
 Jenner Township
 Jennerstown Borough
 Larimer Township
 Lower Turkeyfoot Township
 Meyersdale Borough
 Middlecreek Township
 Milford Township
 New Baltimore Borough
 New Centerville Borough
 Northampton Township
 Ogle Township
 Paint Borough
 Paint Township
 Quemahoning Township
 Rockwood Borough
 Salisbury Borough
 Seven Springs Borough
 Shade Township
 Shanksville Borough
 Somerset Borough
 Somerset Township
 Southampton Township
 Stonycreek Township
 Stoystown Borough
 Summit Township
 Upper Turkeyfoot Township
 Ursina Borough
 Wellersburg Borough
 Windber Borough

Sullivan County

Cherry Township
 Colley Township
 Davidson Township
 Dushore Borough
 Eagles Mere Borough
 Elkland Township
 Forks Township
 Forksville Borough
 Fox Township
 Hillsgrove Township
 Laporte Borough
 Laporte Township
 Shrewsbury Township

Susquehanna County

Apolacon Township
 Ararat Township
 Auburn Township
 Bridgewater Township
 Brooklyn Township
 Choconut Township
 Dimock Township
 Forest City Borough
 Forest Lake Township
 Franklin Township
 Friendsville Borough
 Gibson Township

*Municipality Name***Susquehanna County**

Great Bend Borough
 Great Bend Township
 Hallstead Borough
 Harford Township
 Harmony Township
 Herrick Township
 Hop Bottom Borough
 Jackson Township
 Jessup Township
 Lanesboro Borough
 Lathrop Township
 Liberty Township
 Little Meadows Borough
 Middletown Township
 Montrose Borough
 New Milford Borough
 New Milford Township
 Oakland Borough
 Oakland Township
 Rush Township
 Silver Lake Township
 Springville Township
 Susquehanna Depot Borough
 Thompson Borough
 Thompson Township
 Union Dale Borough

Tioga County

Bloss Township
 Blossburg Borough
 Brookfield Township
 Charleston Township
 Chatham Township
 Clymer Township
 Covington Township
 Deerfield Township
 Delmar Township
 Duncan Township
 Elk Township
 Elkland Borough
 Farmington Township
 Gaines Township
 Hamilton Township
 Jackson Township
 Knoxville Borough
 Lawrence Township
 Lawrenceville Borough
 Liberty Borough
 Liberty Township
 Mansfield Borough
 Middlebury Township
 Morris Township
 Nelson Township
 Osceola Township
 Putnam Township
 Richmond Township
 Roseville Borough
 Rutland Township
 Shippen Township
 Sullivan Township
 Tioga Borough
 Tioga Township
 Union Township
 Ward Township
 Wellsboro Borough
 Westfield Borough
 Westfield Township

*Municipality Name***Union County**

Buffalo Township
 Gregg Township
 Kelly Township
 Lewisburg Borough
 Limestone Township
 New Berlin Borough
 Union Township
 White Deer Township

Venango County

Allegheny Township
 Barkeyville Borough
 Canal Township
 Cherrytree Township
 Clinton Township
 Clintonville Borough
 Cornplanter Township
 Cranberry Township
 Emlenton Borough
 Franklin City
 Frenchcreek Township
 Irwin Township
 Mineral Township
 Oil City City
 Oilcreek Township
 Pinegrove Township
 Pleasantville Borough
 Polk Borough
 President Township
 Richland Township
 Rockland Township
 Rouseville Borough
 Sandycreek Township
 Scrubgrass Township
 Sugarcreek Borough
 Utica Borough
 Victory Township

Warren County

Bear Lake Borough
 Brokenstraw Township
 Cherry Grove Township
 Clarendon Borough
 Columbus Township
 Deerfield Township
 Eldred Township
 Elk Township
 Freehold Township
 Limestone Township
 Mead Township
 Pittsfield Township
 Pleasant Township
 Sheffield Township
 Southwest Township
 Spring Creek Township
 Sugar Grove Borough
 Sugar Grove Township
 Tidioute Borough
 Triumph Township
 Warren City
 Watson Township
 Youngsville Borough

Washington County

Allenport Borough
 Beallsville Borough
 Bentleyville Borough
 Blaine Township

*Municipality Name***Washington County—continued**

Buffalo Township
 Burgettstown Borough
 California Borough
 Canonsburg Borough
 Canton Township
 Carroll Township
 Charleroi Borough
 Claysville Borough
 Coal Center Borough
 Cokeburg Borough
 Deemston Borough
 Donegal Township
 Donora Borough
 Dunlevy Borough
 East Bethlehem Township
 Elco Borough
 Ellsworth Borough
 Finleyville Borough
 Houston Borough
 Long Branch Borough
 Marianna Borough
 Monongahela City
 New Eagle Borough
 North Bethlehem Township
 North Charleroi Borough
 Roscoe Borough
 Somerset Township
 South Strabane Township
 Speers Borough
 Stockdale Borough
 Twilight Borough
 Union Township
 Washington City
 West Alexander Borough
 West Bethlehem Township
 West Brownsville Borough
 West Pike Run Township

Wayne County

Berlin Township
 Bethany Borough
 Buckingham Township
 Canaan Township
 Cherry Ridge Township
 Clinton Township
 Dreher Township
 Dyberry Township
 Hawley Borough
 Honesdale Borough
 Lebanon Township
 Manchester Township
 Mount Pleasant Township
 Oregon Township
 Palmyra Township
 Preston Township
 Prompton Borough
 Scott Township
 South Canaan Township
 Starrucca Borough
 Sterling Township
 Texas Township
 Waymart Borough

Westmoreland County

Arnold City
 Arona Borough
 Avonmore Borough

*Municipality Name***Westmoreland County—continued**

Bell Township
 Bolivar Borough
 Cook Township
 Delmont Borough
 Derry Borough
 Derry Township
 Donegal Borough
 Donegal Township
 East Huntingdon Township
 East Vandergrift Borough
 Export Borough
 Fairfield Township
 Greensburg City
 Hempfield Township
 Hunker Borough
 Irwin Borough
 Jeannette City
 Latrobe City
 Laurel Mountain Borough
 Ligonier Borough
 Ligonier Township
 Loyalhanna Township
 Madison Borough
 Monessen City
 Mount Pleasant Borough
 Mount Pleasant Township
 Municipality of Murrysville Borough
 New Florence Borough
 New Kensington City
 New Stanton Borough
 North Belle Vernon Borough
 North Irwin Borough
 Oklahoma Borough
 Penn Borough
 Penn Township
 Rostraver Township
 St. Clair Township
 Salem Township
 Scottdale Borough
 Seward Borough
 Sewickley Township
 Smithton Borough

*Municipality Name***Westmoreland County—continued**

South Greensburg Borough
 South Huntingdon Township
 Sutersville Borough
 Trafford Borough
 Unity Township
 Vandergrift Borough
 West Newton Borough
 Youngstown Borough
 Youngwood Borough

Wyoming County

Braintrim Township
 Clinton Township
 Eaton Township
 Factoryville Borough
 Forkston Township
 Laceyville Borough
 Lemon Township
 Mehoopany Township
 Meshoppen Borough
 Meshoppen Township
 Monroe Township
 Nicholson Borough
 Nicholson Township
 North Branch Township
 Northmoreland Township
 Noxen Township
 Tunkhannock Borough
 Tunkhannock Township
 Washington Township
 Windham Township

York County

Hanover Borough
 Penn Township
 Spring Garden Township
 West Manchester Township
 York City

[Pa.B. Doc. No. 03-711. Filed for public inspection April 18, 2003, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

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

based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0021873	Borough of Jim Thorpe 421 North Street Jim Thorpe, PA 18229-2528	Carbon County Jim Thorpe Borough	Lehigh River 2B	Y
PAS222201 Stormwater Renewal	Universal Forest Products Eastern Division 2801 East Beltling N. E. Grand Rapids, MI 49506-9736	Stockertown Borough Northampton County	Bushkill Creek 01F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0209597 Sewerage	Delmar Township R. R. 5, Box 70A Wellsboro, PA 16901	Delmar Township Tioga County	East Branch Stony Fork 9A	Y

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

PA0023566, Sewage, **Emlenton Area Municipal Authority**, P. O. Box 408, Emlenton, PA 16373-0448. This proposed facility is located in Emlenton Borough and Richland Township, **Venango County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Parker City Water Works intake on the Allegheny River located at Parker City, approximately 6 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 MGD.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX				
CBOD ₅	42	67	25	40	50
Total Suspended Solids	50	75	30	45	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a geometric average 100,000/100 ml as a geometric average		

Parameters	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
Total Residual Chlorine			1.0		3.3
pH			6.0 to 9.0 standard units at all times		

XX = Monitor and Report

The EPA waiver is in effect.

PA0030325, Sewage, **Pulaski Elementary School, Wilmington Area School District**, 300 Wood Street, New Wilmington, PA 16142-1016. This proposed facility is located in Pulaski Township, **Lawrence County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the New Castle District Pennsylvania American Water Company on the Shenango River located at River Mile 4.7, 19.0 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00320 MGD.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow			
CBOD ₅	25		50
Total Suspended Solids	30		60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	1		2.3
Dissolved Oxygen		minimum of 3 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

PA0004766, Industrial Waste, **National Forge Company**, One Front Street, Irvine, PA 16329-0258. This existing facility is located in Brokenstraw Township, **Warren County**. This is a redraft permit due to several permit limit changes.

Description of Proposed: Discharge of treated sewage, treated industrial waste, noncontact cooling water, stormwater and domestic wastewater is in watershed 16-B and classified for CWF, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Municipal Water Company on the Allegheny River at Emlenton, approximately 78 miles below point of discharge.

The proposed effluent limits for Outfall 101 are based on a design flow of 0.031 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	XX				
TSS	1.9	5.7	XX	XX	18.4
Lead	0.0113	0.0338	XX	XX	0.11
Zinc	0.017	0.0508	XX	XX	0.164
pH			Within limits of 6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	XX				
Copper	0.17	0.35	0.016	0.032	0.041
Lead	XX	XX	XX	XX	XX
CBOD ₅			5.0		10.0
TSS			20.0		60.0

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)* (10-1 to 4-30)			65,000/100 ml as a geometric average		
Total Residual Chlorine**			1.0		3.3
Oil and Grease			15		30
pH	Within limits of 6.0 to 9.0 standard units at all times.				

XX—Monitor and Report

*—Summer disinfection condition.

**—TRC effluent minimization condition.

The EPA waiver is in effect.

PA0004766, Industrial Waste, **Ellwood National Forge Company**, One Front Street, Irvine, PA 16329-0258. This existing facility is located in Brokenstraw Township, **Warren County**.

Description of Proposed: Discharge of treated sewage, treated industrial waste, noncontact cooling water, stormwater and domestic wastewater is in watershed 16-B and classified for CWF, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Municipal Water Company on the Allegheny River at Emlenton, approximately 78 miles below point of discharge.

The following is additional public notice of the following changes from the September 11, 2002, redraft NPDES permit to the final NPDES document.

1. Changed 101 flow to 0.031 MGD instead of 0.0308 MGD.
2. Changed 101 concentrations to Development Document concentrations for vacuum degassing—40 CFR 420 Iron and Steel Category (see following table).
3. Clarified compositing period for Outfall 101 and authorization to discharge explanation.
4. Clarified Outfall 001 sample point description (deleted prior to mixing with stormwater).
5. Changed copper limit at Outfall 001 to 0.02 mg/l and daily maximum to 0.04 mg/l and derived new mass limits based on a discharge flow of 1.3 MGD.
6. Added the words "boiler blowdown" to 001 description of wastewater sources.
7. Corrected Outfall 101 latitude and longitude based on GPS location.
8. Added "Chemical Additives" standard reporting condition to Part C.

Outfall 101—Vacuum degassing operations.

Parameters	Loadings (lb/day)		Concentrations (mg/l)		
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Instant Maximum
Flow (MGD)	XX	XX			
TSS	1.9	5.7	50	150	XX
Lead	0.0113	0.0338	0.3	0.9	XX
Zinc	0.017	0.0508	0.45	1.35	XX
pH	Within limits of 6.0 to 9.0 standard units at all times				

XX—Monitor and Report on monthly DMRs

Suboutfall No. 101

Lat. 41°50'26" Long. 79°16'06"

Receives waste from vacuum degassing operations.

The proposed discharge limits are based upon a design average flow of 0.031 MGD.

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

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

PA0013285, Industrial Waste, **Pennsylvania Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA. This application is for renewal of an NPDES permit to discharge industrial wastewater from Pickering Creek Water Treatment Plant in Schuylkill Township, **Chester County**. This is an existing discharge to Pickering Creek.

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

The proposed effluent limits for Outfall 002, based on an average flow of 2.1 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	60	75
pH	Within limits of 6.0—9.0 Standard Units at all times		
Iron, Total	2.0	4.0	5.0
Aluminum, Total	4.0	8.0	10.0
Manganese, Total		2.0	2.5
Total Residual Chlorine	0.5	1.0	

The proposed effluent limits for Outfalls 003 and 004 used in emergency situations only and consisting of finished water are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	1.0	1.0

The proposed effluent limits for Outfall 005, washwater tank discharge occurring when the washwater tank is to be inspected as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	1.0	1.0

The proposed effluent limits for Outfall 006, high lift station chain occurring on an as-needed basis as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	1.0	1.0

Outfalls 007—009 consist solely of groundwater.

The EPA waiver is in effect

PA0055620, Sewage, **David A. Whinfrey**, 60 Chapel Hill Road, Media, PA 19063. This application is for renewal of a NPDES permit to discharge treated sewage from a small flow sewage treatment plant in Upper Providence Township, **Delaware County**. This is an existing discharge to an unnamed tributary of Ridley Creek.

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

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

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

The EPA waiver is in effect.

PA0058696, Sewage, **Kenneth H. Hutton and Dolores M. Neill**, 719 Cheyney Road, Cheyney, PA 19319. This application is for issuance of an NPDES permit to discharge treated sewage from Hutton and Neill SRSTP in Thornbury Township, **Delaware County**. This is a new discharge to Chester Creek.

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

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

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

The EPA waiver is in effect.

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

PA0062651, Industrial Waste, SIC Code 5983, **Agway Energy Products**, P. O. Box 4852, Syracuse, NY 13221-4852.

Description of Proposed Activity: The proposed action is for the renewal of an NPDES permit to discharge treated site stormwater into Salt Lick Creek in New Milford Borough, **Susquehanna County**.

The receiving stream, Salt Lick Creek, is in the State Water Plan watershed no. 04E and is classified for HQ-CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Danville Borough Water Authority is on the Susquehanna River, approximately 150 miles below the point of discharge.

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

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons	Monitor Only	

The EPA waiver is in effect.

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

PA0246972, CAFO, **Weiler Farms Partnership (Weiler Farms No. 3)**, 350 East Mill Avenue, Myerstown, PA 17067. Weiler Farms Partnership has submitted an application for an individual NPDES permit for a proposed CAFO known as Weiler Farms No. 3, Box 4418, Ridge Road, Jonestown, PA 17038, Union Township, **Lebanon County**.

The CAFO is situated near Trout Run in Watershed 7-D, which is classified for CWF. The CAFO is designed to maintain an animal population of approximately 817.2 AEUs consisting of 6,600 wean to finish swine. The animals will be housed in three swine finishing floors. Manure will be stored in three below house manure pits. The total capacity of the manure storage facilities will be 1.54 million gallons. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate Pennsylvania Technical Guide Standards. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an 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. Individuals may make an appointment to review the files by calling the File Review Coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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

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

PA0247120, CAFO, **Theodore Espenshade (Shady Brae Farms)**, 29 Engle Road, Marietta, PA 17547. Theodore Espenshade has submitted an application for an individual NPDES permit for an existing CAFO known as Shady Brae Farms, Inc., 29 Engle Road, Conoy Township, **Lancaster County**.

The CAFO is situated near an unnamed tributary to the Susquehanna River in Watershed 7-G, which is classified for WWF. The CAFO is designed to maintain an animal population of approximately 1,924 AEUs consisting of 575,000 laying hens. The animals will be housed in six laying barns. Manure is deposited and stored on the ground level beneath the layers. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an 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. Individuals may make an appointment to review the files by calling the File Review Coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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

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

PA0084170, Industrial Waste, SIC Code 8999, **Cycle Chem, Inc.**, 550 Industrial Drive, Lewisberry, PA 17339-9537. This facility is located in Fairview Township, **York County**.

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

The receiving stream of an unnamed tributary of Fishing Creek is in Watershed 7-E and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is on the Susquehanna River, approximately 26 miles downstream. The discharge is not expected to affect the water supply.

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

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH (S. U.)	From 6.0 to 9.0 inclusive			Monitor and Report	XXX
Ammonia	XXX	XXX	XXX	Monitor and Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Monitor and Report	XXX
Total Magnesium	XXX	XXX	XXX	Monitor and Report	XXX
Total Arsenic	XXX	XXX	XXX	Monitor and Report	XXX
Total Cadmium	XXX	XXX	XXX	Monitor and Report	XXX
Total Cyanide	XXX	XXX	XXX	Monitor and Report	XXX
Total Lead	XXX	XXX	XXX	Monitor and Report	XXX
Total Mercury	XXX	XXX	XXX	Monitor and Report	XXX
Total Selenium	XXX	XXX	XXX	Monitor and Report	XXX
Total Silver	XXX	XXX	XXX	Monitor and Report	XXX

In addition to the effluent limits, the permit contains the following major special condition: requirements for stormwater outfalls.

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

The EPA waiver is in effect.

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

PA0252450, Sewage, **Nick Vidnovic**, 183 Hill Place Road, Venita, PA 15367. This application is for issuance of an NPDES permit to discharge treated sewage from Vidnovic Single Residence STP in Peters Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Little Chartiers Creek, which are classified as a HQ-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.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	4.5			9.0
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 5.0 mg/l			
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.

PA0239011, Sewage, **William E. Walker Subdivision SFTF**, 2800 West 21st Street, Erie, PA 16506-2980. This proposed facility is located in Franklin Township, **Erie County**.

Description of Proposed Activity: Treatment of sanitary waste from three proposed single resident dwellings.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, there is no existing/proposed downstream potable water supply to consider before the discharge reaches Lake Erie.

The receiving stream, Goodban Run, is in the Lake Erie watershed and classified for CWF, MF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0015 MGD.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	Monitor and Report		
CBOD ₅	10		20
Total Suspended Solids	20		40
NH ₃ -N	1.0		
Total Residual Chlorine	Monitor and Report		
Fecal Coliform	200/100 ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

The EPA waiver is in effect.

WATER QUALITY MANAGEMENT PERMITS

CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER

APPLICATIONS UNDER THE CLEAN STREAMS LAW

PART II PERMITS

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

Persons wishing to comment on an application are invited to submit a statement to the office noted before the application, within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

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

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

WQM Permit No. 1503201, Industrial Waste, **Turkey Hill Minit Markets**, 257 Centerville Road, Lancaster, PA 17603. This proposed facility is located in City of Coatesville, **Chester County**.

Description of Proposed Action/Activity: Installation of groundwater remediation system consisting of a trickling filter bioreactor with discharge to a tributary of the West Brandywine Creek.

WQM Permit No. 0903406, Sewerage, **Tom Kemmerer**, 1277 Route 212, Quakertown, PA 18951. This proposed facility is located in Haycock Township, **Bucks County**.

Description of Proposed Action/Activity: Construction of a small flow sewage treatment facility for a single family dwelling.

WQM Permit No. 4603404, Sewerage, **Abington Township**, 1176 Old York Road, Abington, PA 19001-3713. This proposed facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Action/Activity: Applicant is applying for an application to modify its wastewater treatment facility.

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

WQM Permit No. 5802401 (inadvertently published at 33 Pa.B. 1258 (March 8, 2003) as 4502405), **Silver Lake Township Municipal Authority**, Box 1975, Brackney, PA 18812. This proposed facility is located in Silver Lake Township, **Susquehanna County**.

Description of Proposed Action/Activity: This project is for the construction of a low-pressure sewage collection system and wastewater treatment facility to serve the Silver Lake vacation home community. This project will utilize individual grinder pumps. There are currently 57 single-family homes with 8 additional developable lots. The sewer system is designed to accommodate an additional 31 connections from outside the present service area.

WQM Permit No. 4002403 (inadvertently published at 33 Pa.B. 383 (January 18, 2003) as 4502407), Suburban Wastewater Company, 762 West Lancaster Avenue, Bryn Mawr, PA. This proposed facility is located in Penn Lake Park Borough, **Luzerne County**.

Description of Proposed Action/Activity: The project consists the construction of a low-pressure wastewater collection system to serve the Borough of Penn Lake Park. Wastewater will be conveyed to the Suburban Wastewater Company Wastewater Treatment Facility, Borough of White Haven, for ultimate treatment and storage. The wastewater conveyance system will consist of a pump station, gravity sewer and force main.

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

WQM Permit No. 2803401, Sewerage, **David S. Blank, Jr.**, 7026 McClays Mill Road, Newburg, PA 17240. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Proposed Action/Activity: Construction/operation of a small flow sewage treatment system to serve two single family residences on Sunset Rd.

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

WQM Permit No. 1875204-T2, Industrial Waste, **Clinton County Economic Partnership**, 212 North Jay Street, Lock Haven, PA 17745. This existing facility is located in Castanea Township, **Clinton County**.

Description of Proposed Action/Activity: The Clinton County Economic Partnership proposes a permit transfer from International Paper Company, Inc. This permit previously approved the design and construction and currently approves the operation of an aerated lagoon system at the former International Paper Company site.

WQM Permit No. 1892201-T1, Industrial Waste, **Clinton County Economic Partnership**, 212 North Jay Street, Lock Haven, PA 17745. This proposed facility is located in Castanea Township, **Clinton County**.

Description of Proposed Action/Activity: The Clinton County Economic Partnership proposes a permit transfer from International Paper Company, Inc. This permit approves the replacement of aeration equipment for the lagoon system at the former International Paper Company site.

WQM Permit No. 4703401, Sewerage, SIC 4952, **Raymond K. Bowen, Jr. and Carol Ann Bowen**, 12 Michael Street, Iselin, NJ 08830. This proposed facility is located in Anthony Township, **Montour County**.

Description of Proposed Action/Activity: Construction and operation of residential sewage treatment plant consisting of a septic tank, buried sand filter and disinfection.

WQM Permit No. 4902408, Sewerage, SIC 4952, **Ralpho Township Municipal Authority**, 32-A South Market Street, Elysburg, PA 17824. This proposed facility is located in Ralpho Township, **Northumberland County**.

Description of Proposed Action/Activity: Construction and operation of gravity sewer, pump station and force main to collect and convey sewage from Knoebles Amusement Resort and Reeders Grove to Ralpho Township sewers for treatment.

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

WQM Permit No. 2503407, Sewerage, **Department of Conservation and Natural Resources, Bureau of State Parks, Presque Isle State Park**, P. O. Box 8451, Harrisburg, PA 17105-8451. This proposed facility is located in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a sewage treatment facility and pump stations and sewers to rehabilitate the system in Presque Isle State Park.

WQM Permit No. 3303401, Sewerage, **McCalmont Township**, P. O. Box 276, Anita, PA 15711. This proposed facility is located in McCalmont Township, **Jefferson County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a new sewage treatment facility to serve the Village of Anita.

NPDES Stormwater Individual Permit

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

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

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

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

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024803010	Albert Jinks Milford Land Company 325 West Paxinosa Road Easton, PA 18040	Northampton	Forks Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023903009	City of Allentown Bureau of Parks 2700 Parkway Blvd. Allentown, PA 18104	Lehigh	City of Allentown	Little Lehigh Creek HQ-CWF
PAI023903010	Bruce Loch and James Burkos 4905 Tilgham St., Suite 100 Allentown, PA 18104	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023903011	Thomas S. Parana 5278 Acorn Dr. Emmaus, PA 18049	Lehigh	Upper Milford Township	Little Lehigh Creek HQ-CWF

Susquehanna County Conservation District: County Office Building, 31 Public Avenue, Montrose, PA 18801, (570) 278-4600.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025803002	Department of General Services 18th and Herr Streets Harrisburg, PA 17120	Susquehanna	New Milford Township	Salt Lick Creek HQ-CWF

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

York County Conservation District, 118 Pleasant Acres Road, Suite E, York, PA 17402.

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAS10Y070-R	PPL Corporation Brunner Island LLC P. O. Box 221, Wago Rd. York Haven, PA 17370	East Manchester Township York Haven Borough York County	Hartman Run Conewago Creek Susquehanna River WWF

Berks County Conservation District, 1238 County Welfare Road, P. O. Box 520, Leesport, PA 19533.

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAS10C34R	Forino Developers 555 Mountain Home Rd. Sinking Spring, PA 19608	Lower Heidelberg Township Berks County	Cacoosing Creek/Tulpehocken WWF

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

NPDES Permit PAI2082703002, Stormwater, **East Resources, Inc.**, P. O. Box 279, Allegany, NY 14706 has applied to discharge stormwater associated with a construction activity located on Warrant 2366 in Howe Township, **Forest County** to Iron Run (HQ-CWF), Bogus Run (HQ-CWF) and South Branch Tionesta Creek (HQ-CWF).

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on the permit application are invited to submit a statement to the office listed before the application, within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Comment re-

sponses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

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

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

Application No. Minor Amendment, Public Water Supply.

Applicant	Grampian Borough/Penn Township Municipal Authority P. O. Box 105 Grampian, PA 16838-0105
Township	Penn Township
Responsible Official	Robert Newpher Municipal Authority Secretary P. O. Box 105 Grampian, PA 16838
Type of Facility	PWS
Consulting Engineer	Mark Glenn, P. E. Gwin, Dobson & Foreman 3121 Fairway Drive Altoona, PA 16838
Application Received Date	April 7, 2003
Description of Action	Construction of one 0.30, 0.35 or 0.40 million gallon precast post tensioned concrete treated water storage tank and addition of approximately 5,800 linear feet of transmission line and piping.

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

Permit No. 8875-W-T1-MA2, Public Water Supply.

Applicant	Erie City Water Authority 340 West Bayfront Parkway Erie, PA 16507-0729
Township or Borough	City of Erie, Erie County

Responsible Official	Christopher J. Hebberd, Chief Operating Officer
Type of Facility	PWS
Consulting Engineer	Gregory R. Stein, P. E. Tank Industry Consultants 7740 West New York Street Indianapolis, IN 46214
Application Received Date	April 2, 2003
Description of Action	East Booster Hydropillar—cleaning and repainting of internal/external tank on Zenith and Longview Drives.

Permit No. 2789-T1-MA3, Public Water Supply.

Applicant	Erie City Water Authority 340 West Bayfront Parkway Erie, PA 16507-0729
Township or Borough	City of Erie, Erie County
Responsible Official	Christopher J. Hebberd, Chief Operating Officer
Type of Facility	PWS
Consulting Engineer	Gregory R. Stein, P. E. Tank Industry Consultants 7740 West New York Street Indianapolis, IN 46214
Application Received Date	April 2, 2003
Description of Action	West Booster Ground Storage Tank—cleaning and repainting of internal/external tank on West Grandview and Greengarden.

MINOR AMENDMENT

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

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

Application No. 2400104, Minor Amendment.

Applicant	Pennsylvania Suburban Water Co. 204 East Sunbury Street Shamokin, PA 17872
Township or Borough	Kingston Township, Luzerne County
Responsible Official	Richard T. Subasic, Manager
Type of Facility	PWS
Consulting Engineer	CET Engineering Services 321 Washington Street Huntingdon, PA 16652
Application Received Date	March 24, 2003
Description of Action	The interconnection of the Midway Manor and Harris Hills Water Systems.

Application No. 3546482, Minor Amendment.

Applicant	MC Resource Development R. R. 2 Pine Valley Road New Ringgold, PA 17960
-----------	--

Township or Borough East Brunswick Township,
Schuylkill County

Responsible Official Neil C. Minnig

Type of Facility Bulk Water Hauling

Application Received Date March 25, 2003

Description of Action The transfer of the bulk water hauling operation to Wissahickon Spring Water Inc.

Application No. Minor Amendment.

Applicant **Tulpehocken Spring Water Inc.**

Township or Borough Foster Township

Responsible Official Gary Troutman, Vice President
Tulpehocken Spring Water, Inc.
R. R. 1, Box 114T
Northumberland, PA 17857

Type of Facility Bulk Water Hauling System

Consulting Engineer Thomas G. Pullar, P. E.
EarthRes Group, Inc.
P. O. Box 468
Pipersville, PA 18947

Application Received Date March 31, 2003

Description of Action This application requests the addition of three tank trucks and the decommissioning of three tank trucks pertaining to PWS Permit No. 2406498.

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

Application No. 1103501, Minor Amendment.

Applicant **Ebensburg Municipal Water Authority**
300 West High Street
Ebensburg, PA 15931

Township or Borough Ebensburg

Responsible Official William Pugh, Chairperson
Ebensburg Municipal Water Authority
300 West High Street
Ebensburg, PA 15931

Type of Facility Hillcrest Tank

Consulting Engineer US Engineering, LLC
4 Sunrise Court
Highland, IL 62249

Application Received Date April 3, 2003

Description of Action Renovations and repairs to the Hillcrest Tank.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of this Commonwealth.

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

WA 16-1003, Water Allocation, Borough of East Brady, 502 Ferry Street, Suite 15, East Brady, PA 16028, East Brady Borough, Clarion County. Application for Water Allocation Permit for existing Borough wells (No. 1 and No. 2) which are in close proximity to the Allegheny River and are river influenced. The acquisition of water rights through ownership will provide the protection of the Department and the U. S. Army Corps of Engineers as to activities on or near the Allegheny River near the wells.

WA 10-1003, Water Allocation, The Municipal Water Authority of Adams Township, 134 Grand Avenue, P. O. Box 807, Mars, PA 16047, Adams Township, Butler County. Application for Water Allocation Permit to increase the amount of bulk water purchased from the Borough of West View, Allegheny County to 779,400 gpd. The Authority purchases the water that it distributes, sells to its customers and uses to provide fire protection to Adams Township residents.

WA 10-1004, Water Allocation, The Municipal Water Authority of Adams Township, 134 Grand Avenue, P. O. Box 807, Mars, PA 16047, Adams Township, Butler County. Application for Water Allocation Permit for rights to purchase 3,400 gpd from Richland Township Municipal Authority. Proposed acquisition provides most feasible source to provide needed service in the Butler Street Extension Area, an area of well contamination.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific

standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department Regional Office after which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Lockhardt Residence, City of Easton, Northampton County. James S. Meenan, III, Environmental Scientist, Marshall Miller & Associates, 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 has submitted a Notice of Intent to Remediate (on behalf of Curtis Lockhardt, E. Wilkes-Barre Street, Easton, PA) concerning the remediation of soils found or suspected to have been accidentally contaminated with home heating oil as the result of an oil delivery to the wrong address. A summary of the Notice of Intent to Remediate will reportedly be published in *The Morning Call* in the near future.

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

Bear Creek Area Chemical Site, Petrolia, Butler County. Michael Tischuk, Beazer East, Inc., c/o Three Rivers Management, Suite 3000, One Oxford Centre, Pittsburgh, PA 15219 and George Luxbacher, INDSPEC Chemical Co., c/o Glenn Spring Holdings Inc., 2480 Fortune Dr., Suite 300, Lexington, KY 40509-4125 has submitted a Notice of Intent to Remediate Soil and Groundwater contaminated with INORG and OTORG. The applicant proposes to remediate the site to meet the Background, Statewide Health and Site Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Butler Eagle* on February 27, 2003.

AOC-1 Former Oil Reclaim and Adjacent Areas, City of Farrell, Mercer County. Paul Wojciak, P. E., 10925 Perry Hwy., Suite 23, Wexford, PA 15090 (on behalf of Richard A. Herman, Caparo Steel Company, 15 Roemer Blvd, Farrell, PA 16121) has submitted a Notice of Intent to Remediate Soil contaminated with INORG, Lead, OTORG and PAH. The applicant proposes to remediate the site to meet the Statewide Health and Nonresidential Standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Herald* on March 2003.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

48-328-003A: PPL Martins Creek LLC (2 North Ninth Street, Allentown, PA 18101) for modification of the PPL Martins Creek combustion turbine generators to

utilize natural gas as the primary fuel at their facility in Lower Mount Bethel Township, **Northampton County**.

48-399-053: Just Born, Inc. (1300 Stefko Boulevard, Bethlehem, PA 18017) for construction of a jelly bean mold shakeout operation and associated air cleaning device at their facility in Bethlehem, **Northampton County**.

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

36-03145: NTN-BCA Corp. (P. O. Box 1400, Lititz, PA 17543) for installation of a batch vapor cleaning machine (degreaser) in Lititz Borough, **Lancaster County**.

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

56-00788M: Sony Electronics, Inc. (1001 Technology Drive, Mount Pleasant, PA 15666) for installation of a thermal oxidizer at their Pittsburgh Manufacturing Center in East Huntingdon Township, **Westmoreland County**.

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

24-009D: Weyerhaeuser Co.—Johnsonburg Mill (100 Center Street, Johnsonburg, PA 15845) for upgrade of their mill by upgrading the existing recovery furnace, the existing evaporator system, the existing lime kiln and recausticizing area to increase the capacity of their mill in Johnsonburg Borough, **Elk County**. This is a PSD application at a Title V facility.

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

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

46-0025I: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) for modification of a solvent recovery system, at their facility in Upper Merion Township, **Montgomery County**. This facility is a major facility. The modification of this source will increase 2.12 tons of VOC emissions. The Plan Approval will contain recordkeeping requirements to keep the facility operating within the allowable emissions and all applicable air quality requirements.

15-0029D: Dopaco, Inc. (241 Woodbine Road, Downingtown, PA 19335) for installation of a ten color, 31 inch wide flexographic printing press at their Dopaco plant in Downingtown Borough, **Chester County**. The press will be equipped with four natural gas fired dryers. The Dopaco plant is a Title V facility in Downingtown Borough, Chester County. This installation will result in a VOC net emission increase of 7.6 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

15-0117: Allan A. Myers, Inc. d/b/a Independence Construction Materials (638 Lancaster Avenue, Malvern, PA, 19355) for modification of a batch asphalt plant

in the City of Coatesville, **Chester County**. This modification allows the asphalt plant to use no. 2 fuel oil and "on-specification" waste derived liquid fuel (WDLF). The facility is a minor facility and shall remain so. The Plan Approval will require the company to perform stack tests with WDLF approved under this proposal within 180 days of issuance of the Plan Approval. Every shipment of WDLF will be analyzed and it must meet the "on-specification" requirement.

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

22-05013A: MI Metals, Inc. (1517 Route 209, Millersburg, PA 17061) for an increase in annual allowable VOC emissions from their existing surface coating operation in Upper Paxton Township, **Dauphin County**. VOC emissions from surface coating will now be limited to 1,700 pounds per calendar day and 119 tons per consecutive 12-month period. The plan approval will contain monitoring, work practices, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The plan approval will be incorporated into the Title V Operating Permit during the permit renewal process.

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.

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

22-05013: MI Metals, Inc. (1517 Route 209, Millersburg, PA 17061) for a Title V Operating Permit renewal to operate a window and door manufacturing facility in Upper Paxton Township, **Dauphin County**. The manufacturing activities primarily produce VOC and HAP emissions. VOC emissions will be restricted to 1,700 pounds per day and 119 tons annually. The Title V Operating Permit will contain emission limits along with appropriate monitoring, recordkeeping and reporting requirement to ensure the facility operates in accordance with the applicable air quality requirements.

28-05028: Allegheny Energy Supply Co., LLC (4350 Northern Pike, Monroeville, PA 15146) for operation of two combustion turbines to be used as a peaking station in Guilford Township, **Franklin County**. The facility is subject to Title V and Title IV (Acid Rain). This permit does not list allowances as found in 40 CFR Part 73. Allegheny Energy will be required to purchase annually the required allowances based on the facility sulfur dioxide emissions under the Phase II Acid Rain regulation and 25 Pa. Code § 127.531.

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

53-00003: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512) for renewal of the Title V Operating Permit for their East Fork Natural Gas Compressor Station in Allegany Township, **Potter County**. The facility is currently operating under TVOP 53-00003, which was issued June 3, 1998. The facility's sources include 24 storage tanks, 8 reciprocating engines, 4 hot water heaters, 4 boilers, 3 pipeline heaters, 3 parts washers, 3 auxiliary generators, 2 space heaters, 2 dehydration still/reboilers, 1 thermal oxidizer and associated

pipeline flanges and valves, which have the potential to emit major quantities of VOCs, NOx and CO. The facility has the potential to emit SOx, HAPs and PM10 below the major emission thresholds. The proposed Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

53-00008: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512) for renewal of the Title V Operating Permit for their East Fork Natural Gas Compressor Station in Wharton Township, **Potter County**. The facility is currently operating under TVOP 53-00008, which was issued June 1, 1998. The facility's sources include six storage tanks, five compressor engines, four hot water heaters, three boilers, three space heaters, three parts washers, two auxiliary generators and associated pipeline flanges and valves, which have the potential to emit major quantities of VOCs and CO. The facility has the potential to emit SOx, NOx, HAPs and PM10 below the major emission thresholds. The proposed Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

39-327-003: SHI-APD Cryogenics, Inc. (1833 Vultee Street, Allentown, PA 18103) for operation of three batch vapor degreasers and associated air cleaning devices at their facility in Allentown, **Lehigh County**.

35-317-003: Preferred Meal Systems, Inc. (4135 Birney Avenue, Moosic, PA 18507) for operation of a convection cooking oven and associated air cleaning device at their facility in Moosic Borough, **Lackawanna County**.

40-318-052: All-Steel, Inc. (Valmont Industrial Park, 425 Jaycee Drive, West Hazleton, PA 18202) for operation of two paint spray booths and associated air cleaning devices at their Title V facility in Hazle Township, **Luzerne County**.

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

06-05009: Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, PA 18034) for operation of an asphalt concrete plant controlled by a fabric collector and two nonmetallic mineral crushing plants, one of which is controlled by a wet suppression system, in Maxatawny Township, **Berks County**. The facility is a non-Title V (State-only) facility. The facility is subject to 40 CFR Part 60, Subparts I and OOO—Standards of Performance for New Stationary Sources. The facility will be required to limit the emissions to less than 100 tons of PM10, SOx, NOx and CO, 50 tons of VOCs and 10/25 tons of HAPs, during any consecutive 12-month period. Limits will be placed on the production and operation of the asphalt plant to limit the emissions. Records of the emissions, production and operation will be required monthly and 12-month rolling totals. The permit will include monitoring, testing, recordkeeping, work practices and reporting to keep the facility operating within all applicable air quality requirements.

22-03004: H. B. Reese Candy Co. (925 Reese Avenue, Hershey, PA 17033) for operation of a chocolate candy manufacturing facility in Derry Township, **Dauphin County**. Facility actual emissions are estimated at 15 tpy of VOC, 6 tpy of NOx, 5 tpy of PM and less than 1 tpy of SOx. One boiler onsite is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial—Commercial—Institutional Steam Generating Units. The State-only Operating Permit shall contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

31-03031: FCI USA, Inc. (Lenape Drive, R. R. 1, Box 212, Mount Union, PA, 17066) for operation of their electronic connector manufacturing facility in Shirley Township, **Huntingdon County**. The facility has the potential to emit 27.1 tons per year of NOx, 19.9 tons per year of VOCs, 7.5 tons per year of CO, 1.9 tons per year of PM, 1.6 tons per year of SOx and 1.1 tons per year of HAPs. The State-only Operating Permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

67-03061: Harris Hub—Division of Dresher, Inc. (915 Woodlawn View Drive, York, PA 17402) for operation of a bed frame manufacturing facility in South Manchester Township, **York County**. Facility actual emissions are estimated at 3 tpy of VOC and NOx, 2 tpy CO and less than 1 tpy of PM and SOx. The State-only Operating Permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

14-00016: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875), for operation of their junior-senior high school facility in Penn Township, **Centre County**. The facility's main sources include one coal-fired boiler, two no. 2 fuel oil fired boilers, one no. 2 fuel oil fired water heater, one propane fired emergency generator and one no. 2 fuel oil fired emergency generator. These sources have the potential to emit major quantities of SOx. The State-only Permit includes requirements limiting facility's annual SOx emissions to below major emission thresholds. The facility has the potential to emit CO, NOx, PM, VOCs and HAPs below major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

14-00030: Wetzler's Funeral Service, Inc. (206 North Spring Street Bellefonte, PA 16823) for operation of their facility in the Borough of Bellefonte, **Centre County**. The facility's source is a crematory incinerator utilized to incinerate human cadavers. This source has the potential to emit PM10, NOx, SOx and CO below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

41-00017: Gulf Oil, L. P. (90 Everett Avenue, Chelsea, MA 02150) for operation of their petroleum bulk storage and distribution at their South Williamsport Terminal facility in Armstrong Township, **Lycoming County**. The facility's main sources include a six storage tanks and six

bottom loading arms. The facility has taken restrictions to limit potential VOCs and HAPs emissions below Title V thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

41-00056: Wenger's Feed Mill, Inc. (101, West Harrisburg Avenue, Rheems, PA 17570) for operation of their animal feed mill in Clinton Township, **Lycoming County**. The facility's main sources include one grain receiving station, one soft ingredient receiving station, seven mineral receiving bins, one ingredient bin vent system, two hammermills, two pellet lines and a manual bag dumping operation. The facility has the potential to emit SO_x, NO_x, CO, PM₁₀, VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

61-00149: Christian Life Academy, Inc. (224 South Main Street, Seneca, PA 16346) for operation of their facility in Cranberry Township, **Venango County**. State-only Operating Permit for operation of a 7.7 mmBtu coal/natural gas fired boiler. This combustion unit was previously permitted under Plan Approval/Operating Permit No. 61-302-00028.

10-00286: Portersville Sales and Testing, Inc. (1406 Perry Highway, Portersville, PA 16051) for operation of their facility in Portersville Borough, **Butler County**. State-only Operating Permit for operation of a compressed cylinder cleaning and testing facility. Air contamination sources at their facility include a shot blast room and a surface coating operation. Both of these sources were previously permitted by the Department.

10-00234: Karns City Area School District (1446 Kittanning Pike, Karns City, PA 16041). Natural Minor Operating Permit for emissions from two tri-fuel boilers in Fairview Township, **Butler County**.

PUBLIC HEARINGS

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

10-037: Crompton Corp. (100 Sonneborn Lane, Petrolia, PA 16050) for the Department to accept testimony concerning the Department's decision to approve, with conditions, the revised Reasonably Available Control Technology (RACT) plans by the following facility. The hearing is being held to meet the requirements under 25 Pa. Code §§ 129.91—129.95 concerning the emissions of NO_x and VOCs from various air contamination sources. The final RACT proposal will be submitted to the EPA as a revision to the Commonwealth's State Implementation Plan (SIP).

The Department will conduct a public hearing on Wednesday May 21, 2003, from 1 p.m. to 3 p.m. in the Air Quality Conference Room, Meadville Regional Office, 230 Chestnut Street, Meadville.

The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in RACT approvals for this facility to comply with current regulations.

The preliminary RACT determination, if finally approved, will be incorporated into a Plan Approval and/or

Operating Permit for the facility and will be submitted to the EPA as a revision to the SIP.

The following is a summary of the preliminary NO_x and VOC determination for the facility:

Source	Control
Boiler No. 7 (revised to include oil usage)	Additional controls not feasible
Source 131 Utility Fractionator Unit Vent D-204	Unit shutdown in January 2002
Source 125 Low-Cat Hydrogen Recovery Unit Vent V-64	Additional controls not feasible

A public hearing will be held for the purpose of receiving comments on the previously proposed Operating Permit and the proposed SIP revisions.

Persons wishing to present testimony at the hearing should contact Matthew Williams, New Source Review, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6940 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Matthew Williams, (814)-332-6940 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing but wish to comment should provide written comments to Matthew Williams, New Source Review, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494. Comments should be submitted within 30 days of the date of this publication notice.

The pertinent documents (applications, review memos and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional Office (Air Quality). Appointments for scheduling a review must be made by calling the Department contact person noted previously.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining

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

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

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

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

Coal Applications Received

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

1475-10020104-E-4. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to conduct mining and support activities to within 25 feet of unnamed tributary no. 4 to Findlay Run and Findlay Run in Clay and Cherry Townships, **Butler County**. Receiving streams: Findlay Run and unnamed tributaries to South Branch Slippery Rock Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 2, 2003.

1475-10020104-E-5. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to conduct mining and support activities to within 25 feet of unnamed tributaries C, E and F to Findlay Run in Clay and Cherry Townships, **Butler County**. Receiving streams: Findlay Run and unnamed tributaries to South Branch Slippery Rock Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 2, 2003.

1475-10020104-E-4. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to conduct mining and support activities to within 25 feet of unnamed tributaries G—J in Clay and Cherry Townships, **Butler County**. Receiving streams: Findlay Run and unnamed tributaries to South Branch Slippery Rock Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 2, 2003.

10820122 and NPDES Permit No. PA0604852. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous surface strip, auger and limestone removal operation in Marion and Mercer Townships, **Butler County** affecting 598.6 acres. Receiving streams: two unnamed tributaries to North Branch Slippery Rock Creek and North Branch Slippery Rock Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 2, 2003.

33860114 and NPDES Permit No. PA0207450. Ed Hanslovan Coal Co., Inc. (R. D. 2, Box 230, Morrisdale, PA 16858). Renewal of an existing bituminous surface strip and auger operation in Washington and Snyder Townships, **Jefferson County** affecting 497.9 acres. Receiving streams: unnamed tributaries to Rattlesnake Run and Rattlesnake Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received April 2, 2003.

16830107 and NPDES Permit No. PA0601471. Amfire Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Transfer of an existing bituminous surface strip and coal refuse disposal operation Perry and Toby Townships, **Clarion County** affecting 125.0 acres. Receiving streams: unnamed tributary to Black Fox Run and Fiddlers Run to Black Fox Run (WWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from Dunamis Resources, Inc. Application received April 3, 2003.

33930112 and NPDES Permit No. PA0211877. Amfire Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Transfer of an existing bituminous surface strip operation in Beaver Township, **Jefferson County** affecting 211.2 acres. Receiving streams: unnamed tributary to Reitz Run and unnamed tributary to Ferguson Run, all to Ferguson Run and unnamed tributary to Beaver Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from Dunamis Resources, Inc. Application received April 3, 2003.

33930104 and NPDES Permit No. PA0211591. Amfire Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Transfer of an existing bituminous surface strip and auger operation in Winslow Township, **Jefferson County** affecting 336.0 acres. Receiving streams: unnamed tributaries to Trout Run and unnamed tributaries of Front Run, both tributaries of Trout Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from Dunamis Resources, Inc. Application received April 3, 2003.

24890107 and NPDES Permit No. PA0207624. Amfire Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Transfer of an existing bituminous surface strip, auger and coal ash placement operation in Horton Township, **Elk County** affecting 38.0 acres. Receiving streams: Johnson Run (CWF). There are no potable surface water supply intakes within 10 miles

downstream. Transfer from Senate Coal Mines, Inc. Application received April 3, 2003.

24820107 and NPDES Permit No. PA0605085. Amfire Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Transfer of an existing bituminous surface strip and auger operation in Horton Township, **Elk County** affecting 134.0 acres. Receiving streams: unnamed tributaries to Brandy Camp Creek (CWF). The first downstream potable water supply intake from the point of discharge is Elbon Public Supply. Transfer from Senate Coal Mines, Inc. Application received April 4, 2003.

10970105 and NPDES Permit No. PA0227625. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous surface strip, auger and coal ash placement operation in Concord and Fairview Townships, **Butler County** affecting 234.7 acres. Receiving streams: Three unnamed tributaries to Bear Creek and Bear Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 3, 2003.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

26870202 and NPDES Permit No. PA589608. Carbon Fuel Resources, Inc. (200 College Dive, Suite 300, Lemont Furnace, PA 15456). Renewal application for operation and reclamation of a bituminous surface mine located in German Township, **Fayette County**, affecting 103.2 acres. Receiving streams: unnamed tributaries to Browns Run (WWF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received April 2, 2003.

Hawk Run District Mining Office: P. O. Box 209, Empire Road, Hawk Run, PA 16840, (814) 342-8200.

41940101 and NPDES Permit No. PA 0219843. Fisher Mining Company, 40 Choate Circle, Montoursville, PA 17754. Revision to an existing bituminous surface mine permit to add beneficial use of coal ash as alkaline addition. The permit is located in Pine and McHenry Townships, **Lycoming County** and affects 640 acres. Receiving streams: Buckeye Run to Otter Run and Right Fork of Otter Run to Otter Run, Otter Run to Little Pine Creek, Little Pine Creek to Pine Creek, Pine Creek to West Branch Susquehanna River. Application received March 6, 2003.

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

03831305. NPDES Permit PA0002283, Keystone Coal Mining Corporation (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to revise the permit for the Jane Mine in Plumcreek Township, **Armstrong County**, for post-mining land use change, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional charges. The first downstream potable water supply intake from the point of discharge is N/A. Application received February 13, 2003.

30841320. NPDES Permit PA0213861, Dana Mining Company of PA, Inc. (P. O. Box 1209, Morgantown, WV 26507), to revise the permit for the Dooley Run Mine in Dunkard Township, **Greene County**, to add pump station, pipeline and water handling borehole, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A,

CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received February 24, 2003.

32831602. NPDES Permit PA0214515, Reliant Energy Northeast Management Company (1001 Broad Street, Johnstown, PA 15907), to renew the permit for the Central Preparation Plant in West Wheatfield Township, **Indiana County** and related NPDES permit, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received March 5, 2003.

11031301. NPDES Permit N/A, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650) to operate the Madison Mine in Jackson Township, **Cambria County**, to operate new mine, Surface Acres Proposed 67.3, Underground Acres Proposed 3502, SCP Acres Proposed 2808, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, Saltlick Run (HQ-CWF). The first downstream potable water supply intake from the point of discharge is Saltlick Reservoir, Greater Johnstown Water Authority. Application received March 11, 2003.

32961302. NPDES Permit PA0214949, AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), to transfer the permit for the ONDO Mine in Brush Valley Township, **Indiana County**, from Senate Coal Mines, Inc., Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional charges. The first downstream potable water supply intake from the point of discharge is N/A. Application received March 11, 2003.

63981301. NPDES Permit PA0215171, Consolidation Coal Company (P. O. Box 355, Eighty Four, PA 15330), to renew and revise the permit for the Shoemaker Deep Mine in West Finley Township, **Washington County** and add 105 acres to permit and SCPA and delete 437.53 SPCA acres, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed 105, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received March 12, 2003.

30841312. NPDES Permit PA0013790, Consolidation Coal Company (P. O. Box 100, Osage, WV 26543), to revise the permit for the Blacksville Mine No. 2 in Wayne Township, **Greene County**, to add 4-N-1 CNR degasification borehole, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A. No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received March 18, 2003.

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

56910201 and NPDES Permit No. PA0599271. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100 Latrobe, PA 15650, for continued operation of a bituminous surface mine (coal

refuse reprocessing) in Paint Township and Windber Borough, **Somerset County**, affecting 30.1 acres. Receiving streams: Paint Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 11, 2003.

56980107 and NPDES Permit No. PA0234877. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued operation of a bituminous surface and auger mine in Milford Township, **Somerset County**, affecting 277.0 acres. Receiving streams: unnamed tributaries to Casselman River (CWF), Casselman River (CWF) and South Glade Creek (WWF). There are no potable water supply intakes within 10 miles downstream. Application received March 11, 2003.

56960106 and NPDES Permit No. PA0234192. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100, Latrobe, PA 15650 for continued restoration of a bituminous surface and auger mine in Lincoln Township, **Somerset County**, affecting 351.6 acres. Receiving streams: North Branch Quemahoning Creek (CWF) and Horner Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003.

56980105 and NPDES Permit No. PA0234818. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued restoration of a bituminous surface and auger mine in Lincoln Township, **Somerset County**, affecting 93.0 acres. Receiving streams: UNTs to North Branch Quemahoning Creek (CWF) and UNTs to Horner Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003.

56980104 and NPDES Permit No. PA0234729. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued restoration of a bituminous surface mine in Lincoln Township, **Somerset County**, affecting 20.5 acres. Receiving streams: unnamed tributary to North Branch of Quemahoning Creek (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003.

56920111. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100, Latrobe, PA 15650, for continued operation of a bituminous surface, auger, coal refuse reprocessing, coal refuse disposal and coal preparation/processing facility mine in Jenner Township, **Somerset County**, affecting 80.0 acres. Receiving streams: unnamed tributary to Quemahoning Creek (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003.

56990104 and NPDES Permit No. PA0235181. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc.,

One Energy Place, Suite 4000, Latrobe, PA 15650, for continued operation of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 140.0 acres. Receiving streams: unnamed tributaries to/and Gum Run; unnamed tributaries to/and Roaring Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003.

56020101 and NPDES Permit No. PA0249122. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued operation of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 56.6 acres. Receiving streams: unnamed tributaries to/and Roaring Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Surface Water Intake. Application received March 11, 2003.

32960101 and NPDES Permit No. PA0213292. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer for continued operation of a bituminous surface and auger mine in Brushvalley Township, **Indiana County**, affecting 87.9 acres. Receiving streams: unnamed tributary to Little Brush Creek to Brush Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 11, 2003.

32960102 and NPDES Permit No. PA0213314. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued restoration of a bituminous surface and auger mine in Canoe Township, **Indiana County**, affecting 262.0 acres. Receiving streams: unnamed tributaries of Canoe Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 11, 2003.

32930102 and NPDES Permit No. PA0212474. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued operation of a bituminous surface mine, in Canoe and Banks Townships, **Indiana County**, affecting 160.0 acres. Receiving streams: unnamed tributaries to Canoe Creek. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company East Branch Mahoning Creek Surface Water Withdrawal. Application received March 11, 2003.

11990104 and NPDES Permit No. PA0235156. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued operation of a bituminous surface mine in Portage Township, **Cambria County**, affecting 280.1 acres. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh Surface Water Intake. Application received March 11, 2003.

11990102 and NPDES Permit No. PA0235075. **AMFIRE Mining Co., LLC**, One Energy Place, Latrobe, PA 15650, permit transfer from Laurel Energy, L. P., One Energy Place, Suite 7500, Latrobe, PA 15650, for continued operation of a bituminous surface and auger mine in Adams and Conemaugh Townships, South Fork Borough,

Cambria County, affecting 456.1 acres. Receiving streams: Little Conemaugh River (WWF); Bear Run (CWF); unnamed tributaries to South Fork Branch of Little Conemaugh River (CWF); and to South Fork Branch of Little Conemaugh River (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh Surface Water Intake. Application received March 11, 2003.

56030103 and NPDES Permit No. PA0249441. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541 for commencement, operation and restoration of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 262.0 acres. Receiving streams: Spruce Run (CWF); unnamed tributary to Kaufman Run (CWF) and Shade Creek (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received March 25, 2003.

Noncoal Applications Received

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

31030801. Duane R. and Dennis W. Runk, Shady Maple Road, Box 4C, Broadtop, PA 16621, commencement, operation and restoration of a small noncoal surface mine (shale) in Todd Township, **Huntingdon County**, affecting 4.0 acres. Receiving streams: Great Trough Creek (TSF). There are no potable water supply intakes within 10 miles downstream. Application received March 18, 2003.

PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. For landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection (Department).

The following project proposals have been received by the Department. A copy of the proposals is available for inspection at the office indicated above each proposal.

Written comments or objections may be submitted by any person or any office or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

Project Proposals Received

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

59031001. Terry Jacobson, P. O. Box 32, Sabinsville, PA 16943, authorization to extract noncoal (industrial minerals) in Nelson Township, **Tioga County** to supply fill material to the U. S. Rt. 15 and SR 49, SR 6015 (22A)

construction project, receiving stream Cowansque River, tributary to Chemung River. Authorization approved April 7, 2003.

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

EGS No. 56004, Southern Alleghenies Conservancy, 702 West Pitt Street, Fairlawn Court Suite 8, Bedford, PA 15522. A water pollution abatement project to construct a passive treatment system (Metro Project) for two abandoned deep mine discharges on 8 acres of the Edward Hay, et al. and Albert and Martha Hertzler properties located approximately 1/2 mile northeast of the Village of Coal Run on the east side of Township Road T-363 in Elk Lick Township, **Somerset County**. The receiving stream is an unnamed tributary to the Casselman River (known locally as Coal Run). The proposal was received January 23, 2003. Proposal issued April 1, 2003.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-937. Upper Gwynedd Township, Parkside Place, P. O. Box 1, West Point, PA 19486, Upper Gwynedd Township, **Montgomery County**, ACOE Philadelphia District.

To relocate, construct and maintain an approximately 1,300 linear-foot section of Moyer Boulevard located approximately 700 feet northeast of an existing intersection with West Point Pike. The limit of this work will begin (Lansdale, PA Quadrangle N: 15.2 inches; W: 6.5 inches) and will end (Lansdale, PA Quadrangle N: 14.5 inches; W: 6.41 inches). The alignment of the relocated roadway will affect a total of 440 linear feet of two unnamed tributaries of Wissahickon Creek (TSF).

Work will consist of the following activities:

1. To extend and maintain an existing 80-foot long 36-inch diameter pipe in the tributary beneath Moyer Boulevard. The existing pipe will be extended 189 feet downstream with a 34-inch by 53-inch elliptical reinforced concrete pipe. The connection between the existing and proposed pipes will be made with the installation of a concrete inlet at the outfall of the exiting pipe. A concrete end wall will be installed at the outfall of the proposed pipe and 65 linear feet of stream channel will be protected with Class R-5 Rock rip-rap.

2. To install and maintain 128 linear feet of 48-inch by 76-inch elliptical reinforced concrete pipe in the tributary beneath the proposed relocated road. Concrete end walls will be installed on each end of the proposed pipe and approximately 10 linear feet of stream channel will be protected with Class R-5 rip-rap both upstream and downstream of the end walls. This pipe will be installed between Construction Stations 19+43 and 20+33.

3. To extend and maintain an existing 125-foot long culvert consisting of twin 33-inch diameter pipes in the tributary beneath West Point Pike. The existing twin pipes will be extended 25 feet downstream by twin 36-inch diameter reinforced concrete pipes. A concrete end wall will be installed at the outfall of the twin pipes. Ten linear feet of stream channel will be protected with Class R-5 rip-rap.

E15-705. Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16823, Schuylkill Township, **Chester County**, ACOE Philadelphia District.

To perform the following activities associated with a boat ramp replacement project:

1. To remove the existing boat ramp and to construct and maintain a 30-foot wide concrete boat ramp.

2. To place up to 3 feet of fill within the floodplain to raise and improve the access road (approximately 100 feet long and 30 feet wide).

3. To place up to 18 inches of fill within the floodplain by raising and resurfacing the parking area which will be approximately 350 feet long and 150 feet wide).

The project is located immediately southeast of the SR-0113 bridge crossing of the Schuylkill River on a 5-acre floodplain area leased from the Department and will impact 30 linear feet of the Schuylkill River (WWF-MF) (Phoenixville-PA USGS Quadrangle N: 6.1 inches; W: 1.5 inches).

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

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

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

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

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

E44-121: Lee J. Bohn, Vance R. Bohn and Lois K. Bohn, P. O. Box 547, Reedsville, PA 17084 in Brown Township, **Mifflin County**, ACOE Baltimore District.

To remove from an abandoned railroad bridge having two spans with a total length of approximately 125 feet the existing wooden bridge deck consisting of railroad ties and to construct and maintain on the existing abutments/piers a wooden deck complete with railings to facilitate nonmotorize vehicle traffic at a point approximately 1,500 feet south of the confluence of Kisacoquillas and Honey Creeks across Kisacoquillas Creek (TSF) (Burnham, PA Quadrangle N: 6.25 inches; W: 12.75 inches) in Brown Township, Mifflin County.

E07-370: County of Blair, Office of the Commissioners, 423 Allegheny Street, Hollidaysburg, PA 16648-0539 in Frankstown Township, **Blair County**, ACOE Baltimore District.

To remove the existing two span steel thru-girder bridge having span lengths of 71.11 and 71.53 feet, an average under clearance of 15.4 and 15.17 feet respectively and to construct and maintain a prestressed concrete box beam bridge consisting of two spans 81.48 feet each span at centerline and a minimum under clearance of 13.92 feet and an out to out width of 30.5 feet at a point approximately 0.1 mile south of SR 22 carrying T-444 over the Frankstown Branch of the Juniata River (WWF) (Frankstown, PA Quadrangle N: 17.75 inches; W: 3.1 inches) in Frankstown Township, Blair County.

E22-457: Yingst Homes, Incorporated, 4712 Smith Street, Harrisburg, PA 17109 in West Hanover Township, **Dauphin County**, ACOE Baltimore District.

To install and maintain three stream/wetland crossings. One utilizing a bridge to cross an unnamed tributary to Beaver Creek (WWF), locally known as Little Beaver Creek and adjacent wetlands also two crossings to cross an unnamed tributary to Little Beaver Creek (WWF) and adjacent wetlands. Activities that are regulated by the

conditions of General Permits include two utility line crossings and four outfalls. The amount of wetland disturbance for the proposed project is 0.41 acre permanently and 0.26 acre temporarily. The site is located just east of Piketown Road south of the intersection of Piketown and Sandy Hollow Roads (Harrisburg East, PA Quadrangle N: 17.0 inches; W: 1.0 inch) in West Hanover Township, Dauphin County.

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

E14-417A3. Penns Valley Conservation Association, 249 Madisonburg Pike, Madisonburg, PA 16852. Cattle Crossings, in Gregg Township, **Centre County**, ACOE Baltimore District (Spring Mills, PA Quadrangle N: 15.4 inches; W: 7.2 inches).

To construct and maintain: (1) a 12-foot by 40-foot stone cattle crossing located 170 feet downstream of the Lower George's Valley Road bridge over an unnamed tributary to Muddy Creek; (2) a 12-foot by 60-foot stone cattle crossing located 500 feet downstream of the Lower George's Valley Road bridge over Muddy Creek; (3) a 12-foot by 60-foot stone cattle crossing located 1,500 feet downstream of the Lower George's Valley Road bridge over Muddy Creek; and (4) to stabilize 1,000 feet of streambank with a 2:1 slope and a grass/scrub vegetative cover as part of a stream bank fencing project. This project proposes to directly impact 1,000 feet of Muddy Creek and one of its unnamed tributaries, which are both in a CWF basin.

E14-417A4. Penns Valley Conservation Association, 249 Madisonburg Pike, Madisonburg, PA 16852. Cattle Crossings, in Miles Township, **Centre County**, ACOE Baltimore District (Woodward, PA Quadrangle N: 16.25 inches; W: 13.0 inches).

To construct and maintain: (1) a 12-foot by 40-foot stone cattle crossing located 200 feet upstream of the Wolfe's Gap Road bridge over Elk Creek; and (2) a 12-foot by 40-foot stone cattle crossing located 500 feet upstream of the Wolfe's Gap Road bridge over Elk Creek as part of a stream bank fencing project. This project proposes to directly impact 24 feet of Elk Creek, which is an EV-CWF basin.

E14-438. Department of Transportation, Engineering District 2-0, P. O. Box 342, Clearfield, PA 16830. Philipsburg Transportation Improvement Project SR 0322, in Philipsburg Borough and Rush Township, **Centre County**, ACOE Baltimore District (Karthaus, PA Quadrangle N: 6.44 inches; W: 8.19 inches).

To remove the existing bridges across Cold Stream (HQ-CWF) and Moshannon Creek (CWF); construct, operate and maintain a single span bridges across Cold Stream and Moshannon Creek for the upgrade of 1.03 miles of existing SR 0322 Section C08 and Section A03, as well as the 0.81 mile construction of a new SR 0322-Section C09; and to realign Moshannon Creek channel to improve bridge hydraulics. The prestressed concrete spread box beam bridge across Cold Stream shall be constructed with a clear span length of 63.5-feet, minimum underclearance of 7.05 feet and skew of 66 degrees. The prestressed concrete I-beam bridge across Moshannon Creek shall be constructed with a clear length span of 118.42 feet, underclearance 9.2 feet and skew of 85 degrees. The bridge construction project will not impact wetlands while impacting 400 feet of waterway. Construction of the new 0.81 mile length of SR 0322 Section C09 will impact 3.6 acres of wetland. The western terminus of the project is located on SR 0322 at the intersection of SR 0053 and SR 0322. This permit also authorizes the construction, operation, maintenance and removal of temporary construction crossings, causeways, stream diversions and cofferdams. Temporary structures shall be constructed with clean rock, free of fines and silts or other nonerodible material. Upon completion of the construction activities, all temporary structures shall be removed and the areas restored to original contours and elevations.

E14-439. RJ Corman Railroad Group, P. O. Box 788, Nicholasville, KY 40356. Rail Line Abandonment from Federal Surface Transportation System, in Philipsburg Borough and Rush Township, **Centre County**, ACOE Baltimore District (Philipsburg, PA Quadrangle N: 4.75 inches; W: 14.32 inches to Houtzdale, PA Quadrangle N: 15.31 inches; W: 7.15 inches).

To operate and maintain the following stream crossings, associated with a abandoning a railroad line from the Federal Surface Transportation System, partially or fully located within Centre County:

<i>Crossing No.</i>	<i>Municipality</i>	<i>Stream</i>	<i>Structure Type</i>	<i>Opening Size</i>	<i>Chapter 93</i>	<i>Location Lat. Long.</i>
14	Philipsburg Borough	Moshannon Creek	Double Span Bridge	54.67' by 7.5' each	TSF	N 40-54-04 W 78-13-45
15	Philipsburg Borough	Moshannon Creek	Double Span Bridge	54.67' by 11.5' each	TSF	N 40-53-34 W 78-13-19
17	Rush Township	Moshannon Creek	Double Span Bridge	52' by 12' each	TSF	N 40-52-51 W 78-14-09
18	Rush Township	Unnamed tributary to Moshannon Creek	Stone Culvert	54" diameter	CWF	N 40-52-26 W 78-14-07
19	Rush Township	Unnamed tributary to Moshannon Creek	Culvert	36" diameter	CWF	N 40-51-56 W 78-14-51
20	Rush Township	Unnamed tributary to Moshannon Creek	Twin Cast Iron Culverts	36" diameter each	CWF	N 40-51-34 W 78-14-43

<i>Crossing No.</i>	<i>Municipality</i>	<i>Stream</i>	<i>Structure Type</i>	<i>Opening Size</i>	<i>Chapter 93</i>	<i>Location Lat. Long.</i>
21	Rush Township	Unnamed tributary to Moshannon Creek	Concrete Culvert	54" diameter	CWF	N 40-51-14 W 78-15-05
22	Rush Township	Unnamed tributary to Moshannon Creek	Stone Box Culvert	4' by 2'	CWF	N 40-51-01 W 78-15-41
23	Rush Township	Unnamed tributary to Moshannon Creek	Three Span Bridge	65' by 11' each span	TSF	N 40-50-58 W 78-16-03
27	Rush Township	Moshannon Creek	Steel Girder Bridge	5' by 59'	TSF	N 40-50-03 W 78-18-07

No new construction is proposed in the permit application for the existing structures.

E14-440. Department of Transportation, 1924-30 Daisy Street, Clearfield, PA 16830. US Route 220, Section G10 Stream Mitigation.

To construct and maintain 22,436 linear feet of stream restoration/enhancement within Bald Eagle Creek (12,381 linear feet), Bell Hollow Run (800 linear feet), Oliver Run (749 linear feet), Reese Hollow Run (3,759 linear feet) and Williams Hollow Run (4,747 linear feet) using a natural stream channel design approach including the installation of in-stream structures (5 rock vanes, 6 cross vanes, 20 J-hooks, 2 flow deflector vanes, 2 imbricated stone banks, 28 boulders, 17 areas of stone toe protection, 16 stream bank soil lift areas and 2 root wad areas), channel relocation, stream and floodway excavation and filling, 8 stone channel crossings, 8 hog slat channel crossings, 20,601 linear feet of stream bank fencing and riparian plantings. The project is located in the Townships of Worth and Taylor and the Borough of Port Matilda in **Centre County** and is being constructed to provide mitigation for stream impacts associated with the U. S. Route 220 (I-99) project, construction sections C10, A11, C11, A12, B12 and C12. Mitigation is being performed in accordance with the procedures and environmental commitments of the U. S. Route 220 Natural Resource Compensation Plan and as required by Department permits E14-420 (C10), E14-402 (A11), E14-367 (C11), E14-403 (A12), E14-349 (B12) and E14-371 (C12).

Stream restoration/enhancement activities will be performed on four reaches of Bald Eagle Creek: Reach 1 (Beckwith and Bell Hollow Run Site: Begin Lat. 40° 46' 02" Long. 78° 05' 51"; End Lat. 40° 46' 26" Long. 78° 05' 14"); Reach 2 (Liner Site: Begin Lat. 40° 46' 31" Long. 78° 05' 12"; End Lat. 40° 46' 49" Long. 78° 04' 48"); Reach 3 (Port Matilda Borough Site: Begin Lat. 40° 47' 40" Long. 78° 03' 29"; End Lat. 40° 47' 56" Long. 78° 03' 00"); Reach 4 (Valley Homes Site: Begin Lat. 40° 48' 58" Long. 78° 01' 56"; End Lat. 40° 49' 02" Long. 78° 01' 49"), Oliver Run (Begin Lat. 40° 48' 44" Long. 78° 04' 27"; End Lat. 40° 48' 51" Long. 78° 04' 30"), tributaries to North Bald Eagle Creek (Reese Hollow No. 1: Begin Lat. 40° 47' 59" Long. 78° 05' 49"; End Lat. 40° 47' 46" Long. 78° 05' 37", Reese Hollow No. 2: Begin Lat. 40° 47' 33" Long. 78° 05' 20"; End Lat. 40° 47' 24" Long. 78° 04' 58" and Williams Hollow: Begin Lat. 40° 50' 03" Long. 78° 02' 00"; End Lat. 40° 49' 29" Long. 78° 01' 12").

The stream mitigation project will impact 1.16 acres of riparian palustrine emergent wetlands. Wetland impacts are associated with placement of fill, stream bank grading and construction of at-grade crossings for the purpose of limiting stream access points for property owners and

livestock. The stream improvements will involve minor grading within the floodplain of the northern Bald Eagle Creek and its tributaries. The grading will involve 15,794 cubic yards of excavation (cut) and 11,728 cubic yards of fill in the floodplain, which corresponds to the construction activities resulting in a net excavation of 4,066 cubic yards for the project. The project improvements will provide opportunity for wetlands to reestablish along the stream floodplains.

E14-441. Terrence M. Weatherford, 112 Seymore Avenue, State College, PA 16803. Haney Lot, in Halfmoon Township, **Centre County**, ACOE Baltimore District (Port Matilda, PA Quadrangle N: 0.25 inch; W: 7.50 inches).

To maintain: (1) a 235-foot long by 18-foot wide by 2-foot deep driveway of clean earthen fill in the right floodway of an unnamed tributary to Halfmoon Creek; and (2) a 30-foot long 36-inch diameter corrugated metal pipe with associated inlet and outlet riprap in an unnamed tributary to Halfmoon Creek to gain access to a single family residential lot located on the north side of Loveville Road (T-309) 0.9 mile south from its intersection with SR 550. The project proposes to directly impact 40 linear feet of the unnamed tributary to Halfmoon Creek (HQ-CWF).

E14-442. John Pascavage and Connie Jones, 80 Shultz Lane, Warriors Mark, PA 16877. Water Obstruction and Encroachment Permit Application, in Halfmoon Township, **Centre County**, ACOE Susquehanna River Basin District (Port Matilda, PA Quadrangle N: 1.2 inches; W: 5.2 inches).

To remove an existing timber frame bridge and construct and maintain a single span steel frame bridge having a minimum span of 10 feet, a minimum underclearance of 5 feet and 14 feet wide. The proposed bridge is located over Halfmoon Creek (HQ-CWF). The site is located 1.5 miles south of SR 0550 along T-966 in Halfmoon Township, Centre County. The constructed bridge will not impact any jurisdictional wetlands while impacting 20 feet of waterway.

E17-381. RJ Corman Railroad Group, P. O. Box 788, Nicholasville, KY 40356. Rail Line Abandonment from Federal Surface Transportation System, in Bradford, Boggs and Decatur Townships, **Clearfield County**, ACOE Baltimore District (Wallacetown, PA Quadrangle N: 20.58 inches; W: 8.02 inches).

To operate and maintain the following listed and existing stream crossings for the continued use of a railroad line and requirements for abandoning the railroad line from the Federal Surface Transportation System:

<i>Crossing No.</i>	<i>Municipality</i>	<i>Stream</i>	<i>Structure Type</i>	<i>Opening Size</i>	<i>Chapter 93</i>	<i>Location Lat. Long.</i>
1	Bradford Township	Unnamed tributary to Roaring Run	CMP Culvert	48" diameter	CWF	N 40-59-17 W 78-18-30
2	Bradford Township	Unnamed tributary to Moravian Run	Stone Box Culvert	3' by 2'	CWF	N 40-58-35 W 78-18-01
3	Boggs Township	Unnamed tributary to Moravian Run	Stone Arch Culvert	6' by 6'	CWF	N 40-58-07 W 78-13-41
4	Boggs Township	Unnamed tributary to Moravian	Stone Box Culvert	2' by 3'	CWF	N 40-57-18 W 78-17-17
5	Decatur Township	Unnamed tributary to Laurel Run	Twin Stone Box	2' by 2' each	CWF	N 40-55-37 W 78-16-09
6	Decatur Township	Unnamed tributary to Laurel Run	Twin Stone Box	2' by 2' each	CWF	N 40-55-22 W 78-15-35
7	Decatur Township	Unnamed tributary to Laurel Run	Cast Iron Culvert	24" diameter	CWF	N 40-55-04 W 78-15-05
8	Decatur Township	Unnamed tributary to Laurel Run	Cast Iron Culvert	36" diameter	CWF	N 40-55-02 W 78-15-04
9	Decatur Township	Unnamed tributary Laurel Run	Cast Iron Culvert	36" diameter	CWF	N 40-54-50 W 78-14-45
10	Decatur Township	Laurel Run	Steel I-Beam Bridge	4' by 15'	CWF	N 40-54-35 W 78-14-23
11A	Decatur Township	Unnamed tributary to Laurel Run	Cast Iron Culvert	48" diameter	CWF	N 40-54-31 W 78-14-16
12	Decatur Township	Unnamed tributary to Laurel Run	Cast Iron Culvert	48" diameter	CWF	N 40-56-26 W78-14-10
13	Decatur Township	Unnamed tributary to Laurel Run	Twin Corrugated Metal	48" diameter	CWF	N 40-54-24 W 78-14-08

The permittee shall routinely maintain all the previously listed hydraulic structures to ensure the maximum, unobstructed flow capacity. Since Crossings Nos. 3—8 are in wild trout streams, no maintenance work shall be conducted in or along Crossings Nos. 3—8 between October 1 and December 31 without the prior written permission from the Fish and Boat Commission. The railroad right-of-way subject to this permit is located along the northern and southern right-of-way of SR 0322 western most beginning point approximately 2,600-feet east of SR 0970 and SR 0332 intersection. This permit does not authorize any temporary or permanent impact to wetlands that maybe along the railroad right-of-way.

E18-354. EDABH, Inc., 145 East Walnut Street, Lock Haven, PA 17754. Riverside Pavilion, in Woodward Township, **Centre County**, ACOE Baltimore District (Lock Haven, PA Quadrangle N: 3.75 inches; W: 6.00 inches).

To construct and maintain a 20-foot by 26-foot open-sided pavilion on an existing concrete pad in the left 100-year floodway of the West Branch of the Susquehanna River located on Lot No. 1 of the Havenview Riverfront Retreat, which is located at the southern end of Havenview Road. This project does not propose to directly impact the West Branch of the Susquehanna River (WWF).

E41-523. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 0015 Section 077 Market Street Bridge Replace-

ment, in South Williamsport Borough, Loyalsock Township and City of Williamsport, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville South, PA Quadrangle N: 20.5 inches; W: 17.0 inches).

To remove an existing six span steel I-bridge and construct and maintain an eight span prestressed concrete girder bridge having a clear span of 1,109 feet, with an minimum underclearance of 13.5 feet on a skew of 90° over West Branch Susquehanna River located along SR 0015 Section 077 and to construct, maintain and remove a temporary causeway all of which is located in South Williamsport Borough, Loyalsock Township and City of Williamsport, Lycoming County. This project proposes to have a minimal impact on West Branch Susquehanna River (WWF). This project does not propose to impact any jurisdictional wetlands.

E59-438. Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. Dominion Transmission, Inc., LN-2 Operation and Maintenance, in Clymer, Chatham, Farmington, Westfield and Lawrence Townships, **Tioga County**, ACOE Baltimore District (Elkland, PA Quadrangle N: 6.5 inches; W: 11.2 inches).

To replace, operate and maintain an existing 26-inch diameter pipeline over 20.5 miles within an existing 75 foot right-of-way for the transmission of natural gas. The operation and maintenance of the gas transmission line may require the replacement of 28 stream crossings that are as follows:

<i>Stream Name</i>	<i>Water Quality Designation</i>	<i>Latitude Coordinates</i>	<i>Longitude Coordinates</i>
Jemison Creek	WWF	41° 53' 1"	77° 29' 30"
Tributary—Jemison Creek	WWF	41° 53' 20"	77° 28' 25"

<i>Stream Name</i>	<i>Water Quality Designation</i>	<i>Latitude Coordinates</i>	<i>Longitude Coordinates</i>
Tributary—Crooked Creek	WWF	41° 53' 39"	77° 26' 3"
Tributary—Crooked Creek	WWF	41° 53' 41"	77° 24' 49"
Tributary—Crooked Creek	WWF	41° 53' 46"	77° 24' 1"
Tributary—Crooked Creek	WWF	41° 54' 2"	77° 22' 48"
Tributary—Losey Creek	WWF	41° 54' 10"	77° 22' 13"
Losey Creek	WWF	41° 54' 15"	77° 21' 22"
Croft Hollow	WWF	41° 54' 17"	77° 20' 38"
Tributary—Losey Creek	WWF	41° 54' 31"	77° 19' 41"
Tributary—Cummings Creek	WWF	41° 55' 4"	77° 17' 2"
Tributary—Cummings Creek	WWF	41° 55' 13"	77° 16' 37"
Baldwin Creek	WWF	41° 56' 27"	77° 11' 28"
Bear Creek	WWF	41° 56' 42"	77° 9' 52"
Tributary—Crooked Creek	WWF	41° 57' 21"	77° 8' 59"

Replacement of gas transmission lines shall be completed so that there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. If, upon investigation, the Department determines the gas transmission line approved by this permit is serving to degrade water quality, stream profile, meander pattern or channel geometries, then the permittee shall be required to implement all measures necessary to mitigate the degradation. This permit also authorizes the crossing of any wetland that may occur along the 20.5 mile right-of-way of LN-2; during replacement and maintenance operations, the permittee shall take all precautions necessary to ensure that wetland impacts along the right-of-way are temporary.

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

E03-414. Roaring Run Watershed Association, P. O. Box 333, Apollo, PA 15613-0333. Roaring Run Watershed Restoration and Stabilization Project, Kiskiminitas Township, **Armstrong County**, Pittsburgh ACOE District (Vandergrift, PA Quadrangle N: 13.55 inches; W: 0.45 inch). The applicant proposes to place and maintain a riparian buffer along approximately 600 linear feet of Roaring Run (CWF) at a site along McCartney Road (T-460), between intersections of this roadway with Hilty Road and Edmond Road. The project will include:

1. The removal of a 50 foot long, 6-foot diameter CM pipe culvert and another 45 foot long road crossing consisting of multiple 3-foot diameter culverts.
2. Restoring the stream banks after the removal of these culverts with approximately 145 linear feet of R-5 rock riprap bank stabilization.
3. The removal of material that was stockpiled along approximately 400 linear feet of stream bank.
4. The planting of an approximately 35-foot wide vegetative buffer along both stream banks for the entire project length of 600 feet.

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

E10-375, Department of Transportation, District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701. SR 3024, Segment 0030, Offset 0873 Across Tributary to Brush Creek, in Cranberry Township, **Butler**

County, ACOE Pittsburgh District (Baden, PA Quadrangle N: 16.9 inches; W: 1.6 inches).

To remove the existing structure and to construct and maintain a 90 foot long precast concrete box culvert having a 10-foot wide by 8-foot high waterway opening in a tributary to Brush Creek on SR 3024, Segment 0030, Offset 0873 (Glen Eden Road) approximately 2,000 feet east of Powell Road.

E33-214, Hart Resource Technologies, Inc., P. O. Box 232, 5035 Route 110, Creekside, PA 15732. Punxsutawney Brine Treatment Facility Outfall to Mahoning Creek, in Punxsutawney Borough, **Jefferson County**, ACOE Pittsburgh District (Punxsutawney, PA Quadrangle N: 11.7 inches; W: 13.4 inches).

To construct and maintain twin 4-inch diameter PVC pipes through the existing flood control dike within a 13-inch diameter steel casing and ending with perforated diffusers at approximately the midpoint of Mahoning Creek from the south (left) bank for an outfall from the proposed Punxsutawney Brine Treatment Plant at 400 Gilpin Street approximately 0.1 mile northeast of Indiana Street.

E42-295, Minard Run Oil Company, P. O. Box 18, 609 South Avenue, Bradford, PA 16701, Music Mountain-Lewis Run Road Crossing, in Lafayette Township, **McKean County**, ACOE Pittsburgh District (Lewis Run, PA Quadrangle N: 17.2 inches; W: 10.2 inches).

Minard Run Oil Company is proposing to construct a minor road crossing across Lewis Run (HQ-CWF) by installing a 6 foot diameter culvert within Lewis Run. Both oil development and commercial timbering have previously disturbed the area and the culvert is replacing a previously existing culvert that has been removed. The area to be impacted under the application is 0.004 acre.

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street Floor 5 P. O. Box 8476, Harrisburg, PA 17105-8476.

E0310-001. Wayne and Cowanshannock Townships, Armstrong County, Pittsburgh ACOE District (Rural Valley, PA Quadrangle N: 16.5 inches; W: 5.65 inches).

The applicant proposes to backfill a 2,000 feet long dangerous highwall as part of this project. During the mining operation, an adjacent, intermittent stream was diverted through the pit associated with this highwall

and the original stream channel was backfilled. The applicant proposes to backfill the pit area associated with the highwall (along with the diverted stream) and relocate the stream channel to its approximate original location. The work will involve constructing approximately 1,900 feet of channel having a bottom width of 7 feet and a depth of 2 feet with 1 foot of rock lining. The channel will be connected to the existing stream at the upstream and downstream ends. This will eliminate hazards to public safety and decrease flooding potential on upstream properties.

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D02-129. Shipley Brothers Development, Inc., 12300 Perry Highway, Wexford, PA 15090. To modify, operate and maintain Lake MacLeod Dam across a tributary to Breakneck Creek (WWF), impacting 0.13 acre of wetlands (PEM). The applicant is proposing to make a contribution to the Pennsylvania Wetland Replacement Project instead of constructing wetlands. A dam permit is required to operate and maintain the dam. Proposed modifications are needed to comply with current design standards. The dam is (Mars, PA Quadrangle N: 7.8 inches; W: 0.5 inch) in Pine Township **Allegheny County**.

ACTIONS

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

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. Municipal and Industrial Permit Actions under The Clean Streams Law Act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.1—691.1001).

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

NPDES Permit No. PA0056731, Sewage, **Historic Salem Village Homeowner's**, 2193 Yellow Springs Road, Malvern, PA 19355. This proposed facility is located in Tredyffrin Township, **Chester County**.

Description of Proposed Action/Activity: Renewal to discharge into an unnamed tributary to Valley Creek—Wissahickon-3F.

NPDES Permit No. PA0031208, Sewage, **Garnet Valley School District**, 80 Station Road, Glen Mills, PA 19342. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Renewal to discharge into Green Creek.

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

NPDES Permit No. PA0027693, Sewage, **Minersville Sewer Authority**, 2 East Sunbury Street, Minersville, PA 17954. This proposed facility is located in Branch Township, **Schuylkill County** and discharge to West Branch Schuylkill River.

Description of Proposed Action/Activity: Renewal of NPDES permit. Since original draft, general stormwater conditions were removed, uncontaminated stormwater outfall added and pretreatment conditions removed.

NPDES Permit No. PAS702202, Stormwater, **Houghton International, Inc.**, 6681 Snowdrift Road, Allentown, PA 18106-9353. This proposed facility is located in Upper Macungie Township, **Lehigh County** and discharge to Iron Run.

Description of Proposed Action/Activity: Renewal of NPDES individual stormwater permit.

NPDES Permit No. PAS232208, Industrial Waste, **Carpenter Company**, 5016 Monument Avenue, Richmond, VA 23230. This proposed facility is located in Upper Macungie Township, **Lehigh County** and discharges to Iron Run.

Description of Proposed Action/Activity: Issuance of NPDES permit to discharge stormwater associated with industrial activity.

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

NPDES Permit No. PA0032000, Sewage, **Gifford Pinchot State Park**, 2200 Rosstown Road, Lewisberry, PA 17339-9787. This proposed facility is located in Warrington Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Conewago Creek in watershed 7F.

NPDES Permit No. PA0110442, Sewage, **Carl E. Dallmeyer Family Limited Partnership**, 4775 N. Sherman St. Ext., Mount Wolf, PA 17347. This proposed facility is located in Bedford Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to Brush Run in watershed 11-C.

NPDES Permit No. PA0084476, Sewage, **Hemlock Girl Scout Council, Camp Small Valley Treatment Plant**, 350 Hale Avenue, Harrisburg, PA 17104-1500. This proposed facility is located in Jefferson Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to Armstrong Creek (via wetland and swale) in watershed 6-C.

NPDES Permit No. PA0030643, Sewerage, **Shipensburg Borough**, 111 North Fayette Street, Shipensburg, PA 17257-0129. This proposed facility is located in Southampton Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Middle Spring Creek in watershed 7-B.

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

WQM Permit No. 5503401, Sewerage, SIC 4952, **Penn Township Municipal Authority**, 12 Clifford Road, Selinsgrove, PA 17870. This proposed facility is located in Penn Township, **Snyder County**.

Description of Proposed Action/Activity: Issuance of a water quality management permit for sewers and pump station at Meadow View Estates Phase III Subdivision.

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

Permit No. 6503401, Sewerage, **Brian Roscoe**, R. D. 2, Box 472, Greensburg, PA 15601. Construction of a single residence sewage treatment plant located in Mt. Pleasant Township, **Westmoreland County** to serve Roscoe SFTF.

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

NPDES Permit No. PA0238953, Sewage, **El Ameen Majied**, 2122 Philadelphia Road, Springboro, PA 16435. This proposed facility is located in Beaver Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence discharging to unnamed tributary to West Branch Conneaut Creek.

NPDES Permit No. PA0239054, Sewage, **Robert F. Deinert**, 604 Elmwood Avenue, Grove City, PA 16127. This proposed facility is located in Wayne Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence discharging to unnamed tributary to Sugar Creek.

NPDES Permit No. PA0239062, Sewage, **Norbert F. Dietrich**, 30002 Lake Creek Road, Cochranon, PA 16314. This proposed facility is located in Wayne Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence discharging to unnamed tributary to Sugar Creek.

WQM Permit No. 2002424, Sewerage, **Norbert F. Dietrich**, 30002 Lake Creek Road, Cochranon, PA 16314. This proposed facility is located in Wayne Township, **Crawford County**.

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

WQM Permit No. 2002423, Sewerage, **Robert F. Deinert**, 604 Elmwood Avenue, Grove City, PA 16127. This proposed facility is located in Wayne Township, **Crawford County**.

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

WQM Permit No. 2002419, Sewerage, **El Ameen Majied**, 2122 Philadelphia Road, Springboro, PA 16435. This proposed facility is located in Beaver Township, **Crawford County**.

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

WQM Permit No. 2003404, Sewerage, **Leslie M. Forinash**, 8930 Hickory Drive, Meadville, PA 16335. This proposed facility is located in Beaver Township, **Crawford County**.

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

WQM Permit No. 4303403, Sewerage, **Eileen Hanson**, 796 Vernon Road, Greenville, PA 16125. This proposed facility is located in Lackawannock Township, **Mercer County**.

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

WQM Permit No. 3703402, Sewerage, **Carol E. Jones**, R. R. 4, Box 704, New Castle, PA 16101. This proposed facility is located in Slippery Rock Township, **Lawrence County**.

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

WQM Permit No. 6203407, Sewerage, **Janice K. Mong**, R. R. 3, Box 3336, Russell, PA 16345. This proposed facility is located in Farmington Township, **Warren County**.

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

WQM Permit No. 1003403, Sewerage, **Michael J. Blank**, 555 Watters Station Road, Evans City, PA 16033. This proposed facility is located in Forward Township, **Butler County**.

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

WQM Permit No. 4303401, Sewerage, **Thomas L. Waterloo**, 46 Autumn Drive, Mercer, PA 16137-3104. This proposed facility is located in East Lackawannock Township, **Mercer County**.

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

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

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

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

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

For individuals who wish to challenge an action, ap-

peals 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.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI2011503007	Donna Kasuska 277 Jefferis Road Downingtown, PA 19335	Chester	East Brandywine Township	Unnamed tributary to Culbertson Run HQ-TSF-MF
PAI2011503009	Robert Dever and Deborah Bruneau 6 Stags Leap Court Tabernacle, NJ 08088	Chester	East Nantmeal Township	Unnamed tributary to French Creek South and Beaver Run HQ-TSF

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

Cumberland County Conservation District, 43 Brookwood Avenue, Suite 4, Carlisle, PA 17103, (717) 240-7812.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10H099	Wilber Diehl 139 West High Street Carlisle, PA 17013	Cumberland	South Middleton Township	Letort Spring Run EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI2030602001	John Membrino 32 Spring Hill Road Hereford, PA 18056	Berks	Hereford	Perkimen Creek HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI2041403003	Charlotte Smith 3050 Marengo Rd. Port Matilda, PA 16870	Centre	Halfmoon Township	Halfmoon Creek CWF
PAS106607	Bishcroft Farm LP Timothy Bishop R. R. 1, Box 58 Roaring Branch, PA 17765-9727	Tioga	Liberty Township	Little Elk Run and Tributaries HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS104113 Mod. 1	DL Resources, Inc. 1066 Hoover Road Smicksburg, PA 16256	McKean	Hamilton Township	Whiting Run (HQ-CWF) Markham Run (HQ-CWF) Kinzua Creek (CWF)
PAI2082702001	Pennsylvania General Energy Corporation 208 Liberty Street Warren, PA 16365	Forest	Kingsley Township	Salmon Creek (HQ-CWF)

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

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

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

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Swarthmore Borough Delaware County	PAR10J216-1	Swarthmore College 500 College Avenue Swarthmore, PA 19081	Crum Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
City of Philadelphia Philadelphia County	PAG2015103003	Philadelphia Housing Authority 12 South 23rd Street, 5th Floor Philadelphia, PA 19103	Municipal Storm Sewer	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Luzerne County City of Hazleton	PAG2004003007	Great Hazleton Health Alliance St. Josephs Medical Center 681 N. Church St. Hazleton, PA 18201	Hazle Creek CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Plains Township	PAG2004003008	Plains Township 126 N. Main St. Plains, PA 18705	UNT to Susquehanna River WWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Yatesville Borough	PAG2004003009	Avale Limited Partnership 249 N. 11th Street Sunbury, PA 17801	Susquehanna River WWF	Luzerne County Conservation District (570) 674-7991

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Carbon County Palmerton Borough	PAG2001303001	Joseph Cimerola 1851 Brook Haven Dr. East Allentown, PA 18103	Lehigh River CWF	Carbon County Conservation District (610) 377-4894
Lackawanna County Scott Township	PAG2003503002	George Bolus GBM Limited R. R. 1, Box 328 Dalton, PA 18414	Kennedy Creek CWF	Lackawanna County Conservation District (570) 281-9495
Lackawanna County City of Scranton	PAG2003503003	Paul O'Malley Scranton School District 425 N. Washington Ave. Scranton, PA 18503	Lackawanna River WWF	Lackawanna County Conservation District (570) 281-9495
Lehigh County Hanover Township	PAG2003903001	Leo Desrosiers 1701 East Race St. Allentown, PA 18109	Lehigh River TSF	Lehigh County Conservation District (610) 391-9583
Schuylkill County West Brunswick Township	PAG2005403003	Gabriel Nassar Camelot Estates Subdivision Lake Front Drive Orwigsburg, PA 17961	Pine Creek CWF	Schuylkill County Conservation District (570) 622-3742
Wayne County Clinton Township	PAR107400R	Forest View Estates Dev. Corp. 314 Summit Ave. Clarks Summit, PA 18411	UNT to Lackawanna River CWF	Wayne County Conservation District (570) 253-0930
Camelot Square Herrs Ridge Road at Old Mill Road Gettysburg, PA 17325 Cumberland Township	PAG2000103006	Martin K. P. Hill TOUSA Homes, Inc. 4219 Hanover Pike Manchester, MD 21102	Willoughby Run WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Maidencreek Township Berks County	PAR10C458	Kevin Timochenko Metropolitan Management Group 438 Walnut Street Reading, PA 19601	Willow Creek	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Spring Township Berks County	PAR10C207R	Stephen Najarian Estate Properties, Inc. 825 Berkshire Blvd., Ste. 203 Wyomissing, PA 19610	Cacoosing Creek TSF	Berks County Conservation District
North Middleton Cumberland County	PAR10H192	Members 1st Federal Credit Union 5000 Louise Drive Mechanicsburg, PA 17055	Conodoguinet WWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
Jefferson Borough York County	PAR10Y514	James Gray 236 Ebb Pointe Lane Annapolis, MD 21401	South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springfield Township York County	PAR10Y645	Jeff Rutt Keystone Custom Homes 214A Willow Valley Lakes Dr. Willow Street, PA 17584	East Branch Codorus Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Hellam Township York County	PAR10Y648	Lynne Hammill H & H Castings 4300 Lincoln Highway York, PA 17406	Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

NOTICES

1995

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Dillsburg Borough York County	PAG2006703003	Baseline Properties 124 W. Church Street P. O. Box 459 Dillsburg, PA 17019	Dogwood Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Centre County State College Borough	PAG2001403013	McIntyre Hall @ Ramada Inn c/o State College Assoc., Ltd. 1450 S. Atherton St. State College, PA 16801	Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Fayette County Henry Clay Township Addison Township Somerset County	PAG2052603004	Department of Transportation P. O. Box 459 Uniontown, PA 15401	Youghiogheny River WWF	Fayette County Conservation District (724) 438-4497
Washington County Peters Township	PAG2006303007	Reverend Phillip Donatelli 120 Abington Drive McMurray, PA 15317	UNT to Brush Run WWF	Washington County Conservation District (724) 228-6774
Clarion County Farmington Township	PAR101534	Gene Frederick Farmington Township P. O. Box 148 Leeper, PA 16233	Licking Creek CWF	Clarion County Conservation District
Erie County Harborcreek Township	PAG2002503006	Wal-Mart Stores, Inc. 2001 SE 10th Street Bentonville, AR 72712	Sixmile Creek CWF	Erie County Conservation District
Venango County Cranberry Township	PAG20061030043	Karl D. Ishman Department of Transportation Engineering District 1-0 255 Elm Street Oil City, PA 16301	Lower Two Mile Run CWF	Venango County Conservation District

General Permit Type—PAG-3

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Middletown Township Bucks County	PAR230080	GE Betz Inc. 1035 Wheeler Way Langhorne, PA 19047	Mill Creek 2E Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Richland Township Bucks County	PAR140022	Avery Dennison Fasson Roll Division 35 Penn Am Dr. Quakertown, PA 18951	Tohickon Creek 2D Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Plymouth Township Montgomery County	PAR200003	Chemalloy Co., Inc. 996 Railroad Ave. Bryn Mawr, PA 19010	UNT to Schuylkill River 3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Rockhill Township Bucks County	PAR210018	Rock Hill Materials Co. 339 School St. Catasauqua, PA 18032	Three Mile Run Tohickon Creek 2D Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lackawanna County Old Forge Borough	PAR802219	Overnite Transportation Co. P. O. Box 1216 Richmond, VA 23218	Lackawanna River TSF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Ellwood City Lawrence County	PAR118332	Heraeus Electro-Nite Company	Connoquenessing Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Clarion County	PAR228304	Georgia-Pacific Corporation P. O. Box 30 Marble, PA 16334	Unnamed tributary to East Sandy Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Fairview Township Erie County	PAR218316	Elk Creek Ready Mix P. O. Box 930 Fairview, PA 16415-0930	Unnamed tributary to Trout Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Brookville Borough Jefferson County	PAR118339	Beverage Air R. R. 8, Box 356-C Brookville, PA 15825	Redbank Creek and Clement Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of St. Marys Elk County	PAR808329	City Transfer, Inc. 900 Brussells Street St. Marys, PA 15857	Unnamed tributary to Clarion River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Butler Township Butler County	PAR808331	Buffalo & Pittsburgh Railroad, Inc. P. O. Box 1532 Butler, PA 16003	Connoquenessing Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Franklin County Lurgan Township	PAG043702	David S. Blank, Jr. 7026 McClays Mill Rd. Newburg, PA 17240	UNT Paxtun Run WWF	DEP—SCRO 909 Elmerton Ave Harrisburg, PA 17110 (717) 705-4707
Mt. Pleasant Township Westmoreland County	PAG046267	Brian Roscoe R. D. 2 Box 472 Greensburg, PA 15601	Unnamed tributary to Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Beaver Township Crawford County	PAG048886	Leslie M. Forinash 8930 Hickory Drive Meadville, PA 16335S	Stone Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lackawannock Township Mercer County	PAG048883	Eileen Hanson 796 Vernon Road Greenville, PA 16125	Magargee Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Slippery Rock Township Lawrence County	PAG048884	Carol E. Jones R. R. 4, Box 704 New Castle, PA 16101	Unnamed tributary to Big Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Farmington Township Warren County	PAG048876	Janice K. Mong R. R. 3, Box 3336 Russell, PA 16345	Unnamed tributary to Rhine Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Forward Township Butler County	PAG048882	Michael J. Blank 555 Watters Station Road Evans City, PA 16033	Glade Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
East Lackawannock Township Mercer County	PAG048871	Thomas L. Waterloo 46 Autumn Drive Mercer, PA 16137-3104	Unnamed tributary to Neshannock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Latrobe Borough Westmoreland County	PAG056186	Sunoco Inc. 5733 A Butler Street Pittsburgh, PA 15201	Loyalhanna Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
South Middleton Township Cumberland County	PAG083532	Peck's Septic Service 68 Pine School Road Gardners, PA 17324	Donald Bream Farm No. 1	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
South Middleton Township Cumberland County	PAG083532	Peck's Septic Service 68 Pine School Road Gardners, PA 17324	Donald Bream Farm No. 2	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
South Middleton Township Cumberland County	PAG083532	Peck's Septic Service 68 Pine School Road Gardners, PA 17324	Larry Ulsh Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
South Middleton Township Cumberland County	PAG083532	Peck's Septic Service 68 Pine School Road Gardners, PA 17324	Shirley Peck Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
<i>General Permit Type—PAG-9</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
Taylor Township Fulton County	PAG093543	Hustontown Joint Sewer Authority 171 North Spring St. Hustontown, PA 17229	Malot Family LLP—Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
<i>General Permit Type—PAG-10</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Whitemarsh Township Montgomery County	PAG100010	Sun Pipe Line Co. Ten Penn Center 26th Floor, 1801 Market St. Philadelphia, PA 19103	Sandy Run Creek	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-61631
Marcus Hook Borough Delaware County	PAG100011	Columbia Gas Transmission Corporation 1700 MacCorkle Ave. Charlestown, WV 25325	Delaware River	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-61631
<i>General Permit Type—PAG-12</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Perry County Northeast Madison Township	PAG123527 (Amendment 1)	Taylor E. Miller Ted Miller Farm CAFO R. R. 1, Box 144C Ickesburg, PA 17037	Watershed 7A	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707

PUBLIC WATER SUPPLY PERMITS

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

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

of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

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

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

Operations Permit issued to Lake of the Pines Water Corporation, 189 Lake of the Pines, East Stroudsburg, PA 18301, PWS ID 2450015, Middle Smithfield Township, **Monroe County** on December 20, 2002, for the operation of facilities approved under Construction Permit No. 4500505.

Operations Permit issued to **TC Group, Inc.**, P. O. Box 660, Pocono Summit, PA 18346, PWS ID 2451203, Tobyhanna Township, **Monroe County** on February 25, 2003, for the operation of facilities approved under Construction Permit No. 2451203.

Operations Permit issued to **Valley Gorge Mobile Home Park**, 316 Susquehanna Street, White Haven, PA 18661, PWS ID 2400126, White Haven Borough, **Luzerne County** on March 25, 2003, for the operation of facilities approved under Construction Permit No. 4089516.

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

Permit No. 0603502 MA, Minor Amendment, Public Water Supply.

Applicant	Western Berks Water Authority
Municipality	Lower Heidelberg Township
County	Berks
Type of Facility	Water treatment plant filter backwash handling improvements.
Consulting Engineer	Gene C. Koontz, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Permit to Construct Issued:	April 3, 2003

Operations Permit issued to **Post Precision Castings Inc.**, 3060871, Upper Tulpehocken Township, **Berks County** on March 28, 2003, for the operation of facilities approved under Construction Permit No. 0602505.

Operations Permit issued to **Perry Village Nursing Home**, 7500008, Centre Township, **Perry County** on April 1, 2003, for the operation of facilities approved under Construction Permit No. 5001503.

Operations Permit issued to **The York Water Company**, 7670100, East Manchester Township, **York County** on March 31, 2003, for the operation of facilities approved under Construction Permit No. 6702504 MA.

Operations Permit issued to **The York Water Company**, 7670100, York Township, **York County** on March 31, 2003, for the operation of facilities approved under Construction Permit No. 6702518.

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

Permit No. 4146292—Amendment 14—Operations. Public Water Supply.

Applicant	CCDA Water, LLC c/o Shirley A. Bonsell, QA Manager One Aqua Penn Drive P. O. Box 938 Milesburg, PA 16853
Township	Boggs Township
County	Centre

Type of Facility	PWS—Operation of an ultraviolet light disinfection unit, two reverse osmosis filtration units and addition of phosphoric acid, sulfuric acid, magnesium chloride, anhydrous calcium chloride, caustic soda, sodium fluoride and anhydrous sodium sulfate chemical feed systems.
Permit to Operate Issued	April 3, 2003

Permit No. 4146292—Amendment 15—Operations. Public Water Supply.

Applicant	CCDA Water, LLC c/o Shirley A. Bonsell, QA Manager One Aqua Penn Drive P. O. Box 938 Milesburg, PA 16853
Township	Boggs Township
County	Centre
Type of Facility	PWS—Approves all labels to be used by CCDA Water, LLC in their Milesburg, PA facility on bottles 1/2 gallon or larger.
Permit to Operate Issued	April 3, 2003

Permit No. 4146292—Amendment 13—Cancellation Operations. Public Water Supply.

Applicant	CCDA Water, LLC c/o Shirley A. Bonsell, QA Manager One Aqua Penn Drive P. O. Box 938 Milesburg, PA 16853
Township	Boggs Township
County	Centre
Type of Facility	PWS
Permit to Cancelled	April 3, 2003

Permit No. 4146292—T4 Operations. Public Water Supply.

Applicant	CCDA Water, LLC c/o Shirley A. Bonsell, QA Manager One Aqua Penn Drive P. O. Box 938 Milesburg, PA 16853
Township	Boggs Township
County	Centre
Type of Facility	PWS—Source known as Diamond Spring and tanker fill station.
Permit to Operate Issued	April 2, 2003

Permit No. 4146292-A6—T2 Operations. Public Water Supply.

Applicant	CCDA Water, LLC c/o Shirley A. Bonsell, QA Manager One Aqua Penn Drive P. O. Box 938 Milesburg, PA 16853
-----------	--

Township Boggs Township
 County **Centre**
 Type of Facility PWS—Bottling plant in Milesburg including storage tanks, ozonation equipment, UV disinfection, pump stations, bottling lines, fluoridation, bag and cartridge filters, softeners and distillation equipment.

Permit to Operate Issued April 2, 2003

Permit No. 4146292-A8—T2 Operations. Public Water Supply.

Applicant **CCDA Water, LLC**
c/o Shirley A. Bonsell, QA Manager
 One Aqua Penn Drive
 P. O. Box 938
 Milesburg, PA 16853

Township Boggs Township
 County **Centre**
 Type of Facility PWS—Diamond Spring enclosure and 10,000 gallon holding tank, ozonator, tanker fill pumps and cartridge filters at the fill station.

Permit to Operate Issued April 2, 2003

Permit No. 4146292-A9—T2 Operations. Public Water Supply.

Applicant **CCDA Water, LLC**
c/o Shirley A. Bonsell, QA Manager
 One Aqua Penn Drive
 P. O. Box 938
 Milesburg, PA 16853

Township Boggs Township
 County **Centre**
 Type of Facility PWS—25,000 feet of transmission main between the Gamble Mill in Bellefonte and the Milesburg bottling facility.

Permit to Operate Issued April 2, 2003

Permit No. 4146292-A10—T2 Operations. Public Water Supply.

Applicant **CCDA Water, LLC**
c/o Shirley A. Bonsell, QA Manager
 One Aqua Penn Drive
 P. O. Box 938
 Milesburg, PA 16853

Township Boggs Township
 County **Centre**
 Type of Facility PWS—Bellefonte Big Spring source of supply and 2,500 feet of transmission main from the Big Spring to the Gamble Mill in Bellefonte.

Permit to Operate Issued April 2, 2003

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

Permit No. 1101503, Public Water Supply.

Applicant **Greater Johnstown Water Authority**
 P. O. Box 1287
 Johnstown, PA 15907
 Borough or Township East Taylor Township
 County **Cambria**
 Type of Facility Saltlick Reservoir Membrane Filtration Water Treatment Plant
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 P. O. Box 853, Latrobe, PA 15650

Permit to Construct Issued March 28, 2003

Permit No. 1191503-A1, Public Water Supply.

Applicant **Glendale Yearound**
 P. O. Box 89
 Flinton, PA 16640
 Borough or Township White Township
 County **Cambria**
 Type of Facility WTP
 Consulting Engineer Dakota Engineering Associates, Inc.
 Etna Technical Center
 Suite 200, 35 Wilson Street
 Pittsburgh, PA 15223

Permit to Construct Issued April 3, 2003

Operations Permit issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, PWS ID 5020039, Green Tree Borough, **Allegheny County** on April 7, 2003, for the operation of facilities approved under Construction Permit No. 0299507.

Operations Permit issued to **Borough of Sewickley Water Authority**, P. O. Box 190, Sewickley, PA 15143, PWS ID 5020050, Sewickley Borough, **Allegheny County** on April 7, 2003, for the operation of facilities approved under Construction Permit No. 0284505-A2.

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

Operations Permit issued to **Erie City Water Authority**, 340 West Bayfront Parkway, Erie, PA 16507, PWS ID 6250028, Chestnut Street WTP, City of Erie, **Erie County** on February 21, 2003, for the operation of facilities approved under Construction Permit No. 2502503. This is a correction to the action published at 33 Pa.B. 1277 (March 8, 2003). It mistakenly listed Sommerheim WTP instead of Chestnut Street WTP.

Operations Permit issued to **Brookville Municipal Authority**, Three Jefferson Court, Brookville, PA 15825, PWS ID 6330004, City of Brookville, **Jefferson County** on April 1, 2003, for the operation of facilities approved under Construction Permit No. 3394501-MA1.

Permit No. 1602503, Public Water Supply.

Applicant **Redbank Valley Municipal Authority**
243 Broad Street
New Bethlehem, PA 16242.

Borough or Township Porter Township

County **Clarion**

Type of Facility Cottage Hill Water System Expansion

Consulting Engineer Nichols & Slagle Eng. Inc.
980 Beaver Grade Road
Suite 101, Westmark Building
Moon Township, PA 15108.

Permit to Construct Issued April 3, 2003

STORMWATER MANAGEMENT

Action on plans submitted under the Stormwater Management Act (32 P. S. § 680.9).

Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555.

Plan No. 052:23, Chester Creek Stormwater Management Plan, as submitted by **Delaware County**, was approved on March 27, 2003.

Plan No. 052:23, Chester Creek Stormwater Management Plan, as submitted by **Chester County**, was approved on March 28, 2003.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Rush Township	P. O. Box 152 Philipsburg, PA 16866	Centre County

Plan Description: The approved plan provides for construction of extensions of existing Rush Township sewers to provide service to 115 new users in the One Mile Run, Windy Hill and Loch Lomond Road sections of Rush Township. Sections of two existing deteriorated sewers will also be replaced. Treatment of the collected wastewater will take place at the existing Moshannon Valley Joint Sewer Authority wastewater treatment facility. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. The required WQM permit must be obtained in the name of the municipality or authority as appropriate.

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

Plan Name: Bedford Borough Municipal Authority—Categorical Exclusion

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bedford Borough	244 West Penn Street Bedford, PA 15522	Bedford

Description: The Pennsylvania Infrastructure Investment Authority (Authority), which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to replace sewers in five areas within the Borough limit. Much of the sewer project will consist of the same trench replacement with minor alignment change in few sections. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department Regional Office after which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

CDR Pigments and Dispersions, 75 Front St., Ridgway, **Elk County**. Civil & Env. Consultants, Inc., 333 Baldwin Rd., Pittsburgh, PA 15205-9702 (on behalf of CDR Pigments and Dispersions, 75 Front St., Ridgway) has submitted a Cleanup Plan concerning remediation of soil, groundwater and surface water contaminated with lead, heavy metals solvents and BTEX. The report is intended to document remediation of the site to meet the Site Specific Standards.

AOC-1 Former Oil Reclaim and Adjacent Areas, Caparo Steel Co., 15 Roemer Blvd., Farrell, PA 16121, **Mercer County**. Paul Wojciak, P. E., Environmental Management Assoc., LLC, 10925 Perry Hwy., Suite 23, Wexford, PA 15090 (on behalf of Carparo Steel Co., 15 Roemer Blvd., Farrell, PA 16121) has submitted a Final Report concerning remediation of soil contaminated with

INORG, Lead, OTORG and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standards. Public notice in *The Herald* was complete on or about March 13, 2002.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Shapiro Residence, Choconut Township, **Susquehanna County**. Chris A. Purvis, Senior Project Manager, Lewis Environmental Group, P. O. Box 639, Royersford, PA 19468 submitted a Final Report (on behalf of David Shapiro, Stanley Lake Road, Friendsville, PA) concerning the remediation of soils found or suspected to have been contaminated with no. 2 fuel oil as the result of an accidental release. The report documented attainment of the residential Statewide Health Standard and was approved on March 28, 2003.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits 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 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. 101371. McAuliffe Hauling and Recycling Services, Inc., P. O. Box 59, Walnutport, PA 18088. A permit renewal authorizing the continued operation of this municipal waste transfer facility located in Lehigh Township, **Northampton County**. The permit was issued in the Regional Office on April 9, 2003, with an expiration date of April 9, 2013.

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

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

Permit No. 602571. Peck's Septic Service, 68 Pine School Road, Gardners, PA 17324, South Middleton Township, **Cumberland County**. This permit has been revoked at the request of the permittee for Bream No. 1, Bream No. 2, Ulsh and Peck Farms in South Middleton Township. The permit was revoked by Southcentral Regional Office on April 7, 2003.

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

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

Permit ID No. 300876. Conemaugh Station Ash/Mine Refuse Disposal Site, Reliant Energy Northeast Management Company, 1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907-1050. Operation of a Residual Waste Landfill in West Wheatfield Township, **Indiana County**.

Major permit modification authorizing disposal of previously unapproved waste streams in the Stage II Disposal

Area at the site and revisions to the Water Quality Monitoring Plan was issued in the Regional Office on April 2, 2003.

Persons interested in reviewing the permit may contact the Department of Environmental Protection, Land Recycling and Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 654-5984.

MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION

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

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

Lafferty Trucking Co. Inc., 3709 Beale Ave. Altoona, PA 16601. Authorization No. WH3575. Effective March 11, 2003.

Yakup Nal, 1350 August Road, North Babylon, NY 11703. Authorization No. WH2563. Effective March 11, 2003.

Encotech Inc., P. O. Box 305, Eighty Four, PA 15330. Authorization No. WH2565. Effective March 11, 2003.

A & L Inc., 4201 SR 51, Belle Vernon, PA 15012. Authorization No. WH2583. Effective March 11, 2003.

A & L Transport Inc., 711 Faile St., Bronx, NY 10474. Authorization No. WH2594. Effective March 11, 2003.

Cerminaro Construction Co. Inc., 1141 Clay Ave., Dunmore, PA 18510. Authorization No. WH2701. Effective March 11, 2003.

ABC Construction Co. Inc., 2826 Finley Ave., Bensalem, PA 19020. Authorization No. WH2702. Effective March 11, 2003.

Fleischer Bros., 954 Boulder Dr., Mt. Bethel, PA 18343. Authorization No. WH2703. Effective March 11, 2003.

Western Westmoreland Municipal Authority, 12441 Route 993, North Huntingdon, PA 15642-0366. Authorization No. WH2704. Effective March 11, 2003.

Stroud Township, Monroe County, 121 N. 5th St. Stroudsburg, PA 18360-2646. Authorization No. WH2705. Effective March 11, 2003.

Al Johnson Co., P. O. Box 523, Drexel Hill, PA 19026-0523. Authorization No. WH2707. Effective March 11, 2003.

Darryl T. Cole, 123 S. 6th St., Darby, PA 19023. Authorization No. WH2708. Effective March 11, 2003.

Brezen Trucking Inc., 220 Speer Ave., Clifton, NJ 07013. Authorization No. WH2709. Effective March 11, 2003.

Bednasz Trucking Co. Inc., P. O. Box 534, Hamburg, NY 14075-0534. Authorization No. WH2713. Effective March 11, 2003.

South Greensburg Borough, Westmoreland County, 1515 Poplar St., Greensburg, PA 15601-5453. Authorization No. WH2714. Effective March 11, 2003.

Harbaugh Trucking Inc., 123 Sherman St., Rockwood, PA 15557. Authorization No. WH2715. Effective March 11, 2003.

A & A Refuse Services Inc., 3 New Dorwart Street, Lancaster, PA 17603-5201. Authorization No. WH2716. Effective March 11, 2003.

Marth Hauling Inc., 1438 Willobrook Road, Northampton, PA 18067. Authorization No. WH2717. Effective March 11, 2003.

TLJ Recycling & Container Service LLC, 821 Market Ave., Depford, NJ 08096. Authorization No. WH2719. Effective March 11, 2003.

Art Kerpovich Sanitation Service, 74 Manor Dr., Shavertown, PA 18708-9670. Authorization No. WH2720. Effective March 11, 2003.

Rapid Pallet Inc., P. O. Box 123, 100 Chestnut St., Jermyn, PA 18433. Authorization No. WH2721. Effective March 11, 2003.

Turkey Hill Dairy Inc., 2601 River Road, Conestoga, PA 17516-9327. Authorization No. WH2722. Effective March 11, 2003.

Jesse S. Zerbe, 1519 W. Main Street, Valley View, PA 17983. Authorization No. WH2725. Effective March 11, 2003.

B & R Trucking, 209 Filicky Lane, Stoystown, PA 15563-8611. Authorization No. WH2726. Effective March 11, 2003.

Kingston Borough, Luzerne County, 500 Wyoming Ave., Kingston, PA 18704-3604. Authorization No. WH2727. Effective March 11, 2003.

Alexander Excavating, 220 Tearing Run Road, Homer City, PA 15748. Authorization No. WH2728. Effective March 11, 2003.

Fred A. Ream, 145 Duppsstadt Road, Markleton, PA 15551. Authorization No. WH2730. Effective March 11, 2003.

Shalston Enterprises Inc., 126 Main St., P. O. Box 309, West Sunbury, PA 16061-0309. Authorization No. WH2731. Effective March 11, 2003.

North Lebanon Township, Lebanon County, 725 Kimmerlings Rd., Lebanon, PA 17046-9202. Authorization No. WH2732. Effective March 11, 2003.

Elaine Stine Trucking Inc., 147 Pine Street, P. O. Box 147, Branchdale, PA 17923. Authorization No. WH2733. Effective March 11, 2003.

Davis Transport Inc., 6592 Route 119 Highway S., Blairsville, PA 15717. Authorization No. WH2734. Effective March 11, 2003.

Gibson Township, Cameron County, P. O. Box 12, Sinnemahoning, PA 15861. Authorization No. WH2735. Effective March 11, 2003.

Montana Trucking LLC, 1730 Port Clinton Road, Fremont, OH 43420. Authorization No. WH2738. Effective March 11, 2003.

Department of Transportation Engineering District 8-0, P. O. Box 569, 1445 Cumberland St., Lebanon, PA 17042. Authorization No. WH2739. Effective March 11, 2003.

Fayette Transportation Service Inc., P. O. Box 1091, Route 21, W. Balsinger Road, Uniontown, PA 15401. Authorization No. WH2743. Effective March 11, 2003.

CMR Trucking Co., 115 Clark Pl., Elizabeth, NJ 07206. Authorization No. WH2744. Effective March 11, 2003.

C. Rivera Trucking Corp., 11 Zachary Lane, Yardville, NJ 08620. Authorization No. WH2745. Effective March 11, 2003.

Rafael A. Robles, 3456 N. Kip Street, Philadelphia, PA 19134. Authorization No. WH2747. Effective March 11, 2003.

Spock Brothers Inc., P. O. Box 398, Levittown, PA 19058-0398. Authorization No. WH2748. Effective March 11, 2003.

Claudio C. Gavelik, 161 Delancy Street, Newark, NJ 07105-1923. Authorization No. WH2750. Effective March 11, 2003.

Monty D. Burgess, 357 Fairmount Street, Somerset, NJ 08873. Authorization No. WH2899. Effective March 11, 2003.

Heritage Transport LLC, 7901 W. Morris St., Indianapolis, IN 46231-1366. Authorization No. WH2849. Effective March 12, 2003.

Mycos Enterprises Inc., 74 Myers Road, Felton, PA 17322. Authorization No. WH1934. Effective March 13, 2003.

MEG Trucking Co., P. O. Box 141, 916 Hanna Street, Houtzdale, PA 16651. Authorization No. WH1949. Effective March 13, 2003.

Syn-Gyp Transportation Inc., P. O. Box 1082, Ocean City, NJ 08226. Authorization No. WH2580. Effective March 13, 2003.

Waste Transfer of MD, 6994 Columbia Gateway Drive, Columbia, MD 21046. Authorization No. WH3093. Effective March 13, 2003.

E & E Trucking, P. O. Box 3, Route 160, Wellersburg, PA 15564. Authorization No. WH2161. Effective March 13, 2003.

Frank Earl Wilson, 665 Coleman Ave., Johnstown, PA 15902. Authorization No. WH2889. Effective March 14, 2003.

Tier De Inc., 300 Jefferson Ave., Downingtown, PA 19335-3026. Authorization No. WH2901. Effective March 14, 2003.

Source Transportation, 175-30 Suite 216 Route 70, Medford, NJ 08055. Authorization No. WH2902. Effective March 14, 2003.

Watergate Trucking, 4036 Darlington Road, Darlington, PA 16115-2116. Authorization No. WH2904. Effective March 14, 2003.

BJ Transportation, R. R. 1 Box 91, Irwin, PA 15642. Authorization No. WH2907. Effective March 14, 2003.

Department of Transportation Engineering District 2-0, 99 Second Ave., Lock Haven, PA 17745. Authorization No. WH2908. Effective March 14, 2003.

Valley Sanitation, 101 Reese St., Wilkes-Barre, PA 18702. Authorization No. WH2909. Effective March 14, 2003.

Biros Utilities Inc., 14 Schoolhouse Road, P. O. Box 94, Sheppton, PA 18248. Authorization No. WH2554. Effective March 12, 2003.

Stephen M. Wargo, 32 Washington Street, Annandale, NJ 08801. Authorization No. WH2814. Effective March 12, 2003.

Robert T. Gentile, 21 Colfax Road, Edison, NJ 08817. Authorization No. WH2815. Effective March 12, 2003.

L. H. Nelson Enterprises LLC, Suite 267, 413 Crystal Lake Avenue, Haddonfield, NJ 08033. Authorization No. WH2816. Effective March 12, 2003.

Noralco Corporation, 1920 Lincoln Road, Pittsburgh, PA 15235-1127. Authorization No. WH2817. Effective March 12, 2003.

Arlan R. Wagner, 23 S. Maple Avenue, Pottsville, PA 17901. Authorization No. WH2818. Effective March 12, 2003.

Mercury Trucking Inc., One Energy Place, Suite 3000, Latrobe, PA 15650. Authorization No. WH2824. Effective March 12, 2003.

Village Thrift Stores, 4136 Blanche Road, Bensalem, PA 19020. Authorization No. WH2825. Effective March 12, 2003.

VF Factory Outlet Inc., 801 Hill Avenue, Reading, PA 19610-3026. Authorization No. WH2827. Effective March 12, 2003.

Countywide Construction Corp., P. O. Box 635, Sayville, NY 11782. Authorization No. WH2828. Effective March 12, 2003.

Burrell Sanitation, 2800 Lori Drive, Lower Burrell, PA 15068-3604. Authorization No. WH2829. Effective March 12, 2003.

Stillwater Environmental Service Inc., P. O. Box 18, Forest City, PA 18421. Authorization No. WH2831. Effective March 12, 2003.

Maynard Hall Freight Carrier Service, P. O. Box 248, Bedford, PA 15522-0248. Authorization No. WH2910. Effective March 14, 2003.

G Express, 133 Regal Court, Limerick, PA 19468. Authorization No. WH2911. Effective March 14, 2003.

Resource Management Council Services, Suite 300, 3001 Expressway Dr. N., Islandia, NY 11749. Authorization No. WH2912. Effective March 14, 2003.

Russell J. Nestor Removal, 77 Olympia Ave., Trenton, NJ 08610-4127. Authorization No. WH2913. Effective March 14, 2003.

Susan Beadling Trucking, 401 S. Kings Creek Road, Burgettstown, PA 15021. Authorization No. WH2915. Effective March 14, 2003.

Chalco Gustavo, 89-04 Northern Blvd., Flushing, NY 11372. Authorization No. WH2916. Effective March 14, 2003.

West Hills Area WPCA, R. R. 7 Box 3, Kittanning, PA 16201-7501. Authorization No. WH2918. Effective March 14, 2003.

C & D Transportation Inc., Bldg. 13B, Ave. B, Leetsdale, PA 15056. Authorization No. WH2919. Effective March 14, 2003.

Philadelphia Parking Auth., 3101 Market St., Philadelphia, PA 19104. Authorization No. WH2921. Effective March 14, 2003.

Casciato Bros., 4748 Child Dr., Pittsburgh, PA 15236-2442. Authorization No. WH2922. Effective March 14, 2003.

Hi Tech Water Jetting & Pipe Cleaning Service Inc., P. O. Box 173, Pocopson, PA 19366. Authorization No. WH2929. Effective March 14, 2003.

Dupont Borough, Luzerne County, Municipal Bldg., 600 Chestnut St., Dupont, PA 18641-1935. Authorization No. WH2930. Effective March 14, 2003.

Tullytown Borough, 500 Main St., Tullytown, PA 19007-6207. Authorization No. WH2931. Effective March 14, 2003.

Quality Building Service, 10875 Arnold Road, Northeast, PA 16428. Authorization No. WH2932. Effective March 14, 2003.

Arthur C. Roncher, R. R. 1 Box 138A5, Kittanning, PA 16201. Authorization No. WH3243. Effective March 14, 2003.

Valley Lines Trucking Inc., 1395 Sarver Road, Freeport, PA 16229. Authorization No. WH4088. Effective March 14, 2003.

Jon D. Faus, R. R. 4 Box 5132, Jonestown, PA 17038-9410. Authorization No. WH2699. Effective March 10, 2003.

Big Inc., P. O. Box 328, 4421 North Delaware Drive, Portland, PA 18351. Authorization No. WH2676. Effective March 10, 2003.

Abington Township, Montgomery County, 1176 Old York Road, Abington, PA 19001-3719. Authorization No. WH2000. Effective February 10, 2003.

United Environmental Group Inc., 241 McAleer Road, Sewickley, PA 15143-8106. Authorization No. WH2694. Effective March 11, 2003.

B & J Morrison Construction, R. R. 1 Box 103AA, DuBois, PA 15801. Authorization No. WH2697. Effective March 10, 2003.

Jeff Reddick Roll Off & Hauling, Grove City Road, 2654 Sandy Lake, Stoneboro, PA 16153. Authorization No. WH2696. Effective March 10, 2003.

St. Joseph Motor Lines, P. O. Box 5, Woodland, PA 16881-0005. Authorization No. WH2695. Effective March 10, 2003.

Kefo Corporation, P. O. Box 418, Meadville, PA 16335. Authorization No. WH2692. Effective March 10, 2003.

Meadville Redi-Mix Concrete Inc., P. O. Box 418, Meadville, PA 16335. Authorization No. WH2690. Effective March 10, 2003.

Kebert Construction Company Inc., R. R. 6 Box 418, Meadville, PA 16335-8605. Authorization No. WH2688. Effective March 10, 2003.

Evergreen Sanitation Inc., 320 Gibbons Street, Dunmore, PA 18512. Authorization No. WH2684. Effective March 10, 2003.

Mills Transportation Inc., 238 Alphano Road, Great Meadows, NJ 07838. Authorization No. WH2683. Effective March 10, 2003.

Agnes Fron, 1620 Lakeland Drive, Jermyn, PA 18433-1620. Authorization No. WH2682. Effective March 10, 2003.

Saint Clair Borough, Schuylkill County, 16 South 3rd Street, Saint Clair, PA 17970-1027. Authorization No. WH2681. Effective March 10, 2003.

Hunters Truck Sales & Service Inc., 101 East Main Street, P. O. Box H, Eau Claire, PA 16030-0397. Authorization No. WH2680. Effective March 10, 2003.

Global Recycling & Collection Inc., P. O. Box 2391, Peekskill, NY 10566. Authorization No. WH2392. Effective March 10, 2003.

Northeastern Pennsylvania Window Co., Inc., 23 Fawn Road, East Stroudsburg, PA 18301. Authorization No. WH2359. Effective March 5, 2003.

Jorge E. Nader, Apartment 2, 80 Garfield Avenue, Danbury, CT 06810-7907. Authorization No. WH0935. Effective March 12, 2003.

J. G. Trucking, Apartment 57, 311 79th Street, North Bergen, NJ 07047. Authorization No. WH1581. Effective March 12, 2003.

Erick R. Mora, 2849 Bittern Place, Philadelphia, PA 19142. Authorization No. WH1741. Effective March 13, 2003.

B. Construction Company, 1463 Bunting Street, Pottsville, PA 17901. Authorization No. WH2423. Effective March 12, 2003.

Department of Conservation and Natural Resources, Tioga State Forest, 1 Nessmuk Lane, Wellsboro, PA 16901-9700. Authorization No. WH2478. Effective March 11, 2003.

Advanced Disposal Solutions, Inc., 2200 East Adams Avenue, Philadelphia, PA 19124. Authorization No. WH2764. Effective March 12, 2003.

EQ Industrial Services, Inc., 3650 Carpenter Road, Wayne, MI 48197. Authorization No. WH2784. Effective March 12, 2003.

Sparr Metals, 360 Mullen Hollow Road, Birdsboro, PA 19508. Authorization No. WH2867. Effective March 13, 2003.

Samuel Thomas, Jr. Hauling, 1629 Locust Street, McKeesport, PA 15132. Authorization No. WH2868. Effective March 13, 2003.

Bald Eagle, Inc., 200 East Bald Eagle Street, Lock Haven, PA 17745. Authorization No. WH2243. Effective March 7, 2003.

L & E Transport, Inc., 2 Sycamore Lane, Port Chester, NY 10573. Authorization No. WH2064. Effective March 10, 2003.

Juan J. Leon, 45-26 49th Street, 4A, Woodside, NY 11377. Authorization No. WH2054. Effective March 10, 2003.

Randy Ferry, 23663 East Spring Road, Springboro, PA 16435. Authorization No. WH2607. Effective April 1, 2003.

Greg M. Rasler, 1225 E. 200 S., Lagrange, IN 46761. Authorization No. WH2644. Effective April 1, 2003.

Gary Frable, P. O. Box 20, Sugar Hollow Road, Kresgeville, PA 18333. Authorization No. WH2666. Effective April 1, 2003.

Mountain Top Trucking LLC, Box 259, Goose Hill Road, Jefferson, ME 04348. Authorization No. WH2689. Effective April 1, 2003.

Mark Strong, 32 Venman Ave., Frewsburg, NY 14738. Authorization No. WH2691. Effective April 1, 2003.

Russell Rankin, 360 Buss Road, New Bethlehem, PA 16242. Authorization No. WH2693. Effective April 1, 2003.

Arthur Pollock, 1568 Principio Furnace Road, Perryville, MD 21903. Authorization No. WH2698. Effective April 1, 2003.

Erich Sprague, 1341 Durham Road, New Hope, PA 18938. Authorization No. WH2712. Effective April 1, 2003.

Quinton L. Lawley, 8448 Kings Highway, Kempton, PA 19529. Authorization No. WH2746. Effective April 1, 2003.

Mark J. Reynolds, 802 Stonegate Blvd., Elkton, MD 21921. Authorization No. WH2749. Effective April 1, 2003.

Specialized Bulk Haulers Inc., P. O. Box 294, 1724 Mill Road, Hilltown, PA 18927. Authorization No. WH2752. Effective April 1, 2003.

James L. Zoner, 13595 Beagle Road, Linesville, PA 16335. Authorization No. WH2758. Effective April 1, 2003.

Eric J. Hartman, 11 Church Road, Barnesville, PA 18214. Authorization No. WH2759. Effective April 1, 2003.

George Poff, 10672 Perry Drive, Espyville, PA 16424. Authorization No. WH2772. Effective April 1, 2003.

Chester J. Conley, 2407 Macarthur Road, Jamestown, PA 16134. Authorization No. WH2776. Effective April 1, 2003.

Chauncey Bowser, 1214 Clarence Road, Clarence, PA 16829. Authorization No. WH2787. Effective April 1, 2003.

Andrew Halupke, Box 124, Route 106, Clifford, PA 18413. Authorization No. WH2788. Effective April 1, 2003.

Stephen Kendrick, Box 124, 22 Larkin Ave., Punebeach, NJ 08741. Authorization No. WH2802. Effective April 1, 2003.

Robert L. Bader, 10386 Struthers Road, New Middletown, OH 44442. Authorization No. WH2813. Effective April 1, 2003.

L & B Leasing, Box 259, Goose Hill Road, Jefferson, ME 04348. Authorization No. WH2819. Effective April 1, 2003.

East West Rentals, Box 259, Goose Hill Road, Jefferson, ME 04348. Authorization No. WH2820. Effective April 1, 2003.

George W. Mckensie, 380 Macdonald Road, Stanton, TN 38069. Authorization No. WH2823. Effective April 1, 2003.

Larry Barnhart, R. R. 3 Box 40B, Blairsville, PA 15717. Authorization No. WH2830. Effective April 1, 2003.

Ronald M. Eckman, Frewsburg Wiltsie Road, Frewsburg, NY 14738. Authorization No. WH2871. Effective April 1, 2003.

Dennis Munshower, 10795 Timbercrest Drive, Meadville, PA 16335. Authorization No. WH2887. Effective April 1, 2003.

Chadwick Wise, 32896 State Highway 77, Centerville, PA 16404. Authorization No. WH2888. Effective April 1, 2003.

Brian Bowser, 272 Claypoole Road, Kittanning, PA 16201. Authorization No. WH2914. Effective April 1, 2003.

John J. Fisher, 79 Ronald Ave. South, Bayville, NJ 08721. Authorization No. WH2920. Effective April 1, 2003.

James Jenary, 148 Denver Road, Rossiter, PA 15772. Authorization No. WH2923. Effective April 1, 2003.

SKS Trucking Inc., Box 24, HC62, Long Pond, PA 18334. Authorization No. WH2925. Effective April 1, 2003.

Randall Akin, Box 664, 12 Hazzard St., Frewsburg, NY 14738. Authorization No. WH2948. Effective April 1, 2003.

John Fitzwater, Fisher Dangler Road, 8414, Union City, OH 45390. Authorization No. WH2959. Effective April 1, 2003.

Mark D. Raber, 85120 Heavelin Drive, Hopedale, OH 43976. Authorization No. WH3101. Effective April 1, 2003.

J & L Trucks Inc., West Main Street Road, Jasonville, IN 47438. Authorization No. WH3105. Effective April 1, 2003.

Jay Fouss, 8224 S. 675 W., Morocco, IN 47963. Authorization No. WH3121. Effective April 1, 2003.

Kelly D. Johnson, 18305 N. 20th Ave., Nokomis, IL 62075. Authorization No. WH3165. Effective April 1, 2003.

Todd P. Johnson Inc., 5054 Main Road, Bedford, PA 15522. Authorization No. WH3171. Effective April 1, 2003.

Richard Weaver, 165 Moretz Lane, Clinton, TN 37716. Authorization No. WH3172. Effective April 1, 2003.

Lynne L. Brown, 258 Arbor Knoll Drive, Prosperity, SC 29127. Authorization No. WH3184. Effective April 1, 2003.

Boll Weevil Inc., 51 Kliethernies Road, Iberia, MO 65486. Authorization No. WH3187. Effective April 1, 2003.

Financial Pacific Funding LLC, 163 Little Blue Road, Georgetown, PA 15043. Authorization No. WH3198.

Danny Shafer, 1279 Tulls Hill Road, Manns Choice, PA 15550. Authorization No. WH3201. Effective April 1, 2003.

Ronnie D. Roupe, 163 Little Blue Road, Georgetown, PA 15043. Authorization No. WH3202. Effective April 1, 2003.

Crossett Inc., P. O. Box 946, Warren, PA 16365-0946. Authorization No. WH4301. Effective April 2, 2003.

Bigs Trucking Inc., 4859 SR 51 N., Rostraver, PA 15012. Authorization No. WH4379. Effective April 2, 2003.

Robert M. Werner, 2173 West Dell Road, Bath, PA 18014. Authorization No. WH4409. Effective April 2, 2003.

Paul Orient & Son Inc., 676 Bower Hill Road, Pittsburgh, PA 15243-2036. Authorization No. WH4410. Effective April 2, 2003.

Mauricio Valverde, 1841 S. 68 St., Philadelphia, PA 19142. Authorization No. WH1369. Effective April 3, 2003.

Paulo C. Depontes, 2nd Fl., 9716 Roosevelt Blvd., Philadelphia, PA 19115. Authorization No. WH1564. Effective April 3, 2003.

Waste Logistics Inc., P. O. Box 216, Elmhurst, PA 18416. Authorization No. WH2558. Effective April 3, 2003.

Tully Environmental Inc., 127-50 Northern Blvd., Flushing, NY 11368. Authorization No. WH2927. Effective April 3, 2003.

Evergreen Recycling Products Inc., 127-50 Northern Blvd., Flushing, NY 11368. Authorization No. WH2928. Effective April 3, 2003.

Department of Transportation, District 2-7, 1200 W. 4th St., Lewistown, PA 17044-1911. Authorization No. WH3086. Effective April 3, 2003.

Chesmont Disposal, Ste. 111, 200 Lincoln Ave., Phoenixville, PA 19460. Authorization No. WH3090. Effective April 3, 2003.

Department of Transportation, District 2-9, P. O. Box 207, Mifflintown, PA 17059-0207. Authorization No. WH3092. Effective April 3, 2003.

J & M Transport Inc., 467 Farnham Road, Windsor, NY 13865. Authorization No. WH3115. Effective April 3, 2003.

Joseph R. Martinelli, 1801 Greenleaf St., Pittsburgh, PA 15211. Authorization No. WH4273. Effective April 3, 2003.

Membrane Roofers Inc., 75 Easton Road, Hermitage, PA 16148. Authorization No. WH4331. Effective April 3, 2003.

Bonilla Trucking Corp., 97 Liberty Street, Lodi, NJ 07644. Authorization No. WH3213. Effective April 3, 2003.

Kronmuller Disposal, Inc., 1108 Lincoln Avenue, Phoenixville, PA 19460. Authorization No. WH3214. Effective April 3, 2003.

Fayette Waste, P. O. Box 65, Waltersburg, PA 15488. Authorization No. WH3215. Effective April 3, 2003.

Japhia Trucking Corp., Apt. 7H, 37 Duncan Avenue, Jersey City, NJ 07304. Authorization No. WH3216. Effective April 3, 2003.

K & M Trucking Co., Inc., 958 Duxbury Road, Langhorne, PA 19047. Authorization No. WH3217. Effective April 3, 2003.

Woodland Contractors, Inc., 20 South 13th Avenue, Lebanon, PA 17042. Authorization No. WH3220. Effective April 3, 2003.

Upper Chichester Township, Furey Road, P. O. Box 2187, Boothwyn, PA 19061-2187. Authorization No. WH3221. Effective April 3, 2003.

Valley Township, 890 West Lincoln Highway, P. O. Box 467, Coatesville, PA 19320-0467. Authorization No. WH3223. Effective April 3, 2003.

Albert H. Gilliland Roofing, 51 Gold Street, East Stroudsburg, PA 18301. Authorization No. WH3225. Effective April 3, 2003.

Four Strong Builders, Inc., 180 Sargeant Avenue, Clifton, NJ 07013. Authorization No. WH3226. Effective April 3, 2003.

Procacci Brothers Sales Corp., 3333 South Front Street, Philadelphia, PA 19148. Authorization No. WH3229. Effective April 3, 2003.

Preferred Maintenance & Equipment Co., Inc., P. O. Box 2129, 142-156 Frelinghysen Avenue, Newark, NJ 07114. Authorization No. WH3230. Effective April 3, 2003.

Borough of Clifton Heights, 30 South Springfield Road, Clifton Heights, PA 19018. Authorization No. WH3232. Effective April 3, 2003.

Clearview Industries, 70 Sycamore Road, Colonia, NJ 07067. Authorization No. WH3233. Effective April 3, 2003.

Walls Sanitation, Inc., P. O. Drawer B, Blacksville, WV 26521-0010. Authorization No. WH3234. Effective April 3, 2003.

Patrick F. Collision, 117-37 141st Street, Jamaica, NY 11420. Authorization No. WH3235. Effective April 3, 2003.

Michael E. Christman, 7873 Kuhn Road, Greencastle, PA 17225. Authorization No. WH1158. Effective April 2, 2003.

Russell Defibaugh d/b/a Grace Transportation, 8380 Rock Bridge Road, Laurel, MD 20724. Authorization No. WH1272. Effective April 2, 2003.

Steve E. Maloney, 221 North Stephens Place, Hanover, PA 17331. Authorization No. WH1707. Effective April 2, 2003.

Paul Bowers, 511 Peepytown Road, East Berlin, PA 17316. Authorization No. WH1877. Effective April 2, 2003.

Mark L. Loring, 2985 Grandview Drive, York Haven, PA 17370. Authorization No. WH1957. Effective April 2, 2003.

Wayne C. Krumrine, 5330 Tacker Lane, Westminster, MD 21158. Authorization No. WH1958. Effective April 2, 2003.

Buffalo Fuel Corporation, 4870 Packard Road, Niagara Falls, NY, 14304. Authorization No. WH2189. Effective April 2, 2003.

United Roll-Off Service & Recycling, LLC, 598 East Fleming Pike, Elm, NJ 08037. Authorization No. WH2466. Effective April 2, 2003.

John Weston, General Contractor, R. R. 6, Box 113b, Altoona, PA 16601-9761. Authorization No. WH2881. Effective April 2, 2003.

Frank Esposito Construction Company, Inc., 64 Upland Avenue, Upland, PA 19015. Authorization No. WH3038. Effective April 2, 2003.

Ben L. May Excavating, Inc., P. O. Box 287, East Freedom, PA 16637-0287. Authorization No. WH3040. Effective April 2, 2003.

Edwardsville Borough, Luzerne County, 470 Main Street, Edwardsville, PA 18704-1234. Authorization No. WH3176. Effective April 2, 2003.

Shychuck, Inc., 455 Gas Valley Road, Georgetown, PA 15043-1013. Authorization No. WH3292. Effective April 2, 2003.

Melvin D. Graffius, P. O. Box 85, Woodland, PA 16881. Authorization No. WH3295. Effective April 2, 2003.

Key Asbestos Abatement, Inc., 454 West 8th Avenue, West Homestead, PA 15120-1030. Authorization No. WH3298. Effective April 2, 2003.

Robert D. Sulosky, 2307 Stadium Drive, P. O. Box 205, Windber, PA 15963. Authorization No. WH3299. Effective April 2, 2003.

Penn Tire Company, Inc., 1143 Industrial Avenue, Bedford, PA 15522-1157. Authorization No. WH3300. Effective April 2, 2003.

Wayne Storage Company, 100 Lawrence Drive, West Chester, PA 19380. Authorization No. WH3303. Effective April 2, 2003.

A. W. Farrell & Son, Inc., 3761 East Lake Road, Dunkirk, NY 14048. Authorization No. WH3305. Effective April 2, 2003.

J. Anderson Trucking, Inc., 122 Wortham Lane, Bear, DE 19701-1845. Authorization No. WH3307. Effective April 2, 2003.

Jose L. Diaz, 328 54th Street, West New York, NJ 07093. Authorization No. WH3309. Effective April 2, 2003.

Rizzo Associates, Inc., P. O. Box 160, 97 East Hawthorne Avenue, Valley Stream, NY 11580. Authorization No. WH3310. Effective April 2, 2003.

Rosa Nelfi, 141-08 Lakewood Avenue, Jamaica, NY 11435. Authorization No. WH3311. Effective April 2, 2003.

Scarpati Auto Salvage & Scrap Iron, 32-40 Mulberry Street, Trenton, NJ 08638. Authorization No. WH3312. Effective April 2, 2003.

Victor Souproutchouk, 1255 Penn's Gate Circle, Feasterville, PA 19053. Authorization No. WH3313. Effective April 2, 2003.

T. A. C. Hauling, 2986 Delsea Drive, Franklinville, NJ 08322. Authorization No. WH3315. Effective April 2, 2003.

Williamsport Area School District, 201 West Third Street, Williamsport, PA 17701. Authorization No. WH3317. Effective April 2, 2003.

C & A Property Services, Suite D, 394 East Church Road, King of Prussia, PA 19406. Authorization No. WH3319. Effective April 2, 2003.

Keith B. Stanley, 130 Spangler School Road, Gettysburg, PA 17325. Authorization No. WH3361. Effective April 2, 2003.

John W. Talcott III, 380 Wenschhof Road, Fairfield, PA 17320. Authorization No. WH3499. Effective April 2, 2003.

Deblasio Development Inc., 104 Joyce Drive, McMurray, PA 15317. Authorization No. WH4052. Effective April 4, 2003.

Hillcrest Trucking Inc., 12803 Col-Canfield Road, Columbiana, OH 44408. Authorization No. WH3205. Effective April 4, 2003.

Hillcrest Equipment, 12803 Col-Canfield Road, Columbiana, OH 44408. Authorization No. WH3206. Effective April 4, 2003.

Danny W. Fowler, 12803 Col-Canfield Road, Columbiana, OH 44408. Authorization No. WH3219. Effective April 4, 2003.

Department of Transportation, Engineering District 12-0, 825 N. Gallatin Ave., 129 Jefferson Road, Waynesburg, PA 15370. Authorization No. WH2240. Effective April 4, 2003.

John H. Fleming, 171 Route 2001, Milford, PA 18337. Authorization No. WH2397. Effective April 4, 2003.

Christopher J. Riegel, P. O. Box 1007, Salem, NJ 08079. Authorization No. WH2518. Effective April 4, 2003.

Sam A. Brown, 859 Wheeler Road, White Pine, TN 37890. Authorization No. WH2533. Effective April 4, 2003.

Rim S. Robinson, 568 E. Avondale Road, West Grove, PA 19390. Authorization No. WH2569. Effective April 4, 2003.

Bruce S. Peck, 7401 Belclare Road, Baltimore, MD 21222. Authorization No. WH2582. Effective April 4, 2003.

J & P Trucking Inc., 29 Academy St., Piscataway NJ 08845. Authorization No. WH2590. Effective April 4, 2003.

Anthony S. Koons, P. O. Box 203, Woodstown, NJ 08089-0169. Authorization No. WH2596. Effective April 4, 2003.

Ernie R. Robertson, 1203 Commissioners Road, Mullica Hill, NJ 08062. Authorization No. WH2603. Effective April 4, 2003.

David K. Strang, 222 Shirley Road, Elmer, NJ 08318. Authorization No. WH3664. Effective April 4, 2003.

Alexander Ortegón, 33 Geneva Trail, Hopatcong, NJ 07843. Authorization No. WH3044. Effective April 4, 2003.

R & J Okuniewicz Trucking/Richard R. Okuniewicz, 581 N. Bridge St., Bridgewater, NJ 08807. Authorization No. WH3052. Effective April 4, 2003.

Baljinder Singh, Apt. 8, 305 Northumberland St., White Haven, PA 18661. Authorization No. WH3055. Effective April 4, 2003.

Barry Eck, 314 Furnace St., Williamsport, PA 17701. Authorization No. WH3164. Effective April 4, 2003.

Southside Carting Inc., 1023 Jolson Court, Manchester, NJ 08759-4940. Authorization No. WH3169. Effective April 4, 2003.

Unified Environmental Services Group, Suite 370, 510 Thornall St., Edison, NJ 08837. Authorization No. WH3228. Effective April 4, 2003.

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

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

Geiner U. Escalante/Luis M. Roman, 2510 66th Street, Philadelphia, PA 19142. Authorization No. WH1787. Revoked April 2, 2003.

D & R Trucking, 912 Conemaugh Ave., Portage, PA. Authorization No. WH2452. Revoked April 1, 2003.

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

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

John Pfrommer LLC, 1320 Ben Franklin Highway East, Douglasville, PA 19518. Authorization No. WH1569. Voluntarily Terminated March 22, 2003.

James Frustieri, 5 Hillside Road, Hackettstown, NJ 07840. Authorization No. WH1340. Voluntarily terminated February 13, 2003.

Salvatore Ricci, 357 Main St. 2nd Floor, Nelsonville, NY. Authorization No. WH2270. Voluntarily terminated March 26, 2003.

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

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

Rebecca Moffitt, 1 Diamond Road, Danbury, CT. Authorization No. WH1763. Denied April 1, 2003.

AIR QUALITY

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

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

46-302-223GP: Hatfield Quality Meats, Inc. (2700 Funks Road, Hatfield, PA 19440) on April 3, 2003, for operation of a 49 mmBtu/hr Heat Input Boiler in Hatfield Township, **Montgomery County**.

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

GP1-06-03124: James Hardie Building Products, Inc. (318 June Avenue, Blandon, PA 19510) on April 1, 2003, for operation of a small gas and a no. 2 oil fired combustion unit under GP1 in Maiden creek Township, **Berks County**.

GP3-7-07-03014: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on March 28, 2003, for operation of a portable nonmetallic mineral processing plant under GP3 in Taylor Township, **Blair County**.

GP3-38-03040: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on April 4, 2003, for operation of a portable nonmetallic mineral processing plant under GP3 in Palmyra Borough/North Londonderry Township, **Lebanon County**.

GP3-38-03041: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on April 4, 2003, for operation of a portable nonmetallic mineral processing plant under GP3 in Palmyra Borough/North Londonderry Township, **Lebanon County**.

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

GP5-17-11B: EnerVest Operating, LLC (300 Street, Charleston, WV 25301) on March 12, 2003, for construction and operation of a glycol dehydrator under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at the Lynn Robbins Station in Knox Township, **Clearfield County**.

GP3-57-03: Haines and Kibblehouse, Inc. (2052 Lucon Road, Skippack, PA 19474) on March 21, 2003, for construction and operation of a particle separation system and associated air cleaning devices (a fabric collector and a water spray bar) under the General Plan Approval and General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Dushore Materials facility in Cherry Township, **Sullivan County**.

GP5-17-07B: EOG Resources, Inc. (400 Southpointe Boulevard, Canonsburg, PA 15317) on March 27, 2003, for construction and operation of a 337 horsepower natural gas-fired reciprocating internal combustion compressor engine and associated air cleaning device (a catalytic converter silencer) and to operate a 462 horsepower natural gas-fired reciprocating internal combustion compressor engine under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at the South Station in Brady Township, **Clearfield 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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

23-0024B: Hanson Aggregates PA, Inc. (523 West Forge Road, Glen Mills, PA 19342) on April 1, 2003, for operation of a hot mix asphalt plant in Middletown Township, **Delaware County**.

46-0062: Jefferson Smurfit Corp.—US (500 Church Road, North Wales, PA 19454) on April 1, 2003, for operation of a thermal oxidizer in Upper Gwynedd Township, **Montgomery County**.

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

40-302-147: Fairchild Semiconductor Corp. (125 Crestwood Road, Mountain Top, PA 18707) on March 31, 2003, for modification of two 12.5 million Btu per hour boilers fired by natural gas and no. 2 fuel oil at their facility in Wright Township, **Luzerne County**.

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

06-05087B: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for modification of a fabric collector to control the emissions from an batch asphalt plant in Colebrookdale Township, **Berks County**. The facility is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

22-03052: Harman Stove Co. (325 Mountain House Road, Halifax, PA 17032) for construction of a surface coating operation controlled by dry filters in Jackson Township, **Dauphin County**.

36-03034A: Purina Mills, Inc. (3029 Hempland Road, Lancaster, PA 17601) for construction of a new pellet mill at their animal feed mill in East Hempfield Township, **Lancaster County**.

36-05127A: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506-0550) for modification of equipment to process recycled asphalt pavement at their Burkholder Asphalt Plant in Earl Township, **Lancaster County**. The facility is subject to 40 CFR Part 60, Subpart I—Standards of Performance of Hot Mix Asphalt Facilities.

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

12-399-011A: GKN Sinter Metals, Inc. (R. R. 2, Box 47, Emporium, PA 15834) on March 11, 2003, for installation of a replacement air cleaning device (an electrostatic precipitator) on a sintered powdered metal products steam treat operation at their Barton Street Plant (Plant No. 2) in Emporium Borough, **Cameron County**.

55-00005A: Wood-Mode, Inc. (1 Second Street, Creamer, PA 17833) on March 11, 2003, for modification of a wood cabinet finishing operation (Main Line automated line) and associated air cleaning device (a regenerative thermal oxidizer) by increasing the allowable VOC emission rate from 61.9 tons in any 12 consecutive month period to 66.9 tons in any 12 consecutive month period in Middlecreek Township, **Snyder County**. This modification requires 54.72 tons (per 12 consecutive month period) of emission reduction credits.

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

10-309B: Heckett Multiserv Plant 16 (Route 8 South, Butler, PA 16003) on March 31, 2003, for installation of a portable screen at their facility in Butler, **Butler County**.

61-007A: IA Construction—Franklin Plant (Routes 8 and 62, Franklin, PA 16323) on March 28, 2003, for modification to their batch asphalt plant in Sugar Creek Borough, **Venango County**.

33-147A: Dominion Transmission, Inc.—Big Run Station (Bowers Road, Big Run, PA 15715) on April 1, 2003, for construction of an engine at their facility in Gaskill Township, **Jefferson County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

15-0029C: Dopaco, Inc. (241 Woodbine Road, Downingtown, PA 19335) on April 1, 2003, for operation of a flexographic printing press in Downingtown Borough, **Chester County**.

09-0074A: PCR Acquisitions d/b/a Campania International, Inc. (401 Fairview Avenue, Quakertown, PA

18951) on April 1, 2003, for operation of a reinforced fiberglass manufacturing facility in Quakertown Borough, **Bucks County**.

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

06-05024A: Reliant Energy Mid-Atlantic Power LLC (1001 Broad Street, Johnstown, PA 15907) on April 1, 2003, for modification of a coal handling system at their Titus Station in Cumru Township, **Berks County**. This plan approval was extended.

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

60-310-006A: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889) on April 1, 2003, for operation of a stone crushing operation and associated air cleaning devices (two water spray dust suppression systems) on a temporary basis until July 30, 2003, in Buffalo Township, **Union County**. This operation is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources. The plan approval was extended.

18-00005B: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222) on April 1, 2003, for operation of two 1,100 horsepower natural gas-fired reciprocating internal combustion compressor engines (Engines 1 and 2) on a temporary basis until July 30, 2003, at the Finnefrock Compressor Station in Leidy Township, **Clinton County**. The plan approval was extended.

49-00019C: Sunoco Partners Marketing and Terminals, L. P. (1801 Market Street, Philadelphia, PA 19103) on April 1, 2003, for operation of two petroleum product loading racks and associated air cleaning device (a John Zink vapor combustion unit) on a temporary basis until July 30, 2003, in Point Township, **Northumberland County**. The plan approval was extended.

19-318-017A: Kawneer Co., Inc. (500 East Twelfth Street, Bloomsburg, PA 17815) on March 31, 2003, for construction of four architectural aluminum products spray booths and a drying oven and the modification of an architectural aluminum products surface coating operation to April 15, 2004, in the Town of Bloomsburg, **Columbia County**. The plan approval was extended.

08-322-001D: Northern Tier Solid Waste Authority (P. O. Box 10, Burlington, PA 18814) on April 1, 2003, for operation of a landfill gas-fired reciprocating internal combustion engine on a temporary basis until July 30, 2003, at the Northern Tier Landfill in West Burlington Township, **Bradford County**. The plan approval was 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.

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

05-05004: Seton Co. (Horton Drive, Saxton, PA 16678) on April 2, 2003, for operation of a coating facility used in applying a finish to automotive leather products in Saxton Borough, **Bedford County**.

21-05029: Sunoco Partners Marketing and Terminals, LP (1801 Market Street, 3/10PC, Philadelphia, PA 19103) on April 2, 2003, for operation of a petroleum product storage and loading facility at their Mechanics-

burg Terminal in Hampden Township, **Cumberland County**. This is a renewal of the Title V Operating Permit.

67-05043: Crown Cork and Seal Co. (USA), Inc. (1650 Broadway, Hanover, PA 17331) on April 1, 2003, for operation of a can manufacturing facility in Penn Township, **York County**. This is a renewal of the Title V Operating Permit.

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

30-00109: Equitrans, L. P.—Rogersville Compressor Station (100 Allegheny Center Mall, Pittsburgh, PA 15212-5232) on March 28, 2003, for operation of a Title V facility in Center Township, **Greene County**. The facility's major source of emissions include one natural gas engine and three natural gas turbine units which primarily emit NOx.

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

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

15-00092: Main Line Hospitals, Inc. d/b/a Paoli Memorial Hospital (225 West Lancaster Avenue, Paoli, PA 19301) on April 7, 2003, for issuance of a State-only Operating Permit that included a Change of Ownership of the facility formerly owned by Paoli Memorial Hospital in Willistown Borough, **Chester County**. The facility's major emission points include boilers and generators. The Administrative Amendment of the State-only Operating Permit was issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

46-00093: Main Line Hospitals, Inc. d/b/a Bryn Mawr Hospital (130 South Bryn Mawr Avenue, Bryn Mawr, PA 19010) on April 7, 2003, for issuance of a State-only Operating Permit that included a Change of Ownership of the facility formerly owned by Bryn Mawr Hospital in Lower Merion Township, **Montgomery County**. The facility's major emission points include boilers and generators. The Administrative Amendment of the State-only Operating Permit was issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

06-03067: Beacon Container Corp. (700 West First Street, Birdsboro, PA 19508) on March 28, 2003, for operation of a corrugated box manufacturing facility in Birdsboro Borough, **Berks County**.

29-03008: H. B. Mellott Estate, Inc. (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on April 2, 2003, for operation of a limestone crushing plant in Bethel Township, **Fulton County**.

36-03139: Ross Technology Corp. (104 North Maple Avenue, Leola, PA 17540) on March 28, 2003, for operation of a sandblasting facility at their East Main Street plant in Upper Leacock Township, **Lancaster County**.

67-03055: Vulcan Construction Materials, LP (P. O. Box 7268, York, PA 17404) on April 3, 2003, for operation of a limestone crushing plant in West Manchester Township, **York County**.

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

12-399-016: Micron Research Corp. (P. O. Box 269, Emporium, PA 15834) on March 25, 2003, for operation of a carbon graphite manufacturing operation and associated air cleaning devices (a cartridge collector and odor filter system, a thermal afterburner and three full diameter hood/carbon pack systems) in Shippen Township, **Cameron County**.

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

25-00892: Norse Pipeline, LLC—Union City Compressor Station (Route 178, Union City, PA 16438) for operation of their facility in Union Township, **Erie County**. The facility's major sources of emissions are three internal combustion compressor engines and associated equipment.

25-00928: Zurn Industries, Inc.—Specification Drainage Operations (1801 Pittsburgh Avenue, Erie, PA 16514) for operation of their facility in the City of Erie, **Erie County**. The facility's major source of emissions is a surface coating operation.

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.

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

08-399-001B: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 18848) on April 1, 2003, for operation of alternate air cleaning devices (a fabric collector and an absolute filter operating in series) to control the air contaminant emissions from 24 wire annealers when the fabric collector normally used to control the air contaminant emissions from the respective annealers is off line for bag cleaning in North Towanda Township, **Bradford 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); and The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S.

§§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

17020106 and NPDES Permit No. PA0243264. Moravian Run Reclamation Company, Inc., 605 Sheridan Drive, Clearfield, PA 16830. Commencement, operation and restoration of a bituminous surface mine-auger permit in Girard Township, **Clearfield County** affecting 169 acres. Receiving streams: unnamed tributary A to unnamed tributary B to Deer Creek to the West Branch of the Susquehanna River to the Susquehanna River. Application received June 27, 2002. Permit issued March 27, 2003.

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

33970107 and NPDES Permit No. PA0227463. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of a bituminous strip and auger operation in Rose Township, **Jefferson County** affecting 171.6 acres. This renewal is issued for reclamation only. Receiving streams: Eckler Run, unnamed tributary to Eckler Run and unnamed tributary to Beaver Run. Application received February 6, 2003. Permit issued March 27, 2003.

16970104 and NPDES Permit No. PA0227471. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801). Renewal of an existing bituminous strip operation in Clarion Township, **Clarion County** affecting 97.5 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to Brush Run. Application received February 3, 2003. Permit issued March 27, 2003.

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

32970113 and NPDES Permit No. PA0234613. Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only and for continuation restoration of a bituminous surface mine and for discharge of treated mine drainage in West Wheatfield Township, **Indiana County**, affecting 100.7 acres. Receiving streams: unnamed tributaries to Ramsey Run (CWF) and Blacklick Creek (TSF). There are no potable water supply intakes within 10 miles downstream. Application received December 11, 2002. Permit issued March 28, 2003.

32990105 and NPDES Permit No. PA0235083. Thomas J. Smith, Inc., R. D. 1, Box 260D, Shelocta, PA 15774 from M. B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717-7960, permit transfer and for continued operation of a bituminous surface and auger mine and for discharge of treated mine drainage in Burrell Township, **Indiana County**, affecting 200.0 acres. Receiving streams: unnamed tributaries to Tom's Run (CWF). The first downstream potable water supply intake from the point of discharge is Blairsville Municipal Authority Conemaugh River Intake. Application received November 13, 2002. Permit issued April 4, 2003.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

26980102 and NPDES Permit No. PA0202258. Patterson Coal Company (20 Elizabeth Drive, Smithfield, PA 15478). Permit renewal issued for continued reclamation only of a bituminous surface mine located in Menallen Township, **Fayette County**, affecting

30.2 acres. Receiving streams: unnamed tributaries to Jennings Run, Jennings Run, Redstone Creek. Application received February 28, 2003. Reclamation only renewal issued March 31, 2003.

65020102 and NPDES Permit No. PA0250112. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Mt. Pleasant Township, **Westmoreland County**, affecting 144.4 acres. Receiving streams: unnamed tributary to Sherrick Run to Jacobs Creek to the Youghioghney River. Application received March 22, 2002. Permit issued April 2, 2003.

03020108 and NPDES Permit No. PA0250198. Seven Sisters Mining Co., Inc. (P. O. Box 300, U. S. Route 22, Delmont, PA 15626-0300). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in South Bend Township, **Armstrong County**, affecting 183.5 acres. Receiving streams: unnamed tributaries to Crooked Creek. Application received July 15, 2002. Permit issued April 3, 2003.

Noncoal Permits Actions

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

08960805. Bradford Quarry, Inc., P. O. Box 512, Wyalusing, PA 18853. Transfer of an existing Small Industrial Minerals (Bluestone) permit from John Heeman. The permit is located in Tuscarora Township, **Bradford County** and affects 1 acre. Receiving streams: Transue Creek, tributary to Tuscarora Creek. Application received October 28, 2002. Permit issued March 13, 2003.

08010824. Bradford Quarry, Inc., P. O. Box 512, Wyalusing, PA 18853. Transfer of an existing Small Industrial Minerals (Flagstone) permit from John Heeman. The permit is located in Warren Township, **Bradford County** and affects 2 acres. Receiving streams: unnamed tributary, tributary to Wappasening and Pendleton Creeks. Application received October 28, 2002. Permit issued March 13, 2003.

41022802. Glenn O. Hawbaker, Inc., 2801 Canfield Lane, Montoursville, PA 17754. Commencement, operation and restoration of a Small Industrial Minerals (Soil Borrow Material) permit in Fairfield Township, **Lycoming County** affecting 1.53 acres. Receiving streams: Bennetts Run, tributary to West Branch Susquehanna River. Application received December 19, 2002. Permit issued March 14, 2003.

08000810. Donald E. Johnson, Sr., R. R. 2, Box 278, Towanda, PA 18848. Transfer of an existing Small Industrial Minerals (Bluestone) permit from Dana Gardner. The permit is located in Warren Township, **Bradford County** and affects 5 acres. Receiving streams: unnamed tributaries, tributary to Wappasening and Pendleton Creeks. Application received November 18, 2002. Permit issued March 18, 2003.

14020801. Judith R. Burlingame and Donald R. Robinson, 524 Fountain Road, Snow Shoe, PA 16874. Commencement, operation and restoration of a Small Industrial Minerals (Topsoil) permit in Snow Shoe Township, **Centre County** affecting 5 acres. Receiving streams: unnamed tributary, tributary to North Fork of Beech Creek. Application received November 7, 2002. Permit issued March 18, 2003.

14020802. Judith R. Burlingame and Donald R. Robinson, 524 Fountain Road, Snow Shoe, PA 16874.

Commencement, operation and restoration of a Small Industrial Minerals (Stone) permit in Snow Shoe Township, **Centre County** affecting 5 acres. Receiving streams: unnamed tributary, tributary to North Fork of Beech Creek. Application received November 7, 2002. Permit issued March 18, 2003.

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

35022802. PS Ventures, Inc. (1943 Timber Lane, Clarks Summit, PA 18411), commencement, operation and restoration of a quarry operation in Taylor Borough and Ransom Township, **Lackawanna County** affecting 5.0 acres. Receiving stream: unnamed branch of St. John's Creek. Application received December 10, 2002. Permit issued March 31, 2003.

64032801. Middle Creek Quarry (R. D. 2 Box 361, Hawley, PA 18428), commencement, operation and restoration of a quarry operation in Cherry Ridge Township, **Wayne County**, affecting 3.0 acres. Receiving stream: Middle Creek. Application received January 21, 2003. Permit issued March 31, 2003.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

06034006. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting in Muhlenberg Township, **Berks County** with an expiration date of April 24, 2004. Permit issued March 27, 2003.

36034023. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting in East Cocalico Township, **Lancaster County** with an expiration date of April 5, 2004. Permit issued March 27, 2003.

36034024. Keytone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting in Ephrata Township, **Lancaster County** with an expiration date of June 5, 2003. Permit issued March 27, 2003.

46034008. Blooming Glen Contractors (P. O. Box 391, Blooming Glen, PA 18911), construction blasting in Montgomery Township, **Montgomery County** with an expiration date of October 5, 2003. Permit issued March 27, 2003.

49034002. Barletta Materials & Construction (P. O. Box 550, Tamaqua, PA 18252), construction blasting in Rush and Mayberry Townships, **Northumberland and Montour Counties** with an expiration date of August 31, 2003. Permit issued March 27, 2003.

54034001. Cumberland Valley Drilling & Blasting (6820 Wertzville Road, Enola, PA 17025), construction blasting in Foster Township, **Schuylkill County** with an expiration date of March 31, 2004. Permit issued March 27, 2003.

06034007. Haines & Kibblehouse, Inc. (P. O. Box 196, Lucon Road, Skippack, PA 19474), construction blast-

ing in Tilden Township, **Berks County** with an expiration date of October 19, 2003. Permit issued April 2, 2003.

39034002. Clair Stahley, Inc. (P. O. Box 526, Orefield, PA 18069-0526), construction blasting in Whitehall Township, **Lehigh County** with an expiration date of March 31, 2004. Permit issued April 2, 2003.

39034001. Clair Stahley, Inc. (P. O. Box 526, Orefield, PA 18069-0526), construction blasting in Lower Macungie Township, **Lehigh County** with an expiration date of September 20, 2003. Permit issued April 2, 2003.

28034009. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting in Greene Township, **Franklin County** with an expiration date of April 24, 2005. Permit issued April 2, 2003.

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

07034001. Ritchey Brothers, Box 53, Curryville, PA 16631, construction blasting. Ritchey Brothers Rt. 36 excavation, Taylor Township, **Blair County**. Duration of blasting activity April 1, 2003, through December 31, 2003. Permit Issued April 4, 2003.

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

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

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

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-687. Columbia Gas Transmission Corporation, P. O. Box 1273, 1700 Mac Corkle Avenue, Charleston, WV 25325-1273, Multiple Municipalities, **Chester County,** ACOE Philadelphia County.

To construct and maintain approximately 9.14 miles of 24-inch diameter gas pipeline crossing streams and wetlands of the Pickering, Brandywine and White Clay watersheds at 37 locations. The site begins at Columbia's Downingtown Compressor Station and extends to its terminus at Columbia's Eagle Compressor Station (Unionville, Downingtown, PA USGS Quadrangle N: 19.5 inches; W: 17.7 inches; W: 8.6 inches). This project is a part of Rock Springs Expansion Project, which extends through East Brandywine, Uwchlan, Upper Uwchlan, Caln, West Bradford and West Vincent Townships, Chester County.

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

E45-433. Chestnuthill Township, Municipal Building, P. O. Box 243, Brodheadsville, PA 18322. Chestnuthill

Township, **Monroe County,** Army Corps of Engineers Philadelphia District, Subbasin 2-B.

To remove the existing structures and to construct and maintain a bridge having a single span of approximately 11.5 feet and an underclearance of 6.5 feet across Sugar Hollow Creek which is a perennial stream classified as a CWF. The project is located along Warner Road, just east of Sugar Hollow Road (Brodheadsville, PA Quadrangle N: 16.7 inches; W: 7.3 inches). The project proposes to directly affect 30 linear feet of stream.

E45-419. Borough of Stroudsburg, 700 Sarah Street, Stroudsburg, PA 18360. Borough of Stroudsburg, **Monroe County,** Army Corps of Engineers Philadelphia District.

To remove an existing culvert and to modify and maintain a stream enclosure in an intermittent tributary to Brodhead Creek (TSF), with work consisting of extending the stream enclosure at its downstream end by approximately 400 LF, utilizing 48-inch diameter CPP and RCP sections. The project is located between SR 0191 and North First Street, near the northern Borough boundary (Stroudsburg, PA-NJ Quadrangle N: 22.0 inches; W: 9.1 inches) (Subbasin: 1E).

E48-323. Lower Mount Bethel Township, P. O. Box 257, Martins Creek, PA 18063. Lower Mount Bethel Township, **Northampton County,** Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a bridge having a single span of 12 feet, width of 30.0 feet and an underclearance of 7 feet across Mud Run. The project is located along Township Road T623 (Capp Road), approximately 200 feet west of the intersection with T660 (Upper Mud Run Road) (Bangor, PA Quadrangle N: 6.5 inches; W: 13.2 inches) (Subbasin 01F).

E40-613. Department of General Services, Bureau of Engineering and Architecture, 18th and Herr Streets, Harrisburg, PA 17125. Borough of Dupont, **Luzerne County,** Army Corps of Engineers, Baltimore District.

To maintain the existing concrete trapezoidal channel and to construct and maintain new sections of rectangular concrete channel and concrete box culvert stream enclosure, within an intermittent 3,000 foot reach of Mill Creek (CWF) and an intermittent 220 foot reach of Collins Creek (CWF), for the purpose of flood control.

Work within the upper 1,880 linear feet of channel will include rehabilitation of joints, removal and replacement of a 188 foot section with a concrete rectangular section and replacement of a damaged 255 foot section. The project will tie into the Department of Transportation structure that extends from SR 2035 to SR 315 North. Continuing downstream from SR 315 North, work will include construction of 358 feet of rectangular concrete channel to replace the existing gabion-walled channel section and construction of 495 feet of concrete box culvert stream enclosure. A rectangular concrete channel will be constructed in Collins Creek, extending 163 feet downstream from the existing SR 315 North structure, followed by 60 feet of concrete box culvert extending to the confluence with Mill Creek.

The project (known as Project No. DGS 184-23, Phase 2, Unit 2) extends from SR 0081 downstream to SR 0315 South (Avoca, PA Quadrangle N: 12.6 inches; W: 17.0 inches), in Dupont Borough, Luzerne County (Subbasin 05A).

E64-234. Wayne County, 925 Court Street, Honesdale, PA 18431. Buckingham and Scott Townships, **Wayne County**, Army Corps of Engineers Philadelphia District.

To repair and maintain an existing single-span bridge, having a span of 25.8 feet, width of 45.0 feet and an underclearance of 7.6 feet, across Balls Creek (HQ-CWF, Perennial). Work will include repair of the right concrete abutment and footing and placement of riprap scour protection along the right abutment. The bridge, known as the Balls Eddy Bridge (County Bridge No. 36), is located along T-738, approximately 700 feet upstream of the confluence of Balls Creek and the West Branch Delaware River (Hancock, NY-PA Quadrangle N: 17.0 inches; W: 11.8 inches) (Subbasin 01A)

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

E21-293-A: Kurt Williams, LFGC Incorporated, P. O. Box 1229, Camp Hill, PA 17001 in Lower Allen Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain: (1) two minor road crossings consisting of 20 linear feet of 36-inch diameter high density polyethylene pipe; and (2) regrade the floodplain to facilitate the establishment of two miniature golf courses complete with appurtenances within unnamed tributaries to and within the floodway of (respectively) the Yellow Breeches Creek (CWF), at a point along Lisburn Road between the Lower Allen Community Park and Old Forge Road (Lemoyne, PA Quadrangle N: 9.15 inches; W: 6.60 inches), in Lower Allen Township, Cumberland County. This activity is in amendment to previously issued Permit Number E21-293, which authorized the construction and maintenance of a 10-inch diameter by 145-foot PVC intake pipe and headwall, along the left bank and floodway of the Yellow Breeched Creek (CWF), to irrigate a property at 3830 Lisburn Road.

E22-450: Norman Lacasse, Capital Area Greenbelt Association, P. O. Box 15405, Harrisburg, PA 17105 in Swatara Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a three-span footbridge having spans of 45 feet, 40 feet and 40 feet and an underclearance of 6.5 feet across the channel of a tributary to Spring Creek (WWF) at a point at Route 83 (Harrisburg East, PA Quadrangle N: 1.25 inches; W: 11.50 inches), in Swatara Township, Dauphin County.

E28-310: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Quincy Township, **Franklin County**, ACOE Baltimore District.

To construct and maintain a 53-inch by 36-inch concrete elliptical pipe stream enclosure with a length of 1,138 linear feet at the channel of an unnamed tributary to West Branch Antietam Creek (CWF), to improve traffic safety conditions at SR 2007. Section 0907, Segment 0170, Offset 2050 to 3227, located at the Village of Quincy (Waynesboro, PA Quadrangle N: 9.46 inches; W: 10.3 inches) in Quincy Township.

E06-549: South Heidelberg Township, 68A North Galen Road, Wernersville, PA 19565 in South Heidelberg Township, **Berks County**, ACOE Philadelphia District.

To remove the existing 11-foot span steel girder bridge and to construct and maintain an 11-foot span by 4-foot rise by 32-foot long concrete box culvert within Manor Creek (CWF) at a point approximately 2,200 feet south-east of the intersection of Furnace Road and SR 422

(Sinking Spring, PA Quadrangle N: 13.9 inches; W: 13.0 inches) in South Heidelberg Township, Berks County.

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

E08-401. Department of Transportation, Engineering District 3-0, 715 Jordan Avenue, Montoursville, PA 17754. Bridge Replacement, in Stevens Township, **Bradford County**, ACOE Baltimore District (Le Raysville, PA Quadrangle N: 4.35 inches; W: 0.45 inch).

To remove the existing single span steel Pratt through truss which is 146 feet long, with a waterway opening which is 140 feet wide and an underclearance ranging between 6.4 feet and 10.8 feet, a curb-to-curb width of 12.5 feet with no hydraulic skew to the stream and: (1) to construct and maintain a two-span prestressed adjacent box beam bridge on the same alignment as the existing bridge with a cross-sectional open area of approximately 1,440 feet and an underclearance varying between 5.4 feet to 13.0 feet with concrete wingwalls over Wyalusing Creek (WWF); (2) to construct a temporary low-flow crossing consisting of six 48 inch by 45 foot long corrugated metal pipes in a 20 foot wide by 6 foot deep road constructed of R-6 riprap downstream of the existing bridge; and (3) to place R-7 riprap for scour protection 25 feet upstream and downstream of both wingwalls and about 75 feet along the left bank immediately upstream of the bridge and about 100 linear feet by 10 feet wide around the bridge pier. The project is located on SR 105, Section 001 approximately 1,000 feet south of the intersection of SR 1075 with SR 706.

The project will have a permanent de minimis impact on .0066 acre of combination palustrine emergent/palustrine scrub wetlands and .0242 acre of palustrine emergent wetlands while impacting approximately 70 feet of waterway and 0.08 acre of floodway fill.

E12-132. L & M Lumber, 923 Sizerville Road, Emporium, PA 15834. L & M Lumber Structure in Floodway, in Shippen, **Cameron County**, ACOE Baltimore District (Emporium, PA Quadrangle N: 2.7 inches; W: 12.4 inches).

To operate and maintain a 6,300 square foot material storage building placed on 7 feet of fill and a 280 square foot concrete storage bin. The structures and fill are in the floodway of the Sinnemahoning Portage Creek (CWF). The permit also authorizes containing the entire property with chain link fencing in addition to storing all materials that may be adversely affected by water above the 100-year floodwater elevation. The permitted site is located on Sizerville Road (SR 155) 1.2 miles north of the intersection with SR 120.

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

E26-299. Bret A. Shallenberger, Route 51, Box 69, Uniontown, PA 15401. SR 0051 Pipe Culvert Extension in North Union Township, **Fayette County**, Pittsburgh ACOE District (Uniontown, PA Quadrangle N: 12.9 inches; W: 15.2 inches). The applicant proposes to construct and maintain an 80-foot long, 54-inch diameter CM pipe culvert with a 48-inch diameter riser connecting to the existing pipe culvert under SR 0051 South in an unnamed tributary to Redstone Creek (WWF) for the purpose of expanding a commercial site.

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

E20-524, The Home Depot USA, Inc., Home Depot Meadville Retail Center, in Vernon Township, Crawford County, ACOE Pittsburgh District (Geneva, PA Quadrangle N: 22.6 inches; W: 17.0 inches).

To fill a total of 0.91 acre of wetland for the construction of a Home Depot retail center south of SR 6/19/322 east of Kennedy Hill Road. Project includes creation of 0.91 acre of replacement wetland onsite and installation of a stream bank enhancement/protection structure along the left bank of Van Horne Creek.

E20-526, Richard F. Schroeckenstein, 10785 Konneyaut Trail, Conneaut Lake, PA 16316. Schroeckenstein Solid Dock in Conneaut Lake, in Sadsbury Township, Crawford County, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 20.5 inches; W: 6.6 inches).

To install steel sheet piling and rehabilitate and maintain the existing 12-foot wide by 50-foot long solid fill dock along the eastern shore of Conneaut Lake at 10785 Konneyaut Trail north of Iroquois Drive.

E24-228, Elk County Commissioners, P. O. Box 448, Ridgway, PA 15853-0448. T-308 Bridge (Maxwell Run Bridge) in Spring Creek Township, Elk County, ACOE Pittsburgh District (Halton, PA Quadrangle N: 1.6 inches; W: 8.5 inches).

To remove the existing structure and to construct and maintain a three span steel I-beam bridge having two clear spans of 30.487 meters each and a clear span of 38.956 meters and having an underclearance of 7.28 meters on a 90 degree skew across the Clarion River on T-308 at the intersection of T-301 and T-308. The new bridge shall be located approximately 22 meters downstream of the existing structure. The project includes the temporary impact of 0.049 acre of wetlands and the construction of a temporary causeway and cofferdams for construction.

E24-229, Elk County Commissioners, P. O. Box 448, Ridgway, PA 15853-0448. T-314 Bridge (Arroyo Bridge) Replacement in Spring Creek Township, Elk County, ACOE Pittsburgh District (Halton, PA Quadrangle N: 2.8 inches; W: 0.8 inch).

To remove the existing structure and to construct and maintain a three span steel I-beam bridge having three clear spans of 85.7 feet, 107.3 feet and 83.8 feet each and an underclearance of 21.29 feet on a 70 degree skew across the Clarion River in Spring Creek Township, Elk County on T-314 approximately 1.4 miles north of the intersection of T-314 and SR 949. The project includes the temporary impact of 0.034 acre of wetlands, the construction of a temporary causeway and cofferdams for construction and the temporary reinforcement of three bridges on T-314 over Beech Bottom Run, Cole Run and Lake City Run to provide across for construction equipment.

E25-662, Francis V. Kloecker, 2502 Sassafras Street, Erie, PA 16502-2724. Sixmile Creek Channel Improvements, in Harborcreek Township, Erie County, ACOE Pittsburgh District (Hammett, PA Quadrangle N: 22.5 inches; W: 6.4 inches).

To remove an approximately 200-foot long by 35-foot wide by 5-foot deep gravel bar along the left streambank, to install and maintain an approximately 240-foot long by 15-foot wide stone fill revetment with a maximum height of 8 feet using the removed gravel bar material and riparian vegetation along the right streambank and to install and maintain an approximately 60-foot long by 8-foot high gabion wall along the right streambank of

Sixmile Creek adjacent to 4901 Depot Road (SR 1009) approximately 0.5 mile northwest of the intersection of Depot Road (SR 1009) and SR 430. Sixmile Creek is a perennial stream classified as a CWF and a MF. The project will directly impact approximately 300 linear feet of stream channel.

E25-653, Venango Township Supervisors, 9141 Townhall Road, Wattsburg, PA, 16442. Weeks Valley Road (Township Road T-774) Bridge, in Venango Township, Erie County, ACOE Pittsburgh District (Wattsburg, PA Quadrangle N: 5.9 inches; W: 3.2 inches).

To construct and maintain a single span steel stringer bridge having a deck constructed of 2-inch by 6-inch timbers and a 6-inch gravel surface and having a clear span of 16.3 feet and an underclearance of 7 feet on a 90 degree skew across an unnamed tributary of French Creek on Weeks Valley Road (Township Road T-774) approximately 0.6 mile south of the intersection of Young Road and Weeks Valley Road. The replacement bridge shall be constructed on the existing abutments. The unnamed tributary of French Creek is a perennial stream classified as a WWF.

E25-669, Erie-Western Pennsylvania Port Authority, 208 East Bayfront Parkway, Suite 201, Erie, PA 16507-2405. Erie-Western Pennsylvania Port Authority—Erie City Water Authority Administration Complex Sheet Piling, in the City of Erie, Erie County, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 1.5 inches; W: 13.3 inches).

To construct and maintain steel sheet piling on an approximately 180-foot long section of an existing concrete wall in Presque Isle Bay (WWF) at the Erie City Water Authority Administration Complex approximately 0.5 mile northwest of the intersection of State Street and the Bayfront Highway. The project includes construction and maintenance of two ladders having a series of 3.5 foot long No. 8 rebar rungs welded to the exterior face of the sheet piling and spaced vertically at 1 foot on center.

E37-143, Lawrence County Commissioners, 430 Court Street, New Castle, PA 16101-3558. Ewing Park Bridge Across Connoquenessing Creek, in Ellwood City Borough, Lawrence County, ACOE Pittsburgh District (Beaver Falls, PA Quadrangle N: 20.4 inches, W: 3.75 inches).

To remove the existing Ewing Park Bridge and to construct and maintain a steel multi-girder bridge having spans of 160 feet, 220 feet and 160 feet and underclearance of 120 feet across Connoquenessing Creek on Sims Street.

E37-146, Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017-2853. SR 1016, Section L02 Across Taylor Run, in Plain Grove Township, Lawrence County, ACOE Pittsburgh District (Harlansburg, PA Quadrangle N: 13.6 inches; W: 6.9 inches).

To remove the existing structure and to construct and maintain a prestressed spread/adjacent box beam bridge having a clear span of 38.5 feet and an underclearance of 5.33 feet on a 90 degree skew across Taylor Run (CWF) on SR 1016, Section L02 approximately 2.1 miles west of the intersection of SR 1016 and Interstate 79. Project includes the permanent impact of 0.196 acre of PSS and PFO wetland, the temporary impact of 0.018 acre of wetland and contribution to the Pennsylvania Wetland Replacement fund for replacement of permanently impacted wetland. Project also includes widening and recon-

struction of the roadway for approximately 580 feet east of the bridge and 410 feet west of the bridge.

E37-147, Department of Transportation, District 11-0, 45 Thoms Run Road Bridgeville, PA 15017-2853. SR 2007, Section L01, Segment 0040, Offset 0000 Stream Enclosure Replacement in an unnamed tributary to Slippery Rock Creek (CWF) in Perry Township, **Lawrence County**, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 3 inches; W: 12.5 inches).

To remove the existing structure and to construct and maintain a 120-foot long, 12-foot wide by 6.5-foot high precast concrete pipe arch culvert stream enclosure in an unnamed tributary to Slippery Rock Creek on SR 2007, Section L01, Segment 0040, Offset 0000 approximately 0.95 mile northwest of the intersection of SR 2007 (Armstrong Road) and SR 488. Slippery Rock Creek is a

perennial stream classified as a CWF. The project will directly affect a total of 120 linear feet of stream channel.

E62-387, Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301-1412. SR 0006-B03 Bridge Replacement over Little Brokenstraw Creek, in Pittsfield Township, **Warren County**, ACOE Pittsburgh District (Lottsville, PA-NY, PA Quadrangle N: 0.5 inch; W: 5.1 inches).

To remove the existing structure and to construct and maintain a P/S spread concrete box beam bridge having a clear span of 90.5 feet and an underclearance of 12.8 feet on a 60 degree skew across Little Brokenstraw Creek (CWF) on SR 0006, Section B03, Segment 0260, Offset 0000 approximately 600 feet northwest of the intersection of SR 0006 and T-467 (Smith Hill Road).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
03-65-006	Ronald J. O'Toole Sunoco Partners Marketing & Terminals L. P. 5733 Butler Street Pittsburgh, PA 15210	Westmoreland	Salem Township	One AST storing ethanol	113,400 gallons total
03-11-002	Thomas G. Martin Martin Oil Company 528 North First Street Bellwood, PA 16617	Cambria	Cambria Township	Two ASTs storing heating oil One AST storing kerosene	40,000 gallons total 15,000 gallons

SPECIAL NOTICES

Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

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

The Department of Environmental Protection (Department) approved the Juniata County Municipal Waste Plan Revision on April 2, 2003.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may

be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning this approval should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472 or to Mark Vottero, Regional Planning and

Recycling Coordinator, Bureau of Land Recycling and Waste Management at the previously noted Regional Office.

[Pa.B. Doc. No. 03-712. Filed for public inspection April 18, 2003, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website (www.dep.state.pa.us) at the Public Participation Center page. The "January 2003 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2003.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Notice of Intent to Rescind Technical Guidance

DEP ID: 251-2100-754. Title: Change of Ownership/Transfer of Permit. Description: This document of the Bureau of Land Recycling and Waste Management will be rescinded. As of May 1, 1999, information contained in this guidance was incorporated into the Commonwealth's Hazardous Waste Regulations, making the technical guidance document unnecessary. Effective Date: April 19, 2003. Contact: Rick Shipman, (717) 787-6239, dshipman@state.pa.us.

Draft Technical Guidance

DEP ID: 013-0830-008. Title: Geospatial Digital Data Submission Guideline. Description: This policy establishes the processes, standards, requirements and acceptable formats for submitting external and internal geospatial electronic digital data. The intent of this policy is to ensure the uniformity, reliability, quality and compatibility of electronic digital data created and received by the Department. Comment Period Ends: May 19, 2003. Anticipated Effective Date: May 31, 2003. Contact: Rick Bennett, (717) 705-3870, ribennett@state.pa.us.

DEP ID: 012-5500-001. Title: 2004 Environmental Education Grants, Program Manual and Forms. Description: This document is a guide for eligible organizations who are interested in applying for the Department's Environmental Education Grants Program. It provides informa-

tion on eligibility and details on how to apply, as well as the operational procedures if awarded a grant. Comment Period Ends: May 19, 2003. Anticipated Effective Date: May 31, 2003. Contact: Jack Farster, (717) 772-1828, jfarster@state.pa.us.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-713. Filed for public inspection April 18, 2003, 9:00 a.m.]

DEPARTMENT OF HEALTH

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 Thursday, April 24, 2003, in Conference Room 614, Department of Labor and Industry Building, 7th and Forster Streets, Harrisburg, PA, from 10 a.m. to 3:30 p.m.

The Department of Health reserves the right to cancel this meeting without prior notice.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Karl Hoffman, Program Administrator, Hearing Program, Division of Newborn Disease Prevention and Identification, (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.

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-714. Filed for public inspection April 18, 2003, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Mahoning Valley Nursing and Rehabilitation Center
397 Hemlock Drive
Lehighton, PA 18235-9640

Mary J. Drexler Home
238 Belmont Avenue
Bala Cynwyd, PA 19004

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.6(a) and 205.9(a) (relating to corridors; and function of building):

Church of the Brethren Home
277 Hoffman Avenue
Windber, PA 15963

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.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers previously listed 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).

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-715. Filed for public inspection April 18, 2003, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Income Limits for the Categorically Needy Nonmoney Payment Medicaid Program

The Department of Public Welfare (Department) increased the income limits codified at 55 Pa. Code

§ 181.1(f)(1), (2) and (4) (relating to general policy on MA income common to all categories of MA) effective January 1, 2003.

The regulations in 55 Pa. Code § 181.1(f)(1), (2) and (4) establish that the income limits for the Categorically Needy Nonmoney Payment Medicaid Program for aged, blind and disabled persons are based on the Supplemental Security Income (SSI) Federal benefit rate payable under Title XVI of the Social Security Act (42 U.S.C.A §§ 1381—1383c). Effective January 1, 2003, the Federal benefit rate was increased due to the Federal cost-of-living increase.

As required under 55 Pa. Code § 181.1(f), the Department revised the income limits for the Categorically Needy Nonmoney Payment Medicaid Program for aged, blind and disabled persons effective January 1, 2003. Those limits are set forth in Appendices A, B and D, which are recommended for codification in 55 Pa. Code Chapter 181 (relating to income provisions for categorically needy NMP-MA and MNO-MA). Appendix A is the SSI Federal benefit rate plus the State supplement payable under Title XVI. Appendix B is 300% of the SSI Federal benefit rate payable under Title XVI. Appendix D is the SSI Federal benefit rate payable under Title XVI. Item 1 of Appendix D is 1/2 of the SSI Federal benefit rate for one person. Item 2 of Appendix D is 1/2 of the SSI Federal benefit rate for two persons.

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-352. (1) General Fund;

	<i>Outpatient</i>	<i>Inpatient</i>	<i>Capitation</i>
(2) Implementing Year 2002-03 is	\$ 8,000	\$ 5,000	\$27,000;
(3) 1st Succeeding Year 2003-04 is	\$24,000	\$14,000	\$54,000;
2nd Succeeding Year 2004-05 is	\$24,000	\$14,000	\$54,000;
3rd Succeeding Year 2005-06 is	\$24,000	\$14,000	\$54,000;
4th Succeeding Year 2006-07 is	\$24,000	\$14,000	\$54,000;
5th Succeeding Year 2007-08 is	\$24,000	\$14,000	\$54,000;
	<i>Outpatient</i>	<i>Inpatient</i>	<i>Capitation</i>
(4) 2001-02 Program—	\$705,750,000	\$417,750,000	\$1,711,084,000;
2000-01 Program—	\$668,586,000	\$418,707,000	\$1,487,944,000;
1999-00 Program—	\$622,669,000	\$392,528,000	\$1,384,763,000;
(7) MA—Outpatient, MA—Inpatient and MA—Capitation; (8) recommends adoption.			

Funds have been included in the Department's 2002-03 and 2003-04 budgets.

APPENDIX A

CATEGORICALLY NEEDED NONMONEY PAYMENT MONTHLY INCOME LIMITS FOR THE AGED, BLIND AND DISABLED CATEGORIES

EFFECTIVE JANUARY 1, 2003

1 PERSON	\$579.40
2 PERSONS	\$872.70

APPENDIX B

CATEGORICALLY NEEDED NONMONEY PAYMENT MONTHLY INCOME LIMITS FOR THE AGED, BLIND AND DISABLED CATEGORIES RECEIVING SKILLED CARE, HEAVY CARE/INTERMEDIATE SERVICES OR INTERMEDIATE CARE

EFFECTIVE JANUARY 1, 2003

1 PERSON	\$1,656
----------	---------

APPENDIX D

MONTHLY FEDERAL BENEFIT RATE

EFFECTIVE JANUARY 1, 2003

1 PERSON	\$552
2 PERSONS	\$829

PERCENTAGES OF MONTHLY FEDERAL BENEFIT RATE

EFFECTIVE JANUARY 1, 2003

ITEM 1) 50% of Federal Benefit Rate for 1 person = \$276.00

ITEM 2) 50% of Federal Benefit Rate for 2 persons = \$414.50

[Pa.B. Doc. No. 03-716. Filed for public inspection April 18, 2003, 9:00 a.m.]

Medical Assistance Program Fee Schedule; Addition of Procedure Code

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Public Welfare (Department) announces the addition of Procedure Code 90723, for the administration of Pediarix vaccine, to the Medical Assistance Program Fee Schedule effective January 1, 2003.

Recently approved by the United States Food and Drug Administration, Pediarix is a combination vaccine that protects infants against diphtheria, tetanus, pertussis (whooping cough), polio and Hepatitis B virus. It is administered as one intramuscular injection. Providers should bill the Department for the administration of the Pediarix vaccine using Procedure Code 90723.

Procedure Code	Description	MA Fee
90723	Immunization, diphtheria, tetanus toxoids, acellular pertussis vaccine, Hepatitis B and poliovirus vaccine, inactivated (DtaP-HepB-IPV), for intramuscular use	\$10

Fiscal Impact

The fiscal note was prepared under the authority of section 612 of The Administrative Code of 1929 (71 P. S. § 232).

Comments

Interested persons are invited to submit written comments regarding this notice to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments received will be reviewed and considered in subsequent revisions to the Medical Assistance Program Fee Schedule. Comments should be addressed to Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TTD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-354. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 03-717. Filed for public inspection April 18, 2003, 9:00 a.m.]

Medical Assistance Program Fee Schedule Revision

The Department of Public Welfare (Department) will revise payment rates for select procedure codes for oxygen and oxygen-related equipment effective May 1, 2003.

Background

The Pennsylvania Medicaid State Plan (State Plan) specifies that maximum payment fees for services covered under the Medical Assistance (MA) Program are to be determined on the basis of the following: fees will not exceed the Medicare upper limit when applicable; will be consistent with efficiency, economy and quality of care; and will be sufficient to assure the availability of services to clients. In section 4552(a) of the Balanced Budget Act of 1997 (Pub. L. No. 105-33), Congress reduced payment levels for certain Medicare items, including oxygen and oxygen-related equipment (42 U.S.C.A. § 1395m(a)(9)(B)(v) and (vi)). The Department made no corresponding adjustment to the MA Program Fee Schedule for the same items.

In 2002, the Office of the Inspector General of the Department of Health and Human Services (HHS) audited the Department's payments for oxygen and oxygen-related equipment for the period January 1, 1998, through December 31, 2000. HHS concluded that the Department's payment rates were higher than the amount necessary to enlist the participation of an adequate number of providers. Following the audit, HHS recommended that the Department refund the Medicaid Program for excessive payments made to providers and limit the maximum allowable fee for oxygen and oxygen-related equipment to an amount equal to or less than the Medicare approved amount for the same item.

As recommended by HHS, the Department is adjusting the MA Program Fee Schedule payment rates for oxygen and oxygen-related equipment to equal the Medicare approved amount. Revision of these fees is necessary to comply with the State Plan and to avoid additional Federal disallowances.

The fees are revised as follows.

Procedure Code	Description	Current Fee	Revised Fee (Effective 5/1/03)
A4621	Tracheotomy mask or collar	\$6.05	\$1.39
E0424	Stationary compressed gaseous oxygen system, rental; includes contents (per unit), regulator, flowmeter, humidifier, nebulizer, cannula or mask, and tubing; 1 unit = 50 cubic ft.	\$288.20	\$228.80
E0439	Stationary liquid oxygen system, rental; includes use of reservoir, contents (per unit), regulator, flowmeter, humidifier, nebulizer, cannula or mask, and tubing; 1 unit = 10 lbs.	\$301.18	\$228.80
E0441	Oxygen contents, gaseous, per unit (for use with owned gaseous stationary systems or when both a stationary and portable gaseous system are owned; 1 unit = 50 cubic ft.)	\$186.45	\$161.76
E0442	Oxygen contents, liquid, per unit (for use with owned liquid stationary systems or when both a stationary and portable liquid system are owned; 1 unit = 10 lbs.)	\$186.45	\$161.76

<i>Procedure</i>		<i>Current</i>	<i>Revised Fee (Effective)</i>
E0443	Portable oxygen contents, gaseous, per unit (for use only with portable gaseous systems when no stationary gas or liquid system is used; 1 unit = 5 cubic ft.)	\$24.62	\$21.34
E0444	Portable oxygen contents, liquid, per unit (for use only with portable liquid systems when no stationary gas or liquid system is used; 1 unit = 1 lb.)	\$24.62	\$21.34
E1390	Oxygen concentrator, capable of delivering 85% or greater oxygen concentration at the prescribed flow rate	\$231.04	\$228.80
E1404	Oxygen concentrator, manufacturer specified maximum flow rate greater than 5 liters per minute, at 85% or greater concentration	\$299.15	\$228.80
E1405	Oxygen and water vapor enriching system with heated delivery	\$299.15	\$263.87
E1406	Oxygen and water vapor enriching system without heated delivery	\$299.15	\$248.53

Fiscal Note

It is anticipated that this revision will result in a savings of \$0.042 million (\$0.019 million in State funds) for Fiscal Year 2003-04.

Public Comment

Interested persons are invited to submit written comments to this notice within 30 days of this publication. Comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120. Comments received will be considered in subsequent revisions to the fee schedule.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-355. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 03-718. Filed for public inspection April 18, 2003, 9:00 a.m.]

Payments to Nursing Facilities; January 1, 2003 Final Rates

The purpose of this notice is to announce final payment rates for nursing facilities based on case-mix index (CMI) adjustments only, for nursing facility services provided on or after January 1, 2003, in accordance with 42 U.S.C.A. § 1396a(a)(13), as amended by section 4711 of the Balanced Budget Act of 1997 (Pub. L. No. 105-33). A January 1, 2003, proposed rates notice was published at 33 Pa.B. 693 (February 1, 2003) and provided for a 30-day comment period. The Department of Public Welfare (Department) did not receive any comments on the proposed January 1, 2003, rate notice.

Rates

The final January 1, 2003, rates are available at the local county assistance offices throughout this Commonwealth, on the Office of Medical Assistance Programs' website at www.dpw.state.pa.us/omap or by contacting Tom Jayson, Policy Unit, Bureau of Long Term Care Programs, (717) 705-3705.

Methodology

The methodology that the Department used to set the final rates based on CMI adjustments is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

Justification

The justification for establishing the final rates is that they were set under the rate setting methodology required by the Commonwealth's regulations and approved State Plan.

Appeals

A Medical Assistance nursing facility provider that has not submitted a signed Certification and Settlement Agreement for Year 8 (July 1, 2002—June 30, 2003) may file an administrative appeal if it believes that the Department made any errors or the provider otherwise disagrees with its Year 8 rates. A provider's appeal must be in writing, sent to the Department's Bureau of Hearings and Appeals, P. O. Box 2675, Harrisburg, PA 17102, and received by the Bureau of Hearings and Appeals within 30 days of the date of the Department's letter notifying the provider of its final rates. The filing of an appeal constitutes the exclusive way by which a provider can present the Department with a demand that a final rate be modified, reversed, rescinded or otherwise altered or with a demand that the Department increase the amount of reimbursement paid to the provider under that rate. If a provider chooses to appeal, the provider will be afforded the opportunity for a de novo hearing before the Bureau of Hearings and Appeals. The provider's rates may be changed as a result of the final adjudication of the appeal. Providers should refer to 55 Pa. Code § 1187.141 (relating to nursing facility's right to appeal and to a hearing) for more detail regarding their appeal rights and the requirements related to their written appeals.

Fiscal Impact

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 2002-2003 based on these final rates is \$6.239 million (\$2.827 million in State funds).

Interested persons are invited to submit written comments about the final rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-353. (1) General Fund; (2) Implementing Year 2002-03 is \$2,827,000; (3) 1st Succeeding Year 2003-04 is \$8,470,000; 2nd Succeeding Year 2004-05 is \$8,470,000; 3rd Succeeding Year 2005-06 is \$8,470,000; 4th Succeeding Year 2006-07 is \$8,470,000; 5th Succeeding Year 2007-08 is \$8,470,000; (4) 2001-02 Program—\$761,877,000; 2000-01 Program—\$722,565,000; 1999-00 Program—\$693,625,000; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funding for these changes is included in the 2002-03 and 2003-04 budgets.

[Pa.B. Doc. No. 03-719. Filed for public inspection April 18, 2003, 9:00 a.m.]

Proposed Federal Child Care and Development Fund Block Grant Public Hearing

The Department of Public Welfare, Office of Children, Youth and Families, Bureau of Child Day Care Services, will be holding a public hearing on the proposed Federal Child Care and Development Fund Block Grant (CCDFBG) Plan for the period October 1, 2003, through September 30, 2005 (Federal Fiscal Years 2004-2005). The hearing will be held on May 12, 2003, from 12:30 p.m. to 4:30 p.m. in the auditorium of the State Museum of Pennsylvania, Third and North Streets, Harrisburg, PA. The purpose of the public hearing is to gather comments on the proposed CCDFBG plan from the general public. Based upon comments received, the Commonwealth will consider necessary revisions to the proposed plan and develop a final plan to send to the Federal government.

Public Comment:

Individuals interested in reviewing and commenting on the proposed CCDFBG plan or registering to testify at the public hearing should contact the Bureau of Child Day Care Services, 1401 North Seventh Street, Harrisburg, PA 17102, (717) 787-8691.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

[Pa.B. Doc. No. 03-720. Filed for public inspection April 18, 2003, 9:00 a.m.]

DEPARTMENT OF STATE

State Plan Advisory Board Meeting

On Wednesday, April 23, 2003, the State Plan Advisory Board (Board) will meet from 10 a.m. to 3 p.m. in Room 303, North Office Building, Harrisburg. The Board is responsible for developing a plan which details how the Commonwealth will use grants from the Federal government to meet the requirements of the Federal Help America Vote Act of 2002 and "to carry out other activities to improve the administration of elections." Persons

wishing to attend should contact, by April 21, 2003, Barbara Smotherman, (717) 787-3796, bsmotherma@state.pa.us.

PEDRO A. CORTES,
Acting Secretary of the Commonwealth

[Pa.B. Doc. No. 03-721. Filed for public inspection April 18, 2003, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Bethlehem Steel Corporation v. DEP; EHB Doc. No. 2003-070-MG

Bethlehem Steel Corporation has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Bethlehem Steel Corporation for a facility in the City of Coatesville, Chester County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 03-722. Filed for public inspection April 18, 2003, 9:00 a.m.]

Hatfield Township Municipal Authority v. DEP; EHB Doc. No. 2003-085-K

Hatfield Township Municipal Authority has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA 0026247 (March 11, 2003) to same for a facility in Hatfield Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 03-723. Filed for public inspection April 18, 2003, 9:00 a.m.]

FISH AND BOAT COMMISSION

Alcohol Restrictions; Sheidy Access, Blue Marsh Lake, Berks County; Sweet Arrow Lake Access, Schuylkill County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 53.4 (relating to limiting access to Commission property and other restrictions), has prohibited the use or possession of beer and alcoholic beverages at its Sheidy Access at Blue Marsh Lake, Berks County, and its Sweet Arrow Lake Access, Schuylkill County. These restrictions are effective when posted at the sites.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 03-724. Filed for public inspection April 18, 2003, 9:00 a.m.]

Closure of Upper Hereford Manor Lake, Beaver County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 53.4 (relating to limiting access to Commission property and other restrictions), will close Upper Hereford Manor Lake, Beaver County, to all public use effective April 21, 2003. This restriction will be effective when posted at the site and will remain in effect until further notice. It is unlawful for persons to enter or remain upon Commission property during the times it is closed to public use without the express written consent of the Executive Director or a designee.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 03-725. Filed for public inspection April 18, 2003, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates

indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
47-10	Milk Marketing Board Milk Marketing Fees	4/8/03

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
18-383	Department of Transportation Enhanced Emission Inspection Program	4/9/03

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-726. Filed for public inspection April 18, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

Bobbi Jo Beaton; Hearing

Appeal of Bobbi Jo Beaton under 40 P. S. §§ 991.2101—991.2193; Doc. No. HC03-04-006

Under 40 P. S. §§ 991.2101—991.2193, the appellant in this action has requested a hearing in connection with the appellant's managed health care plan. The hearing will be held in accordance with the requirements of the 40 P. S. §§ 991.2101—991.2193, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure). Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held on May 22, 2003, at 11 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Bldg., 901 North 7th Street, Harrisburg, PA.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

The presiding officer will consider a written request for continuance of the scheduled hearing, for good cause only. Prior to requesting a continuance, a party must contact the opposing party. Continuance requests must indicate whether the opposing party objects to a continuance.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-727. Filed for public inspection April 18, 2003, 9:00 a.m.]

Alan Buerger; Hearing

License Denial; Doc. No. AG03-04-001

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for May 5, 2003, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before April 15, 2003. A hearing shall occur on May 21, 2003, at 1 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North 7th Street, Harrisburg, PA.

At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before June 13, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before June 20, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-728. Filed for public inspection April 18, 2003, 9:00 a.m.]

Darren Ellenburg, D.P.M.; Hearing

Appeal of Darren Ellenburg, D.P.M. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-03-031

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for May 2, 2003, at 1:30 p.m. Each

party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 11, 2003. A hearing shall occur on May 20, 2003, at 1:30 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North 7th Street, Harrisburg, PA.

On or before April 18, 2003, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 18, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before April 25, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-729. Filed for public inspection April 18, 2003, 9:00 a.m.]

Erie Insurance Exchange; Homeowners Insurance Rate Revision

On April 4, 2003, the Insurance Department (Department) received from Erie Insurance Exchange a filing for a proposed rate level change for homeowners insurance.

The company requests an overall 8% increase amounting to \$17.738 million annually, to be effective August 1, 2003.

Unless formal administrative action is taken prior to June 3, 2003, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us, within 30

days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-730. Filed for public inspection April 18, 2003, 9:00 a.m.]

participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-731. Filed for public inspection April 18, 2003, 9:00 a.m.]

Laureano M. Manuel, M.D. (Carpenter); Prehearing

**Appeal of Laureano M. Manuel, M.D. (Carpenter)
under the Medical Care Availability and Reduction
of Error (MCARE) Act (40 P. S.**

§§ 1303.101—1303.910); Doc. No. MM03-03-033

On or before May 6, 2003, the appellant shall file a concise statement setting forth the factual and legal basis for his disagreement with MCARE'S January 31, 2003, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages.

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for May 13, 2003, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 11, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter. No prehearing memoranda or other written submissions are required for the prehearing telephone conference other than the requirements set forth in paragraph one; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference.

Except as established at the prehearing conference, both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other evidence. Each party must bring documents, photographs, drawings, claims, files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 1, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 8, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to

Laureano M. Manuel, M.D. (Sweeney); Prehearing

**Appeal of Laureano M. Manuel, M.D. (Sweeney)
under the Medical Care Availability and Reduction
of Error (MCARE) Act (40 P. S.**

§§ 1303.101—1303.910); Doc. No. MM03-03-032

On or before May 6, 2003, the appellant shall file a concise statement setting forth the factual and legal basis for his disagreement with MCARE'S January 31, 2003, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages.

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for May 13, 2003, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 11, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter. No prehearing memoranda or other written submissions are required for the prehearing telephone conference other than the requirements set forth in paragraph one; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference.

Except as established at the prehearing conference, both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other evidence. Each party must bring documents, photographs, drawings, claims, files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 1, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 8, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-732. Filed for public inspection April 18, 2003, 9:00 a.m.]

Memorial Hospital of Towanda; Prehearing

Appeal of Memorial Hospital of Towanda under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-03-046

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for May 21, 2003, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before April 15, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

On or before May 14, 2003, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE'S February 7, 2003, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 7, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 1, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-733. Filed for public inspection April 18, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Maxwell Z. Mulbah; file no. 03-280-01265; Nationwide Mutual Insurance Company; doc. no. PH03-04-012; May 15, 2003, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-734. Filed for public inspection April 18, 2003, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Administrative Circular No. 03-08—Appointment of Agency Fixed Assets Coordinators for Agencies using SAP, Dated March 7, 2003.

Administrative Circular No. 03-09—Closing Instruction No. 1, Fiscal Year 2002-2003 Submission of Purchasing Documents, Dated March 18, 2003.

MARY JANE PHELPS,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 03-735. Filed for public inspection April 18, 2003, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Railroad
With Hearing

C-20029004. United Transportation Union, Pennsylvania State Legislative Board, by Donald Dunlevy, Trustee Ad Litem v. CSX Transportation, Inc. The complaint states unsafe conditions at Demmler, Riverton and Dexter Yards in Allegheny County.

An initial hearing on this matter will be held on Thursday, June 12, 2003, at 10 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-736. Filed for public inspection April 18, 2003, 9:00 a.m.]

Telecommunications

A-310996F7000. Verizon Pennsylvania Inc. and Looking Glass Networks Inc. Joint petition of Verizon Pennsylvania Inc. and Looking Glass Networks Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Looking Glass Networks Inc., by its counsel, filed on March 31, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Looking Glass Networks Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-737. Filed for public inspection April 18, 2003, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

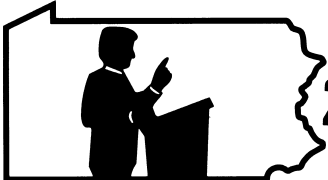
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦ (For Commodities: Contact:) Vendor Services Section
 717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

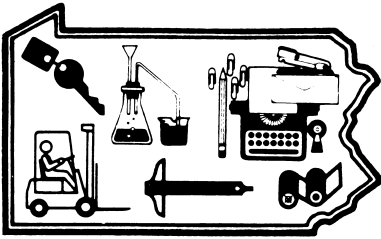
⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

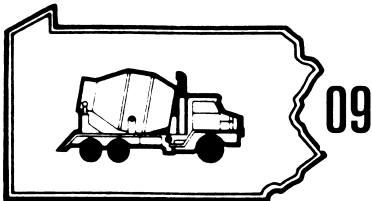


Commodities

SU-02-28 SU-02-28—Shippensburg University is seeking vendors interested in providing "Serta" mattresses for student dorm rooms. Vendors interested in receiving a bid package must fax a request to Mona Holtry, Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257; Fax (717) 477-1350. Package will be available 4/9/03 and bid responses will be due 5/7/03 by 4 p.m.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, PA 17257
Duration: Delivery shall be Tuesday, August 5, 2003.
Contact: Mona M. Holtry, (717) 477-1386

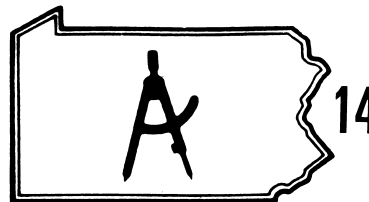
SERVICES



Construction & Construction Maintenance

10138 A. Repair/Maintenance of a Steel I-beam Bridge with three spans (total length of 109 feet). B. Repair/Reseal end deck cracks and clear debris on approach roadway. Also replace guide rail on approach roadway to current PennDot safety standards. SSVC reserves the right to award repair contract for both A and B or for either A or B. Specs available upon request. Site visit required.

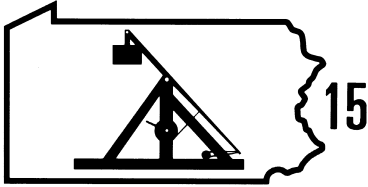
Department: Military Affairs
Location: Scotland School for Veterans' Children, 3583 Scotland Rd., Scotland, PA 17254-0900
Duration: June 1, 2003 through June 30, 2003.
Contact: Bob Bruce, (717) 264-7187, Ext.775



Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us

Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



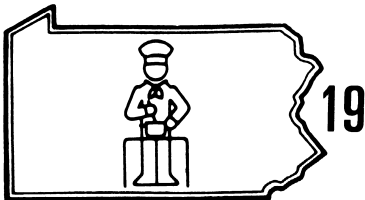
Environmental Maintenance Service

OSM 63(3803)101.1 Abandoned Mine Land Reclamation Project, Monongahela South No. 1. The principal items of work and approximate quantities include utility relocation, 45,179 c.y. earthwork, 700 h.l.f. coal seam drilling and 618 c.y. mine stabilization grouting for mine stabilization/seals and exposed coal protection, AMD collection system, AMD/stormwater collection system, installation of pre-cast concrete retaining wall panels including soldier piles and lagging and 1,000 s.y. rock face support system. This project issues on April 18, 2003 and bids will be opened May 13, 2003 at 2 p.m. Payment in the amount of \$15.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: City of Monongahela, Washington County
Duration: 120 calendar days after notice to proceed.
Contact: Construction Contracts Section, (717) 783-7994

BOGM 02-29 Cleaning Out And Plugging Seventeen (17) Abandoned Oil Wells, (Oil Creek State Park Property). The principal items of work and approximate quantities include: clean out and plug seventeen (17) abandoned oil wells, prepare and restore well sites, and mobilize and demobilize plugging equipment. Wells are estimated to be between 300-800 feet in depth and the estimated plugging time is 5 to 10 working days per well. This project issues on April 18, 2003 and bids will be opened May 13, 2003 at 2 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent. Please note that a pre-bid conference is planned but a date has not been finalized. Please contact the Construction Contracts Section for more information regarding the date of the pre-bid conference.

Department: Environmental Protection
Location: Cornplanter Township, Venango County
Duration: 150 calendar days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994



Food

CN 00002410 Dairy Contract for July, August and September 2003. To request a bid package, please fax your company name, address, Federal ID number, telephone and fax numbers to 570-587-7108. Bid packages cannot be faxed.

Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505
Duration: July 1, 2003—September 30, 2003
Contact: Stanley Rygelski, PA, (570) 587-7291

CN 00002413 Miscellaneous Frozen Food Contract for July, August and September 2003. To request a bid package, please fax your company name, address, Federal ID number, telephone and fax numbers to 570-587-7108. Bid packages cannot be faxed.

Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505
Duration: July 1, 2003—September 30, 2003
Contact: Stanley Rygelski, PA, (570) 587-7291

CN 00002406 Poultry Contract, Frozen for July, August and September 2003. To request a bid package, please fax your company name, address, Federal ID number, telephone and fax numbers to 570-587-7108. Bid packages cannot be faxed.

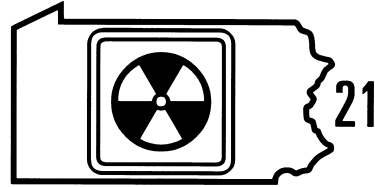
Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505
Duration: July 1, 2002—September 30, 2003
Contact: Stanley Rygelski, PA, (570) 587-7291

CN 00002414 Juice, Frozen (4 oz. containers) for July, August and September 2003. To request a bid package, please fax your company name, address, Federal ID number, telephone and fax numbers to 570-587-7108. Bid packages cannot be faxed.

Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505
Duration: July 1, 2003—September 30, 2003
Contact: Stanley Rygelski, PA, (570) 587-7291

CN 00002405 Meat Contract, Frozen for July, August and September 2003. To request a bid package, please fax your company name, address, Federal ID number, telephone and fax numbers to 570-587-7108. Bid packages cannot be faxed.

Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505
Duration: July 1, 2003—September 30, 2003
Contact: Stanley Rygelski, PA, (570) 587-7291



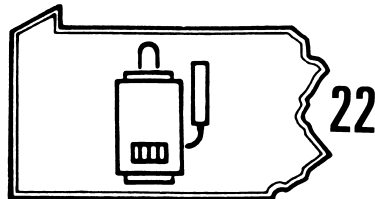
Hazardous Material Services

SP-3522000016 Removal and disposal of one 6,000-gal. and one 4,000 gal. underground storage gasoline tank systems, and all associated materials and waste products.

Department: Environmental Protection
Location: Route 309, Beaver Brook, PA (Hazle Twp.)
Duration: 7/1/03—12/31/03
Contact: Dorothy A. Fuller, (570) 826-2202

RFP GTAC-4 DEP is soliciting proposals from experienced and qualified firms to provide statewide environmental consulting and engineering services under DEP's environmental cleanup programs. A pre-proposal conference is scheduled for Monday, April 28, 2003, at 10 a.m. in the 2nd floor auditorium of the Rachel Carson State Office Building, 400 Market Street, Harrisburg. A copy of the RFP may be obtained by contacting Jina Leinbach in the Division of Remediation Services at (717) 787-4942 or by e-mail at jleinbach@state.pa.us.

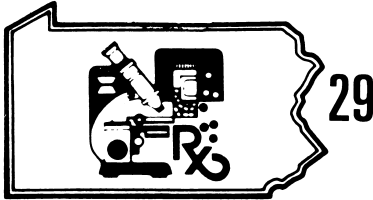
Department: Environmental Protection
Location: Statewide
Duration: Three years with two year renewal option.
Contact: Jina Leinbach, (717) 787-4942



HVAC Services

62-0069 West Chester University of the State System of Higher Education is soliciting sealed bids in the Construction Procurement Office, 201 Carter Drive, Suite 200, West Chester, PA 19383 for Emergency Generator Replacement, Project 63-0069. The bids are due and will be publicly opened at 11 a.m. on Tuesday, May 13, 2003. A site visit will be conducted at 9 a.m. on April 25, 2003 in the lobby of Sanderson Hall, S. New St. Parking available in Lot "F" on the S.W. corner of S. New and Nield Streets. Plans and specifications are available from the Construction Procurement Office at West Chester University on or around April 11, 2003. Please fax your request to 610-436-2720. Include your company letterhead, identifying the complete company name, address, phone number, fax number, contact person and e-mail. If you would like the bid package sent via Next Day Delivery service, please provide your UPS or Fed EX Account number. To arrange to pick up the bid package, please contact Barb Cooper at 610-436-2706 or via e-mail at bcooper2wcupa.edu.

Department: State System of Higher Education
Location: West Chester University, West Chester, PA
Contact: Barb Cooper, Contract Specialist, (610) 436-2706



Medical Services

30776006 This service provides for magnetic resonance imaging requested by the Attending Physician. A copy of the bid proposal can be obtained by contacting the purchasing department at (610) 740-3425 OR Fax at 610-740-3424.

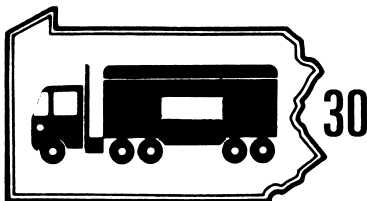
Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: 7/1/03 TO 6/30/07
Contact: Robert Mitchell, (610) 740-3425



Security Services

30776014 Provide for the services of monitoring the fire alarm system. The monitoring of The security alarm system, also. The monitoring is for 24 hours per day, 7 days a week. A copy of the bid proposal can be obtained by contacting the purchasing department at (610) 740-3425 OR Fax at 610-740-3424.

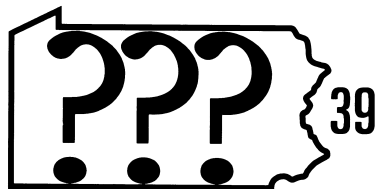
Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: 7/1/03 TO 6/30/07
Contact: Robert Mitchell, (610) 740-3425



Moving Services

30776003 To provide for the collecting and disposal of refuse such as general trash, glass, cans and anything of refuse nature that could accumulate at the hospital. A copy of the bid proposal can be obtained by contacting the purchasing department at (610) 740-3425 OR Fax at 610-740-3424.

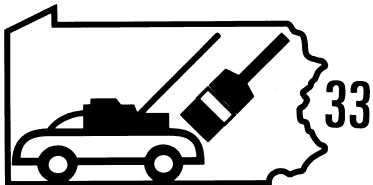
Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: July 1, 2003 to June 30, 2007
Contact: Robert Mitchell, (610) 740-3425



Miscellaneous

RFP 12-02 The Commonwealth is seeking a single-source contractor who will operate the Electronic Benefits Transfer system (EBT) for five years, with two one-year extensions. The contractor is expected to provide recipients with access to cash assistance and food stamp benefits through automated teller machines (ATM's) and point-of-sale (POS) devices by means of their Pennsylvania ACCESS cards. In addition, Pennsylvania EBT cardholders shall have ATM and POS access to both cash and food stamp benefits nationwide as a result of the FNS interim rule on interoperability published August 15, 2000. The contractor will purchase, install and maintain the necessary hardware for the implementation and operation of a Statewide EBT system. This will include the central EBT processing and backup units, POS terminals and peripheral equipment, an Audio Response Unit (ARU), card encoding equipment, and the administrative workstations and card printers. The prime contractor may use subcontractors for the provision of EBT services. This includes the ARU for recipients and retailers, as well as private vendors for the installation and maintenance of EBT-only POS terminals and the card production equipment. COPIES OF THE RFP MAY BE DOWNLOADED BY GOING TO THE DPW WEBSITE: Date: <http://www.dpw.state.pa.us/oa/avendorinfo.asp>

Department: Public Welfare
Location: Statewide/Nationwide
Duration: 5 years with 2 one-year renewal.
Contact: David E. Kern, 717 783-9281



Property Maintenance

SAP #200000223 Replace Roof, Gutters, Facia and Repair Brick Chimney on Security Bldg. #7. To request a bid package, please fax your company name, address, Federal ID Number, telephone and fax numbers and PA State Vendor Number to (570) 587-7108. Bid packages cannot be faxed.

Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505
Duration: May 30, 2003—September 30, 2003
Contact: Stanley Rygelski, PA, (570) 587-7291

30776019 The service will consist of repairs, calibration, testing and balancing of combustion control panels. A copy of the bid proposal can be obtained by contacting the purchasing department at (610) 740-3425 OR Fax at 610-740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: 7/1/03 TO 6/30/07
Contact: Robert Mitchell, (610) 740-3425

SU-02-29 SU-02-29 Shippensburg University is seeking vendors interested in submitting bids for Palm Tungsten T Handheld + Tungsten T Hard Case. Please Fax or email your request to be added to the Bidders list no later than April 22, 2003. Fax your request to Attn: Pam King (717) 477-1350 or email to pakingwharf.ship.edu. All responsible bidders are invited to participate, including MBE/WBE firms.

Department: State System of Higher Education
Location: Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257
Duration: May 1, 2003 through June 30, 2003
Contact: Pamela A. King, (717) 477-1386

#55 The Allentown State Hospital is currently soliciting bids for steel doors. All Doors are to be existing frames, some doors are to have wire glass. All doors are to come with all locking hardware (best locksets), doors are to be (18) gage and be (1.75) in. thick. A complete list of all doors and locksets can be obtained by calling the purchasing department at (610) 740-3425 OR FAX AT 610-740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: 6/30/03
Contact: Robert Mitchell, (610) 740-3425

30776008 To provide the services of analytical testing of asbestos samples, Industrial waste water, drinking water, lead paint, and other hazardous materials on as needed basis. To obtain a copy of the bid proposal, contact the purchasing department at (610) 740-3425 or FAX AT 610-740-3424.

Department: Public Welfare

Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA
18109-2498

Duration: 7/1/03 to 6/30/07

Contact: Robert Mitchell, (610) 740-3425

[Pa.B. Doc. No. 03-738. Filed for public inspection April 18, 2003, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <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> |
|--|---|

DONALD T. CUNNINGHAM, Jr.
Secretary

STATE CONTRACTS INFORMATION

Special Notice

Effective February 1, 2003, the contract awards issued by the Department of General Services (Department), Bureau of Purchases, will no longer be published in the *Pennsylvania Bulletin*. This information will continue to be available on the Department's website at www.dgs.state.pa.us, DGS KEYWORD "Procurement Awards."

DONALD T. CUNNINGHAM, Jr.,
Secretary

[Pa.B. Doc. No. 03-739. Filed for public inspection April 18, 2003, 9:00 a.m.]
