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# PENNSYLVANIA BULLETIN

Volume 31  
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Number 46  
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**Agencies in this issue:**

The Courts  
Department of Agriculture  
Department of Banking  
Department of Conservation and Natural Resources  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Public Welfare  
Department of Transportation  
Environmental Quality Board  
Fish and Boat Commission  
Housing Finance Agency  
Independent Regulatory Review Commission  
Insurance Department  
Legislative Reference Bureau  
Liquor Control Board  
Medical Professional Liability Catastrophe Loss Fund  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority

**Detailed list of contents appears inside.**



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(Master Transmittal Sheet):**

**No. 324, November 2001**

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# CONTENTS

## THE COURTS

### LOCAL COURT RULES

#### Carbon County

- Adoption of Orphans' Court Rules O.C.R. no. 3.1, O.C.R. no. 6.1, O.C.R. no. 6.4, and O.C.R. no. 6.11; rescission of Orphans' Court Rules O.C.R. no. 3.2.1, O.C.R. no. 6.1.1., O.C.R. no. 6.1.2, O.C.R. no. 6.4.1, and O.C.R. no. 6.11.1; no. 99-9422 ..... 6275
- Amending policy for paroling defendants sentenced for minimum of up to ninety (90) days for DUI; no 073 MI 91 ..... 6277
- Amendment of Orphans' Court Rules; no. 01-9001 .. 6277
- Revision of local rule of civil procedure L1920.12 complaint in divorce/annulment cases; no: 01-1097 ..... 6278

#### Lehigh County

- Administrative order establishing uniform costs for A.R.D. and convictions in driving under the influence cases; and providing for parole in certain cases; no. 2289 M-2001..... 6278
- Administrative order establishing uniform costs for urinalysis testing, electronic monitoring and supervision by the probation/parole office; no. 2290 M-2001..... 6279

### RULES OF CIVIL PROCEDURE

- Amendments to the rules relating to domestic relations; no. 361; civil procedural rules doc. no. 5 .... 6273

## EXECUTIVE AGENCIES

### DEPARTMENT OF AGRICULTURE

#### Notices

- Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program ..... 6288
- Referendum order on creation of the Pennsylvania Wine Marketing and Research Program ..... 6289

### DEPARTMENT OF BANKING

#### Notices

- Action on applications..... 6290

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

- Conservation and Natural Resources Advisory Council; meeting notice ..... 6292
- Pennsylvania Rivers Conservation Registry (2 documents) ..... 6292, 6293

### DEPARTMENT OF EDUCATION

#### Notices

- Approval of grant under the Individuals with Disabilities Education Act—Part B..... 6293

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

- Applications, actions and special notices..... 6293
- Plan approval and operating permit exemptions .... 6346

- Request for applications for the Governor's Award for Watershed Stewardship ..... 6351
- Request for applications for watershed restoration and protection grants through the Growing Greener Program ..... 6352

### DEPARTMENT OF GENERAL SERVICES

#### Notices

- Contract awards..... 6370
- State contracts information..... 6364

### DEPARTMENT OF HEALTH

#### Notices

- Applications for exception:
- Hahnemann University ..... 6352
  - Indiana Hospital..... 6353
  - Main Line Plastic Surgery & Laser Associates, Ltd..... 6353
- Requests for exception; long-term care nursing facilities..... 6353
- Traumatic Brain Injury Advisory Board meeting .... 6353

### DEPARTMENT OF PUBLIC WELFARE

#### Notices

- Tobacco Settlement Act 77 Advisory Committee; public meeting..... 6356

### DEPARTMENT OF TRANSPORTATION

#### Notices

- Contemplated sale of land no longer needed for transportation purposes..... 6354
- Dealerships and nondealership inspection stations; request for participation..... 6354
- Equipment manufacturers; request for participation. 6355
- Finding ..... 6356

### ENVIRONMENTAL QUALITY BOARD

#### Rules and Regulations

- Fees ..... 6280
- Radiological health..... 6282

### FISH AND BOAT COMMISSION

#### Proposed Rulemaking

- Extension of public comment period..... 6287

#### Notices

- Alcohol restriction; Harveys Creek, Luzerne County. 6357
- Designations of waters subject to special fishing regulations ..... 6357

### HOUSING FINANCE AGENCY

#### Notices

- Federal Low-Income Housing Tax Credit Program; public hearing..... 6358

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

- Actions taken by the Commission..... 6358
- Notice of comments issued ..... 6359
- Notice of filing of final rulemakings ..... 6360

---

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**INSURANCE DEPARTMENT**

**Notices**

Application for voluntary surrender of certificate of authority..... 6360  
Great Northern Insurance Company; homeowners insurance rate revision..... 6360  
QualMed Plans for Health—group; rate filing..... 6360

**LEGISLATIVE REFERENCE BUREAU**

**Notices**

Documents filed but not published..... 6361

**LIQUOR CONTROL BOARD**

**Notices**

Expiration of leases..... 6361

**MEDICAL PROFESSIONAL LIABILITY  
CATASTROPHE LOSS FUND**

**Notices**

Notice of and amount of surcharge..... 6361

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**

Service of notice of motor carrier applications..... 6362  
Wastewater..... 6362  
Water service (3 documents)..... 6362, 6363

**PHILADELPHIA REGIONAL PORT AUTHORITY**

**Notices**

Request for bids (2 documents)..... 6363

# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***Pennsylvania Bulletin***

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

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

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

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

## **Adoption, Amendment or Repeal of Regulations**

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

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

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

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

## **Citation to the *Pennsylvania Bulletin***

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2001.

## 4 Pa. Code (Administration)

### Adopted Rules

1	1455
5	5360, 6148
6	2546, 5935
7	1456, 3516
118	3520
119	3529
119a	3534
120	3534
243	4170
245	4170

### Proposed Rulemaking

243	1587
245	1587
259	2124

### Statements of Policy

9	11, 648, 948, 1862, 2382, 3554, 3957, 4542, 4656, 5454
---	---

## 7 Pa. Code (Agriculture)

### Adopted Rules

21	1682
128	5704
130c	1691
137	1701
137a	1701
137b	1701
138g	2110
138i	1729
138j	2116
138k	2110

### Proposed Rulemaking

148	5367
-----	------

### Statements of Policy

150	2384
-----	------

## 10 Pa. Code (Banks and Banking)

### Proposed Rulemaking

44	1236, 1564
----	------------

## 12 Pa. Code (Commerce, Trade and Local Government)

### Statements of Policy

123	4966
-----	------

## 17 Pa. Code (Conservation and Natural Resources)

### Statements of Policy

44	650
----	-----

## 19 Pa. Code (Corporations and Business Associations)

### Adopted Rules

3	4405
---	------

## 22 Pa. Code (Education)

### Adopted Rules

14	3021
342	3021
711	3033

## Proposed Rulemaking

4	2136
73	2017
213	5711

## 25 Pa. Code (Environmental Protection)

### Adopted Rules

78	1736
86	145
88	3735
90	3735
93	3893, 3894
109	3895, 3938
121	4171
126	5075
210	3751
211	3751
215	5239
217	5239
218	6280
219	5239
220	5239
221	6282
224	5239
225	5239
226	5239
227	6282
228	6282
230	5239
232	5239
240	1742
250	235
260a	2873, 5075
261a	2873, 5547
266a	2873
269a	5075
270a	2873
271	5547
272	5547
283	5547
284	3942
287	235, 2873, 5447
288	235
289	235
291	235
293	235
295	235
297	235
298	2873
299	235
1021	428

### Proposed Rulemaking

86	4538
87	4538
88	4538
90	4538
93	2375, 3956
109	5083
121	4958
130	6163, 6185
126	4958
218	943
221	792



**6270**

227 ..... 792  
 228 ..... 792  
 261a ..... 796  
 271 ..... 796  
 272 ..... 796  
 901 ..... 1233  
 977 (correction) ..... 158  
 1021 ..... 6156

**28 Pa. Code (Health)**

**Adopted Rules**  
 4 ..... 4064  
 9 ..... 3043  
 23 ..... 5525  
 25 ..... 2373

**Proposed Rulemaking**

27 ..... 2126, 2271  
 28 ..... 2271  
 501 ..... 2271  
 701 ..... 2124  
 703 ..... 2124

**31 Pa. Code (Insurance)**

**Adopted Rules**  
 3 ..... 2000  
 11 ..... 2001  
 25 ..... 4406  
 67b ..... 5079  
 89 (correction) ..... 145  
 118 ..... 3190  
 116 ..... 4423  
 146a ..... 4426  
 147 ..... 2002

**Proposed Rulemaking**

65 ..... 5552  
 89 ..... 5553  
 89a ..... 5553  
 146a ..... 1748, 1858

**34 Pa. Code (Labor and Industry)**

**Adopted Rules**  
 123 ..... 3841  
 125 ..... 3841  
 129 ..... 3841  
 143 ..... 3841  
 231 ..... 3765

**Proposed Rulemaking**

65 ..... 1564  
 401 ..... 3543

**37 Pa. Code (Law)**

**Adopted Rules**  
 31 ..... 1145  
 33 ..... 1145  
 58 ..... 3312  
 59 ..... 3312  
 199 ..... 3191  
 203 ..... 5706  
 303 ..... 2685

**Proposed Rulemaking**

91 ..... 2476  
 93 ..... 2476  
 421 ..... 788

**40 Pa. Code (Liquor)**

**Adopted Rules**  
 5 ..... 430

7 ..... 430  
 9 ..... 430  
 11 ..... 430  
 13 ..... 430

**49 Pa. Code (Professional and Vocational Standards)**

**Adopted Rules**  
 3 ..... 1225  
 7 ..... 5447  
 9 ..... 1744  
 11 ..... 147, 151, 1154  
 15 ..... 5450  
 39 ..... 1362  
 40 ..... 537  
 43b ..... 1227

**Proposed Rulemaking**

3 (with correction) ..... 2686, 2808  
 7 ..... 5713  
 13 ..... 1468  
 16 ..... 2181  
 18 ..... 2181, 5113  
 19 (with correction) ..... 822, 2691, 2808  
 21 ..... 809  
 27 ..... 2480  
 29 ..... 1858  
 33 ..... 5714  
 40 ..... 1470, 2379  
 41 ..... 2380, 5270  
 47 ..... 1571, 4651  
 48 ..... 1571, 4651  
 49 ..... 1571, 4651

**Statements of Policy**

63 ..... 4189

**51 Pa. Code (Public Officers)**

**Adopted Rules**  
 17 ..... 2925  
 21 ..... 2925

**52 Pa. Code (Public Utilities)**

**Adopted Rules**  
 3 (with correction) ..... 3943, 4088  
 62 (with correction) ..... 2005, 3943, 4088  
 63 ..... 3402  
 64 ..... 641

**Proposed Rulemaking**

59 ..... 805  
 63 ..... 809, 5110  
 71 ..... 5110  
 Unclassified ..... 5371

**Statements of Policy**

41 ..... 2385, 5948  
 69 ..... 951

**Proposed Statements of Policy**

41 ..... 2389  
 69 ..... 2933

**55 Pa. Code (Public Welfare)**

**Adopted Rules**  
 140 ..... 3196  
 178 ..... 3196  
 181 ..... 3200  
 255 ..... 3538  
 258 (correction) ..... 6034, 6153  
 275 ..... 3538  
 501 ..... 3538

1187 ..... 6046, 6048  
 1223 ..... 6153  
 3800 ..... 4536

**Proposed Rulemaking**

105 ..... 5875  
 125 ..... 5875  
 133 ..... 5875  
 140 ..... 5875  
 145 ..... 5875  
 151 ..... 5875  
 153 ..... 5875  
 165 ..... 5875  
 177 ..... 5875  
 178 ..... 5875  
 181 ..... 5875  
 183 ..... 4172, 5875  
 187 ..... 5875  
 3490 ..... 2799

**58 Pa. Code (Recreation)**

**Adopted Rules**

53 ..... 3202  
 61 ..... 3205  
 65 ..... 1368  
 69 ..... 3205  
 91 ..... 3206  
 93 ..... 5081  
 105 ..... 3208  
 111 ..... 1369, 3206  
 131 ..... 2791  
 137 ..... 6051  
 139 ..... 2791, 2793, 4536, 4650  
 141 ..... 1370, 2577, 4536, 6052  
 143 ..... 1460, 2926, 4088  
 147 ..... 2798, 2926, 4650, 6052, 6054

**Proposed Rulemaking**

51 ..... 4652  
 53 ..... 1461  
 61 ..... 1373, 5106  
 63 ..... 3411, 4652  
 65 ..... 5106  
 69 ..... 1373  
 71 ..... 3412, 6287  
 73 ..... 3412, 6287  
 91 ..... 1375, 5797  
 93 ..... 1377  
 105 ..... 1379  
 109 ..... 5797  
 111 ..... 1375, 5797  
 131 ..... 1746  
 135 ..... 6189  
 137 ..... 1746, 4654  
 139 ..... 1463, 1746, 2806, 2931, 4536  
 141 ..... 2019, 2931, 4536, 5109, 6189  
 143 ..... 1566, 6189  
 147 ..... 1566, 2806, 5109, 5365, 6191

**Statements of Policy**

57 ..... 3415

**61 Pa. Code (Revenue)**

**Adopted Rules**

899 ..... 2474

**Proposed Rulemaking**

71 ..... 2582  
 113 ..... 4956  
 121 ..... 4956

**Statements of Policy**

38a ..... 5949  
 85 ..... 2585

**64 Pa. Code (Securities)**

**Proposed Rulemaking**

202 ..... 4174  
 203 ..... 4174  
 301 ..... 4174  
 302 ..... 4174  
 303 ..... 4174  
 304 ..... 4174  
 606 ..... 4174

**Statements of Policy**

604 ..... 4451

**67 Pa. Code (Transportation)**

**Adopted Rules**

445 ..... 4089  
 491 ..... 4089

**201 Pa. Code (Judicial Administration)**

**Adopted Rules**

1 ..... 1319  
 3 ..... 1555

**204 Pa. Code (Judicial System General Provisions)**

**Adopted Rules**

71 ..... 2788  
 81 ..... 3728  
 82 ..... 1319, 3305  
 83 ..... 2108, 2788, 3728  
 85 ..... 3731  
 89 ..... 3731  
 91 ..... 2361, 3731  
 93 ..... 3731  
 215 ..... 4528

**Proposed Rules**

85 ..... 6031

**207 Pa. Code (Judicial Conduct)**

**Adopted Rules**

1 ..... 6031  
 4 ..... 6032  
 7 ..... 6031  
 21 ..... 2364  
 51 ..... 1556

**210 Pa. Code (Appellate Procedure)**

**Adopted Rules**

3 ..... 7, 2469  
 9 ..... 2469  
 11 ..... 2469  
 13 ..... 2469  
 17 ..... 2469  
 19 ..... 2469  
 25 ..... 627, 2469  
 35 ..... 2108, 3518, 5446  
 65 ..... 2108  
 67 ..... 1458

**Proposed Rulemaking**

31 ..... 2470  
 37 ..... 2470

**225 Pa. Code (Rules of Evidence)**

**Adopted Rules**

Article I ..... 1993  
 Article IV ..... 1993

Article V ..... 1993  
 Article VIII..... 1993, 2788  
 Article X..... 1993

**Proposed Rulemaking**

Article I..... 405  
 Article VII ..... 406  
 Article VIII..... 406  
 Article IX ..... 407

**231 Pa. Code (Rules of Civil Procedure)**

**Adopted Rules**

100 ..... 137  
 200 ..... 410, 627, 3184, 3305  
 1500 ..... 629  
 1910 ..... 3306, 6273  
 1915 ..... 6273  
 1930 ..... 3306  
 2120 ..... 137  
 2150 ..... 137  
 2170 ..... 137  
 2220 ..... 3184  
 3000 ..... 4639  
 Part II ..... 7, 3872

**Proposed Rulemaking**

200 ..... 411, 415  
 1000 ..... 411, 415  
 1300 ..... 2364, 2669  
 1910 ..... 1843  
 1930 ..... 1843  
 2170 ..... 2365  
 2950 ..... 2669  
 3000 ..... 416, 2669

**234 Pa. Code (Rules of Criminal Procedure)**

**Adopted Rules**

1 ..... 3310

**Proposed Rulemaking**

5 ..... 2549, 2554

11 ..... 2549

**237 Pa. Code (Juvenile Rules)**

Unclassified ..... 630

**246 Pa. Code (Minor Court Rules)**

**Adopted Rules**

100 ..... 1556, 4391  
 200 ..... 4055, 4166  
 300 ..... 926, 4055, 4166  
 400 ..... 4055, 4166  
 500 ..... 4055, 4166  
 800 ..... 4055, 4166

**Proposed Rulemaking**

200 (with correction) ..... 1319, 4528, 5792, 5793, 5938  
 300 ..... 1319, 4528, 5794  
 400 (with correction) ..... 1319, 2920, 4392, 4528, 5072  
 500 (with correction) ..... 1319, 4392, 4528, 5072  
 1000 ..... 1319, 4528

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 534, 1139, 1223, 1325,  
 1677, 1996, 2471, 2921, 3186, 3311, 3733,  
 4057, 5072, 5939, 6152

**252 Pa. Code (Allegheny County Rules)**

Unclassified ..... 630, 3186, 4641

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 9, 139, 418, 423, 424,  
 534, 535, 536, 638, 639, 640,  
 780, 785, 786, 926, 941, 942, 1139,  
 1142, 1143, 1223, 1326, 1360, 1458, 1459,  
 1557, 1562, 1677, 1678, 1846, 1855, 1856, 1857,  
 1996, 1999, 2270, 2366, 2369, 2370, 2472, 2558, 2567,  
 2568, 2572, 2575, 2576, 2683, 2789, 2922, 2923, 3188,  
 3311, 3518, 3519, 3734, 3872, 3873, 4062, 4396, 4641,  
 4642, 4643, 4644, 4645, 4646, 5072, 5237, 5363, 5543  
 5546, 5699, 5796, 5939, 5946, 6275, 6277, 6278, 6279

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[231 PA. CODE CHS. 1910 AND 1915]

Amendments to the Rules Relating to Domestic Relations; No. 361; Civil Procedural Rules Doc. No. 5

#### Order

*Per Curiam:*

And Now, this 30th day of October, 2001, Pennsylvania Rules of Civil Procedure 1910.3, 1910.6, 1910.10, 1910.13-2, 1910.16-2, 1910.16-4, 1910.16-6, 1910.16-7 and 1915.3 are amended as follows.

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

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

#### Rule 1910.3. Parties.

An action shall be brought

(a) by a person, including a **minor parent** or a minor spouse, to whom a duty of support is owing, or

\* \* \* \* \*

#### Rule 1910.6. Notification.

Parties to a support action **and their attorneys** shall be provided notice of all proceedings in which support obligations might be established or modified. Notice must be provided at least 20 days prior to the proceeding. The parties **and their attorneys** shall also be provided with a copy of any order issued in the support action within 14 days after issuance of the order. **If there is no activity in a support action for a period of three years, the domestic relations section shall send a notice to each of the parties' attorneys advising each attorney that his or her appearance in the support action shall be deemed to be withdrawn unless the attorney objects within thirty (30) days of the date the notice is mailed to the attorney. An attorney representing a party in a support action shall not be deemed to be representing that party in any other action, nor shall a withdrawal of appearance in a support action be deemed to be a withdrawal of appearance for the party in any other proceeding.**

#### Rule 1910.10. Alternative Hearing Procedures.

(a) The action shall proceed as prescribed by Rule 1910.11 unless the court by local rule adopts the alternative hearing procedure of Rule 1910.12.

(b) The president judge or the administrative judge of Family Division of each county shall certify that all support proceedings in that county are conducted in accordance with either Rule 1910.11 or Rule 1910.12. The certification shall be filed with the Domestic Relations **Procedural Rules** Committee, and shall be substantially in the following form:

I hereby certify that \_\_\_\_\_ County conducts its support proceedings in accordance with Rule \_\_\_\_\_ .

\_\_\_\_\_  
(PRESIDENT JUDGE) (ADMINISTRATIVE JUDGE)

#### Official Note

Pursuant to Rule 1910.10, the following counties have certified to the Domestic Relations Procedural Rules Committee that their support proceedings are conducted in accordance with the rule specified below.

Adams	1910.11
Allegheny	1910.12
Armstrong	1910.12
Beaver	1910.11
Bedford	1910.11
Berks	1910.12
Blair	1910.11
Bradford	1910.12
Bucks	1910.11
Butler	1910.11
Cambria	1910.12
Cameron	1910.11
Carbon	1910.12
Centre	1910.11
Chester	1910.12
Clarion	1910.12
Clearfield	1910.11
Clinton	1910.11

Columbia	1910.12
Crawford	1910.11
Cumberland	1910.11
Dauphin	1910.11
Delaware	1910.11
Elk	1910.12
Erie	1910.11
Fayette	1910.11
Forest	1910.12
Franklin	1910.11
Fulton	1910.11
Greene	1910.11
Huntingdon	1910.11
Indiana	1910.12
Jefferson	1910.11
Juniata	1910.11
Lackawanna	1910.12
Lancaster	1910.11
Lawrence	1910.11
Lebanon	1910.12
Lehigh	1910.11
Luzerne	1910.12
Lycoming	1910.12
McKean	1910.12

<b>Mercer</b>	<b>1910.11</b>
<b>Mifflin</b>	<b>1910.11</b>
<b>Monroe</b>	<b>1910.12</b>
<b>Montgomery</b>	<b>1910.11</b>
<b>Montour</b>	<b>1910.12</b>
<b>Northampton</b>	<b>1910.11</b>
<b>Northumberland</b>	<b>1910.11</b>
<b>Perry</b>	<b>1910.11</b>
<b>Philadelphia</b>	<b>1910.12</b>
<b>Pike</b>	<b>1910.11</b>
<b>Potter</b>	<b>1910.11</b>
<b>Schuylkill</b>	<b>1910.12</b>
<b>Snyder</b>	<b>1910.11</b>
<b>Somerset</b>	<b>1910.12</b>
<b>Sullivan</b>	<b>1910.11</b>
<b>Susquehanna</b>	<b>1910.12</b>
<b>Tioga</b>	<b>1910.12</b>
<b>Union</b>	<b>1910.11</b>
<b>Venango</b>	<b>1910.12</b>
<b>Warren</b>	<b>1910.12</b>
<b>Washington</b>	<b>1910.12</b>
<b>Wayne</b>	<b>1910.11</b>
<b>Westmoreland</b>	<b>1910.12</b>
<b>Wyoming</b>	<b>1910.11</b>
<b>York</b>	<b>1910.11</b>

**Explanatory Comment—1995**

\* \* \* \* \*

Individual counties may, by local rule, permit interstate actions to proceed directly to a hearing officer or judge without a conference.

[ **New subdivision** ] **Subdivision (b) [ is ]** was added in response to requests from appellate court judges who find that it is often difficult to determine the rule with which actual support procedure is intended to comply. If a county wishes at any time to change its support procedure, the president or administrative judge has only to file a new certification with the staff of the [ **domestic relations** ] **Domestic Relations Procedural Rules [ committee ] Committee**, indicating the rule according to which support matters will henceforth proceed.

[ **Pursuant to Rule 1910.10, the following counties have certified to the Domestic Relations Committee that their support proceedings are conducted in accordance with the rule specified below.**

**Adams** **1910.11**

\* \* \* \* \*

**York** **1910.11 ]**

**Rule 1910.13-2. Form of Request for Bench Warrant and Supporting Affidavit. Form of Bench Warrant.**

\* \* \* \* \*

**Official Note:** Standards for setting bail are set forth in Rule of Criminal Procedure [ **4004** ] **525.**

**Rule 1910.16-2. Support Guidelines. Calculation of Net Income.**

\* \* \* \* \*

**(f) Dependency Tax Exemption. In order to maximize the total income available to the parties and children, the court may, as justice and fairness require, award the federal child dependency tax exemption to the non-custodial parent, or to either parent in cases of equally shared custody, and**

**order the other party to execute the waiver required by the Internal Revenue Code, 26 U.S.C.A. § 152(e). The tax consequences resulting from an award of the child dependency exemption must be considered in calculating each party's income available for support.**

**Rule 1910.16-4. Support Guidelines. Calculation of Support Obligation, Formula.**

(a) The following formula shall be used to calculate the obligor's share of the basic guideline child support,

\* \* \* \* \*

*PART IV. SPOUSAL SUPPORT OR APL*

*With Dependent Children*

12. Obligor's Monthly Net Income (line 4)	_____
<b>13. Less Obligor's support, alimony pendente lite or alimony obligations, if any, to children or former spouses who are not part of this action (See Rule 1910.16-2(c)(2))</b>	<b>( )</b>
14. Less Obligee's Monthly Net Income (Line 4)	( )
15. Difference	_____
16. Less Obligor's Total Child Support Obligation (line 11)	( )
17. Difference	_____
18. Multiply by 30%	x .30
19. AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL	_____

*Without Dependent Children*

20. Obligor's Monthly Net Income (line 4)	_____
<b>21. Less Obligor's support, alimony pendente lite or alimony obligations, if any, to children or former spouses who are not part of this action (See Rule 1910.16-2(c)(2))</b>	<b>( )</b>
22. Less Obligee's Monthly Net Income (Line 4)	( )
23. Difference	_____
24. Multiply by 40%	x .40
25. AMOUNT OF MONTHLY SPOUSAL SUPPORT OR APL	_____

\* \* \* \* \*

(c) *Substantial or Shared Physical Custody.*

(1) \* \* \*

*Example.* Where obligor and obligee have monthly net incomes of \$5,000 and \$2,300 respectively, their combined child support obligation is \$1,784 for two children. Using the income shares formula in Part I, obligor's share of this obligation is 68%, or [ **\$1,222** ] **\$1,213.** If the children spend 40% of their time with the obligor, the formula in Part II applies to reduce his or her percentage share of the combined support obligation to 58%, or \$1,034. If the children spend 45% of their time with the obligor, his or her percentage share of the combined obligation is reduced to 53%, or \$945. If the children spend equal time with both parents, the obligor's percentage share is reduced to 48%, or \$856.

\* \* \* \* \*

**Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation.**

\* \* \* \* \*

(c) *Unreimbursed Medical Expenses.* Unreimbursed medical expenses of the obligee or the children shall be allocated between the parties in proportion to their respective net incomes and obligor's share added to his or her basic support obligation.

\* \* \* \* \*

(4) Annual expenses pursuant to this subdivision (c), shall be calculated on a calendar year basis. In the year in which the initial support order is entered, the \$250 threshold shall be pro-rated.

\* \* \* \* \*

**Rule 1910.16-7. Support Guidelines. Awards of Child Support When There are Multiple Families.**

[ (1) ] (a) \* \* \*

[ (2) ] (b) \* \* \*

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

\* \* \* \* \*

**Comment—1998**

This new Rule replaces former Rule 1910.16-5(n) relating to the calculation of child support obligations in the context of multiple families. It has been rewritten for clarity and to update the examples used to illustrate the method for calculating these obligations. Awards of spousal support in this context are now addressed in Rule 1910.16-2(c)(2).

In determining whether the total support obligations exceed 50% of the obligor's net income to warrant a proportionate reduction of the child support orders, subdivision [ (3) ](c) has been added to clarify that the total consists only of the basic amounts of child support, as derived from the income shares formula in Rule 1910.16-4, and does not include additional expenses that may be added to these basic amounts under Rule 1910.16-6. . . .

Subdivision [ (3) ](c) also emphasizes that the initial amounts which are calculated for purposes of determining whether a proportional reduction is warranted are only presumptively correct amounts of child support. . . .

\* \* \* \* \*

**CHAPTER 1915. ACTIONS FOR CUSTODY, PARTIAL CUSTODY AND VISITATION OF MINOR CHILDREN**

**Rule 1915.3. Commencement of Action. Complaint. Order.**

\* \* \* \* \*

(d) If the mother of the child is not married and the child has no legal or presumptive father, then a putative father initiating an action for custody, partial custody or visitation must file a claim of paternity pursuant to 23 Pa.C.S. § 5103 and attach a copy to the complaint in the custody action.

**[ Explanatory Comment—1994**

A system of office conferences or pretrial conferences is not required by these rules. Business of the Court Rule 212 governing pretrial conferences is

sufficient to permit a local court to require the holding of a conference when it is practical and feasible. ]

**Note**

If a putative father is uncertain of paternity, the correct procedure is to commence a civil action for paternity pursuant to the procedures set forth at Rule 1930.6.

[Pa.B. Doc. No. 01-2044. Filed for public inspection November 16, 2001, 9:00 a.m.]

**Title 25—LOCAL COURT RULES**

**CARBON COUNTY**

Adoption of Orphans' Court Rules O.C.R. No. 3.1, O.C.R. No. 6.1, O.C.R. No. 6.4, and O.C.R. No. 6.11; Rescission of Orphans' Court Rules O.C.R. No. 3.2.1, O.C.R. No. 6.1.1., O.C.R. No. 6.1.2, O.C.R. No. 6.4.1, and O.C.R. No. 6.11.1; No. 99-9422

**Administrative Order 23-2001**

And Now, this 30th day of October, 2001, in the interest of efficient administration of justice and after consideration of the Carbon County Bar concerning the proper procedure in Orphans' Court matters, it is hereby Ordered and Decreed that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby Adopts Carbon County O.C.R. No. 3.1 governing Pleadings, Motions and Petitions, O.C.R. No. 6.1 governing forms, O.C.R. No. 6.4 governing Time for Filing and O.C.R. No. 6.11 governing Confirmation of Accounts and Awards.

It Is Further Ordered and Decreed that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby Rescinds Carbon County O.C.R. No. 3.2.1 governing Pleadings, Motions and Petitions, O.C.R. No. 6.1.1. governing Accounts Required, Time for Filing, Family Settlement Agreements in Lieu of Audit and Confirmation, O.C.R. No. 6.1.2 governing Form of Accounts and Additional Requirements, O.C.R. No. 6.4.1. governing Accounts and Time for Filing, and O.C.R. No. 6.11.1 governing Accounts and Confirmation.

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

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Orphans' Court Procedural Rules Committee.
4. Forward one (1) copy for publication in the Carbon County Law Journal.
5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of this Order in the Clerk of Orphans' Court Office.

By the Court

RICHARD W. WEBB,  
President Judge

**Rule 3.1. Pleadings, Motions and Petitions.**

(a) Motions and petitions shall be governed by the

provisions of Carbon County Civil L206.1. A completed Petition/Motion cover sheet shall be attached in the form as Exhibit "A".

(b) A copy of every pleading, including exceptions, shall be promptly served upon counsel of record for all parties in interest, and upon any party who is not represented.

**Petition/Motion Court Cover Sheet**

NO. \_\_\_\_\_

\_\_\_\_\_  
vs.  
\_\_\_\_\_

FILING OF: Petitioner ( ) Respondent ( )

_____	Assigned Judge
_____	Court Action Taken
_____	Returned to Attorney for Deficiencies
_____	Action Deferred by Court
	<i>For Court Use Only</i>

TYPE OF FILING (check one):

- ( ) 1. Application for Continuance (128)
- ( ) 2. Petition for Adoption (134)
- ( ) 3. Petition for Voluntary Termination (132)
- ( ) 4. Petition for Involuntary Termination (155)
- ( ) 5. Petition to Remove Fiduciary (053)
- ( ) 6. Petition for Guardian of Minor (050)
- ( ) 7. Petition to Sell Real Estate (052)
- ( ) 8. Petition to Distribute Minor's Estate (057)
- ( ) 9. Incapacity Petition (058)
- ( ) 10. Petition to Withdraw as Counsel (127)
- ( ) 11. Petition to Revoke Letters (064)
- ( ) 12. Petition to Challenge Election (229)
- ( ) 13. Petition to Excuse Additional Bond (055)
- ( ) 14. Petition for Compensation (151)
- ( ) 15. Other Motion or Petition (specify):

( ) 16. Response to:

OTHER ATTORNEY:

\_\_\_\_\_  
Attorney's Name (Typed)

Attorney for:

( ) Petitioner ( ) Respondent

N.B. The numbers after the Motion or Petition above are docket codes used in the Court Computer System. Please be precise when marking your Motion or Petition. When filing Motion or Petition, provide Clerk with sufficient copies for opposing Counsel and filing Counsel.

**THIS FORM IS AVAILABLE IN THE ORPHANS' COURT OFFICE**

Exhibit "A"

**Rule 6.1. Form.**

Accounts shall be prepared on 8 1/2" by 11" paper, fastened together at the top and numbered consecutively at the bottom.

In every decedent's estate in which Letters Testamentary or Letters of Administration have been issued by the Register of Wills, the executor, administrator or other personal representative shall file an account with the Clerk of the Orphans' Court. Each such account shall conform to the requirements of Pa.O.C. Rule 6.1(g), and shall include either a Statement of Proposed Distribution

or a request that distribution be determined by the Court or an auditor.

**Rule 6.4. Time for Filing.**

Every account required to be filed by this rule shall be filed not later than eighteen (18) months following the date of issuance of Letters Testamentary or Letters of Administration unless the Court, upon petition and for good cause shown, shall have extended the time for filing same.

The Register of Wills/Clerk of Orphans' Court shall fix a filing deadline for each regular session and shall give notice thereof at least two (2) weeks prior to the deadline.

The time interval between the deadline and the session shall be sufficient to enable the Register/Clerk to make publication as provided by law and Rules of Court.

The Register of Wills/Clerk of Orphans' Court shall schedule for the next regular session all matters filed before the deadline for that session and shall make the required publication. The notices shall contain a statement that all objections must be filed in writing before the time fixed for confirmation, or final decree of discharge, as the case may be.

**Rule 6.11. Confirmation of Accounts. Awards.**

(a) All accounts on the advertised Confirmation List will be presented for Confirmation on the day set for confirmation unless Objections have been filed.

(b) As an alternative to formal submission and confirmation of an account, a personal representative may file with the Clerk of Orphans' Court a Family Settlement Agreement. Each Family Settlement Agreement shall have attached thereto a first and final account of the executor, administrator or other personal representative indicating all transactions during the administration of the estate, which account will be substantially in the form prescribed by Pa.O.C. Rule 6.1(g). Each Family Settlement Agreement shall also have attached thereto a Statement of Proposed or Actual Distribution, and a notarized release signed by each and every heir, beneficiary or other party in interest approving the account, waiving the requirement that the account be audited and confirmed by the Court and discharging the executor, administrator or other personal representative.

[Pa.B. Doc. No. 01-2045. Filed for public inspection November 16, 2001, 9:00 a.m.]

**CARBON COUNTY**

**Amending Policy for Paroling Defendants Sentenced for Minimum of up to Ninety (90) Days for DUI; No. 073 MI 91**

**Administrative Order 25-2001**

*And Now*, this 30th day of October, 2001, it is hereby *Ordered* and *Decreed* that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby *Amends* this Court's Administrative Order dated August 26, 1991 filed to 073 MI 91 to provide that a defendant convicted and sentenced to serve a minimum term of imprisonment of not more than ninety (90) days pursuant to Driving Under Influence of Alcohol or Controlled Substance, 75 Pa.C.S. § 3731 et seq., shall be paroled immediately upon serving his minimum sentence. Unless otherwise ordered by the Sentencing Court, the Carbon County Warden is hereby authorized and directed to release any defendant pursuant to this Order without further action or order of Court.

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

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

2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Pennsylvania Criminal Procedural Rules Committee.

4. Forward one (1) copy for publication in the Carbon County Law Journal.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Order and Rule in the Clerk of Court's Office.

*By the Court*

RICHARD W. WEBB,  
*President Judge*

[Pa.B. Doc. No. 01-2046. Filed for public inspection November 16, 2001, 9:00 a.m.]

**CARBON COUNTY**

**Amendment of Orphans' Court Rules; No. 01-9001**

**Amended Administrative Order 5-2001**

*And Now*, this 30th day of October, 2001, it is hereby *Ordered* and *Decreed* that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby *Amends* this Administrative Order as follows:

1. The use of backers is discontinued;
2. Parties shall submit a Petition/Motion cover sheet pursuant to Carbon County O.C.R. No. 3.1 and Civil L206.1; and
3. Releases filed in connection with settlement of estates shall be notarized pursuant to Carbon County O.C.R. No. 6.11.

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

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

*By the Court*

RICHARD W. WEBB,  
*President Judge*

[Pa.B. Doc. No. 01-2047. Filed for public inspection November 16, 2001, 9:00 a.m.]



**CARBON COUNTY****Revision of Local Rule of Civil Procedure L1920.12  
Complaint in Divorce/Annulment Cases; No: 01-1097****Administrative Order 24-2001**

*And Now*, this 30th day of October, 2001, it is hereby *Ordered and Decreed* that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby *Amends* Local Rule of Civil Procedure L1920.12 governing complaints filed in Divorce and Annulment cases.

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

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

*By the Court*

RICHARD W. WEBB,  
*President Judge*

**Rule L1920.12. Complaint.**

(a) In every divorce or annulment complaint whether pending or new, the plaintiff shall complete Form "A" as set forth below this rule with the Social Security Number of each party to said action as required by 23 Pa.C.S.A. 4304.1(a)(3). Said form shall not be attached to said complaint but shall remain separate from the complaint.

(1) The Prothonotary's Office shall record the Social Security Numbers in the Court Computer Database and, upon verification of proper entry, shall shred the form containing the Social Security Numbers. The Social Security Numbers shall remain confidential in that they will only be visible to internal personnel and cannot be accessed through the public access programs.

(b) The Social Security Number Disclosure Notice shall be attached to the divorce or annulment complaint. Said notice shall be in the form set forth in Form "B."

**Form "A"**

Docket Number of Divorce/Annulment Case \_\_\_\_\_

Plaintiff Name: \_\_\_\_\_

Plaintiff Social Security Number: \_\_\_\_\_

Defendant Name: \_\_\_\_\_

Defendant Social Security Number: \_\_\_\_\_

**Form "B"**

In the Court of Common Pleas of Carbon County,  
Pennsylvania

*Social Security Number  
Disclosure Notice*

In accordance with section 7(b) of the Privacy Act, you are hereby notified that disclosure of your Social Security

number is mandatory based on Section 466(a)(13) of the Social Security Act [42 U.S.C. 666(a)(13)], Pennsylvania Consolidated Statutes (Pa.C.S.) §§ 4304.1 and 4353(a.2). Additionally, you are notified that this information will be used solely in the divorce action.

[Pa.B. Doc. No. 01-2048. Filed for public inspection November 16, 2001, 9:00 a.m.]

**LEHIGH COUNTY****Administrative Order Establishing Uniform Costs  
for A.R.D. and Convictions in Driving under the  
Influence Cases; and Providing for Parole in  
Certain Cases; No. 2289 M-2001****Order**

*And Now*, this 22nd day of October, 2001, the following Administrative Order establishing uniform costs in driving under the influence cases and providing for parole upon service of certain mandatory minimum sentences in such cases is promulgated effective as to all cases in which the sentence is imposed or the cost incurred thirty (30) days or more after publication of this Order in the *Pennsylvania Bulletin*. Seven (7) certified copies shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee; and that one (1) copy shall be filed with the Clerk of Courts of the Court of Common Pleas of Lehigh County.

**I. UNIFORM COSTS**

A. In accordance with 75 Pa.C.S. § 1548, every person convicted of violating § 3731 of the Vehicle Code, (relating to the driving under the influence of alcohol or a controlled substance) and every person accepting Accelerated Rehabilitative Disposition for said offense shall:

1. Undergo a Court Reporting Network evaluation and pay a fee of Fifty dollars (\$50.00) for this evaluation. Second and subsequent offenders shall undergo this evaluation and pay the fee of Fifty dollars prior to sentencing.

2. Attend and successfully complete an approved Alcohol Highway Safety School as directed by the Court and pay a tuition fee to the County of Lehigh in the sum of \$300.00 for the first offender school, and \$420.00 for the second or subsequent offender school. Every such second or subsequent offender shall also be required to attend a presentation by a Victim Impact Panel and shall pay a fee in the sum of \$35.00 to the County of Lehigh to defray the costs of the program.

B. Every person convicted of violating § 3731 of the Vehicle Code, (relating to the driving under the influence of alcohol or a controlled substance) and every person accepting Accelerated Rehabilitative for said offense shall pay a fee of \$130.00, which fee shall be assessed as court costs. This fee shall be in addition to all other authorized costs and supervision fees and shall be for the purposes of reimbursement for the costs of processing, booking and testing at the DUI Center. The funds so collected shall be paid into the general fund of the County of Lehigh, but separately identified in the County's records so that the amounts collected during any given period can be readily determined.

C. Every person who is sentenced to serve part or all of his or her sentence for this offense on electronic monitoring (house arrest) shall pay a fee of \$5.00 per day to defray the costs of that program.

D. Any person required to place an ignition interlock device on his or her vehicle shall pay the monthly cost of such device to the provider of same. Prices charged by the provider shall be pre-approved by the Chief Adult Probation Officer and the Administrative Judge of Criminal Court and shall be consistent with the prices for such devices generally in effect. Any increases therein shall take effect only after such increases have been approved by the Chief Adult Probation Officer and the Administrative Judge of Criminal Court; but shall not require any amendment to this Administrative Order.

E. In accordance with the Act of November 24, 1998, P.L. 111, § 1102(a), 18 P.S. § 1102(a), every person placed on probation, parole, accelerated rehabilitative disposition, probation without verdict, or intermediate punishment, for this offense, shall pay, in addition to the costs of prosecution, fines and restitution, and other costs herein established, a monthly supervision fee of \$25.00.

These fees shall be in addition to any other costs or restitution imposed.

## II. PAROLE UPON MINIMUM

Any defendant sentenced to serve a mandatory minimum term of imprisonment of not less than forty-eight (48) hours pursuant to 75 P.S. § 3731(e)(1)(i) shall be paroled immediately upon serving that minimum sentence, unless otherwise ordered by the sentencing court. The Warden of Lehigh County Prison is hereby authorized and directed to release any such defendant pursuant to this administrative order without further action or order of court.

Any defendant sentenced to serve a mandatory minimum term of imprisonment of not less than thirty (30) days pursuant to 75 P.S. § 3731 (e)(1)(ii) shall be paroled immediately upon serving that minimum sentence, unless otherwise ordered by the sentencing court. The Warden of Lehigh County Prison is hereby authorized and directed to release any such defendant pursuant to this administrative order without further action or order of court.

*By the Court*

JAMES KNOLL GARDNER,  
*President Judge*

[Pa.B. Doc. No. 01-2049. Filed for public inspection November 16, 2001, 9:00 a.m.]

## LEHIGH COUNTY

### Administrative Order Establishing Uniform Costs for Urinalysis Testing, Electronic Monitoring and Supervision by the Probation/Parole Office; No. 2290 M-2001

#### Order

*And Now*, this 19th day of October, 2001, the following Administrative Order establishing uniform costs in criminal cases for certain services rendered by the Probation/Parole Office of Lehigh County is promulgated and is effective for all such services rendered in any criminal case thirty (30) days or more after publication of this Order in the *Pennsylvania Bulletin*. Seven (7) certified copies shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee; and that one (1) copy shall be filed with the Clerk of Courts of the Court of Common Pleas of Lehigh County.

#### URINALYSIS TESTING

Every person tested by the Lehigh County Adult Probation/Parole Department for the use of drugs or alcohol, shall pay, in addition to the costs of prosecution, fines, supervision or other fees, a fee of \$5.00 as costs of each urinalysis test administered by that Department.

#### ELECTRONIC MONITORING

Every person who is sentenced to serve part or all of his or her sentence on electronic monitoring (house arrest) shall pay a fee of \$5.00 per day to defray the costs of that program.

#### SUPERVISION FEE

In accordance with the Act of November 24, 1998, P.L. 111, § 1102(a), 18 P.S. § 1102(a), every person placed on probation, parole, accelerated rehabilitative disposition, probation without verdict, or intermediate punishment, shall pay, in addition to the costs of prosecution, fines and restitution, and other costs, a monthly supervision fee of \$25.00.

*By the Court*

JAMES KNOLL GARDNER,  
*President Judge*

[Pa.B. Doc. No. 01-2050. Filed for public inspection November 16, 2001, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

### ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 218]

#### Fees

The Environmental Quality Board (Board) by this order amends Chapter 218 (relating to fees) to adjust existing fees for registration of X-ray machines for inflation since last revised; to establish fees for accelerator licensing; and to establish fees for radioactive material licenses now administered by the Nuclear Regulatory Commission (NRC) that will be transferred to the Department of Environmental Protection (Department) when the Commonwealth attains agreement state status from the NRC.

This order was adopted by the Board at its meeting of September 18, 2001.

#### A. *Effective Date*

These amendments are effective upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.

#### B. *Contact Persons*

For further information, the contact persons are L. Ray Urciuolo, Chief, Licensing Section, Radiation Control Division, Bureau of Radiation Protection, 13th Floor, Rachel Carson State Office Building, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-3720; and Marylou Barton, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, 9th Floor, 400 Market Street, P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This final-form rulemaking is available electronically through the Department's website (<http://www.dep.state.pa.us>).

#### C. *Statutory Authority*

This final-form rulemaking is being made under the authority of sections 301 and 302 of the Radiation Protection Act (act) (35 P. S. §§ 7110.301 and 7110.302), which, respectively, direct the Department to develop and conduct comprehensive programs for the registration, licensing, control, management, regulation and inspection of radiation sources and radiation source users, and delegate to the Board the power to adopt the regulations of the Department to implement the act.

Section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20) authorizes and directs the Board to adopt regulations necessary for the proper performance of the work of the Department.

#### D. *Background and Summary*

The act requires the Department to establish fees in amounts at least sufficient to cover the costs of the radiation protection program mandated by that act. The present fees were established in 1992 and have not been revised since that time, despite a substantial increase in inspector salaries and equipment costs. In the last fiscal year, receipts from registrations and licenses fell short of the costs to operate the program. Further, in 1998, Chapter 228 (relating to radiation safety requirements for particle accelerators) was amended to provide that accel-

erators be licensed, with review of the proposed installation, use and radiation safety program, rather than simply being registered like X-ray machines. In addition to the costs of license application review, experience in recent years has demonstrated that the cost to the Department of inspections and enforcement for accelerators is greater than for X-ray installations. Finally, before the Commonwealth can acquire the authority and responsibility for the radioactive materials licenses in this Commonwealth that are now administered by the NRC, the Department will have a fee structure in place to fund the effort. It is particularly important that the authority be established for "full cost" recovery for certain types of licenses, notably low-level radioactive waste and decommissioning licenses, where there is no reasonable way of establishing fixed fees.

Therefore, Chapter 218 is being amended for the purposes of:

(1) Increasing annual fees for registration of X-ray machines and for licenses to possess and use naturally occurring and accelerator-produced radioactive material (NARM) by an overall average of 40%, an amount sufficient to ensure income adequate to fund those programs.

(2) Establishing fees for licensing of particle accelerators.

(3) Establishing annual fees for radioactive material licenses located in this Commonwealth and now administered by the NRC. These fees will not be effective until the Commonwealth is granted agreement state authority by the NRC under section 274 of the Atomic Energy Act of 1954 (42 U.S.C.A. § 2021).

As required by section 301(c)(14) of the act, the Department provided the Radiation Protection Advisory Committee (Committee) with an opportunity to review the final amendments and to advise the Department prior to submittal to the Board. On May 17, 2001, the Committee met and reviewed the draft final rulemaking. The chairperson announced by letter dated May 17, 2001, the Committee's concurrence to send the final-form rulemaking to the Board.

#### E. *Summary of Regulatory Requirements*

A description of the amendments is provided as follows.

##### *General*

##### *§ 218.1. Purpose and scope.*

A new subsection (b)(3) is added to include holders of and applicants for accelerator licenses to the list of persons subject to this chapter.

##### *Payment of Fees*

##### *§ 218.11. Registration, renewal of registration and license fees.*

Subsection (a) is rewritten to remove accelerators from the category of radiation-producing machines and to revise the fee structure for X-ray machines. The existing fee structure contains a registration fee that includes the first tube, and a fee of \$25 for each additional tube. Fees will now consist of the sum of an annual administrative fee for each registrant plus a \$35 fee for each tube possessed. The fees are presented in a table. Overall, fees are increased by an average of 40% to compensate for increased staff salaries since 1992 when they were established.

Subsection (c) is revised to provide for fees for the NRC licenses that will be transferred to the Commonwealth upon achievement of agreement state status. Because there are many types of licenses recognized by the NRC for which the Commonwealth does not have separate categories, the fees are tabulated in a new Appendix A. The lead sentence is revised by deleting "this subsection" and adding "Appendix A." Existing paragraph (1) and subparagraphs (i)—(iii) have been deleted. A new paragraph (1) is added to specify that no refunds will be made if a license is terminated. New paragraph (2) provides for changes in license category to take place on the anniversary date of the license. Existing paragraph (2), pertaining to exceptions, is deleted as it is no longer needed.

Existing subsections (d)—(f) are renumbered as (e)—(g), respectively, and a new subsection (d) is added to institute license fees for several classes of accelerators. These fees are proportional to the complexity and potential for radiation safety problems of the accelerators.

Language was added to renumbered subsection (e) to include reciprocity as a license category requiring advance payment of fees, to include the fees instituted in new subsection (d), and to recognize the various fee schedules in revised Chapter 218.

Language was also added to renumbered subsection (f) to recognize the new fee schedules. Other than renumbering, no change was made to subsection (g).

*§ 218.12. Failure by registrant or licensee to pay required fee.*

Subsection (b) was revised to provide that failure to pay X-ray registration fees shall be cause for revocation of the registration. The subsection already provides for revocation of licenses for nonpayment of fees.

#### *Appendix A*

Appendix A is new and both replaces former language of § 218.11(c), which specified fees for NARM licenses, and establishes fees for licenses that will be transferred to the Commonwealth when regulatory authority for most types of radioactive material is transferred from the NRC.

#### *F. Summary of Comments and Responses on the Proposed Rulemaking*

The notice of proposed rulemaking was published at 31 Pa.B. 943 (February 17, 2001) and included a 30-day comment period that ended on March 19, 2001. The Board received no comments from the public, the Independent Regulatory Review Commission (IRRC) or the legislative committees concerning the proposed rulemaking. Therefore, no Comment/Response document was prepared.

#### *G. Benefits, Costs and Compliance*

Executive Order 1996-1 requires a cost/benefit analysis of the final-form rulemaking.

##### *Benefits*

Receipt of fees necessary to cover the costs of the radiation protection program will preserve the current program for the benefit of the people of this Commonwealth. Holders of radioactive materials licenses will benefit from simplification of compliance costs associated with the present dual regulation and by generally reduced fees as noted as follows.

##### *Compliance Costs*

The compliance costs under the proposed amendments will vary with the type of license or registration held, or both. X-ray registrants and NARM licensees will incur a

fee increase on average of about 40%. License fees for former NRC radioactive materials licenses will decrease by about 30% from FY 2000 NRC fees, and somewhat more if they also hold a NARM license, which will be combined with the NRC license at the fee for the NRC license. These holders of both types of radioactive materials (RAM) licenses will also experience substantial savings by no longer being required to follow two sets of regulations and be inspected by two regulators.

Holders of accelerator registrations being converted to licenses will incur a significant increase in fees, the exact amount of which will be determined by the type and number of machines that they possess. The Board instituted the change to licensing because of the complexity and potential hazards associated with accelerator use. License review, facility inspection and enforcement activities require considerably more time than regulation of X-ray machines, and the proposed fees reflect that fact.

##### *Compliance Assistance Plan*

Compliance assistance requirements are expected to be negligible because, other than changes in the amount of fees and, for former NRC licensees, to whom they are paid, and the elimination of one set of inspectors, no changes in operating requirements are involved. Outreach and assistance will be provided by regional inspectors and technical staff in the Radiation Control Division.

##### *Paperwork Requirements*

No additional paperwork will be required under these amendments. Once agreement state authority is approved, which is anticipated in 2002, and the NRC licenses are converted to State licenses, over a period of a year, licensees will have significantly less paperwork.

#### *H. Sunset Review*

These final-form regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

#### *I. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 6, 2001, the Department submitted a copy of the notice of proposed rulemaking, published at 31 Pa.B. 943, to IRRC and the Chairpersons of the House and Senate Environmental Resources and Energy Committees for review and comment. There were no comments received from the public, IRRC or the Committees on the proposed rulemaking.

Under section 5.1(d) of the Regulatory Review Act (71 P. S. 745.5a(d)), on October 11, 2001, these final-form regulations were deemed approved by the House and Senate Committees. The regulations were deemed approved under section 5(g) of the Regulatory Review Act by IRRC, effective October 12, 2001.

#### *J. Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and regulations promulgated thereunder in 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law, and no comments were received.

(3) These final-form regulations do not enlarge the purpose of the proposal published at 31 Pa.B. 943.

(4) These final-form regulations are necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this Preamble.

#### K. Order

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

(a) The regulations of the Department, 25 Pa. Code Chapter 218, are amended by amending §§ 218.1, 218.11 and 218.12; and by adding Appendix A to read as set forth at 31 Pa.B. 943.

(b) The Chairperson of the Board shall submit this order and 31 Pa.B. 943 to the Office of General Counsel and the Office of the Attorney General for review and approval as to legality and form, as required by law.

(c) The Chairperson shall submit this order and 31 Pa.B. 943 to IRRC and the Senate and House Environmental Resource and Energy Committees as required by law.

(d) The Chairperson of the Board shall certify this order and 31 Pa.B. 943 and deposit them with the Legislative Reference Bureau, as required by law.

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

DAVID E. HESS,  
Chairperson

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 31 Pa.B. 6120 (November 3, 2001).)*

**Fiscal Note:** Fiscal Note 7-363 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 01-2051. Filed for public inspection November 16, 2001, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD [25 PA. CODE CHS. 221, 227 AND 228] Radiological Health

The Environmental Quality Board (Board) by this order amends Chapters 221, 227 and 228 (relating to X-rays in the healing arts; radiation safety requirements for analytical X-ray equipment, X-ray gauging equipment, electron microscopes and X-ray calibration systems; and radiation safety requirements for particle accelerators). These final-form amendments to the standards for protection against radiation update and clarify the standards for the safe use of radiation-producing machines.

This order was adopted by the Board at its meeting of September 18, 2001.

#### A. Effective Date.

These final-form amendments will be effective upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.

#### B. Contact Persons.

For further information, contact Edward M. Burtsavage, Chief, Regional Liaison Section, Radiation Control Division, Bureau of Radiation Protection, 13th Floor, Rachel Carson State Office Building, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-3720; or Marylou Barton, Assistant Counsel, Bureau of Regulatory Counsel,

Rachel Carson State Office Building, 9th Floor, 400 Market Street, P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060.

#### C. Statutory Authority.

This final-form rulemaking is being made under the authority of sections 301 and 302 of the Radiation Protection Act (act) (35 P. S. §§ 7110.301 and 7110.302), which, respectively, direct the Department of Environmental Protection (Department) to develop and conduct comprehensive programs for the registration, licensing, control, management, regulation and inspection of radiation sources and radiation source users, and delegate to the Board the power to adopt the regulations of the Department to implement the act.

Section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20) authorizes and directs the Board to adopt regulations necessary for the proper performance of the work of the Department.

#### D. Background and Summary.

The final-form rulemaking, for the most part, correct printing errors, clarify existing language or modify existing language to accommodate changes in equipment since these chapters were last amended.

The only major change is the addition of a new group of sections under the heading of "X-ray calibration systems" in Chapter 227 for the purpose of specifically extending X-ray protection requirements to this type of facility. Accompanying changes in the chapter title, contents, general provisions and definitions are also made.

Most of the revisions to § 221.11 (relating to registrant responsibilities) were made in the final-form rulemaking to eliminate separate requirements for dental X-ray operations and to make the requirements applicable to all types of medical X-ray uses.

Persons affected by the final-form rulemaking include many of the approximately 9,600 individuals, corporations, institutions, groups or agencies that possess and use X-ray machines for medical purposes, any of the approximately 250 entities using particle accelerators and fewer than five X-ray calibration facilities. Except for calibration facilities, the final-form amendments will either reduce the registrants' regulatory burden or have minimal practical effect on their operations.

As required by section 301(c)(14) of the act, the Department provided the Radiation Protection Advisory Committee (RPAC) with an opportunity to review the draft final-form rulemaking and to advise the Department prior to submittal to the Board. On May 17, 2001, RPAC met and reviewed the draft final-form rulemaking. The RPAC chairperson announced by letter dated June 20, 2001, RPAC's concurrence to send the final-form rulemaking to the Board.

#### E. Summary of Comments and Responses and Changes Made to the Proposed Rulemaking.

Notice of proposed rulemaking was published at 31 Pa.B. 792 (February 10, 2001) and included a 30-day comment period that ended on March 12, 2001. The Board received one response during the comment period. The Independent Regulatory Review Commission (IRRC) also provided comments on the proposed rulemaking. The Department prepared a comment and response document that summarizes and responds to each of these comments. A copy of the comment and response document is available upon request from the contact persons listed in

Section B. A description of the final-form amendments and the comments and responses are provided.

*Chapter 221*

*§ 221.11. Registrant responsibilities.*

A new subsection (e)(4) is added that reads "No individual, other than the patient being examined, may be in the useful beam, unless required to conduct the procedure." This amendment is being made to consolidate requirements as suggested by IRRC.

The word "film" is replaced by the words "image receptor" in two places in § 221.11(h) in the final-form rulemaking because many modern X-ray machines use digital technology rather than film. The term "image receptor" includes any device used to transform incident X-ray photons into a visible image or into another form, which can then be transformed into a visible image.

The Pennsylvania Dental Hygienists' Association requested addition of the words "dental hygienist" in § 221.11(m). In the final-form rulemaking, the prohibition against holding patients or film was made generic to all X-ray procedures and placed in § 221.11(h)(3), which does not identify any specific type of person holding the patient.

Section 221.11(h)(4) is deleted and a generic prohibition against holding the tube housing or collimating device of an X-ray machine, applicable to all machines, is added as § 221.11(m) in the final-form rulemaking. As previously noted, this amendment is being made because other medical specialties, such as podiatrists, use the same type of machine, and there is no reason to limit the rule to dentists. Similar language existed in § 221.56 (relating to administrative controls), which is being deleted.

IRRC disagreed with replacing the word "shall" in § 221.11(k) with "should" because this term would not be a binding requirement. The Board agrees and is retaining the word "shall." Section 221.11(k) is significantly changed in the final-form rulemaking based on IRRC's concern and suggestions of RPAC that compatible films and screens need to be used. This subsection is split into § 221.11(j) and (k). Existing language in § 221.11(j) is deleted because similar language was added to Chapter 215 (relating to general provision) in a recent rulemaking.

In the proposed rulemaking, § 221.11(l) was modified to allow the Department to develop its own guidelines for quality assurance programs as opposed to relying on the guidelines of specific organizations. IRRC suggested that the source or content of those guidelines, as well as how registrants can obtain copies of the guidelines, be included in the final-form regulations. Section 221.11(l) is revised in the final-form rulemaking to also allow guidelines from organizations recognized by the Department. This amendment will make it easier for the Department to add and change guidelines as needed without a formal rulemaking whenever a medical specialty organization issues new quality assurance guidelines. The final-form rulemaking also indicates that the Department will maintain a list of approved guidelines and make them available on the Department website and on request.

IRRC noted that § 221.11(g), (m) and (n) contain rules designed to limit or prevent unnecessary exposure to X-rays and suggested that the requirements be combined into a concise set of rules or a general rule. The Board agrees that it is better to have rules that apply across the board whenever feasible. As a result, proposed § 221.11(m), (n) and (p) are deleted in the final-form rulemaking. Section 221.11(o) is renumbered as

§ 221.11(m) and the word "cone" replaced by "collimating device," which is a more generally applicable term. Section 221.11(p) is deleted in its entirety because this type of equipment is not presently used. In the event that the Federal Food and Drug Administration (FDA) authorizes equipment of this type, appropriate conditions of use would be specified.

*§ 221.13. Information to be submitted by persons proposing to conduct healing arts screening.*

Section 221.13(14) is modified to clarify that mammography facilities must comply with 21 CFR Part 900.

*§ 221.29. Kilovoltage (kV) accuracy.*

Section 221.29 is modified to clarify that the 10% variation permitted under the existing language applies only to the range of technique factors used.

*§ 221.32a. Radiographic beam limitation.*

Section 221.32a(d)(1) is modified to state that the requirement for an indicator only applies to machines having a variable angle between the X-ray beam axis and the image receptor plane and to exempt portable, mobile and dental X-ray units from the requirement. Typically, these units do not have this type of indicator. The section title has also been revised to add the term "radiographic."

Section 221.32a(i) was changed to clarify that intraoral dental X-ray systems are not limited to a source-to-skin distance of 30 centimeters.

*§ 221.33a. Radiation from capacitor energy storage equipment in standby status.*

Section 221.33a is being modified to correct a typographical error in the published text. The unit should be 0.516  $\mu\text{C}/\text{kg}$  rather than 0.516  $\mu\text{mC}/\text{kg}$ . The unit as currently published is a factor of 1,000 lower than intended. In addition, the words "a fully charged" are added to clarify that the system should be charged when measurements are made.

*§ 221.36a. Limitation of useful beam of fluoroscopic equipment.*

Section 221.36a(d) is modified to adopt the wording used by the FDA in 21 CFR 1020.32(b) (relating to fluoroscopic equipment). This eliminates confusion regarding the permissible size and shape of the useful beam.

*§ 221.56. Administrative controls.*

Section 221.56(a)—(c) is deleted as duplicative of requirements added in the final-form rulemaking to § 221.11(h)(3), (e)(4) and (m).

*§ 221.61. Radiation therapy simulation systems.*

This section was changed in the final-form rulemaking to correct an exemption erroneously identified as § 221.42a. The correct reference is § 221.41a (relating to fluoroscopic timer).

*§ 221.202. Equipment requirements.*

Section 221.202(c) is modified to delete paragraph (2) because many units do not have a feature which is not required by the FDA.

*Chapter 227*

This chapter is modified to add X-ray calibration systems. New §§ 227.101—227.104 were originally approved by RPAC in 1998 as part of an amendment to Chapter 225 (relating to radiation safety requirements for industrial uses and radiographic operations). The Board decided, however, that the content would be more appro-

priately placed in Chapter 227, which deals with miscellaneous X-ray equipment. These sections are needed to specifically extend X-ray protection requirements to this type of operation, which is becoming more common. The chapter title, contents, general provisions and definitions were also changed to reflect the new sections.

The language of § 227.101 (relating to scope) was modified in the final-form rulemaking to more accurately describe the function of these systems. Minor language changes were also made in §§ 227.102 and 227.103 (relating to area requirements; and operating requirements).

#### *Chapter 228*

Changes to §§ 228.22a and 228.36 are made for purposes of clarification.

##### *§ 228.22a. Issuance of specific licenses.*

Section 228.22a contains a minor revision recommended by RPAC. RPAC felt that, by definition, if an application met the requirements of the act and article, the operation would not be "inimical to the safety of the public," as indicated in § 228.22a(a). The Board concurs, and the phrase was removed from § 228.22a(a).

##### *§ 228.36. Radiation monitoring requirements.*

This section is modified to provide: (1) that an independent radiation monitoring system be provided so that the individuals entering or present become aware of the existence of the hazard; and (2) the system be tested for response, rather than calibrated, at least annually and after servicing or repair. The Board and RPAC agree that calibration, which implies that the response be accurate within a specified limit, is not necessary for this function. In the final-form rulemaking, the words "in a potential very high radiation area" were added to emphasize the hazard being warned against.

##### *F. Benefits Costs and Compliance.*

Executive Order 1996-1 requires a cost/benefit analysis of the final-form rulemaking.

##### *Benefits*

As set forth in these final-form amendments, users of X-ray machines and particle accelerators will benefit from the rulemaking being clarified to conform better to present equipment and installations and elimination of a 1,000-fold error in units in § 221.33a. The additions to Chapter 227 specifically extend the safety requirements set forth for other types of X-ray installation to X-ray calibration systems.

##### *Compliance Costs*

The compliance costs under the final-form amendments should not differ appreciably from the costs presently incurred.

##### *Compliance Assistance Plan*

Compliance assistance requirements are expected to be negligible. Outreach and assistance will be provided by regional inspectors and technical staff in the Radiation Control Division.

##### *Paperwork Requirements*

No additional paperwork will be required under these final-form amendments.

##### *G. Sunset Review.*

These final-form amendments will be reviewed in accordance with the sunset review schedule published by

the Department to determine whether the final-form regulations effectively fulfill the goals for which they were intended.

##### *H. Regulatory Review.*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 29, 2001, the Department submitted a copy of the notice of proposed rulemaking, published at 31 Pa.B. 792, to IRRC and the Chairpersons of the Senate and House Environmental Resources and Energy Committees for review and comment.

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

Under section 5.1(d) of the Regulatory Review Act (71 P. S. § 745.5a(d)), on October 11, 2001, these final-form amendments were deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 18, 2001, and approved the final-form amendments.

##### *I. Findings.*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law, and all comments were considered.

(3) These amendments do not enlarge the purpose of the proposal published at 31 Pa.B. 792.

(4) These amendments are necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this order.

##### *J. Order.*

The Board orders that:

(a) The regulations of the Department, 25 Pa. Code Chapters 221, 227 and 228, are amended by amending §§ 221.13, 221.29, 221.36a, 221.202, 227.1, 227.2 and 228.22a, by deleting § 221.56 and by adding § 227.104 to read as set forth at 31 Pa.B. 792; and by amending §§ 221.11, 221.32a, 221.33a, 221.61 and 228.36 and adding §§ 227.101—227.103 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Chairperson of the Board shall submit this order, 31 Pa.B. 792 and Annex A to the Office of General Counsel and the Office of the Attorney General for review and approval as to legality and form, as required by law.

(c) The Chairperson shall submit this order, 31 Pa.B. 792 and Annex A to IRRC and the Senate and House Environmental Resource and Energy Committees as required by law.

(d) The Chairperson of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau, as required by law.

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

DAVID E. HESS,  
Chairperson

**Fiscal Note:** Fiscal Note 7-360 remains valid for the final adoption of the subject regulations.

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 31 Pa.B. 6120 (November 3, 2001).)

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION**

**PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart D. ENVIRONMENTAL HEALTH AND SAFETY**

**ARTICLE V. RADIOLOGICAL HEALTH**

**CHAPTER 221. X-RAYS IN THE HEALING ARTS**

**ADMINISTRATIVE CONTROLS**

**§ 221.11. Registrant responsibilities.**

\* \* \* \* \*

(e) Except for patients who cannot be moved out of the room, only the staff and ancillary personnel or other persons required for the medical procedure or training shall be in the room during the radiographic exposure. The following apply for individuals other than the patient being examined:

\* \* \* \* \*

(4) No individual, other than the patient being examined, may be in the useful beam, unless required to conduct the procedure.

\* \* \* \* \*

(h) If a patient or image receptor requires auxiliary support during a radiation exposure the following apply:

(1) Mechanical holding devices shall be used when the technique permits.

(2) The human holder shall be protected as required by subsection (e).

(3) An individual may not be used routinely to hold image receptors or patients.

(i) Procedures and auxiliary equipment designed to minimize patient and personnel exposure commensurate with the needed diagnostic information shall be utilized.

(j) The screen and film system used shall be spectrally compatible. Defective screens may not be used for diagnostic radiological imaging.

(k) With the exception of intraoral dental radiography, film may not be used without intensifying screens for routine diagnostic radiological imaging.

(l) The registrant shall have a quality assurance program. This quality assurance program shall be in accordance with guidelines established by the Department or by another appropriate organization recognized by the Department. The Department's guidelines and a list of recognized organizations will be maintained and made available on the Department's website and on request.

(m) Neither the X-ray tube housing nor the collimating device may be hand-held during the exposure.

**DIAGNOSTIC INSTALLATIONS GENERAL REQUIREMENTS**

**§ 221.32a. Radiographic beam limitation.**

(a) The useful beam shall be limited to the area of clinical interest.

(b) The beam limiting device shall do one of the following:

(1) Indicate numerically the field size in the plane of the image receptor to which it is adjusted to within 2% of the SID.

(2) Provide for visually defining the perimeter of the X-ray field except for systems designed for one image receptor size. The total misalignment of the edges of the visually defined field with the respective edges of the X-ray field may not exceed 2% of the distance from the source to the center of the visually defined field when the surface upon which it appears is perpendicular to the axis of the X-ray beam.

(c) A means shall be provided for stepless (continuous) adjustment of the size of the X-ray field except for systems which use removable fixed operation beam limiting devices.

(d) A means shall be provided to:

(1) Indicate when the axis of the X-ray beam is perpendicular to the plane of the image receptor if the angle between the axis of the X-ray beam and the plane of the image receptor is variable. This paragraph does not apply to portable, mobile or intraoral dental units.

(2) Align the center of the X-ray field with respect to the center of the image receptor to within 2% of the SID.

(3) Indicate the SID to within 2%.

(e) Intraoral dental X-ray systems designed for use with an intraoral image receptor shall be provided with means to limit SSD to not less than either of the following:

- (1) Eighteen centimeters if operable above 50 kVp.
- (2) Ten centimeters if not operable above 50 kVp.

(f) Indication of field size dimensions and SIDs shall be specified so that aperture adjustments result in X-ray field dimensions in the plane of the image receptor which correspond to those indicated by the beam-limiting device to within 2% of the SID when the beam axis is indicated to be perpendicular to the plane of the image receptor.

(g) Intraoral dental systems designed for use with an intraoral image receptor shall be provided with a means to limit the X-ray beam so that:

(1) Eighteen centimeters or more, the X-ray field at the minimum SSD shall be containable in a circle having a diameter of no more than 7 centimeters.

(2) Less than 18 centimeters, the X-ray field at the minimum SSD shall be containable in a circle having a diameter of no more than 6 centimeters.

(h) When positive beam limitation is used, the following conditions shall be met:

(1) The radiation beam may not be larger than the linear dimensions of the image receptor being used.

(2) The positive beam limitation device shall allow the operator to further reduce the size of the radiation field.

(i) Mobile or portable radiographic systems, other than intraoral dental X-ray systems, shall be provided with a means to limit the source-to-skin distance to at least 30 centimeters.

(j) Radiographic equipment designed for one or more image receptor sizes at a fixed SID shall be provided with a means to accomplish one of the following:

(1) Limit the field at the plane of the image receptor to dimensions no greater than those of the image receptor



and align the center of the X-ray field with the center of the image receptor to within 2% of the SID.

(2) The X-ray field shall be sized and aligned so that at the plane of the image receptor, it does not extend beyond the edge of the image receptor by more than 2% of the SID.

**§ 221.33a. Radiation from capacitor energy storage equipment in standby status.**

Radiation emitted from an X-ray tube when the exposure switch or timer is not activated may not exceed a rate of 2 milliroentgens (0.516  $\mu\text{C}/\text{kg}$ ) per hour at 5 centimeters from an accessible surface of a fully charged diagnostic source assembly, with the beam-limiting device fully open.

**OTHER SYSTEMS**

**§ 221.61. Radiation therapy simulation systems.**

Radiation therapy simulation systems shall comply with §§ 221.35a—221.43a. Radiation therapy simulation systems are exempt from §§ 221.36a, 221.38a, 221.39a and 221.41a if the systems that do not meet the requirements in § 221.41a (relating to fluoroscopic timer) are provided with a means of indicating the cumulative time that an individual patient has been exposed to X-rays. In this case, procedures shall require that the timer be reset between examinations.

**CHAPTER 227. RADIATION SAFETY  
REQUIREMENTS FOR ANALYTICAL X-RAY  
EQUIPMENT, X-RAY GAUGING EQUIPMENT,  
ELECTRON MICROSCOPES AND X-RAY  
CALIBRATION SYSTEMS**

**X-RAY CALIBRATION SYSTEMS**

**§ 227.101. Scope.**

This section and §§ 227.102—227.104 apply to registrants who use X-ray producing machines to calibrate or test radiation detection or measuring devices.

**§ 227.102. Area requirements.**

A room or enclosure used for testing or calibration shall be shielded so that every location on the exterior meets conditions for an unrestricted area, and the only access to the room or enclosure is through openings which are interlocked so that the radiation source will not operate unless all openings are securely closed and meet the requirements of 10 CFR 20.1601 (relating to control of access to high radiation areas).

**§ 227.103. Operating requirements.**

(a) The operator shall conduct a physical radiation survey to determine that the radiation machine X-ray tube is de-energized prior to each entry of any body part into the X-ray exposure area.

(b) As an alternative to subsection (a), the registrant may use an independent radiation monitoring system that displays the radiation intensity or displays when radiation levels have returned to their pre-irradiation levels.

**CHAPTER 228. RADIATION SAFETY  
REQUIREMENTS FOR PARTICLE ACCELERATORS**

**GENERAL RADIATION SAFETY REQUIREMENTS**

**§ 228.36. Radiation monitoring requirements.**

An independent radiation monitoring system shall be provided so that the individuals entering or present in a potential very high radiation area become aware of the existence of the hazard. Independent radiation monitors shall be tested for response at least annually and after each servicing or repair.

[Pa.B. Doc. No. 01-2052. Filed for public inspection November 16, 2001, 9:00 a.m.]

# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 71 AND 73]

### Extension of Public Comment Period

The Fish and Boat Commission (Commission) published a notice of proposed rulemaking at 31 Pa.B. 3412 (June 30, 2001) seeking public comments for 30 days regarding proposed amendments to Chapters 71 and 73 (relating to propagation and introduction of fish into Commonwealth waters; and transportation of live fish into this Commonwealth). The Commission did not receive any written public comments regarding the proposed rulemaking. However, the Department of Agriculture's Aquaculture Advisory Committee (Committee) discussed the proposed rulemaking on several occasions and members of the Committee recommended changes to the proposed amendments relating to closed system propagation.

Based upon the Committee's recommendations, the Commission staff will be recommending that the Commission consider additional changes to the provision on Closed System Propagation (58 Pa. Code § 71.3). The text of the proposed additional changes is available from the Commission or on the Commission's website at [www.fish.state.pa.us](http://www.fish.state.pa.us).

The Commission will consider the proposed changes on final rulemaking at its meeting on January 26, 2002. Accordingly, the Commission is extending the public comment period on the proposed amendments until January 15, 2002. The Commission is inviting additional comments on the Closed System Propagation both as proposed at 31 Pa.B. 3412 and with the Committee's recommended changes.

Interested persons are invited to submit written comments, objections or suggestions about the proposed amendments to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, until January 15, 2002. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically at [ra-pfbcregs@state.pa.us](mailto:ra-pfbcregs@state.pa.us). A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 01-2053. Filed for public inspection November 16, 2001, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program

The Department of Agriculture (Department) hereby gives notice of the procedures and requirements under which it will award grants under the Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program (Program). Although the original appropriation that funded the Program expired as of July 1, 2001, a subsequent appropriation has provided the Department authority to continue the Program. The original procedures and requirements were published at 30 Pa.B. 4737 (September 9, 2000). This notice reestablishes the Program under authority of the current appropriation and updates the procedures and requirements of the Program to allow for the reimbursement of stone fruit nursery stock being prepared for marketing in 2003.

In summary, the Program provides owners of commercial nurseries producing stone fruit trees reimbursement for 15% of the losses they will sustain as a result of the destruction of peach trees, nectarine trees and other stone fruit trees as part of the Department's Plum Pox Virus (PPV) eradication effort. The Program complements an ongoing United States Department of Agriculture (USDA) initiative to reimburse commercial stone fruit producers and commercial nurseries producing stone fruit trees for 85% of these losses.

The formula under which payments will be made under the Program is identical to the formula to be employed by USDA in making its payments. This notice restates statutory authority and provides background information.

#### Authority

Section 208 of the General Appropriation Act of 2001 (P. L. \_\_, No. 6A) appropriates the sum of \$3.1 million to the Department for fruit tree indemnity payments relating to PPV.

#### Background

PPV, a plant pest indigenous to Europe, is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, 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.

The Department has used its authority under the Plant Pest Act (3 P. S. §§ 258.1—258.27) to establish a quarantine with respect to the townships and boroughs where PPV has been detected. To date, quarantines have been established with respect to the following locations:

<i>County</i>	<i>Township or Borough</i>
Adams	Borough of York Springs Huntington Township Latimore Township Menallen Township (part) Tyronne Township (part)

<i>County</i>	<i>Township or Borough</i>
Cumberland	South Middleton Township Dickinson Township Borough of Mount Holly Springs Southampton Township
Franklin	Borough of Mont Alto Quincy Township
York	Washington Township Franklin Township

Quarantine orders may be revised in the future as the Department's effort to contain and eradicate this plant pest moves forward. The quarantine orders prohibit the movement of stone fruit trees and stone fruit budwood within the quarantined areas, and prohibit the movement of stone fruit trees and stone fruit budwood out of the quarantined areas.

There is no known control for PPV other than the destruction of infected trees and the aphids that can carry the disease. The Program is intended to implement the Department's statutory authority to compensate fruit tree owners for a portion of the losses they will experience as a result of having to destroy stone fruit trees at the order of this Department.

The Department has, with the assistance of agricultural economists from the Pennsylvania State University, worked with the USDA to develop a PPV loss reimbursement formula that is acceptable to both the Department and the USDA and that reasonably reflects the losses a commercial nursery producing stone fruit trees would sustain with respect to stone fruit nursery stock destroyed to combat PPV. The Program addresses the formula for reimbursement of stone fruit nursery stock being prepared for market in 2003. The formula for reimbursing losses with respect to year 2003 stone fruit nursery stock destroyed by order of the Department distinguishes between "peach and nectarine" trees and "apricot and plum" trees. The formula is as follows:

With respect to year 2003 peach and nectarine nursery stock, the Department will calculate the number of trees in the referenced nursery stock, subtract 22% from this figure (to reflect that, on average, 22% of a given peach and nectarine stone fruit nursery crop of this age is either culled from the crop or fails to bud), multiply this number of trees by the net value of \$3.30-per-tree and pay the owner 15% of that sum.

With respect to year 2003 apricot and plum nursery stock, the Department will calculate the number of trees in the referenced nursery stock, subtract 32% from this figure (to reflect that, on average, 32% of a given apricot and plum stone fruit nursery crop of this age is either culled from the crop or fails to bud), multiply this number of trees by the net value of \$4.75-per-tree and pay the owner 15% of that sum.

The forgoing formulas are the same formulas that will be applied by the USDA, with the exception that the USDA will reimburse affected owners 85% of their losses, rather than 15%. The Program will employ a grant application form to distribute grant funds. This procedure is substantively identical to that employed by the Department in awarding grants under its Plum Pox Virus

Commercial Orchard Fruit Tree Indemnity Program published at 30 Pa.B. 4014 (August 5, 2000) and its Commercial Orchard and Fruit Tree Nursery Indemnity Program published at 30 Pa.B. 48 (January 1, 2000) related programs that reimburses certain individuals for lost profits and for the costs of removing infected trees or applying pesticides or herbicides at the order of the Department, respectively.

#### *Eligibility*

A person who is an owner of a commercial fruit tree nursery is eligible to apply for a grant under the Program.

#### *Applications*

A person who wishes to apply for a grant under the Program may download an application form from the Department's website [www.pda.state.pa.us](http://www.pda.state.pa.us). The Department will also provide grant application forms upon request telephoned to the Department's Bureau of Plant Industry at (717) 772-5203, or upon written request to Department of Agriculture, Attn: Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

An application for a grant under the Program will require the following information of an applicant:

1. The name and address of the applicant.
2. Verification that the applicant is an owner of a commercial stone fruit tree nursery.
3. A description of the location of the stone fruit nursery stock with respect to which a grant is sought.
4. Verification that the stone fruit nursery stock with respect to which a grant is sought was ordered destroyed by order of the Department or the USDA, Animal and Plant Health Inspection Service, Plant Protection and Quarantine (USDA-APHIS-PPQ) for purposes of controlling or containing PPV.
5. Verification that prior to the destruction of the stone fruit nursery stock, the applicant and the Department conducted a physical inspection of the nursery stock to assess the number of stone fruit trees, by species and crop year to be destroyed and had agreed upon the accuracy of this information, in writing.
6. A breakdown of the total numbers of stone fruit nursery stock, by species and crop year of trees.
7. Verification that the stone fruit nursery stock was, in fact, destroyed in accordance with the order of the Department or the USDA-APHIS-PPQ.
8. 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. An applicant shall submit a complete application form to the Department at the mailing address set forth earlier in this section.

#### *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 2001 to fund the grant amount sought in the reimbursement grant application.

#### *Notice of Decision*

The Department will, within 10 days of completing its review, mail a grant applicant written notice as to whether the grant application is approved. If the application is not approved, 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, 2002, 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 Appropriation Act of 2000 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*

Further information may 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.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2054. Filed for public inspection November 16, 2001, 9:00 a.m.]

### **Referendum Order on Creation of the Pennsylvania Wine Marketing and Research Program**

This Order is issued on October 23, 2001. The Department of Agriculture (Department) announces that a referendum shall be conducted to determine whether the Pennsylvania Wine Marketing and Research Program Referendum shall be established. The referendum is being conducted under the provisions of the Agricultural Commodities Marketing Act (Act). The Act empowers the Secretary of Agriculture to conduct a referendum to establish a marketing program if the Secretary finds that the program will tend to effectuate the purposes of the Act.

*Referendum Period:* The referendum period shall be from November 26, 2001, until 4 p.m. on December 10, 2001. Completed ballots shall be mailed or hand delivered to the Office of the Secretary of Agriculture, c/o Commodity Promotion Division, Room 311, 2301 North Cameron Street, Harrisburg, PA 17110-9408. Hand delivered ballots must be received by 4 p.m. on December 10, 2001. Ballots that are mailed must be postmarked no later than December 10, 2001, and received no later than December 17, 2001.

*Notice of Referendum:* This referendum order and an official ballot shall be mailed no later than November 20,

2001, to all affected producers whose names appear on the list of Pennsylvania wine producers maintained in the Office of the Secretary of Agriculture. Additional copies of the same materials shall be made available at the Office of the Secretary of Agriculture.

*Eligible Voters:* The rules governing the eligibility of a producer for voting are as follows: The record date for determination of whether a producer is eligible to vote is December 31, 2000. All Pennsylvania wine producers who produced or sold wine under authority of a limited winery license between January 1, 2000, and December 31, 2000, and who continue to produce wine under a license at the time of the referendum, are entitled to vote.

*Counting of Ballots:* The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary of Agriculture. The counting of the ballots will begin at 10 a.m., December 18, 2001, in the State Agriculture Building, Harrisburg, PA. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum period. The results will be published in the *Pennsylvania Bulletin* and disseminated to the news media.

*Reporting Irregularities:* Any irregularities or disputes concerning the referendum procedures must be reported

in written form to the Secretary of Agriculture not later than 7 calendar days from the end of the referendum period.

*Publication:* This referendum order shall be published in the *Pennsylvania Bulletin* and the *Harrisburg Patriot-News*.

*Effective Date:* If the majority of voting wine producers, representing a majority of year-2000 wine production represented in the vote, approve the establishment of the Pennsylvania Wine Marketing and Research Program (Program), the Program shall be established. If the Program is established, the initial marketing season shall be from July 1, 2001, through December 31, 2001. A producer charge would be assessed with respect to this period. Thereafter, the marketing season would be the period beginning January 1 of any year and extending through December 31 of the same year.

SAMUEL E. HAYES, Jr.,  
Secretary

[Pa.B. Doc. No. 01-2055. Filed for public inspection November 16, 2001, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 6, 2001.

#### BANKING INSTITUTIONS

##### Holding Company Acquisition

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-31-01	Fidelity Bancorp, Inc., Pittsburgh, to acquire 100% of the voting shares of Carnegie Financial Corporation, Carnegie	Pittsburgh	Filed

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-31-01	LeTort Management & Trust Company Camp Hill Cumberland County  <i>Correspondent:</i> Laura H. Williams, Esq. McNees, Wallace & Nurick 100 Pine Street Harrisburg, PA 17101	Camp Hill	Filed

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-2-01	Williamsport National Bank Williamsport Lycoming County <i>To:</i> WNB Bank Williamsport Lycoming County	329 Pine Street Williamsport Lycoming County	Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	Represents conversion from a National bank to a State-chartered bank and trust company, wholly-owned by Susquehanna Bancshares, Inc., Lititz.		
	<i>Branches Acquired via Conversion:</i>		
	950 Broad Street Montoursville Lycoming County	1949 East Third Street Williamsport Lycoming County	
	867 Lycoming Mall Drive Pennsdale Lycoming County	606 Arch Street Williamsport Lycoming County	
	1901 Lycoming Creek Road Williamsport Lycoming County	125 Williams Street Williamsport Lycoming County	

### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-31-01	Fidelity Savings Bank, Pittsburgh, and Carnegie Savings Bank, FSB, Carnegie Surviving institution— Fidelity Savings Bank, Pittsburgh	Pittsburgh	Filed

### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-31-01	Northwest Savings Bank Warren Warren County	7512 W. Ridge Road Fairview Erie County	Approved
11-1-01	Founders' Bank Bryn Mawr Montgomery County	Route 113 and Gordon Drive Exton Chester County	Approved
11-1-01	HomeTown Heritage Bank Intercourse Lancaster County	100 Historic Drive Strasburg Lancaster County	Approved
11-1-01	Reliance Bank Altoona Blair County	904 Blair Street Hollidaysburg Blair County	Filed

### Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-17-01	Promistar Bank Johnstown Cambria County	<i>Into:</i> 1900 Minno Drive Johnstown Cambria County  <i>From:</i> 585 Goucher Street Johnstown Cambria County	Effective
10-17-01	Promistar Bank Johnstown Cambria County	<i>Into:</i> 550 Central Avenue Johnstown Cambria County  <i>From:</i> 4 Valley Pike Johnstown Cambria County	Effective
10-22-01	Commonwealth Bank Norristown Montgomery County	<i>To:</i> Acme Supermarket 3210 Red Lion Road Philadelphia Philadelphia County  <i>From:</i> Academy Shopping Center 3292 Red Lion Road Philadelphia Philadelphia County	Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-29-01	The Madison Bank Blue Bell Montgomery County	<i>To:</i> 625 Ridge Pike Suite 600 Conshohocken Montgomery County  <i>From:</i> 202 West Ridge Pike Conshohocken Montgomery County	Effective

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-5-01	Main Street Bank Reading Berks County	39 Bridge Street Lambertville Hunterdon County New Jersey	Effective
10-5-01	Main Street Bank Reading Berks County	100 Progress Drive Doylestown Bucks County	Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2056. Filed for public inspection November 16, 2001, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council; Meeting Notice

A meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will be held on Wednesday, November 28, 2001. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

PAULETTE JOHNSON,  
*Chairperson*

[Pa.B. Doc. No. 01-2057. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Pennsylvania Rivers Conservation Registry

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the "Schuylkill Watershed Conservation Management Plan" (Plan) and is placing the Schuylkill

River, the watershed and all tributaries covered in the Plan in Berks, Bucks, Carbon, Chester, Delaware, Lancaster, Lebanon, Lehigh, Montgomery and Schuylkill Counties, on the Pennsylvania Rivers Conservation Registry (Registry).

The Natural Lands Trust on behalf of The Conservation Fund submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, DCNR has determined that the Keystone Rivers Conservation Program requirements have been satisfied and places the following on the Registry:

1. The watershed area of the Schuylkill River from the headwaters in Schuylkill County to its confluence with the Delaware River in the City of Philadelphia—1,916 square miles.

2. All tributary streams within the Schuylkill River Watershed.

This action becomes effective November 17, 2001. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Keystone Rivers Conservation Program.

A copy of the Final Plan is available for review at Natural Lands Trust, Hildacy Farm, 1031 Palmers Mill Road, Media, PA 19063, (610) 353-5587; and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 787-2316.

Maps and supporting data are on file at the Natural Lands Trust.

JOHN C. OLIVER, III,  
*Secretary*

[Pa.B. Doc. No. 01-2058. Filed for public inspection November 16, 2001, 9:00 a.m.]

## Pennsylvania Rivers Conservation Registry

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the "Tulpehocken Creek Watershed Conservation Management Plan" (Plan) and is placing the Tulpehocken Creek, the watershed and all tributaries covered in the Plan in Berks and Lebanon Counties, on the Pennsylvania Rivers Conservation Registry (Registry).

The Berks County Conservancy submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, DCNR has determined that the Keystone Rivers Conservation Program requirements have been satisfied and places the following on the Registry:

1. The watershed area of Tulpehocken Creek Watershed (Berks and Lebanon Counties) from the headwaters to its confluence with the Schuylkill River—219 square miles.
2. All tributary streams within the Tulpehocken Creek Watershed.

This action becomes effective November 17, 2001. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Keystone Rivers Conservation Program.

A copy of the Final Plan is available for review at Berks County Conservancy, 25 North 11th Street, Reading, PA 19601, (610) 372-4992; and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 787-2316.

Maps and supporting data are on file at the Berks County Conservancy.

JOHN C. OLIVER, III,  
*Secretary*

[Pa.B. Doc. No. 01-2059. Filed for public inspection November 16, 2001, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Approval of Grant under Individuals with Disabilities Education Act—Part B

On July 6, 2001, the Department of Education (Department) was notified of a "conditionally" approved grant under the Individuals with Disabilities Education Act—Part B. The "conditionally" approved grant was with the assurance that the Commonwealth would resolve all of the issues to be subsequently identified by the United States Department of Education, Office of Special Education Programs (OSEP). As of this date, OSEP has yet to identify any issues needing resolution.

The Department must complete the post-approval public dissemination of its policies and procedures. Therefore, the policies and procedures are available for public inspection at any school district, intermediate unit and the offices of the Pennsylvania Training and Technical Assistance Network. Copies may be requested in writing to Dennis A. McLaughlin, Department of Education, Bureau of Special Education, 333 Market Street, Harrisburg, PA 17126-0333 or by accessing: [www.pattan.k12.pa.us](http://www.pattan.k12.pa.us). Persons who require this information in an alternate format should call Nancy Zeigler at (717) 783-6134, TDD: (717) 787-7367.

CHARLES B. ZOGBY,  
*Secretary*

[Pa.B. Doc. No. 01-2060. Filed for public inspection November 16, 2001, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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 all new permit applications, renewal application with major changes or applications for permits not waived by EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. 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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0050776	Coventry Terrace MHP, LLC 151 Saylor Mill Road Parker Ford, PA 19457	Chester County East Coventry Township	Pigeon Creek	Yes
PA0030970	Cheyney University Box 260 Cheyney, PA 19319	Delaware County Thornbury Township	East Branch of Chester Creek	Yes

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

**PA0037974**, Sewage, **Washington Township**, 11800 Edinboro Road, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Activity: discharge of treated sanitary waste from a mobile home park.

The receiving stream, unnamed tributary to Darrows Run, is in watershed 16A and classified for: warm water fishery.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply considered during the evaluation is Franklin City General Authority, Venango County, located 44 miles below the point of discharge on French Creek.

The proposed effluent limits for Outfall 001 based on a design flow of 0.080 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	10	15	20
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15
Total Residual Chlorine	0.5		1.2
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

**No. PA0058408**, Sewage, **Lejeune Properties, Inc.**, 4070 Butler Pike, Suite 800, Plymouth Meeting, PA 19462.

This application is for issuance of an NPDES permit to discharge treated sewage from River Crest STP in Upper Providence Township, **Montgomery County**. This is a new discharge to unnamed tributaries to Schuylkill River (001 and 002) and Doe Run (003).

The first downstream potable water supply intake from the points of discharge 001 and 002 is Philadelphia Suburban Water Company—Pickering Creek Water Filtration Plant and from the point of discharge 003 is Philadelphia Suburban Water Company in Upper Providence Township.

The receiving streams are classified for the following uses: warm water fishery, trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfalls 001, 002 and 003, based on an average flow of 86,025 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	10	20
Ammonia (as N)	3.0	6.0
Nitrite and Nitrate (as N)	10	20
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	Within limits of 6.0—9.0 Standard Units at all times	

Other Conditions:

The EPA Waiver is in effect.

**No. PA0052493**, Sewage, **Florence A. Coleman**, 168 Cheese Factory Road, Doylestown, PA 18901.

This application is for renewal of an NPDES permit to discharge treated sewage from the sewage treatment plant in Plumstead Township, **Bucks County**. This is existing discharge to unnamed tributary to the North Branch of Neshaminy Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 2,640 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(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)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Nitrate and Nitrate (as N)		
(7-1 to 10-31)	8.0	16.0
Phosphorus (as P)		
(4-1 to 10-31)	2.0	4.0
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	Within limits of 6.0—9.0 Standard Units at all times	

The EPA Waiver is in effect.

**No. PA0026131**, Sewage, **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406.

This application is for renewal of an NPDES permit to discharge treated sewage in Upper Merion Township, **Montgomery County**. This is an existing discharge to Schuylkill River.

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

The proposed effluent limits for Outfall 002, based on an average flow of 6.0 MGD are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)	20		40
Total Residual Chlorine			1.2
	0.5		
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		

The EPA Waiver is not in effect.

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

**PA#0012751**, Industrial, **Zinc Corporation of America**, 900 Delaware Avenue, Palmerton, PA 18071. This proposed facility is located in Palmerton Borough, **Carbon County**.

Description of Proposed Activity: This proposed action is for renewal of an NPDES permit to discharge treated noncontact cooling water and stormwater into the Lehigh River and Aquashicola Creek.

The receiving streams, Aquashicola Creek and Lehigh River, are in the State Water Plan watershed #02-b and are classified for: trout stocking fishery. The nearest downstream public water supply intake for Northampton Municipal Water Authority is located on Lehigh River is 27 miles below the point of discharge.

The proposed effluent limits are as follows:

*Outfalls 001, 004, 005, 007, 008, 015, 019, 022:*

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total Suspended Solids			20.0	30.0	
Oil and Grease			15.0		30.0
Cadmium			0.10	0.20	
Lead			0.35	0.70	
Zinc			1.20	2.40	
pH			6.0 to 9.0 Standard Units at All Times		

*Outfalls 024, 025, 026, 027*

Total Suspended Solids	Monitor and Report
Oil and Grease	Monitor and Report
Cadmium	Monitor and Report
Lead	Monitor and Report
Zinc	Monitor and Report
pH	Monitor and Report

The EPA waiver is not in effect.

**PA-0027081**, Sewage, **Lackawanna River Basin Sewer Authority**, P. O. Box 9068, Dickson City, PA 18515. This proposed facility is located in Clinton Township, **Wayne County**.

Description of Proposed Activity: Applicant requests renewal of NPDES permit to discharge treated sewage.

The receiving stream, Lackawanna River, is in the State Water Plan watershed #5A and is classified for: TSF. The nearest downstream public water supply intake for Danville Water Authority is located on Lackawanna River is approximately 95 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.7 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH <sub>3</sub> -N (5-1 to 10-31)	10.0		20.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times		
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	.9		2.1
Copper	Monitor and Report		Monitor and Report
Lead	Monitor and Report		Monitor and Report
Zinc	Monitor and Report		Monitor and Report

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

1. Management and control of combined sewer overflows.

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

**PA0042749**, Sewage, **Jenner Area Joint Sewer Authority**, P. O. Box 202, Jennerstown, PA 15547. This application is for renewal of an NPDES permit to discharge treated sewage from Boswell STP in Boswell Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Quemahoning Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Manufacturer's Water Company (Greater Johnstown Water Authority) on the Quemahoning Reservoir.

*Outfall 001:* existing discharge, design flow of 0.8 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	8.0	12.0		16.0
(11-1 to 4-30)	24.0	36.0		48.0
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		5,000/100 ml as a geometric mean		
Total Residual Chlorine	1.0			3.3
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

**PA0092801**, Sewage, **Siemens Westinghouse**, 100 McKee Road, Oakdale, PA 15071-1083. This application is for renewal of an NPDES permit to discharge treated sewage from Productivity and Quality Center STP in North Fayette Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary to North Branch Robinson Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: West View Borough Municipal Authority.

*Outfall 001:* existing discharge, design flow of 0.015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	25			50
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		2,000/100 ml as a geometric mean		
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen		not less than 5 mg/l		
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

**PA0025615**, Industrial Waste, SIC, 4911, **First Energy Nuclear Operation Company**, 75 S. Main Street, Akron, OH 44308. This application is for Renewal of an NPDES permit to discharge treated process water, sewage and untreated cooling water and stormwater from Beaver Valley Power Station in Shippingport Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River and Peggs Run, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Midland Borough Water Authority, located at 1.0 miles below the discharge point.

*Outfall 101:* existing discharge, design flow of 0.027 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Suspended Solids			30	100	
Oil and Grease			15	20	
Hydrazine			Monitor and Report		
Ammonia			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Other Conditions:* Outfalls 001, 012—It is the Department's understanding that the permittee does not add chlorine or chromium and zinc compounds to the cooling water. The permittee is prohibited from adding chlorine or chromium and zinc compounds to the cooling water unless the permittee obtains an amendment to this permit. Refer to Part C for restrictions on the discharge of the 126 priority pollutants and the net addition of pollutants to noncontact cooling water, effluent chlorine minimization restrictions on the use of Clamtrol, Toxics Reduction Evaluation, condition to discharge low level radioactive wastes.

Outfall 301: existing discharge to Outfall 001.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	

Outfall 401: existing discharge to Outfall 001.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0		

Outfall 501: existing discharge to Outfall 001.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30	100	

Outfall 001: existing 35.2 mgd discharge to Ohio River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Free Available Chlorine			0.2	0.5	
Total Residual Chlorine			0.5		1.25
Chromium			0.2	0.2	
Zinc			1.0	1.0	
Clamtrol (CT-1)			Not Detectable		
Betz DT-1				35.0	
Hydrazine			Not Detectable		
Ammonia			Monitor and Report		
Phenols			Monitor and Report		
Iron			Monitor and Report		
Aluminum			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 102: existing discharge to Outfall 002.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfall 002: existing 0.0462 mgd discharge to Ohio River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum

Debris collected on the intake trash racks shall not be returned to the waterway.

Outfall 103: existing discharge to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
pH			not less than 6.0 nor greater than 9.0		

Outfall 203: existing discharge, design flow of .023 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>			25	50	
Suspended Solids			30	60	
Total Residual Chlorine			1.4		3.3

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Fecal Coliform (5-1 to 10-31) (11-1 to 4-30)			200/100 ml as a geometric mean		
pH			2,000/100 ml as a geometric mean not less than 6.0 nor greater than 9.0		

*Outfall 303:* existing discharge to Outfall 003.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

*Outfall 403:* existing discharge to Outfall 003.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
Hydrazine			Not Detectable using ASTM-D1385		
Ammonia			Monitor and Report		
Clam-Trol CT-1			Not Detectable		
Betz DT-1				35	
Total Residual Chlorine			0.5		1.25
pH			not less than 6.0 nor greater than 9.0		

*Outfall 003:* existing 0.1 mgd discharge to Ohio River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Iron			Monitor and Report		
Aluminum			Monitor and Report		
Phenols			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		

This discharge shall consist solely of uncontaminated yard stormwater runoff, deionized water storage tank drainage and those sources monitored at 103, 203, 303 and 403.

*Outfall 004:* existing 0.001 mgd discharge to Ohio River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Free Available Chlorine				0.2	0.5
Total Residual Chlorine			0.5		1.25
Chromium			0.2	0.2	
Zinc			1.0	1.0	
Aluminum			Monitor and Report		
Phenols			Monitor and Report		

This overflow at Outfall 004 normally takes place during the months July through October when the water level in the cooling tower basin is raised to increase pumping efficiency. The blowdown at Outfall 301 comes from the same basin and the limitations and restrictions placed on 301 apply also to this 004.

pH not less than 6.0 nor greater than 9.0

*Outfall 006:* existing 0.036 mgd discharge to Ohio River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

Debris removed from the intake trash racks shall not be returned to the waterways.

Outfall 007: existing 0.9 mgd discharge to Ohio River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Free Available Chlorine			0.2	0.5	
Total Residual Chlorine			0.5		1.25

Monitored for flow, free available chlorine and total residual chlorine are required only during those periods of discharge from the alternate flow path of the reactor plant river water system. Also refer to Part C for additional restrictions on free available and total residual chlorine and the net addition of pollutants to noncontact cooling water.

pH not less than 6.0 nor greater than 9.0

Outfall 008: existing 0.001 mgd discharge to Ohio River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
Ammonia			Monitor and Report		
Iron, tot			Monitor and Report		
Aluminum			Monitor and Report		
Manganese			Monitor and Report		
Phenols			Monitor and Report		
Zinc			Monitor and Report		
Color			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 110: existing discharge to Outfall 010.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Debris collected on the strainer shall not be returned to the waterway.					

Outfall 010: existing 12.1 mgd discharge to Ohio River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Free Available Chlorine				0.2	0.5
Total Residual Chlorine			0.5		1.25
Clamtrol (CT-1)			Not Detectable		
Betz DT-1				35.0	
pH			not less than 6.0 nor greater than 9.0		

Outfall 011: existing 0.036 mgd discharge to Ohio River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of those sources monitored at internal monitoring points 111 and 211.					

Outfall 111: existing discharge to Outfall 011.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfall 211: existing discharge to Outfall 011.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfall 012: existing discharge to Peggs Run.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Chromium			0.2	0.2	
Zinc			1.0	1.0	
Copper			Monitor and Report		
Total Dissolved Solids			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 113: existing discharge, design flow of 0.043 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Flow	0.043				
CBOD <sub>5</sub>			25	50	
Suspended Solids			30	60	
Total Residual Chlorine			1.4		3.3
Fecal Coliform (5-1 to 10-31)			200/100 ml as a geometric mean		
(11-1 to 4-30)			2,000/100 ml as a geometric mean		
pH			not less than 6.0 nor greater than 9.0		

Outfall 213: existing discharge to Outfall 013.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfall 313: existing discharge to Outfall 013.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfall 413: existing discharge to Outfall 013.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfall 013: existing discharge to Peggs Run (from permit issuance through three years after permit issue date).

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total Residual Chlorine			0.5		1.25
Chlorobenzene			Monitor and Report		
Copper			Monitor and Report		
Cyanide, tot			Monitor and Report		
Temperature					110°
pH			not less than 6.0 nor greater than 9.0		

Outfall 013: existing discharge to Peggs Run (from three years after permit issue date through expiration).

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total Residual Chlorine			0.5		1.25
Copper			0.05	0.1	0.125
Cyanide, tot			Monitor and Report		
Temperature					110°
pH			not less than 6.0 nor greater than 9.0		

The EPA waiver is not in effect.



**PA0110591**, Industrial Waste, SIC, 3399, **SCM Metal Products, Inc.**, dba OMG Americas, 101 Bridge Street, Johnstown, PA 15902. This application is for amendment of an NPDES permit to discharge treated and untreated cooling water and stormwater from SCM Metal Products, Inc. in Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Stony Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Saltsburg Municipal Waterworks, located 45 miles below the discharge point.

*Outfall 101:* existing discharge, design flow of 0.039 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids	14.33	28.01	13.7	28.8	
Oil and Grease	9.36	14.22	9.4	14.0	
Copper	0.6	1.15	0.54	1.0	1.35
Cyanide	0.072	0.17	0.07	0.16	0.175
Lead	0.12	0.25	0.11	0.23	0.275
Chromium	0.031	0.07	0.06	0.14	0.15
Nickel	0.055	0.082	0.07	0.11	0.17
Fluoride	3.96	8.95	5.1	11.5	12.7
Ammonia	3.59	8.17			
Iron, Total	0.29	0.58	0.31	0.61	0.8
pH	not less than 7.5 nor greater than 10				

*Outfall 001:* existing 0.075 mgd discharge to Stony Creek

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This outfall shall consist solely of those sources previously monitored at 101, noncontact cooling water and uncontaminated stormwater runoff.					
Iron, Total			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Fluoride			Monitor and Report		
Chromium, Total			Monitor and Report		
Lead			Monitor and Report		
Nickel			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
pH	not less than 6.0 nor greater than 10				

*Outfall 002:* existing 0.02 mgd discharge to Stony Creek

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This discharge shall consist solely of noncontact cooling water and uncontaminated stormwater runoff.					
Iron, Total			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Fluoride			Monitor and Report		
Chromium, Total			Monitor and Report		
Lead			Monitor and Report		
Copper			Monitor and Report		
Cyanide, Total			Monitor and Report		
Cyanide, Free			Monitor and Report		
Nickel			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
pH	not less than 6.0				

*Outfall 003:* existing 0.0183 mgd discharge to Stony Creek

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This discharge shall consist solely of noncontact cooling water and uncontaminated stormwater runoff.					
Oil and Grease			Monitor and Report		
Iron, Total			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
Chromium, Total			Monitor and Report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Lead			Monitor and Report		
Copper			Monitor and Report		
Cyanide, Total			Monitor and Report		
Cyanide, Free			Monitor and Report		
Nickel			Monitor and Report		
pH			not less than 6.0		

Outfall 004: new stormwater discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron, Total			Monitor and Report		
Chromium, Total			Monitor and Report		
Lead			Monitor and Report		
Copper			Monitor and Report		
Cyanide, Total			Monitor and Report		
Cyanide, Free			Monitor and Report		
Nickel			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
pH			Monitor and Report		

Outfalls 005—009: new stormwater discharges

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron, Total			Monitor and Report		
Fluoride			Monitor and Report		
Chromium, Total			Monitor and Report		
Lead			Monitor and Report		
Copper			Monitor and Report		
Cyanide, Total			Monitor and Report		
Cyanide, Free			Monitor and Report		
Nickel			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
TKN			Monitor and Report		
pH			Monitor and Report		

The EPA waiver is not in effect.

**PA0001627**, Industrial Waste, SIC, 4911, **Duquesne Light Company**, One Oxford Centre, Pittsburgh, PA 15279. This application is for Renewal of an NPDES permit to discharge treated process water and untreated cooling water and stormwater from Cheswick Power Station in Springdale Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tawney Run, Little Deer Creek and the Allegheny River, classified as warm water fisheries with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Oakmont Borough Municipal Authority, located at 2.4 miles below the discharge point.

Outfall 002: Monarch Mine discharge (12.375 mgd) to Little Deer Creek from permit issuance through 3 years from issued date.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			35	70	
Aluminum			1.2	2.4	
Iron, tot			2.6	5.2	
Iron, dis			Monitor and Report		
Manganese			0.87	1.74	
Total Residual Chlorine			Monitor and Report		
Beryllium			0.01	0.02	
Cadmium			0.003	0.006	
Chromium, hex			0.006	0.012	
Silver			0.02	0.04	
Thallium			0.018	0.036	

## NOTICES

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Copper			0.033	0.066	
Pentachlorophenol			0.004	0.008	
Antimony			Monitor and Report		

*Outfall 002:* Monarch Mine discharge (12.375 mgd) to Little Deer Creek from permit issuance through 3 years from issued date.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Lead			Monitor and Report		
Mercury			Monitor and Report		
Selenium			Monitor and Report		
Cyanide, free			Monitor and Report		
Chloroform			Monitor and Report		
Sulfate			Monitor and Report		
Osmotic Pressure			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 002:* Monarch Mine discharge (12.375 mgd) to Little Deer Creek from 3 years after permit issuance through permit expiration.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			35	70	
Aluminum			0.48	0.96	
Iron			1.5	3.0	
Iron, dis			0.3	0.6	
Manganese			0.87	1.74	
Total Residual Chlorine			0.011	0.022	
Beryllium			0.01	0.02	
Cadmium			0.003	0.006	
Chromium, hex			0.006	0.012	
Silver			0.003	0.006	
Thallium			0.002	0.004	
Copper			0.009	0.018	
Pentachlorophenol			0.0003	0.0006	
Antimony			0.014	0.028	
Lead			0.003	0.006	
Mercury			0.00005	0.0001	
Selenium			0.005	0.01	
Cyanide, free			0.005	0.01	
Chloroform			0.006	0.012	
Sulfate			250	500	

*Outfall 002:* Monarch Mine discharge (12.375 mgd) to Little Deer Creek from 3 years after permit issuance through permit expiration.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Osmotic Pressure			50	100	
pH			not less than 6.0 nor greater than 9.0		

*Outfall 103:* Boiler blowdown to Outfall 003.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 10.5		

Outfalls 203 and 303: Bottom Ash Transport Waters discharge (1.7 mgd) to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfalls 403 and 503 (previously Outfalls 107 and 407): coal pile runoff discharge (0.4 mgd) to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Suspended Solids					50
pH			not less than 6.0 nor greater than 9.0		

Outfall 603: Miscellaneous low volume wastes discharge (1.0 mgd) to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Suspended Solids			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

Outfall 803: Internal monitoring points 203—703 (5.0 mgd) discharge to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
pH			not less than 6.0 nor greater than 9.0		

Outfall 003: Internal monitoring points 103 and 803 and untreated once-through noncontact cooling water, 369 mgd discharge to the Allegheny River.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total Residual Chlorine					0.2
Temperature					
Heat			Heat discharged to the waterway shall not exceed $2.96 \times 10^9$ BTU/hr		
Lead			Monitor and Report		
Mercury			Monitor and Report		
Selenium			Monitor and Report		
Silver			Monitor and Report		
Thallium			Monitor and Report		
Cyanide, free			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 003: Internal monitoring points 103 and 803 and untreated once-through noncontact cooling water, 369 mgd discharge to the Allegheny River.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total Residual Chlorine					0.2
Temperature					
Heat			Heat discharged to the waterway shall not exceed $2.96 \times 10^9$ BTU/hr		
Lead			0.004	0.008	
Mercury			0.00005	0.0001	
Selenium			0.006	0.012	
Silver			0.003	0.006	
Thallium			0.002	0.004	
Cyanide			0.006	0.012	
pH			not less than 6.0 nor greater than 9.0		

Outfall 004: Existing discharge to Allegheny River.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	

Debris collected on the intake trash racks shall not be returned to the waterway.

*Outfalls 005:* Stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Chromium, hex					
Total Suspended Solids			Monitor and Report		
pH			Monitor and Report		

*Outfalls 010—011:* Stormwater discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
These discharges shall consist solely of uncontaminated stormwater runoff.					

The EPA waiver is not in effect.

**PA0002062**, Industrial Waste, SIC 4911, **Reliant Energy Northeast Management Company**, 1001 Broad Street, Johnstown, PA 159097. This application is for renewal of an NPDES permit to discharge treated process water, sewage and untreated stormwater from Keystone Generating Station in Plumcreek Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Crooked and Plum Creeks, classified as warm water and trout stocked fisheries, respectively with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Cadogen Township W.W., located at Post Office, Cadogen, PA 16212, 26.5 miles below the discharge point.

*Outfall 002:* existing 0.05 discharge to Plum Creek.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Debris collected on the intake trash racks shall not be returned to the waterway.					

*Outfall 103:* new, intermittent discharge to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
TSS			30	100	
Oil and Grease			15	20	
pH			not less than 6.0 nor greater than 9.0		

*Outfall 203:* intermittent discharge to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
Free Available Chlorine				0.2	0.5
Total Residual Chlorine			0.5		1.0
Chromium, Total			0.2	0.2	
Zinc, Total			1.0	1.0	
pH			not less than 6.0 nor greater than 9.0		

*Outfall 303:* existing 0.04 mgd discharge to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow, mgd	0.04				
CBOD <sub>5</sub>			25		50
Suspended Solids			30		60
Total Residual Chlorine			2.4		4.2
Fecal Coliforms			200/100 ml		
(5-1 to 9-30)			1,000/100 ml		
(10-1 to 4-30)			2,000/100 ml		
Chloroform			Monitor and Report		
Chlorodibromomethane			Monitor and Report		
Dichlorobromomethane			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 403:* existing 2.0 mgd discharge to Outfall 003.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
Free Available Chlorine				0.2	0.5
Chromium, Total			0.2	0.2	
Zinc, Total			1.0	1.0	
Copper			1.0	1.0	
Iron			1.0	1.0	
Total Residual Chlorine			0.5		1.0
Chloroform			Monitor and Report		
1,2-Dichloroethane			Monitor and Report		
Methylene Chloride			Monitor and Report		
1,1,2-Trichloroethylene			Monitor and Report		
Chlorodibromomethane			Monitor and Report		
Dichlorobromomethane			Monitor and Report		
Phenol			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 503:* new, 3.8 mgd discharge to Outfall 003.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
Free Available Chlorine				0.2	0.5
Chromium, Total			0.2	0.2	
Zinc, Total			1.0	1.0	
Total Residual Chlorine			0.5	1.0	
Chloroform			Monitor and Report		
1,2-Dichloroethane			Monitor and Report		
Methylene Chloride			Monitor and Report		
1,1,2-Trichloroethylene			Monitor and Report		
Chlorodibromomethane			Monitor and Report		
Dichlorobromomethane			Monitor and Report		
Phenol			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 603:* new, intermittent discharge to Outfall 003.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
Chloroform			Monitor and Report		
1,2-Dichloroethane			Monitor and Report		
Methylene Chloride			Monitor and Report		
1,1,2-Trichloroethylene			Monitor and Report		
Chlorodibromomethane			Monitor and Report		
Dichlorobromomethane			Monitor and Report		
Phenol			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 703:* existing 0.05 mgd discharge to Outfall 003.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Iron			3.0	6.0	
Manganese			Monitor and Report		
Total Suspended Solids			30	60	
pH			not less than 6.0 nor greater than 10.0		

Outfall 803: intermittent discharge to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum

Debris collected on the intake trash racks shall not be returned to the waterway.

Outfall 903: intermittent discharge to Outfall 003.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids				50	100

Outfall 003: (Interim) existing 7.2 mgd discharge to Crooked Creek.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	30
Total Residual Chlorine			0.5		1.0

Temperature (7-1 to 12-31)	Heat rejection to the waterway shall not exceed a daily maximum of $7.0 \times 10^8$ BTU/day				
(1-1 to 6-30)	Heat rejection to the waterway shall not exceed a daily maximum of $14.0 \times 10^8$ BTU/day				
Mercury			0.000098	0.0002	
Thallium			0.003	0.006	
Chloroform			Monitor and Report		
1,2 Dichloroethane			Monitor and Report		
Methylene Chloride			Monitor and Report		
1,1,2-Trichloroethylene			Monitor and Report		
Chlorodibromomethane			Monitor and Report		
Dichlorobromomethane			Monitor and Report		
Phenol			Monitor and Report		
Sulfate			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: (Final) existing 7.2 mgd discharge to Crooked Creek.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	30
Total Residual Chlorine			0.5		1.0

Temperature (7-1 to 12-31)	Heat rejection to the waterway shall not exceed a daily maximum of $7.0 \times 10^8$ BTU/day				
(1-1 to 6-30)	Heat rejection to the waterway shall not exceed a daily maximum of $14.0 \times 10^8$ BTU/day				
Mercury			0.000098	0.0002	
Thallium			0.003	0.006	
Chloroform			Monitor and Report		
1,2 Dichloroethane			0.0007	0.0014	
Methylene Chloride			Monitor and Report		
1,1,2-Trichloroethylene			Monitor and Report		
Chlorodibromomethane			Monitor and Report		
Dichlorobromomethane			Monitor and Report		
Phenol			Monitor and Report		
Sulfate			490	980	
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Manganese			Monitor and Report		

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			Monitor and Report		
Sulfate			Monitor and Report		
pH			Monitor and Report		

*Outfall 005: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

This discharge shall consist solely of uncontaminated stormwater runoff.

*Outfall 006: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Aluminum			Monitor and Report		
Chromium			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
Nickel			Monitor and Report		
Titanium			Monitor and Report		
Zinc			Monitor and Report		
pH			Monitor and Report		

*Outfall 107: existing discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Aluminum			Monitor and Report		
Iron, tot			3.5		7.0
Manganese			2.0		4.0
Total Suspended Solids			35.0		70.0
Sulfate			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 007: existing stormwater discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Manganese			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Sulfate			Monitor and Report		
pH			Monitor and Report		

*Outfall 008: existing discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Iron, Total			Monitor and Report		
Manganese			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Sulfate			Monitor and Report		
Barium			Monitor and Report		
Arsenic			Monitor and Report		
Aluminum			Monitor and Report		
Chromium			Monitor and Report		
Titanium			Monitor and Report		
Zinc			Monitor and Report		
Nickel			Monitor and Report		
pH			Monitor and Report		



Outfall 009: existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron, Total			Monitor and Report		
Manganese			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Sulfate			Monitor and Report		
Barium			Monitor and Report		
Arsenic			Monitor and Report		
Aluminum			Monitor and Report		
Chromium			Monitor and Report		
Titanium			Monitor and Report		
Zinc			Monitor and Report		
Nickel			Monitor and Report		
pH			Monitor and Report		

Outfall 010—012: new discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30		100
Iron			3.5		7.0
Aluminum			Monitor and Report		
Manganese			2.0		4.0
Nickel			Monitor and Report		
Zinc			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 013—014: new discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron			Monitor and Report		
Manganese			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Sulfate			Monitor and Report		
Barium			Monitor and Report		
Arsenic			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 015—020: new discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
These discharges shall consist solely of uncontaminated stormwater runoff.					

Other Conditions: Conditions relating to stormwater associated with the construction activities, Toxic Reduction Evaluation, Pollutant Reduction Report, Storm Water Pollution Prevention Plan, Wetland Treatment System Operation and Maintenance and Total Residual Chlorine Minimization.

The EPA waiver is not in effect.

**PA0005011**, Industrial Waste, SIC 4911, **Reliant Energy Northeast Management Company**, 1001 Broad Street, Johnstown, PA 15907. This application is for renewal of an NPDES permit to discharge treated process water, sewage and untreated stormwater from Conemaugh Generating Station in West Wheatfield, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Conemaugh River, classified as a warm water and cold water (respectively) fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Saltsburg M.W.W., located at Saltsburg, 37.4 miles below the discharge point.

Outfall 001: existing discharge 0.14 mgd

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Free Available Chlorine			0.2	0.5	
Discharge shall be limited to periods when deicing the make-up pump house inlet is necessary.					
Chromium			0.2	0.2	

	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average</i>	<i>Maximum</i>	<i>Average</i>	<i>Maximum</i>	<i>Instantaneous</i>
Zinc			1.0	1.0	
Phenols			Monitor and Report		
Chloroform			Monitor and Report		
Phenol			Monitor and Report		

It is the Department's understanding that the permittee does not add zinc or chromium compounds to the cooling water. The permittee is prohibited from adding zinc or chromium compounds to the cooling water unless the permittee obtains written permission as specified in the permit.

pH not less than 6.0 nor greater than 9.0

*Outfall 002:* existing discharge, design flow of 0.072 MGD discharge to Conemaugh River

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

Debris collected on the intake trash racks shall not be returned to the waterway

*Outfall 003:* existing design flow of 3.7 MGD discharge to Conemaugh River

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Free Available Chlorine			0.2	0.5	
Total Residual Chlorine			0.5		1.0
Chromium			0.2	0.2	
Zinc			1.0	1.0	
Temperature					110°

It is the Department's understanding that the permittee does not add zinc or chromium compounds to the cooling water. The permittee is prohibited from adding zinc or chromium compounds to the cooling water unless the permittee obtains written permission as specified in the permit.

Aluminum	Monitor and Report
Iron	Monitor and Report
Manganese	Monitor and Report
Cobalt	Monitor and Report
Sulfate	Monitor and Report
Total Dissolved Solids	Monitor and Report

*Outfall 003:* existing design flow of 3.29 MGD discharge to Conemaugh River

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

Osmotic Pressure	Monitor and Report
Phenols	Monitor and Report
Chloroform	Monitor and Report
Phenol	Monitor and Report
pH	not less than 6.0 nor greater than 9.0

*Outfall 003:* from 3 years after permit effective date

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Free Available Chlorine			0.2	0.5	
Total Residual Chlorine			0.5		1.0
Temperature					110°
Chromium			0.2	0.2	
Zinc			1.0	1.0	

It is the Department's understanding that the permittee does not add zinc or chromium compounds to the cooling water. The permittee is prohibited from adding zinc or chromium compounds to the cooling water unless the permittee obtains written permission as specified in the permit.

*Outfall 003:* from three years after permit effective date

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Aluminum			1.1	2.2	2.75
Iron, Total			1.7	3.4	4.25
Manganese			1.6	3.2	4.0
Cobalt Sulfate			0.04	0.08	0.1
Total Dissolved Solids			320	640	800
Osmotic Pressure			470	940	1,175
Phenols			Monitor and Report		
Chloroform			Monitor and Report		
Phenol			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 004:* existing discharge 0.3 mgd design flow, discharge to Conemaugh River from permit issuance through 3 years after permit.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
Iron			Monitor and Report		

*Outfall 004:* existing design flow of discharge to Conemaugh River from permit issuance through 3 years after permit.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Manganese Sulfate			Monitor and Report		
Total Dissolved Solids			Monitor and Report		
Osmotic Pressure			Monitor and Report		
Chloroform			Monitor and Report		
Phenol			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 004:* discharge to Conemaugh River from 3 years through expiration date.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			30	100	
Oil and Grease			15	20	
Iron			1.7	3.4	4.25
Manganese Sulfate			1.6	3.2	4.0
Total Dissolved Solids			920		
Osmotic Pressure			1,840		
			2,300		
			Monitor and Report		
			4,000		
			8,000		
			10,000		

*Outfall 004:* discharge to Conemaugh River from 3 years through expiration date.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Chloroform			Monitor and Report		
Phenol			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

*Outfall 005:* existing discharge to Conemaugh River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			There shall be no discharge of plant floor drains from this outfall		
			30	100	

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Oil and Grease			15	20	
Chloroform			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 006: existing (design flow 0.005 mgd) discharge to Conemaugh River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	0.02				
CBOD <sub>5</sub>			25	50	
Suspended Solids			30	60	
Total Residual Chlorine			1.4		3.3
Chloroform			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 107: existing discharge to 007

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30	100	
Oil and Grease			15	20	
Copper			1.0	1.0	
Iron			1.0	1.0	
Manganese			Monitor and Report		
Nickel			Monitor and Report		
Zinc			Monitor and Report		
Phosphorus			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 207: existing (design flow 960 gpm) discharge to 007.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>			25	50	
Total Suspended Solids			30	100	
Oil and Grease			15	20	
Temperature					110°
Beryllium			0.008		
	0.016		0.02		
Copper			0.045	0.09	0.11
Lead			0.1	0.2	0.25

Outfall 207: new (design flow 960 gpm) discharge to 007.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Mercury			0.004		
	0.008		0.01		
Selenium			1.0	2.0	2.5
Boron			Monitor and Report		
TDS			40,000	80,000	100,000
Sulfate			Monitor and Report		
Osmotic Pressure			Monitor and Report		
Chloroform			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 307: existing (design flow 0.0056 mgd) discharge to 007.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
Chloroform			Monitor and Report		
Dichlorobromomethane			Monitor and Report		

NOTICES

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Dissolved Solids			Monitor and Report		
Sulfate			Monitor and Report		
Ammonia			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 507: Stormwater runoff

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of uncontaminated stormwater					
Suspended Solids			Monitor and Report		
Zinc			Monitor and Report		
Bromide			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Sulfate			Monitor and Report		
Aluminum			Monitor and Report		
Manganese			Monitor and Report		
Selenium			Monitor and Report		
pH			Monitor and Report		

Outfall 707: Emergency overflow discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
Phenol			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 007: existing (design flow 0.35 mgd) discharge to Conemaugh River from effective date through three years after effective date.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of those sources previously monitored at internal monitoring points 107-307 and 507-707 uncontaminated stormwater runoff.					
Selenium			Monitor and Report		
Mercury			Monitor and Report		
Aluminum			Monitor and Report		
Iron, total			Monitor and Report		
Iron, dissolved			Monitor and Report		
Manganese			Monitor and Report		
Ammonia			Monitor and Report		
Cobalt			Monitor and Report		
Boron			Monitor and Report		
Sulfate			Monitor and Report		
Total Dissolved Solids			Monitor and Report		
Osmotic Pressure			Monitor and Report		
Oil and Grease			15.0		30
pH			not less than 6.0 nor greater than 9.0		

Outfall 007: existing (design flow 0.269 mgd) discharge to Conemaugh River from 3 years after permit issuance through permit expiration.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Mercury			0.003		
	0.006		0.0075		
Selenium			0.25	0.5	0.625
Iron, total			1.7	3.4	4.25
Iron, dissolved			0.77	1.54	1.9
Manganese			1.6	3.2	4.0
Ammonia			Monitor and Report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Boron			100	200	250
Cobalt Sulfate			0.04	0.08	0.1
Total Dissolved Solids	1,640		820		
Osmotic Pressure			2,050		
Oil and Grease			3,400		
pH	6,800		8,500		30.0
			15.0		
			not less than 6.0 nor greater than 9.0		

Outfall 008: existing emergency overflow discharge to unnamed tributary to the Conemaugh River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
Iron			4.0	7.0	
Manganese			2.0	4.0	
Phenol			Monitor and Report		
Chloroform			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 010: existing intermittent discharge to unnamed tributary to the Conemaugh River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			30	100	
Oil and Grease			15	20	
Iron			4.0	7.0	
Manganese			2.0	4.0	
pH			not less than 6.0 nor greater than 9.0		

Outfall 011: existing stormwater discharge to the Conemaugh River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of uncontaminated stormwater runoff.					
Sulfate			Monitor and Report		
Aluminum			Monitor and Report		
Boron			Monitor and Report		
Iron			Monitor and Report		
Magnesium			Monitor and Report		
Zinc			Monitor and Report		

Outfall 012: existing stormwater discharge to unnamed tributary to the Conemaugh River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
The provisions of design requirements for the 10-year, 24-hour storm bypass systems apply to this outfall.					
Iron, dissolved					7.0
Aluminum			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Internal Monitoring Point 112: existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>			25.0	50.0	
Suspended Solids			30.0	60.0	
Total Residual Chlorine			1.4		3.3
pH			not less than 6.0 nor greater than 9.0		

Outfall 014: Stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Bromide			Monitor and Report		
Sulfate			Monitor and Report		
Iron, total			Monitor and Report		
Magnesium			Monitor and Report		
Zinc			Monitor and Report		
Manganese			Monitor and Report		
pH			Monitor and Report		

Outfall 015: Stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Aluminum			Monitor and Report		
Iron, total			Monitor and Report		
Sulfate			Monitor and Report		
Manganese			Monitor and Report		
Magnesium			Monitor and Report		
pH			Monitor and Report		

Outfall 016: Stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Bromide			Monitor and Report		
Sulfate			Monitor and Report		
Iron, total			Monitor and Report		
Magnesium			Monitor and Report		
Zinc			Monitor and Report		
Manganese			Monitor and Report		
pH			Monitor and Report		

Outfall 017: Stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Aluminum			Monitor and Report		
Iron, total			Monitor and Report		
Sulfate			Monitor and Report		
Manganese			Monitor and Report		
Magnesium			Monitor and Report		
pH			Monitor and Report		

Outfall 018: Stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Bromide			Monitor and Report		
Sulfate			Monitor and Report		
Iron, total			Monitor and Report		
Magnesium			Monitor and Report		
Zinc			Monitor and Report		
Manganese			Monitor and Report		
pH			Monitor and Report		

Outfall 019: Stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron			Monitor and Report		
Magnesium			Monitor and Report		
Sulfate			Monitor and Report		
pH			Monitor and Report		

Outfall 020: Stormwater

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Bromide			Monitor and Report		
Sulfate			Monitor and Report		
Boron			Monitor and Report		
Iron, total			Monitor and Report		
Magnesium			Monitor and Report		
pH			Monitor and Report		

Other Conditions: Effluent chlorine minimization condition and a requirement to conduct a Toxics Reduction Evaluation, conditions to monitor stormwater.

The EPA waiver is not 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). The applications are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permit applications.

Persons wishing to comment on any of the applications 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).**

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

**Application No. 3201403.** Sewerage, **Salvatore J. LoPiccolo**, 1552 Ben Franklin Highway, Ebensburg, PA 15931. Application for the construction and operation of a single residence sewage treatment plant to serve the LoPiccolo Property located in the Cherryhill Township, **Indiana County**.

**Application No. 6301410.** Sewerage, **Carla Wilson**, 2818 Bigger Road, Bulger, PA 15019. Application for the construction and operation of a single residence sewage treatment plant to serve the Wilson Residence located in Robinson Township, **Washington County**.

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

**WQM Permit No. 4301424**, Sewerage, **Farma Parks, Inc.**, 87 Hughey Road, Greenville, PA 16125. This proposed facility is located in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the installation of an 8,000 gallon flow equalization tank to an existing sewage treatment facility.

**NPDES Stormwater Individual Permit**

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

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



Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted 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 DEP Regional Office during the 30-day public comment period.

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

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

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

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

**NPDES Permit PAS10 G491**, Stormwater. **Pulte Homes of PA**, 100 Northbrook Drive, Treose, PA, has applied to discharge stormwater associated with a construction activity located in Willistown Township, **Chester County** to UNT to Hunters Run (HQ-TSF).

**NPDES Permit PAS10 G492**, Stormwater. **Stonewall Links, Inc.**, 375 Bulltown Road, Elverson, PA, has applied to discharge stormwater associated with a construction activity located in Warwick Township, **Chester County** to French Creek (EV).

**NPDES Permit PAS10 G493**, Stormwater. **Romeo and Rosalia Coscia**, 2320 Horseshoe Trail, Chester Springs, PA, has applied to discharge stormwater associated with a construction activity located in Warwick Township, **Chester County** to South Branch French Creek (EV).

**NPDES Permit PAS10 J052**, Stormwater. **Thornbury Investors, LP**, 1451 East Strausburg Road, West Chester, PA 19380-6380, has applied to discharge stormwater associated with a construction activity located in Thornbury Township, **Delaware County** to West Branch Chester Creek (TSF).

**NPDES Permit PAS10 J053**, Stormwater. **Freehand H. J., Inc.**, 1178 Smithbridge Road, Chadds Ford, PA 19317, has applied to discharge stormwater associated with a construction activity located in Concord Township, **Delaware County** to Brandywine Creek (WWF, MF).

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

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

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10N029	First Industrial Acquisition, Inc. 200 Philips Rd. Exton, PA 19341-1326	Lackawanna County Covington Township	Lake Run Roaring Brook/ Lackawanna River Tamarack Creek Meadow Brook/Lehigh River HQ-CWF

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

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q231	Westpark Acquisition Co. 522 5th Ave. New York, NY 10036	Lehigh County Upper Macungie Township	Little Lehigh HQ-CWF

*Wayne County Conservation District: Ag Service Center, 470 Sunrise Avenue, Honesdale, PA 18431, (570) 253-0930.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS107423	PennDOT Eng. Dist. 4-0 P. O. Box 111 Scranton, PA 18501	Wayne County Canaan Township and Waymart Borough	Van Auken Creek HQ-TSF-MF

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

**NPDES Permit PAS101504**, Stormwater. **PA American Water Company**, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033 has applied to discharge stormwater associated with a construction activity located in Clarion, Elk and Paint Township, **Clarion County** to Clarion River Watershed (HQ).

## PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

### SAFE DRINKING WATER

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

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

##### Permit No. 1301503, Public Water Supply.

Applicant	<b>Summit Management &amp; Utilities, Inc.</b>
Township or Borough	Kidder Township
Responsible Official	W. Jack Kalins, President P. O. Box 666 Lake Harmony, PA 18624
Type of Facility	PWS
Consulting Engineer	Russell D. Scott, IV, P.E. R.K.R. Hess Associates, Inc. 112 North Courtland Street East Stroudsburg, PA 18301
Application Received Date	October 25, 2001

Description of Action	Applicant proposes to upgrade/improve public water supply system to include a new groundwater source of supply, chemical treatment, transmission main construction, finished water storage, recirculation pump system and distribution main construction.
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*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

##### Permit No. 1401505—Innovative Technology, Public Water Supply.

Applicant	<b>Rebersburg Water Company</b>
Township	Miles Township, <b>Centre County</b>
Responsible Official	Fred Johnson, Chairperson Rebersburg Water Company P. O. Box 157 Rebersburg, PA 16872
Type of Facility	Public Water Supply
Consulting Engineer	Herbert, Rowland, & Grubic, Inc. 474 Windmere Drive State College, PA 16801
Application Received Date	October 29, 2001

Description of Action	Construction of an onsite hypochlorite generation system
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##### Permit No. 1701503, Public Water Supply.

Applicant	<b>Sandy Township Supervisors</b>
Township	Sandy Township, <b>Clearfield County</b>
Responsible Official	Perry L. Bowser, P.E., Township Engineer Sandy Township 12th Street and Chestnut Ave. P. O. Box 267 DuBois, PA 15801

Type of Facility	Public Water Supply
Consulting Engineer	Gwin, Dobson, & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602

Application Received Date	September 18, 2001
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Description of Action	Construction of a consecutive water system to the City of DuBois and installation of new waterlines
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##### Permit No. 4101501, Public Water Supply.

Applicant	<b>Vernon S. Pettengill, Owner</b> Hidden Valley Mobile Home Park
Township	Woodward Township, <b>Lycoming County</b>
Responsible Official	Vernon S. Pettengill, Owner Hidden Valley Mobile Home Park Box 133 Linden, PA 17744
Type of Facility	Public Water Supply
Consulting Engineer	Richard W. Marcinkevage, P.E. 431 South Jones Street Lock Haven, PA 17745

Application Received Date October 29, 2001  
 Description of Action Construction of a greensand filter system for iron removal

**Permit No. 5901503**, Public Water Supply.

Applicant **Bruce W. Cooper, Owner**  
 C & N Mobile Home Park  
 Township Lawrence Township, **Tioga County**

Responsible Official Bruce W. Cooper, Owner  
 C & N Mobile Home Park  
 103 Game Farm Road  
 Schwenksville, PA 19473

Type of Facility Public Water Supply  
 Consulting Engineer William S. Bray, P.E.  
 P. O. Box 535  
 Wellsboro, PA 16901

Application Received Date October 10, 2001

Description of Action Construction of an air stripper to remove methane

**Permit No. 1801503**, Public Water Supply.

Applicant **Porter Township Municipal Authority**  
 Township Porter Township, **Clinton County**

Responsible Official Karl Walizer, President  
 Porter Township Municipal Authority  
 216 Spring Run Road  
 Room 105  
 Mill Hall, PA 17751

Type of Facility Public Water Supply  
 Consulting Engineer Dennis L. Johnson, P.E.  
 610 Orchard Street  
 Bellwood, PA 16617

Application Received Date October 22, 2001

Description of Action Construction of a pressure sand filtration plant

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

**Permit No. 5601504**, Public Water Supply.

Applicant **Municipal Authority of the Borough of Somerset**  
 340 West Union Street  
 Somerset, PA 15501

Township or Borough Jefferson Township

Responsible Official Fred Shaffer, Authority Chairperson  
 Municipal Authority of the Borough of Somerset  
 340 West Union Street  
 Somerset, PA 15501

Type of Facility Water treatment

Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Application Received Date November 2, 2001

Description of Action Flocculator replacement and chemical treatment

#### MINOR AMENDMENT

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

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

**Permit No. 1501506, Minor Amendment.**

Applicant **Philadelphia Suburban Water Company**

Township East Bradford

Responsible Official Morris Coulter  
 762 W. Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility Public Water Supply System

Consulting Engineer CET Engineering Services  
 1240 N. Mountain Road  
 Harrisburg, PA 17112

Application Received Date November 2, 2001

Description of Action The Hoopers Water Storage Tank to be painted and the condensate ceiling drain will be replaced.

**Permit No. 1501506, Minor Amendment.**

Applicant **Philadelphia Suburban Water Company**

Township Bristol

Responsible Official Morris Coulter  
 762 W. Lancaster Avenue  
 Bryn Mawr, PA 19010

Type of Facility Public Water Supply System

Consulting Engineer CET Engineering Services  
 1240 N. Mountain Road  
 Harrisburg, PA 17112

Application Received Date November 2, 2001

Description of Action To paint the Croydon Storage tank and installed a new pressure/vacuum vent. The project also include replacement of the Edgely existing 2,000,000 gallon storage tank with a new tank.

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

**Permit No. Minor Amendment, Public Water Supply.**

Applicant **Columbia Investment Corporation (Country Terrace Estates)**

Township Main Township, **Columbia County**

Responsible Official Frank C. Baker  
 Columbia Investment Corporation  
 6009 Columbia Blvd.  
 Bloomsburg, PA 17815-8800

Type of Facility      Public Water Supply  
 Consulting Engineer   Michael J. Pasonick, Jr., Inc.  
                                  165 North Wilkes-Barre Blvd.  
                                  Wilkes-Barre, PA 18702  
 Application Received   October 4, 2001  
 Date  
 Description of Action   Construction of a 22,000 gallon  
                                  finished water storage tank

## 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 or 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 of Envi-

ronmental Protection Regional Office under 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.*

**Dyno Nobel Inc. (former IRECO Inc. site)**, Pittston Township, **Luzerne County**. Glenn Randall, Senior Project Manager, URS Corporation, 1400 Union Meeting Road, Suite 202, Blue Bell, PA 19422 has submitted a Notice of Intent to Remediate (on behalf of his client, Dyno Nobel Inc., 50 S. Main Street, Salt Lake City, UT 84144) concerning the remediation of soils and groundwater found or suspected to have been contaminated with lead and soils found or suspected to have been contaminated with sulfate, ethylene glycol dinitrate and other metals. The applicant proposes to remediate the site to meet both the Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate is expected to be published in the *Pittston Dispatch* in the near future.

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

**Koch Hydrocarbon Facility**, Heidelberg Township, **Lebanon County**. ARCADIS Geraghty & Miller, Inc. 26451 Curtiss Wright Parkway, Suite 100, Cleveland, OH 44143 (on behalf of Koch Hydrocarbon NGL Marketing, Route 501 South, Schaefferstown, PA 17088) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet a combination of the requirements for the Statewide Health and Site-Specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on October 23, 2001.

**Miller and Hartman Companies**, East Lampeter Township, **Lancaster County**. OXFORD Engineers & Consultants, Inc., 2621 Van Buren Avenue, Suite 500, Norristown, PA 19403 (on behalf of Miller & Hartman Companies, P. O. Box 1784, Lancaster, PA 17608-1784) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, solvents, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer* on October 11, 2001.

**Carmeuse Pennsylvania Inc.**, North Londonderry and North Annville Townships, **Lebanon County**. BL Tethys LLC, 2933 North Front Street, Harrisburg, PA 17110 (on behalf of Carmeuse Pennsylvania, Inc., Route 422 and Clear Spring Road, Annville, PA 17003) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* during the week of December 7, 1998.

**Aaron Rubin & Sons Company South Property**, Susquehanna Township, **Dauphin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 (on behalf of Aaron Rubin & Sons Company, 3401 North Sixth Street, Harrisburg, PA 17110) has submitted a Notice of Intent to Remediate site soils contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot News* on September 27, 2001.

**Defense Distribution Depot Susquehanna PA IRP Site 60**, Fairview Township, **York County**. Defense Distribution Depot Susquehanna, PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the requirements of a combination of the Statewide Health and Site-Specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* and the *Harrisburg Patriot News* on October 22, 2001.

**ITT Industries Engineered Valves**, East Hempfield Township, **Lancaster County**. O'Brien & Gere Engineers, Inc., 1777 Sentry Parkway West, Gwynedd Hall, Suite 302, Blue Bell, PA 19422 (on behalf of ITT Industries Engineered Valves, 33 Centerville Road, Lancaster, PA 17603) has submitted a Notice of Intent to Remediate site soils contaminated with metals, BTEX and VOCs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster New Era-Intelligencer Journal* on June 13, 2001.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

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

**Permit Application No. 301344. Lancaster Oil Company, Inc.**, 1062 Old Manheim Pike, Lancaster, PA 17604-4425, Manheim Township, **Lancaster County**. The application is for the New Facility Permit and Radiation Protection Plan for the Lancaster Oil Company (Processing Facility). The application was determined to be administratively complete by the Southcentral Regional Office on October 31, 2001.

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

## **AIR QUALITY**

### **NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS**

The Department of Environmental Protection (DEP) 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 DEP, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities.

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office identified. 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 through 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.**

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

**31-05001A: Texas Eastern Transmission, LP** (P. O. Box 1642, Houston, TX 77251-1642) for modification of a Stationary Gas Turbine in Todd Township, **Huntingdon**

**County.** This source is subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines.

**36-03076C: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506) for installation of limestone storage bins controlled by fabric filters at the Weaverland Quarry in East Earl Township, **Lancaster County**. The installation is subject to 40 CFR Part 60—Standards of Performance for Nonmetallic Mineral Processing Plants.

**67-05004D: P. H. Glatfelter Company** (228 South Main Street, Spring Grove, PA 17362) for installation of a Brownstock Washing and Screening System and an Oxygen Delignification System on the hardwood pulping line at the Spring Grove Mill located in Spring Grove Borough, **York County**. A High Volume Low Concentration Gas Collection System will be installed to collect the gaseous emissions from the new systems and burn them in the Mill's No. 3 Recovery Boiler. This project is subject to 40 CFR Part 63, Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry and 40 CFR Part 60, Subpart BB—Standards of Performance for Kraft Pulp Mills.

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

**53-00004B: Dominion Transmission Corp.** (625 Liberty Avenue, Pittsburgh, PA 15222) for installation of replacement air cleaning devices (screw-in prechambers) on five 2,000 horsepower natural gas-fired reciprocating internal combustion compressor engines (Engines 2, 3, 4, 5 and 6) at the Harrison Compressor Station in Harrison Township, **Potter County**.

**41-302-042B: Federal Bureau of Prisons—Allenwood Federal Prison Camp** (P. O. Box 3500, White Deer, PA 17887-3500) for modification of two 12,553,000 BTU/hour natural/#2 fuel oil-fired boilers (use of landfill gas as a fuel) in Brady Township, **Lycoming County**. One of the boilers is subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

**49-00021A: American Railcar Industries** (R. R. 4, Box 4355, Milton, PA 17847) for construction of two flares to be used to flare the residual contents of LPG railroad tank cars in West Chillisquaque Township, **Northumberland County**.

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

*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.*

**46-00037D: Cabot Performance Materials** (County Line Road, P. O. Box 1608, Boyertown, PA 19512-1608) for modification of Tantalum (Ta) salt production in Building No. 19. This modification will allow the company to operate two existing heating tanks simultaneously and also allow to increase the total production capacity to 6 batches per day but not exceeding a production limit of 4.6 million pounds of Potassium Tantalum Fluoride (K<sub>2</sub>TaF<sub>7</sub>) salt per year at their facility in Douglass Township, **Montgomery County**.

**15-0095B: Longwood Gardens, Inc.** (401 East Street Road, Kennett Square, PA 19348) for use of two identical 800 kW diesel-fired boilers to meet electrical power needs during electrical system/grid emergencies for their minor facility in East Marlborough Township, **Chester County**. The diesel-fired emergency generators are equipped with turbocharger and aftercoolers and the ignition timing will be retarded 1.7°. There will be no increase in emissions. The Plan Approval and Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**09-0093: Castrol Industrial North America, Inc.** (775 Louis Drive, Warminster, PA 18974) for installation of seven product process tanks in Warminster Township, **Bucks County**. The tanks will be controlled by an existing scrubber system. Castrol is a non-Title V (synthetic minor) facility. The installation of the tanks will result in emissions of 38.5 pounds of hydrogen sulfide 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.

**46-0220: Micro-Coax, Inc.** (206 Jones Boulevard, Pottstown, PA 19464) for installation of two extruders in Limerick Township, **Montgomery County**. This facility is a minor facility. The installation of this source will result in an increase of 15.4 tons of VOCs per year. The Plan Approval will contain record keeping requirements to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

**40-320-015: Great Northern Press of Wilkes-Barre** (173 Gilligan Street, Wilkes-Barre, PA 18702) for construction of three heat set web offset printing presses and associated regenerative thermal oxidizer in Hanover Township, **Luzerne County**. The printing facility is a non-Title V facility. Potential VOC emissions from the sources will be less than 49.54 tons per year. VOC emissions from the facility shall be recorded on a monthly basis and shall include comprehensive compositional data for each material which accurately identifies and quantifies the volatile organic compound and hazardous air pollutant content of the respective materials.

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

**06-05100B: Calpine Construction Finance Co. LP** (5115 Pottsville Pike, Reading, PA 19605) for construction of an emergency generator and six preheaters controlled by low NO<sub>x</sub> burners in Ontelaunee Township, **Berks County**. The units will have the potential to emit 2.8 tons per year of NO<sub>x</sub> and will be limited to operating only on natural gas. The plan approval will include monitoring, record keeping and reporting conditions designed to keep the sources operating within all applicable air quality requirements.

**36-03076C: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506) for installation of limestone storage bins controlled by fabric filters at the Weaverland Quarry in East Earl Township, **Lancaster County**. This installation is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and will not significantly impact emissions from the facility. The plan approval will include testing,

monitoring and reporting requirements designed to keep the facility operating in compliance with applicable State and Federal requirements.

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

**49-399-007A: Reagent Chemical and Research, Inc.** (R. D. 1, Box 208, Happy Hollow Road, Coal Township, PA 17866) for construction of a skeet target production line including molding and surface coating operations, three limestone, bentonite and aluminum trihydrate storage silos, one dry material paddle mixer, one bag break additive station, one dry material blend storage silo, one molten sulfur storage tank, one remelt tank, one molten sulfur/dry material blend mix tank and material conveying operations at their Shamokin Facility in Coal Township, **Northumberland County**.

The hydrogen sulfide emitted from the production line will be controlled by two SulfaTreat adsorption units (one on the molten sulfur storage tank and one on the re-melt tank and molten sulfur/dry material blend mix tank). The particulate air contaminant emissions from the four storage silos shall be controlled by four Flex Kleen model 36-BVBS-9 pulse-jet fabric collectors, one on each silo. The controlled emission rates of hydrogen sulfide are expected to be minimal. The four storage silos will result in particulate matter emissions of approximately 1.72 tons per year.

The Department of Environmental Protection has determined that the proposed production line will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department of Environmental Protection consequently intends to issue a plan approval for the construction of the respective production line. Additionally, if the Department determines that the production line is operating in compliance with all applicable plan approval conditions and regulatory requirements following the construction of the production line, the conditions established in this plan approval will be incorporated into Operating Permit 49-399-007 via administrative amendment under 25 Pa. Code § 127.450.

The Department intends to place conditions in the plan approval to be issued pertaining to the operation and monitoring of the equipment. These conditions are intended to assure proper operation of the equipment as well as compliance with all applicable air quality regulatory requirements. The following is a summary of these conditions:

1. The paddle mixer shall be kept closed during all times of operation except during times of manual additive additions.
2. All material conveying operations shall be conducted in completely enclosed transfer chutes and/or piping systems.
3. The delivery truck operator shall be in attendance at all times of storage silo loading and shall immediately stop material loading should the silo pressure relief lids open.
4. None of the fabric collectors shall emit particulate matter in excess of 0.01 grain per dry standard cubic foot.
5. Neither of the SulfaTreat adsorption units shall emit hydrogen sulfide in excess of one part per million by volume as measured at the outlet of the adsorption unit.

6. The presence of hydrogen sulfide from the skeet target production line shall not be detectable by humans outside the facility boundaries.

7. Reagent Chemical & Research shall test the emissions from the SulfaTreat adsorption units with hydrogen sulfide Dr[00e4]ger tubes capable of detecting one part per million by volume (or less) hydrogen sulfide on a monthly basis.

8. Reagent Chemical & Research shall operate hydrogen sulfide monitoring sensors for the detection of hydrogen sulfide emissions within the confines of the facility.

9. Reagent Chemical & Research shall vent hydrogen sulfide emissions from the skeet target molding operations to one (or both) of the SulfaTreat adsorption units should hydrogen sulfide emissions be detected from the molding operations.

10. Reagent Chemical & Research shall use only water-based coatings in the skeet target surface coating operation.

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

**24-012B: Carbide/Graphite** (800 Theresia Street, St. Marys, PA 15857) for modification of operating permit conditions defined in PSD Permit No. 79-PA-26 for their facility in St. Marys, **Elk County**. The facility currently has a Title V Operating Permit No. 24-00012. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This installation will result in no emission increases.

**37-003B: ESSROC Cement Corp.** (2nd Street, Bessemer, PA 16112) for installation of a cartridge collector on the clinker loadout process in Bessemer, **Lawrence County**. The facility currently has a Title V Operating Permit No. 37-00003. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This installation will result no increase in emissions.

**43-170D: Werner Co.** (93 Werner, Greenville, PA 16125) for modification of the pultrusion process in Greenville, **Mercer County**. The facility currently has Title V Operating Permit No. 43-00170. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

**24-016A: Keystone Powdered Metal Co.** (1933 State Street, St. Marys, PA 15857 for construction of an electric induction heat treat furnace and electrostatic precipitator installation in St. Marys, **Elk County**. The facility currently has a Title V Operating Permit No. 24-00016. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This construction will result in no emissions increases from the facility.

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

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Leif Ericson, Program Manager, (717) 705-4702.*

**06-03043: Wolf Technologies LLC** (551 Old Swede Road, Douglassville, PA 19518) for operation of an investment casting foundry controlled by a fabric collector in Amity Township, **Berks County**. The foundry has the potential to emit 15 tons per year of particulate. This is a non-Title V (State only) facility. The permit will include monitoring, record keeping and reporting requirements designed to keep the foundry operating within all applicable air quality standards.

**21-03035: Hempt Brothers, Inc.** (205 Creek Road, Camp Hill, PA 17011) for operation of a Limestone Crushing Plant located in Silver Springs Township, **Cumberland County**. This is a non-Title V facility. Potential-to-emit particulate matter from the crushing operations is less than 2 tons per year. The Natural Minor operating permit will contain monitoring and record keeping requirements designed to keep the facility operating within all applicable air quality standards.

**21-05013: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17055) for operation of its lithographic printing operation at Plant #1 in Mechanicsburg Borough, **Cumberland County**. Facility emissions of VOCs are limited to less than 50 TPY during any consecutive 12-month period. Facility emissions of HAPS are limited to less than 10 TPY for each HAP and less than 25 TPY for cumulative HAPS during any consecutive 12-month period. The Synthetic Minor operating permit will include emission limitations, work practice standards and testing, monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**21-05028: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17055) for operation of its lithographic printing operation at Plant #2 in Mechanicsburg Borough, **Cumberland County**. Facility emissions of VOCs are limited to less than 50 TPY during any consecutive 12-month period. Facility emissions of HAPS are limited to less than 10 TPY for each HAP and less than 25 TPY for cumulative HAPS during any consecutive 12-month period. The Synthetic Minor operating permit will include emission limitations, work practice standards and testing, monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**36-03042: Penn/MD Materials, A Division of Haines & Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474) for operation of a limestone crushing plant in Fulton Township, **Lancaster County**. Particulate matter emissions are controlled by a wet suppression system. The natural minor operating permit will contain monitoring and record keeping conditions designed to ensure the facility operates in compliance with the applicable air quality requirements.

**38-03022: Murry's Inc.** (1501 Willow Street, Lebanon, PA 17042) for operation of a meat derived food stuff processing plant located in the City of Lebanon, **Lebanon County**. This is a non-Title V (State only) facility. The potential-to-emit Nitrogen Oxides (NOx) is 7 tons per year (tpy), Particulate Matter (PM) is 5 tpy and Carbon Monoxide (CO) is 2 tpy. The Natural Minor operating permit will contain monitoring and record keeping conditions designed to keep the facility operating within all applicable air quality requirements.

**38-05016: Quaker Alloy, Inc.** (200 East Richland Avenue, Myerstown, PA 17067) for operation of a foundry located in Myerstown Borough, **Lebanon County**. This is a non-Title V (State only) facility. The potential-to-emit

volatile organic compound (VOC) emissions from the facility is about 63 tons per year. Facility emissions of VOCs will be limited to less than 50 tons per year based on any consecutive 12-month rolling period. The Synthetic Minor operating permit will include emission limitations, work practice standards, testing, monitoring, record keeping and reporting conditions designed to keep the facility operating within all applicable air quality requirements.

**67-03103: Gerhardt USA** (400 East Locust Street, Dallastown, PA 17313) for operation of a chrome electroplating tank controlled by a composite mesh pad scrubber system located in Dallastown Borough, **York County**. This is a non-Title V (State only) facility. The potential-to-emit chromic acid will be less than 500 lbs per year. This operation is subject to 40 CFR Part 63, Subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. The Natural Minor operating permit will contain monitoring and record keeping conditions designed to keep the facility operating within all applicable air quality requirements.

**67-03108: York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405) for installation of a tumbler operation controlled by a fabric collector in West Jackson Township, **York County**. This is a non-Title V (State only) facility. Potential PM-10 emissions will not exceed 200 pounds per year. The natural minor operating permit will contain monitoring and record keeping conditions designed to keep the facility operating within all applicable air quality requirements.

**67-03110: Govesan Manufacturing, Inc.** (32 North Duke Street, York, PA 17401) for operation of a powder coating manufacturing facility located in the City of York, **York County**. Potential PM emissions are about 10 TPY, during any consecutive 12-month period. The natural minor operating permit will contain monitoring and record keeping conditions designed to ensure the facility operates in compliance with the applicable air quality requirements.

**67-03111: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17055) for operation of its lithographic printing operation at Plant #3 in Manchester Township, **York County**. Potential VOC and HAP emissions are about 4.80 TPY and 1.31 TPY, respectively, during any consecutive 12-month period. The natural minor operating permit will contain monitoring and record keeping conditions designed to ensure the facility operates in compliance with the applicable air quality requirements.

**67-05060: Madison Square Furniture** (P. O. Box 65, Hanover, PA 17331) for operation of its woodworking facility in Hanover Borough, **York County**. The facility has the potential to emit about 50 tons per year (TPY) of VOC. Facility emissions of VOCs are limited to 25 TPY during any consecutive 12-month period. Facility emissions of NOx, SOx, CO and PM10 are limited to 100 TPY during any consecutive 12-month period. Facility emissions of aggregate hazardous air pollutants (HAPs) and any individual HAP are limited to 25 TPY and 10 TPY during any consecutive 12-month period. The Synthetic Minor operating permit will include emission limitations, work practice standards and testing, monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

## MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the



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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments 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 described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the previous, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

#### *Coal Applications Received*

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**30980101. Coresco, Inc.** (P. O. Box 1209, Morgantown, WV 26507). Revision for additional acres to continue commencement, operation and reclamation of a bituminous surface mine located in Dunkard Township, **Greene County** affecting 148.38 acres. Receiving streams: unnamed tributary to Dunkard Creek, Crooked Creek to Monongahela River, classification for the following use: warm water fishery. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received: October 30, 2001.

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

**32010112. PA0249084, Amerikohl Mining, Inc.**, P. O. Box 427, Acme, PA 15610-0427. Commencement, operation and restoration of a bituminous surface mine and for discharge of treated mine drainage in Burrell Township, **Indiana County**, affecting 80.4 acres. Receiving streams: unnamed tributary to Blacklick Creek and Blacklick Creek classified for the following uses: cold water fishery and trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 24, 2001.

**56860104 and NPDES Permit No. PA0597601. Action Mining, Inc.**, 1117 Shaw Mines Road, Meyersdale, PA 15552-7228. Permit renewal for reclamation only for continued restoration of a bituminous surface mine and for existing discharge of a treated mine drainage in Brothersvalley and Summit Townships, **Somerset County**, affecting 507.0 acres. Receiving streams: unnamed tributary to Bear Run, Bear Run and two unnamed tributaries to Blue Lick Creek and Blue Lick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 31, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.*

**32971302. NPDES Permit #PA0215040. Rosebud Mining Company** (R. D. 9, Box 379A, Kittanning, PA 16201), to revise the permit for the Parker Mine in Washington and Plumcreek Townships, **Indiana and Armstrong Counties** to add underground permit and subsidence control plan acres and surface permit acres and revise surface facilities, Surface Acres Proposed 31.4, Underground Acres Proposed 817.8, SCP Acres Proposed 817.8, CRDP Support Acres Proposed n/a, CRDP Refuse Disposal Acres Proposed n/a, unnamed tributary to Dutch Run, classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is n/a. Application received: October 15, 2001.

**56743704. NPDES Permit #n/a. Penn Pocahontas CRDA** (P. O. Box 68, Boswell, PA 15531), to revise the permit for the Penn Pocahontas CRDA in Brothers Valley Township, **Somerset County** to add reclaimed prep plant permit to CRDA permit for treatment of underdrain, Surface Acres Proposed 42.0, Underground Acres Proposed n/a, SCP Acres Proposed n/a, CRDP Support Acres Proposed 42.0, CRDP Refuse Disposal Acres Proposed n/a, no additional discharges, classified for the following use: n/a. The first downstream potable water supply intake from the point of discharge is n/a. Application received: October 25, 2001.

#### *Noncoal Applications Received*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**08010822. David M. Chamberlin, Jr.** (R. R. 1, Box AA, Stevensville, PA 18845), commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit in Pike Township, **Bradford County** affecting 5 acres. Receiving streams: unnamed tributary to Wyalusing Creek. Application received: October 9, 2001.

**FEDERAL WATER POLLUTION CONTROL ACT,  
SECTION 401**

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E64-222. Waymart Area Authority**, P. O. Box 3300, Waymart, PA 18472-0224, in Waymart Borough and Canaan Township, **Wayne County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain two utility line crossings of wetlands, in the drainage basin of Van Auken Creek (HQ-CWF), for the purpose of constructing Phase II of a

wastewater sewerage facilities upgrade project. Approximately 325 L.F. of a 15-inch interceptor gravity sewer will cross "Wetland A" and approximately 730 L.F. of an 8-inch effluent force main will cross "Wetland B". Other utility line crossings associated with the overall project are being authorized under the Department's General Permit BDWM-GP-5. The project is located to the east of S.R. 0296 and to the north of Lake Ladore. (Waymart, PA Quadrangle N: 14.1 inches; W: 4.1 inches).

**E45-315. Palmer Township**, P. O. Box 3039, Palmer, PA 18043-3039, in Palmer Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a pedestrian bridge having a single span of 40 feet and an underclearance of approximately 6 feet across Shoeneck Creek (wWF). The project is located in Wolf's Run Subdivision between Camelot Drive and Melissa Drive. (Nazareth, PA Quadrangle N: 16.5 inches; W: 1.3 inches).

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

**E08-384. Pennsylvania Department of Transportation**, District 3-0, 715 Jordan Avenue, Montoursville, PA 17754-0218, Bridge Replacement in Towanda Township, **Bradford County**, ACOE Baltimore District (Monroeton, PA Quadrangle N: 21.00 inches; W: 8.13 inches).

To remove the existing through-truss one lane bridge which has a clear span of 181 feet and an out-to-out width of 18 feet and to construct and maintain a twin span composite prestressed I-beam bridge with a total span of 249 feet, a normal span of 120 feet, an underclearance of 21.4 feet on a skew of 75° over Towanda Creek on SR 2024, Section 0001 and to construct a temporary stream crossing approximately 300 feet northwest of the intersection of SR 2024 with Tip Top Road. The project will not impact wetlands while impacting approximately 200 feet of waterway. Towanda Creek is a warm water fisheries stream.

**E18-328. Richard J. Noll**, 6965 Nittany Valley Drive, Mill Hall, PA 17751. Private Driveway Culvert, in Beech Creek Township, **Clinton County**, ACOE Baltimore District (Beech Creek, PA Quadrangle N: 19.8 inches; W: 8.8 inches).

To maintain an I-beam timber deck bridge with reinforced concrete abutments and wingwalls with a maximum waterway depth of 6.8 feet and hydraulic opening of 121 square feet over Masden Run off Masden Hollow Road approximately 2.3 miles from the intersection of Masden Hollow Road with SR 0150 in Beech Creek Township, Clinton County. The project will not impact wetlands while impacting approximately 20 feet of waterway. Masden Run is a cold water fisheries stream.

**E19-217. First Church of Christ**, 102 Derrs Road, Bloomsburg, PA 17815. Wetland Excavation and Sewer Line Stream Crossing, in Montour Township, **Columbia County**, ACOE Baltimore District (Catawissa, PA Quadrangle N: 18.7 inches; W: 16.2 inches).

To construct and maintain a 25 foot long sewer line crossing of Montour Run, to fill approximately 0.28 acre of existing palustrine emergent wetlands and to construct and maintain a replacement wetland approximately 15 feet in width and spanning the entire southern boundary of the parcel. The project is located on the south side of Montour Run approximately 1,300 feet south of the Valley School in Montour Township, Columbia County. The

project will impact approximately 0.28 acre of wetlands while impacting 25 feet of stream. Montour Run is a cold-water fisheries stream.

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

**E02-1025 A1. City of Pittsburgh,** Department of Engineering and Construction, Room 301 City County Building, 414 Grant Street, Pittsburgh, PA 15219. City of Pittsburgh, **Allegheny County,** ACOE Pittsburgh District.

To reissue and amend permit E02-1025 which authorized the removal of the existing structure and to construct and maintain a bridge having a span of 35.0 feet and underclearance of 9.87 feet across Saw Mill Run (WWF) located on Edgebrook Avenue near its intersection with Saw Mill Run Boulevard. This amendment will authorize the construction and maintenance of a single span bridge having a span of 33.75 feet and underclearance of 9.8 feet across Saw Mill Run (Pittsburgh West, PA Quadrangle N: 4.9 inches; W: 0.2 inch).

**E04-278. Big Beaver Falls Area School District,** Administrative Offices, 820 16th Street, Beaver Falls, PA 15010. Beaver Falls, **Beaver County,** ACOE Pittsburgh District.

To place and maintain fill within the left bank floodway of Walnut Bottom Run (WWF) for the purpose of constructing a new baseball and football field and to provide additional parking. The project is located at the existing Beaver Falls Elementary School on the northwest side of the intersection of 8th Avenue and Fifteenth Street (Beaver Falls, PA Quadrangle N: 1.6 inches; W: 10.0 inches).

**E26-290. NWL Company,** 1001 LaFayette Drive, Farmington, PA 15437. Wharton Township, **Fayette County,** ACOE Pittsburgh District.

To remove the existing culvert to construct and maintain a single 48-inch RCP culvert in an unnamed tributary to Deadman Run (HQ-CWF) and to place and maintain fill in 0.51 acre of wetlands for the purpose of developing an outdoor store. The proposed work includes modifying a nonjurisdictional dam across an unnamed tributary to Deadman Run (HQ-CWF) and a total watercourse impact of 684 feet. The project is located along US Route 40 at its intersection with Smith Schoolhouse Road (Fort Necessity, PA Quadrangle N: 8.3 inches; W: 5.5 inches).

**E63-519. Pennsylvania Department of Transportation,** Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Morris Township, **Washington County,** ACOE Pittsburgh District.

To rehabilitate and maintain the existing S.R. 0018 bridge consisting of inserting a 7.0 foot diameter culvert inside the existing 9.5 foot diameter culvert in an unnamed tributary to Short Creek (TSF). The bridge is located on S.R. 0018, Segment 0030, Offset 0253 (Prosperity, PA Quadrangle N: 1.5 inches; W: 12.6 inches).

**E63-523. Arden Landfill, Inc.,** Box BC, Arden Station Road, Washington, PA 15301. Chartiers Township, **Washington County,** ACOE Pittsburgh District.

To place and maintain fill in 0.4 acre of PF/PEM wetlands associated with an unnamed tributary to Georges Run (WWF) for the purpose of expanding the existing Arden Landfill. The project is located on the west side of Arden Road, approximately 4,500 feet northwest

from the intersection of Arden Road and Wolfdale Road (Washington West, PA Quadrangle N: 16.0 inches; W: 3.0 inches).

**E65-791. Eastgate Dodge,** Route 30 East, Georges Station Road, Greensburg, PA 15601. Hempfield Township, **Westmoreland County,** ACOE Pittsburgh District.

To extend and maintain an existing 72-inch reinforced concrete pipe stream enclosure having a length of 1,000 feet with 390 feet of a 60 inch corrugated metal pipe upstream in an unnamed tributary to Slate Creek (WWF) for the purpose of creating usable surface for the car dealership. The project is located along the east side of S.R. 1053, approximately 500 feet north of its intersection with S.R. 0030 (Latrobe, PA Quadrangle N: 9.7 inches; W: 16.18 inches).

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

**E10-344. Landmark Properties, Inc.,** 4848 Route 8, Allison Park, PA 15101. Emeryville Drive Lots 1 and 2 Wetland Fill in Cranberry Township, **Butler County,** ACOE Pittsburgh District (Mars, PA Quadrangle N: 9.3 inches; W: 14.1 inches).

To fill 0.13 acre of wetland on Emeryville Drive Lots 1 and 2 for construction of a 5 story office building and associated parking area along Emeryville Drive approximately 0.25 mile east of Margarite Drive. Project includes contribution to the Pennsylvania Wetland Replacement Fund for replacement of impacted wetland.

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.*

**D63-127A. Glencannon Homeowners Association.** 425 Hunting Creek Road, Canonsburg, PA 15317. To modify, operate and maintain Glencannon Pond Dam across tributary to Little Chartiers Creek (HQ-WWF), for the purpose of rehabilitating the existing dam to include placement of rip-rap erosion protection, dredging accumulated sediments and modification of the decant riser (Canonsburg, PA Quadrangle N: 1.8 inches; W: 2.7 inches) in North Strabane Township, **Washington County.**

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## ACTIONS

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### 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 (Department) has taken the following actions on previously received permit applications and requests for plan approval. The actions are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permits.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg,

PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**NPDES Permit No. PA-0020745**, Sewage, **Nescopeck Borough**, 501 Raber Avenue, Nescopeck, PA 18635-1101. This proposed facility is located in Nescopeck Township, **Luzerne County**.

Description of Proposed Action/Activity: to renew NPDES permit to discharge treated sewage to Nescopeck Creek.

**NPDES Permit No. PA-0062766**, Sewage, **Henry A. Stout**, 6427 Saddle Road, New Tripoli, PA 18066. This proposed facility is located in Heidelberg Township, **Lehigh County**.

Description of Proposed Action/Activity: to renew NPDES Permit to discharge treated sewage into a drainage swale to Jordan Creek.

**NPDES Permit No. PA-0060054**, Sewage, **Pocono Associates, L.P.**, 42 Woodland Road, Mount Pocono, PA 18344-9703. This proposed facility is located in Paradise Township, **Monroe County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated sewage to Forest Hills Run.

**NPDES Permit No. PA-0027235**, Sewage, **Easton Area Joint Sewer Authority**, 50-A South Delaware Drive, Easton, PA 18042. This proposed facility is located in City of Easton, **Northampton County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated sewage into the Delaware River.

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

**NPDES Permit No. PA0038181**. Sewage. **Hempfield Township Municipal Authority**, R. D. 6, Box 501, Municipal Building, Greensburg, PA 15601 is authorized to discharge from a facility located at New Stanton Water Pollution Control Plant, Hempfield Township, **Westmoreland County** to receiving waters named Sewickley Creek.

**NPDES Permit No. PA0218723**. Sewage. **Blacklick Valley Municipal Authority**, P. O. Box 272, Twin Rocks, PA 15960 is authorized to discharge from a facility located at Blacklick Valley Municipal Authority STP, Buffington Township, **Indiana County** to receiving waters named Blacklick Creek.

**Permit No. 0301402**. Sewerage. **Manor Township Joint Municipal Authority**, 2310 Pleasant View Drive, Ford City, PA 16226. Construction of a gravity sewer system, pump stations and pressure sewer system located in Manor Township, **Armstrong County** to serve Route 422 Corridor Area.

**Permit No. 5601404**. Sewerage. **Sam A. Mostoller**, 138 Esposita Road, Stoystown, PA 15563. Construction of a single residence STP located in Jenner Township, **Somerset County** to serve Sam A. Mostoller single residence STP.

**Permit No. 5601408**. Sewerage. **Gabrielle Michalek**, 529 Pacific Avenue, Pittsburgh, PA 15221. Construction of single residence sewage treatment plant located in Upper Turkeyfoot Township, **Somerset County** to serve Michalek single residence sewage treatment plant.

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

**WQM Permit No. 2501419**, Sewerage, **John A. Jr. and Judith L. Boylan**, 6821 Route 6N West, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**WQM Permit No. 2501420**, Sewerage, **David C. and Vinia L. Smith**, 6821 Route 6N West, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**WQM Permit No. 2501422**, Sewerage, **Kenneth R. Fugagli**, 2995 Morehouse Road, Erie, PA 16509. This proposed facility is located in Greene Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**II. Oil and Gas Management Permit Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

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

**NPDES Permit No. PA0238597**, Industrial Waste, **Valhalla Energy, Inc.**, 507 Valhalla Lane, Sewickley Heights, PA 15143. This proposed facility is located in Harmony Township, **Forest County**.

Description of Proposed Action/Activity: Authorization for a new discharge to West Hickory Creek.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

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

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed

with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10-D119	Daniel J. and Lorraine E. Tusavitz 223 North Main Street P. O. Box 23 Trumbauersville, PA 18970	Bucks	Milford Township and Trumbauersville Borough	Barrell Run—tribu- tary to Unami Creek (HG)
PAS10-G390	William S. Hoffman 1035 Schuylkill Road Phoenixville, PA 19460	Chester	East Vincent Township Chester County	French Creek (HQ- TSF)
PAS10-G455	Wayne Megill Autumn Hill Homes, Inc. 2 Huntrise Avenue West Chester, PA 19382	Chester	New London Township Chester County	East Branch Big Elk Creek (HQ-TSF-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q218	CCW, Inc. P. O. Box 286 Bath, PA 18064	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAS10U155	Stuart Krawitz and Thomas Mirth 496 Lone Lane Allentown, PA 18104	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAS10U143	Cetero, Corp. 54 S. Commerce Way Suite 175 Bethlehem, PA 18017	Northampton	Hanover Township	Monocacy HQ-CWF
PAS10V037	National Park Service 1 River Rd. Bushkill, PA 18324	Monroe and Pike	Smithfield and Middle Smithfield Townships Lehman, Delaware and Dingman Townships	Delaware River, WWF Bushkill Creek, HQ- CWF Toms Creek, EV Alicias Creek, HQ- CWF Mill Creek, HQ-CWF Spackmans Creek HQ- CWF Dingmans Creek HQ-CWF Adams Creek, EV Dry Brook, HQ-CWF
PAS10Q216	Jason C. Danweber Marcus K. Danweber 3650 Schoeneck Macungie, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF

#### APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

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

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**List of NPDES and/or Other General Permit Types**


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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 Nonexceptional Quality Sewage Sludge 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 &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
East Caln Township Chester County	PAR10 G413	MGJAD Associates c/o Metro Development 323 North 22nd Street Philadelphia, PA 19103	UNT to East Branch Brandywine Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Pocopson Township Chester County	PAR10 G434	General Holdings 901 South Trooper Road P. O. Box 712 Valley Forge, PA 19482	West Branch Brandywine Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
East Marlborough Township Chester County	PAR10 G441	Steven Wolfson Associ- ates 1250 Germantown Pk. Suite 30 Plymouth Meeting, PA 19462	East Branch Red Clay Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
London Grove Township Chester County	PAR10 G453	Medford Farms 10451 Mill Run Circle Suite 400 Ownings Mills, MD	Middle Branch White Clay Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Concord Township Delaware County	PAR10 J203	WaWa, Inc. 260 Baltimore Pike Wawa, PA 19063	Webb Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Douglass Township Montgomery County	PAR10 T470	Danny Jake Corporation 3625 Welsh Road Willow Grove, PA 19090	Tributary to Swamp Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
City of Philadelphia Philadelphia County	PAR10 5338	City of Philadelphia The Phillies— Veterans Stadium 3501 South Broad Street Philadelphia, PA 19148	Delaware Estuary (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Schuylkill County North Manheim Township	PAR105825	Ranch Road Subdiv. Joseph W. Halko, Jr. and Philip A. Malloy 2655 Woodglen Rd. P. O. Box 68 Pottsville, PA 17901	Tributary to Mahannon Creek CWF	Schuylkill County Conservation District (570) 622-3742
Schuylkill County Hegins Township	PAR105827	Huntsinger Farms Ltd. James L. Miller Miller Brothers Const. P. O. Box 472 Schuylkill Haven, PA 17972	Deep Creek CWF	Schuylkill County Conservation District (570) 622-3742
Northumberland County Rush and Ralpho Townships	PAR104946	Pennsylvania Department of Transportation 715 Jordan Ave. Montoursville, PA 17754	Logan Run CWF UNT Susquehanna River CWF Little Roaring Creek CWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114 X4

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Allegheny County Monroeville	PAR10A534	Berkley Associates P. O. Box 42 Murrysville, PA 15668	UNT to Turtle Creek/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Ohio Township	PAR10A536	Ohio Township 1719 Roosevelt Road Pittsburgh, PA 15237	Bear Run/WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Crescent Township	PAR10A543	M. Squared Development 3 Lee Street McDonald, PA 15057	Flaugherty Run/WWF	Allegheny County Conservation District (412) 241-7645
Beaver County Raccoon Township	PAR100288	James Behrle 1269 Chestnut Street Monaca, PA 15061	Greens Run/WWF	Beaver County Conservation District (724) 774-7090
Fayette County Georges Township	PAR10L071	Arlene Darr Brier Creek Estates 146 Firestone Road Smithfield, PA 15478	Georges Creek/WWF	Fayette County Conservation District (724) 438-4497
Middlesex Township Butler County	PAR10E161	Middlesex Township Property 133 Browns Hill Rd. Valencia, PA 16059-9129	Glade Run (WWF)	Butler Conservation District (724) 284-5270
City of Hermitage Mercer County	PAR104369	Ronald Anderson Universal Development 1607 Motor Inn Dr. Girard, OH 44420	Pine Hollow Run tributary (WWF)	Mercer Conservation District (724) 662-2242
City of Hermitage Mercer County	PAR104371	Wesex Corporation 85 Garfield St. P. O. Box 268 West Middlesex, PA 16159	Shenango River tributary (WWF)	Mercer Conservation District (724) 662-2242

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
City of Philadelphia Philadelphia County	PAR600026	Allegheny Iron and Metal Co. Tacony St. and Adams Ave. Philadelphia, PA 19124	Frankford River-3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131

## NOTICES

6333

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Hilltown Township Bucks County	PAR800066	Waste Management of Indian Valley 400 Progress Dr. Telford, PA 18969	UNT to Mill Creek— 2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR600024	S. D. Richman Sons, Inc. 2435 Wheatsheaf Lane Philadelphia, PA 19137	Frankford Creek— 3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Buffalo Township Butler County	PAR808355	Freeport Transport, Inc. Drawer A Freeport, PA 16229-0301	Unnamed tributary of Buffalo Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Butler Township Butler County	PAR208360	AK Steel Butler Corporation P. O. Box 832 Butler, PA 16003-0832	Sawmill Reservoir/ Sawmill Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Clarion County	PAR228333	Georgia-Pacific Corpora- tion—Marble Planer Mill P. O. Box 30 Marble, PA 16334	East Sandy Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Ridgway Borough Elk County	PAR238326	Allegheny Color Corporation 20 Gillis Avenue Ridgway, PA 15853	Clarion River	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Jenner Township Somerset County	PAG046228	Sam A. Mostoller 138 Esposita Road Stoystown, PA 15563	Two Mile Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000
Upper Turkeyfoot Township Somerset County	PAG046232	Gabrielle Michalek 529 Pacific Avenue Pittsburgh, PA 15221	UNT to the Casselman River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000
Washington Township Erie County	PAG048762	David C. and Vinia L. Smith 6821 Route 6N West Edinboro, PA 16412	Unnamed tributary to Cussewago Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942



<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Washington Township Erie County	PAG048761	John A. Jr. and Judith L. Boylan 6821 Route 6N West Edinboro, PA 16412	Unnamed tributary to Cussewago Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Mead Township Crawford County	PAG048410	Joseph J. and Tricha A. Gregor 14140 Dickson Road Meadville, PA 16335-8062	Woodcock Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048424	Michael J. Chriest 4240 Kinter Hill Road Edinboro, PA 16412-1932	Unnamed tributary of Conneauttee Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Greene Township Erie County	PAG048767	Kenneth R. Fugagli 2995 Morehouse Road Erie, PA 16509	Tributary of Fourmile Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-5*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Luzerne County West Hazleton Borough	PAG052211	Sunoco, Inc. P. O. Box 744 West Chester, PA 19381	Black Creek	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711

**PUBLIC WATER SUPPLY PERMITS**

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

**SAFE DRINKING WATER****Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

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

**Permit No. 6701503 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Dover Township</b>
Municipality	Dover Township
County	<b>York</b>
Type of Facility	Repainting Stauton Avenue Elevated Storage Tank.
Consulting Engineer	Terry Myers, P.E. C. S. Davidson, Inc. 38 N. Duke Street York, PA 17401
Permit to Construct Issued:	June 26, 2001

**Permit No. 0101507 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Section A Water Corporation</b>
Municipality	Carroll Valley
County	<b>Adams</b>

Type of Facility Replacement of chlorine gas disinfection system with a sodium hypochlorite system.

Consulting Engineer Janet R McNally, P.E.  
William F. Hill & Assoc., Inc.  
207 Baltimore St.  
Gettysburg, PA 17325

Permit to Construct Issued: August 27, 2001

**Permit No. 6701504 MA, Minor Amendment, Public Water Supply.**

Applicant **Dillsburg Area Authority**

Municipality Dillsburg

County **York**

Type of Facility Construction of a new 285,000 gallons welded steel water storage tank.

Consulting Engineer Gary L Brinton, P.E.  
CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued: September 4, 2001

**Permit No. 2801510 MA, Minor Amendment, Public Water Supply.**

Applicant **Waynesboro Borough Authority**

Municipality Waynesboro

County **Franklin**

Type of Facility Painting of the interior and exterior of the Broad Street Standpipe.

Consulting Engineer Gene C Koontz, P.E.  
Gannett Fleming, Inc.  
P. O. Box 67100  
Harrisburg, PA 17106-7100

Permit to Operate Issued: October 26, 2001

**Permit No. 2801511 MA, Minor Amendment, Public Water Supply.**

Applicant **Guilford Water Authority**

Municipality Guilford Township

County **Franklin**

Type of Facility This application is for the interior and exterior repainting of an existing 1 MG steel tank.

Consulting Engineer Diana Young, P.E.  
Buchart-Horn, Inc.  
P. O. Box 15040  
York, PA 17405-7040

Permit to Construct Issued: September 4, 2001

**Permit No. 2101501 MA, Minor Amendment, Public Water Supply.**

Applicant **United Water Pennsylvania**

Municipality Upper Allen Township

County **Cumberland**

Type of Facility This operation permit is a result of a construction permit for the interior repainting of the 500,000-gallon Orchard Lane standpipe.

Consulting Engineer R. Michael Gephart, P.E.  
United Water Pennsylvania  
4211 East Park Circle  
Harrisburg, PA 17111

Permit to Operate Issued: October 26, 2001

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

**Permit No. Minor Amendment. Public Water Supply.**

Applicant **United Water Pennsylvania**  
4211 East Park Circle  
Harrisburg, PA 17111

Town Town of Bloomsburg

County **Columbia**

Type of Facility Public Water Supply—permit to construct a powdered activated carbon feed system for taste and odor control at the Irondale Filter Plant

Consulting Engineer Michael Gephart, P.E.  
United Water Pennsylvania  
4211 East Park Circle  
Harrisburg, PA 17111

Permit to Construct Issued: November 2, 2001

**Permit No. Minor Amendment. Public Water Supply.**

Applicant **United Water Pennsylvania**  
4211 East Park Circle  
Harrisburg, PA 17111

Town Town of Bloomsburg

County **Columbia**

Type of Facility Public Water Supply—permit to construct a caustic soda feed system at the Irondale Filter Plant

Consulting Engineer Michael Gephart, P.E.  
United Water Pennsylvania  
4211 East Park Circle  
Harrisburg, PA 17111

Permit to Construct Issued: October 30, 2001

**Permit No. Minor Amendment. Public Water Supply.**

Applicant **Wellsboro Municipal Authority**  
28 Crafton Street  
Wellsboro, PA 16901

Borough Borough of Wellsboro

County **Tioga**

Type of Facility Public Water Supply—permit to construct precast concrete intake structure, flow meter and associated appurtenances on the Rock Run source

Consulting Engineer William S. Bray, P.E.  
P. O. Box 535  
Wellsboro, PA 16901

Permit to Construct Issued October 18, 2001

**Permit No. Minor Amendment.** Public Water Supply.  
Applicant **Wellsboro Municipal Authority**  
28 Crafton Street  
Wellsboro, PA 16901

Borough Borough of Wellsboro

County **Tioga**

Type of Facility Public Water Supply—permit to construct metering devices, associated piping and appurtenances for the Willis Run, Charleston Creek and Hamilton Lake sources

Consulting Engineer Larson Design Group  
P. O. Box 487  
Williamsport, PA 17703-0487

Permit to Construct Issued October 29, 2001

**Permit No. 4496031—Amend. 10.** Public Water Supply.

Applicant **Tulpehocken Spring Water Co., Inc.**  
R. R. #1, Box 114-T  
Northumberland, PA 17857

Township Point Township

County **Northumberland**

Type of Facility Bottled Water Plant—permit to operate Storage Silo #2 and new 5-gallon label

Consulting Engineer None

Permit to Operate Issued November 2, 2001

**Permit No. Minor Amendment.** Public Water Supply.

Applicant **Westfield Borough**  
429 East Main Street  
Westfield, PA 16950

Borough Westfield Borough

County **Tioga**

Type of Facility Public Water Supply—permit to operate a new transmission line crossing underneath the Cowanesque River

Consulting Engineer None

Permit to Operate Issued November 1, 2001

**Permit No. Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
P. O. Box 888  
Hershey, PA 17033-0888

Township Rush Township

County **Centre**

Type of Facility Public Water Supply—permit to operate the Windy Hill Storage Tank

Consulting Engineer None

Permit to Operate Issued November 2, 2001

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

**Permit No. 0489509-A3,** Public Water Supply.

Applicant **Vanport Township Municipal Authority**  
285 River Avenue  
Vanport, PA 15009

Borough or Township Vanport Township

County **Beaver**

Type of Facility New sequestering agent

Consulting Engineer KLH Engineers

Permit to Construct Issued November 1, 2001

**Permit No. 0301503,** Public Water Supply.

Applicant **Kittanning-Plumcreek Water Authority**  
R. D. 1, Box 114  
Kittanning, PA 16201

Borough or Township Kittanning and Plumcreek Townships

County **Beaver**

Type of Facility Kittanning Plumcreek water distribution system, interconnection with Manor Township, storage tank and pump station

Consulting Engineer Bankson Engineers

Permit to Construct Issued October 30, 2001

**Operations Permit** issued to **Pennsylvania-American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, North Franklin Township, **Washington County** on October 30, 2001.

**Operations Permit** issued to **NWL Company**, Nemaocolin Woodlands Resort, 1001 LaFayette Drive, Farmington, PA 15437, Wharton Township, **Fayette County** on October 25, 2001.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Charleston Township	R. R. 2 Box 226	Tioga

Plan Description: The approved plan provides for extensions of the existing Charleston Township Authority collection system to include new gravity sewers with pump stations and low pressure sewers. Areas to be served include Charleston Road, Shumway Hill Road, Dart Settlement Road, Wetmore Hill Road, US Route 6, Whitneyville village and the Y-Drive-In area. The proposed Widger development south of the Village of Whitneyville will be provided sewer service as a result of

this project. The sewage from this new collection system will be conveyed to and treated at the Borough of Wellsboro's Sewage Treatment Plant. The sewage treatment plant does have capacity for the 205 existing EDUs in this service area. The Charleston Township Authority does have capacity available per their treatment agreement with Wellsboro. The Borough has agreed to this proposal by co-adopting this plan on July 7, 2001

Also, sewer extensions consisting of gravity and low-pressure sewers are being proposed for the 28 existing EDUs on Kelly and Lake Roads in the Hills Creek Area. This sewage is to be conveyed to the Hills Creek State Park sewage treatment plant. The Department of Conservation and Natural Resources has agreed to this plan and will be working with the township authority on a final agreement for services.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*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>
Muncy Township	770 Griggs Rd. Pennsdale, PA 17756	Lycoming

Plan Description: The approved plan provides for construction of a combination gravity, force main, low pressure sewer extension to serve portions of Muncy and Muncy Creek Townships. The new line will traverse Fairfield Township but no portion of this municipality will initially be served. Service will be provided to the Halls Station area, the Lycoming Mall development and the Village of Pennsdale in Muncy Township and a portion of Muncy Creek Township between Halls Station and Muncy Borough. Treatment of the collected wastewater will occur at the existing Lycoming County Water and Sewer Authority wastewater treatment facility located along Tules Run in Fairfield Township. This facility discharges treated effluent to the West Branch Susquehanna River.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in

environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Miller and Hartman Companies**, East Lampeter Township, **Lancaster County**. OXFORD Engineers & Consultants, Inc., 2621 Van Buren Avenue, Suite 500, Norristown, PA 19403 (on behalf of Miller & Hartman Companies, P. O. Box 1784, Lancaster, PA 17608-1784) has submitted a Final Report concerning remediation of site soils and groundwater contaminated with lead, solvents, BTEX, PHCs and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

**Penske Truck Leasing Co. LP Facility**, City of Reading, **Berks County**. ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 (on behalf of Penske Truck Leasing Company, LP, Route 10 Green Hills, Reading, PA 19603) submitted a Final Report concerning remediation of site groundwater contaminated with solvents and BTEX. The report is intended to document remediation of the site to the Site Specific standard.

**Carmeuse Pennsylvania Inc.**, North Londonderry and North Annville Townships, **Lebanon County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 (on behalf of Carmeuse Pennsylvania, Inc., Route 422 and Clear Spring Road, Annville, PA 17003) has submitted a Final Report concerning remediation of site soils and groundwater contaminated with lead, BTEX, PHCs and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

**P. R. Hoffman Materials Processing Corporation**, Borough of Carlisle, **Cumberland County**. Earth Resource Associates, Inc. (on behalf of Hoffman Materials, Inc. 321 Cherry Street, Carlisle, PA 17013) submitted a Final Report concerning remediation of site soils contaminated with BTEX and solvents. The report is intended to document remediation of site soils to the Statewide Health standard.

**Aaron Rubin & Sons Company South Property**, Susquehanna Township, **Dauphin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 (on behalf of Aaron Rubin & Sons Company, 3401 North Sixth Street, Harrisburg, PA 17110) has submitted a Final Report concerning remediation of site soils contaminated with BTEX, PHCs and PAHs. The report is intended to document remediation of site soils to the Statewide Health standard.

**Caterpillar Inc., York Distribution Center**, Springettsbury Township, **York County**. Earth Tech, Inc.,

Two Market Plaza Way, Mechanicsburg, PA 17055 (on behalf of Caterpillar Inc., 100 NE Adams Street, Peoria, IL 61629-3315) submitted a Final Report concerning remediation of site soils contaminated with BTEX and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

**ITT Industries Engineered Valves**, East Hempfield Township, **Lancaster County**. O'Brien & Gere Engineers, Inc., 1777 Sentry Parkway West, Gwynedd Hall, Suite 302, Blue Bell, PA 19422 (on behalf of ITT Industries Engineered Valves, 33 Centerville Road, Lancaster, PA 17603) submitted a Notice of Final Report concerning remediation of site soils contaminated with metals, BTEX and VOCs. The report is intended to document remediation of the site to the Statewide Health standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or 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. 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 of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Allfirst Bank 305 Hill Street Property**, Spring Garden Township, **York County**. Alliance Environmental Services, 1414 North Cameron Street, Suite B, Harrisburg, PA 17103 (on behalf of York Realty Holding Company, Inc., A Wholly-Owned Subsidiary of Allfirst Bank, 213 Market Street, Harrisburg, PA 17105) submitted a combined remedial investigation and Final Report concerning the remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX and PAHs. The combined report demonstrated attainment of a combination of the Background, Statewide Health and Site-Specific standards and was approved by the Department on October 26, 2001.

**Clifton Blume Property**, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Clifton Blume, 3001 Marion Street, Reading, PA 19605) submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on October 31, 2001.

**Dorothy Golden Property**, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Dorothy Golden, 1511 Prince Street, Reading, PA 19605) submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on October 31, 2001.

**Marlene Kahn Property**, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Marlene Kahn 3008 Marion Street, Reading, PA 19605) submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on October 31, 2001.

**Linda Katzenmoyer Property**, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Linda Katzenmoyer, 3146 Montrose Avenue, Reading, PA 19605) submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on October 31, 2001.

**Walter Palmer Property**, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Walter Palmer, 3152 Montrose Avenue, Reading, PA 19605) submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on October 31, 2001.

**Robin Stein (formerly Rodney Tyson) Property**, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Robin Stein, 1513 Prince Street, Reading, PA 19605) submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of

the Statewide Health standard and was approved by the Department on October 31, 2001.

**Donald Stibitz Property**, Muhlenberg Township, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Donald Stibitz, 48 Seminary Avenue, Reading, PA 19605) submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on October 31, 2001.

**Lancaster Scrap Facility**, City of Lancaster, **Lancaster County**. PSC, 550 Pinetown Road, Suite 166, Fort Washington, PA 19034, (on behalf of Redevelopment Authority of the City of Lancaster, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17608-1599) submitted a Baseline Environmental Report concerning the remediation of site soils and groundwater contaminated with heavy metals, lead and PCBs. The report was approved by the Department on November 2, 2001.

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

**Haywood Development Site**, 15 Roemer Blvd., Farrell, PA 16121, City of Farrell, **Mercer County** and Jo Hinich, P.G., on behalf of Mountain Research, Inc., 825 25th Street, Altoona, PA 16601, had submitted a Baseline Environmental Report concerning remediation of soil and groundwater. The report was approved by the Department on October 22, 2001, and did demonstrate attainment of the site to use a Special Industrial Area.

#### RESIDUAL WASTE GENERAL PERMITS

**Permits 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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit No. WMGR019M012A. Hale Products, Inc.**, 700 Spring Mill Avenue, Conshohocken, PA 19428. The permittee requested the general permit for the beneficial use of waste foundry sand be revoked due to the closure of the facility and sale of the property. Central Office revoked this general permit on October 29, 2001.

#### AIR QUALITY

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

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

**GP-43-320: Vista Resources, Inc.—Deer Creek Station** (Grange Road, Mercer, PA 16137) on October 30, 2001, for operation of a natural gas production facility in Deer Creek Township, **Mercer 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.*

**46-0036C: Visteon Systems LLC** (2750 Morris Road, Lansdale, PA 19446) on October 29, 2001, for operation of Selective Solder #8 in Worcester Township, **Montgomery County**.

**46-0161A: Reading Materials Inc.** (394 Sanatoga Road, Pottstown, PA 19464) on November 2, 2001, for operation of a RAP (Recycled Asphalt Pavement) in Lower Pottsgrove Township, **Montgomery County**.

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

**66-315-041: The Procter and Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) on October 29, 2001, for construction of diaper raw material delivery systems and converting lines in Washington Township, **Wyoming County**.

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

**06-03112A: Birdsboro Alloying, Inc.** (200C Furnace Street, Birdsboro, PA 19508) on November 1, 2001, for construction of a secondary aluminum facility in Birdsboro Borough, **Berks County**. This facility is subject to 40 CFR Part 63, Subpart RRR—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

**31-05011B: U. S. Silica Co.** (P. O. Box 187, Berkeley Springs, WV 25411-0187) on October 25, 2001, for modification of the bulk whole grain sand railroad loading and new screen tower dust collectors at its Mapleton Depot Plant in Brady Township, **Huntingdon County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**10-281C: II-VI Inc.** (375 Saxonburg Boulevard, Saxonburg, PA 16056) on October 24, 2001, for the TFM production operation in Clinton Township, **Butler County**.

**25-025C: General Electric Transportation Systems (GETS)** (2901 East Lake Road, Erie, PA 16531) on October 18, 2001, for construction of a vacuum impregnation system in Erie, **Erie County**.

**61-200A: Webco Industries, Inc.** (363 Seneca Street, Oil City, PA 16301) on October 23, 2001, for annealing furnaces in Oil City, **Venango 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.*

**46-0043: Glasgow, Inc.** (Conshohocken Road, Conshohocken, PA 19428) on October 29, 2001, for operation of an asphalt plant and quarry in Plymouth Township, **Montgomery County**.

**46-0067: MM SKB Energy LLC** (709 Swedeland Road, Building 32, Swedeland, PA 19406) on October 29, 2001, for operation of diesel engines in Upper Merion Township, **Montgomery County**.

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

**36-05015B: Dart Container Corp.** (60 East Main Street, Leola, PA 17540) on September 26, 2001, for operation of a direct injection foam processing operation at its Leola Plant in Upper Leacock Township, **Lancaster County**. This plan approval was extended.

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

**10-021C: Indspec Chemical Corp.** (133 Main Street, Petrolia, PA 16050) on October 30, 2001, for a #10 gas fired boiler economizer in Petrolia, **Butler County**.

**10-313-028B: Indspec Chemical Corp.** (133 Main Street, Petrolia, PA 16050) on August 30, 2001, for a resorcinol flaker bagging and packaging system in Petrolia, **Butler County**.

**25-648B: NEPA Energy** (South Lake Street, 10915 Ackerman, North East, PA 16428) on October 30, 2001, for a boiler in North East, **Erie County**.

**37-264F: Ellwood Quality Steels Co.** (700 Moravia Street, New Castle, PA 16101) on November 3, 2001, for a #17 furnace in New Castle, **Lawrence County**.

**42-399-013C: Temple Inland Forest Products Corp.—Mt. Jewett Particleboard** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on October 28, 2001, for post modification of the particleboard operation (System 15/15A) in Sergeant Township, **McKean County**.

**42-158A: Temple Inland Forest Products Corp.—Mt. Jewett Particleboard** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on October 28, 2001, for post modification of the particleboard operation (System 17) in Sergeant Township, **McKean County**.

**42-176C: Temple Inland Forest Products Corp.—Mt. Jewett MDF** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on October 28, 2001, for a sander dust system in Sergeant Township, **McKean County**.

**33-125A: Energy Resources, Inc.—Brockway Tipple** (Route 219, Brockway, PA 15824) on September 30, 2001, for a coal processing facility in Snyder Township, **Jefferson County**.

**10-313-028B: INDPSEC Chemical Corp.** (133 Main Street, Petrolia, PA 16050) on August 30, 2001, for resorcinol flaker, bagging and packaging in Petrolia, **Butler County**.

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**Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.**

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*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.*

**46-0196: Panda Perkiomen Power, L.P., formerly PB Power Development, L.P.** (4100 Spring Valley, Suite 1001, Dallas, TX 75244) for construction of a 1000 MW power plant in Upper Hanover Township, **Montgomery County**. This Plan Approval application was denied because the company failed to provide adequate information in the alternative site analysis showing that the benefits of the proposed facility significantly outweighed the environmental and social costs imposed within this Commonwealth as a result of its location and construction as required under 25 Pa. Code § 127.205(5). The company also failed to provide information requested on the associated risk of using secondary effluent in their proposed cooling towers.

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

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

**46-00039: PECO Energy Co.** (Moser and Yost Road, Pottstown, PA 19464) on October 30, 2001, for Facility Title V Operating Permit in Lower Pottsgrove Township, **Montgomery County**.

**46-00038: PECO Energy Co.** (Evergreen and Sanatoga Roads, Sanatoga, PA 19464) on October 30, 2001, for Facility Title V Operating Permit in Limerick Township, **Montgomery County**.

**09-00017: PECO Energy Co.** (Old Route 13 and Tyburn Road, Fallsington, PA 19067) on October 30, 2001, for Facility Title V Operating Permit in Falls Township, **Bucks County**.

**09-00016: PECO Energy Co.** (955 River Road, Croydon, PA 19021) on October 30, 2001, for Facility Title V Operating Permit in Bristol Township, **Bucks County**.

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

**26-00119: Anchor Glass Container Corp.** (4343 Anchor Plaza Parkway, Tampa, FL 33643) on October 31, 2001, for operation of their glass manufacturing facility in South Connellsville, **Fayette County**.

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**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.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Leif Ericson, Program Manager, (717) 705-4702.*

**67-03078: Snyder's of Hanover, Inc.** (1350 York Street, Hanover, PA 17331-0917) on October 25, 2001, for operation of snack food manufacturing facility in Penn Township, **York County**.

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

**97-008: Delaware Valley Recycling, Inc.** (3107 South 61st Street, Philadelphia, PA 19153) on September 25, 2001, for processing and recycling of construction/demolition waste materials in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include a wood shredder, a discharge conveyor, two trommel screens, a wood feed conveyor, a wood stacking conveyor, a beast recycler, a screen for primary crusher fines and a portable crushing and screening plant. Building demolition material includes wood, brick, block, concrete with rebar and stone. Scrap building material/ grubbing material includes stumps, logs, tree branches. All emissions are fugitive.

**96-038: V and S Philadelphia Galvanizing, LLC** (2520 East Hagert Street, Philadelphia, PA 19125) on October 2, 2001, for operation of coating (hot dip galvanizing) materials in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's significant air emission sources include two zinc galvanizing kettles, a 450,000 BTU/hr No. 2 oil-fired kettle burner, five pickle tanks, a strip tank, a caustic tank, two flux tanks and yard lot/vehicle traffic. All emissions are fugitive.

**99-003: Royal-Pioneer Industries, Inc.** (2345 Castor Avenue, Philadelphia, PA 19134-4699) on October 16, 2001, for paperboard box manufacturing and printing in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include three flexographic printing presses, a 6.75 mmBtu/hr natural gas/ #2 fuel oil-fired boiler and three natural gas-fired press dryers each rated at 8.0 mmBtu/hr or less.

**96-049: Conrail—South Philadelphia Bulk Material Yard** (Pier 122 South, Philadelphia, PA 19148) on October 23, 2001, for performing barge unloading and truck loading in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include dry bulk material sources consisting of barge unloading to conveyor, material conveying, a transfer tower, bulldozing operations, truck loading and a storage pile. All emissions are fugitive.

**96-013: Mutual Pharmaceutical Co., Inc.** (1100 Orthodox Street, Philadelphia, PA 19124) on October 30, 2001, for manufacturing solid dosage generic pharmaceutical products in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include manufacturing processes consisting of solvent and water-based blending operations including production and cleaning operations, five solvent-based electric granulating ovens, 12 water-based electric granulating ovens, five water-based tablet coating pans, three natural gas-fired hot water heaters each rated less than 3 mmBtu/hr and two natural gas-fired steam boilers each rated at 550,000 BTU/hr. The facility's air emission control devices include a 2.0 mmBtu/hr natural gas-fired catalytic oxidizer that oxidizes alcohol vapors and five dust collectors for particulate capture.

**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.**

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

**23-0014A: Kimberly-Clark Corp.** (Front and Avenue of the States, Chester, PA 19013) for operation of a 350

kW and a 950 kW emergency generators in City of Chester, **Delaware County**. The facility is a Title V facility. The Operating Permit was modified to increase the hourly fuel usage rates for both generators due to data obtained from the manufacturers. The modification does not involve increase in any emission limits for the facility. The company shall keep records of hours of operations of the emergency generators and also records of usage of diesel fuel to show compliance.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); 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.*

**14900301 and NPDES Permit No. PA 0206229. Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16801), renewal of NPDES permit located in Spring Township, **Centre County** affecting 263.42 acres. Receiving streams: Gap Run Sink Hole to Logan Branch; Logan Branch to Spring Creek; Spring Creek to Bald Eagle Creek; Bald Eagle Creek to West Branch Susquehanna River. Application received: March 23, 2001. Permit issued: October 25, 2001.

*Greensburg District Mining Office: Armbrust Building, R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**SMP No. 65990106, NPDES No. (N/A—nondischarge alternatives for treatment facilities) Ralph Smith & Son, Inc.** (200 West Second Street, Derry, PA 15627). Permit revised to add 8.3 acres (2.7 mining acres) to an existing bituminous surface mining site located in Salem Township, **Westmoreland County**, now affecting 90.8 acres. Receiving streams: unnamed tributaries of Porters Run to Porters Run to Beaver Run Reservoir to the Kiskiminetas River. Revision application received: May 22, 2001. Revised permit issued: October 30, 2001.

**SMP No. 65970103, NPDES No. PA0201898. Derry Stone & Lime Co., Inc.** (R. D. 5, Box 34, Latrobe, PA 15650). Transfer of permit formerly issued to M. B. Energy, Inc. Permit issued for continued operation and reclamation of a bituminous surface mine/limestone quarry located in Derry Township, **Westmoreland County**, affecting 105.0 acres. Receiving streams: unnamed tributary to Stoney Run. Application received: February 27, 2001. Transfer permit issued: October 30, 2001.



**SMP No. 03960102, NPDES No. PA0201545. Walter L. Houser Coal Co., Inc.** (R. R. 9, Box 434, Kittanning, PA 16201). Renewal permit for continued operation and reclamation of a bituminous surface mine located in Sugarcreek Township, **Armstrong County**, affecting 300.8 acres. Receiving streams: unnamed tributaries to Snyders Run. Application received: September 4, 2001. Renewal permit issued: October 31, 2001.

**SMP No. 65010102, NPDES No. PA0202967. V. P. Smith Co., Inc.** (HC 64, Box 21, Intersection Highway 30 and 217, Latrobe, PA 15650). Permit for commencement, operation and reclamation of a bituminous surface mine located in Fairfield Township, **Westmoreland County**, affecting 123.6 acres. Receiving streams: unnamed tributaries to Hypocrite Creek. Application received: May 30, 2001. Permit issued: November 1, 2001.

**GFCC No. 26-01-06. Patterson Coal Company** (41 Elizabeth Drive, Smithfield, PA 15478). Government financed construction contract issued for re-mining and reclamation activities at a site formerly disturbed by underground mining of the Pittsburgh coal seam, located in North Union and Franklin Townships, **Fayette County**, affecting 7.1 acres. Receiving streams: Rankin Run to Bute Run, to Redstone Creek, to the Monongahela River. Application received: September 17, 2001. Contract issued: November 1, 2001.

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

**32970101. Fossil Fuel, Inc.**, 690 Weaver Road, Marion Center, PA 15759. Permit renewal for reclamation only for continued restoration of a bituminous surface and auger mine in Grant Township, **Indiana County**, affecting 24.5 acres. Receiving streams: unnamed tributaries to Little Mahoning Creek classified for the following uses: high quality—cold water fishery. There are no potable water supply intakes within 10 miles downstream of the discharge point. Application received: October 23, 2001. Permit issued: October 26, 2001.

**32000104 and NPDES Permit No. PA0235318, Alverda Enterprises, Inc.**, P. O. Box 87, Alverda, PA 15710, for commencement, operation and restoration of a bituminous surface mine and for discharge of treated mine drainage, in Pine Township, **Indiana County**, affecting 43.2 acres. Receiving streams: Yellow Creek (unnamed tributary) classified for the following uses: cold water fishery. The first downstream potable water supply intake from the point of discharge is Homer City Water Authority. Application received: June 20, 2000. Permit issued: October 26, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.*

**56733702. NPDES Permit # PA010035, Penn Coal Land, Inc.** (P. O. Box 68, Boswell, PA 15531), to transfer the permit for the Warwick CRDA in Jenner Township, **Somerset County** to transfer from M. F. Land, Inc. to Penn Coal Land, 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 discharges, classified for the following uses: n/a, The first downstream potable water supply intake from the point of discharge is n/a. Permit Issued: October 24, 2001.

**30841302. NPDES Permit # PA0213918, Consolidation Coal Co.** (P. O. Box 100, Osage, WV 26543), to renew the permit for the Humphrey No. 7 Mine in Perry, Whiteley and Dunkard Townships, **Greene County** to renew for reclamation only, 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, classified for the following uses: n/a, The first downstream potable water supply intake from the point of discharge is n/a. Permit Issued: October 26, 2001.

**30841309. NPDES Permit # PA0214825, Dunkard Mining Co.** (P. O. Box 8, Dilliner, PA 15321), to renew the permit for the Dunkard Mine No. 2 in Dunkard Township, **Greene County** to renew 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, classified for the following uses: n/a, The first downstream potable water supply intake from the point of discharge is n/a. Permit Issued: October 29, 2001.

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

**10840111. Thomas E. Siegel** (208 Woodland Road, Shippenville, PA 16254). Renewal of an existing bituminous strip and auger operation in Parker Township and Bruin Borough, **Butler County** affecting 207.8 acres. Receiving streams: Two unnamed tributaries to Bear Creek and Bear Creek. Application received: August 17, 2001. Permit issued: October 24, 2001.

#### *Noncoal Permits Actions*

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

**28830302T and NPDES Permit #PA0613371. D. L. George & Sons Construction Co.** (13321 Midvale Road, Waynesboro, PA 17268), transfer of an existing quarry operation in Antrim Township, **Franklin County** affecting 9.34 acres, receiving stream—Paddy Run. Application received: March 23, 2001. Permit transfer issued: October 29, 2001.

**40012802. Lonsetta Trucking & Excavating Co.** (340 Rocky Road, Hazleton, PA 18201), commencement, operation and restoration of a small quarry operation in Butler Township, **Luzerne County** affecting 5.0 acres, receiving stream—Little Nescopeck Creek. Application received: July 19, 2001. Permit issued: October 30, 2001.

**58010845. William Wood** (R. R. 1 Box 1514, Brackney, PA 18812), commencement, operation and restoration of a small quarry operation in Liberty Township, **Susquehanna County** affecting 2.0 acres, receiving stream—none. Application received: August 17, 2001. Permit issued: October 30, 2001.

**4874SM1A1C7 and NPDES Permit #PA0119628. County Line Quarry, Inc.** (P. O. Box 99, Wrightstown, PA 17368), renewal of NPDES Permit in Hellam Township, **York County**, receiving stream—Kreutz Creek. Application received: September 10, 2001. Renewal issued: October 31, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**04000301 and NPDES PA0218537. Beaver Valley Slag, Inc.** (1150 Brodhead Road, Monaca, PA 15061). Permit issued for commencement, operation and reclamation of a large noncoal surface mine and slag removal site located in Center and Hopewell Townships, **Beaver County**, affecting 253.4 acres. Receiving streams: Black's Run to the Ohio River. Application received: February 24, 2000. Permit issued: August 21, 2001.

## 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 (relating to blasting activity permits). 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.*

**15014012. Horst Drilling & Blasting, Inc.** (141 Ranck's Church Road, New Holland, PA 17557), construction blasting for Swedesburg Chase Development in West Whiteland Township, **Chester County** with an expiration date of December 11, 2001. Permit issued: October 29, 2001.

**45014012. Explosive Services, Inc.** (R. R. 3 Box 749, Honesdale, PA 18431), construction blasting in Smithfield Township, **Monroe County** with an expiration date of December 16, 2001. Permit issued: October 29, 2001.

**46014023. AMROC, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Candlewycke Estates in Marlboro Township, **Montgomery County** with an expiration date of December 31, 2001. Permit issued: October 29, 2001.

**48014011. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Palmer Township, **Northampton County** with an expiration date of November 29, 2001. Permit issued: October 29, 2001.

**48014012. Schlouch, Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting for Hidden Oakes Development in Lower Nazareth Township, **Northampton County** with an expiration date of June 1, 2002. Permit issued: October 29, 2001.

**66014001. Bob Clark & Son Excavating** (R. R. 2 Box 283, Mahopany, PA 18629), construction blasting in Wyalusing Township, **Bradford County** with an expiration date of December 15, 2001. Permit issued: October 29, 2001.

**01014006. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Cumberland Township, **Adams County** with an expiration date of December 31, 2001. Permit issued: November 1, 2001.

**22014009. Funk Brothers, Inc.** (P. O. Box 80, Washington Boro, PA 17582), construction blasting in Lower Paxton Township, **Dauphin County** with an expiration date of May 31, 2002. Permit issued: November 1, 2001.

**38014020. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Heidelberg Township, **Lebanon County** with an expiration date of December 15, 2001. Permit issued: November 1, 2001.

**38014021. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in North Cornwall Township, **Lebanon County** with an expiration date of May 31, 2002. Permit issued: November 1, 2001.

**15014013. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting

in Willistown Township, **Chester County** with an expiration date of February 6, 2002. Permit issued: November 2, 2001.

**23014004. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting in Concord Township, **Delaware County** with an expiration date of January 6, 2002. Permit issued: November 2, 2001.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

*Permits Issued and Actions on 401 Certifications:***WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E45-414. Carol Wagner**, P. O. Box 172, Skytop, PA 18357. Barrett Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To remove the existing bridge superstructure and modify and maintain the existing bridge, by constructing a new deck consisting of wooden planks attached to three 18-inch steel I-beams, across Leavitt Branch. This private bridge has a single span of approximately 30 feet and an underclearance of 7.3 feet. The project is located approximately 0.7 mile upstream of the confluence with Brodhead Creek (Buck Hill Falls, PA Quadrangle N: 13.8 inches; W: 0.7 inch).

**E40-497. Leonard Kozick**, 40 Dorchester Drive, Dallas, PA 18612. Dallas Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To maintain fill within the floodway of Leonard Creek, extending approximately 300 feet along the left (west) channel bank. The fill was placed for the purpose of constructing rental storage facilities known as Village Storage. The project is located on the east side of S.R. 0309, approximately 1,000 feet south of the intersection of S.R. 0309 and S.R. 1026 (Center Moreland, PA Quadrangle N: 0.1 inch; W: 14.4 inches).

**E52-167. Wild Acres Lakes Property and Homeowners Association**, R. R. 1, Box 500, Dingmans Ferry, PA 18328. Delaware Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a road crossing of Hornbecks Creek, consisting of an open-bottomed aluminum box culvert having a waterway opening of approximately 17.8 feet by 3.8 feet. The project is located on Doe Drive, approximately 1,500 feet southeast of Richard Lake (Lake Maskenozha, PA-NJ Quadrangle N: 17.9 inches; W: 7.2 inches).

**E39-402. Marcus J. Danweber and Jason C. Danweber**, 3650 Schoeneck Road, Macungie, PA 18062. Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 48-inch diameter concrete outfall structure with a cable-concrete apron in the floodway of Little Lehigh Creek associated with the construction of a 75-acre residential subdivision known as Spring Ridge Crossing. The project is located along Little Lehigh Creek, approximately 50 feet upstream of the T508 (Wild Cherry Lane) bridge (Allentown West, PA Quadrangle N: 7.3 inches; W: 6.0 inches).

**E35-335. Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790. Jessup Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To rehabilitate and maintain approximately 1200 linear feet of the channel of Grassy Island Creek; and to construct and maintain a road crossing of Grassy Island Creek, consisting of a 12.0-foot by 9.0-foot concrete box culvert with its invert depressed 1.0 foot below streambed elevation. The channel will be reconstructed using the principles of fluvial geomorphology and will incorporate a series of pools and riffles/steps, rock vanes, cross vanes and riprap. The project is part of an abandoned mine reclamation project known as OSM 35(2090)101.1 —Jes-

sup Cemeteries. The project is located immediately upstream of the Lackawanna County Railroad Authority culvert (Olyphant, PA Quadrangle N: 18.2 inches; W: 8.2 inches).

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

**E08-381. Borough of Athens**, 2 South River Street, Athens, PA 18810. Water Obstruction and Encroachment Permit application, in Athens Borough, **Bradford County**, ACOE Susquehanna River Basin District (Sayre, PA Quadrangle N: 15.17 inches; W: 2.26 inches).

To operate and maintain a flood control project consisting of 700 feet of bank stabilization to include 70 feet of metal bin-type retaining wall and 620 feet of 18-inch rip-rap covering along the left bank of the Chemung River upstream of the SR 0119 bridge, removal of gravel bars from the outlet of Satterlee Creek into the Susquehanna River and the Chemung River immediately upstream of the Tioga River bridge, 1,450 feet of earthen levee along the left bank of the Chemung River from Hoyt to Spruce Street, 1,550 feet of earthen levee raising along the left bank of the Chemung River from North to Elm Street, 1,100 feet of earthen levee from Harris to Chemung Street along the Chemung River, 100 feet of earthen levee reconstruction along South River Street along the right bank of the Susquehanna River, 2,650 feet of levee raising along the left bank of the Chemung River downstream of the Conrail embankment, 850 feet of earthen levee along the left bank of the Chemung River from the Conrail embankment to SR 0220 and associated drainage structures all of which are located in the Borough of Athens, Bradford County.

**E08-382. Borough of Sayre**, 110 West Packer Ave., Sayre, PA 18840-0039. Water Obstruction and Encroachment Permit application, in Sayre Borough, **Bradford County**, ACOE Susquehanna River Basin District (Sayre, PA Quadrangle N: 21.23 inches; W: 2.26 inches).

To operate and maintain a flood control project consisting of 3,500 feet of earthen levee along the right bank of the Susquehanna River from South Higgins Street to Thomas Avenue, 2,025 feet of channel improvement and stabilization in Cayuta Creek upstream and downstream of the Thomas Avenue bridge along with associated drainage structures, a pumping station equipped with automatic pumping facilities, 1,500 feet of interceptor drains and a concrete outlet structure equipped with a flap gate, all of which is located in the borough of Sayre, Bradford County. This permit also includes 401 Water Quality Certification.

**E18-327. Mary D. Jusick**, 419 West Main Street, Lock Haven, PA 17745. Floodway Construction, in Bald Eagle Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 22.0 inches; W: 16.1 inches).

To construct and maintain a 12 foot by 12 foot shed, 950 square feet of deck and 100 feet of chain link fence in the floodway of Bald Eagle Creek on Cottage Lane about 4,000 feet northwest of Mill Hall Drive-in Theater in Bald Eagle Township, Clinton County. This permit was issued under § 105.13(e) "Small Projects."

**E53-362. Dominion Transmission, Inc.**, 445 West Main Street, P. O. Box 2450, Clarksburg, WV 26302-2450. LN-16/LN-20 Pipeline Maintenance, in Alleghany and Genesee Townships, **Potter County**, ACOE Pittsburgh District (Ellisburg, PA Quadrangle N: 20 inches; W: 7.5 inches).

To modify, operate and maintain existing pipelines LN 16 and LN 20 beneath an unnamed tributary to Irish Settlement, Irish Settlement Brook, Hemlock Hollow Run and three locations at Peet Brook for the transmission of natural gas. The modification work shall consist of remove existing drip structures and installing new sections 16-inch diameter pipeline. All pipeline modification and future repair work along LN 16 and LN 20 shall be completed at stream low flow and dry work conditions by dams and pumping or fluming stream flow around work areas. The project is located along the western right-of-way of SR 4011 approximately 1.9-miles north of SR 0049 and SR 4011. All wetland impacts authorized by this permit shall be temporary with all disturbed wetlands being fully restored to original hydrology, contours and elevations.

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

**E65-769. Donegal Township**, HC6-3 Box 38, Jones Mills, PA 15646. Donegal Township, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a bridge having a clear span of 38.5 feet and an underclearance of 5.5 feet across Indiana Creek (HQ-CWF) on T-916 (Hunter's Lane Road) located at a point approximately 600 feet west of the intersection of S.R. 381 and T-916 (Seven Springs, PA Quadrangle N: 19.4 inches; W: 10.25 inches).

**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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-02-019	Mark P. Laurent Koppers Industries, Inc. 2028 Koppers Building Pittsburgh, PA 15219	Allegheny	Clairton	1 AST storing Refined Chemical Oil	540,000 gallons

**SPECIAL NOTICES**

**Notification of Receipt of the Merck and Co., Inc. Updated Risk Assessment Protocol**

On October 31, 2001, the Bureau of Air Quality received a copy of revisions to the Risk Assessment Protocol for the fluidized bed combustor at the Merck and Co., Inc. Cherokee Facility in Riverside, Northumberland County. The protocol for the fluidized bed combustor that will burn liquid wastes and wastewater treatment plant sludge from the Cherokee site was approved by the Department on November 24, 1999. The revisions will be incorporated into the previously approved protocol and the revised protocol will serve as the method outline for performing a multipathway human health and ecological risk assessment for the handling and burning of permitted site wastes in the fluidized bed combustor. Revisions and additions to the protocol include incorporation of numerical system upset factors, use of laboratory and modeled analytical detection limits and screening level ecological risk assessment methodology, which will replace the previously approved methodology. Person wishing to comment on the protocol revisions should submit their comments in writing to Department of Environmental Protection, Attention: David Aldenderfer, Air Quality Program Manager. All comments must be received within 45 days of the publication of this notice. To review the protocol revisions, contact David Aldenderfer, Air Quality Program Manager, Department of Environmental Protection, Northcentral Regional Office, 208 West 3rd Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

**Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of October 2001, the Department of Environmental Protection, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
AmeriSpec of Central PA	516 Broad Street Montoursville, PA 17754	Testing
German Barranca	40 Dew Drop Court York, PA 17403	Testing
John Biegalski	515 West Church Road King of Prussia, PA 19406	Testing
Michael Bradley House Inspect	601 North Olive Street Media, PA 19063	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>	<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Castle Inspection, Inc.	20 Thornridge Road Springfield, PA 19064	Testing	John Trusa	454 Dana Street Wilkes-Barre, PA 18702	Testing
Patrick Dean	123 Coulter Avenue, Suite 206 Ardmore, PA 19003	Testing	Gary Winterrowd	1765 Cambridge Drive State College, PA 16803	Testing
Frank Deininger	265 Farmhouse Lane Palmyra, PA 17078	Testing			
Donald Hart	R. R. 2 Box 118 Watsonstown, PA 17777	Testing Mitigation			
Bo Hopkins	3692 Sheramy Drive Fairview, PA 16415	Testing			
Daniel Howard	251 River Landing Freeport, PA 16229	Testing			
Christopher Hunt	2115 Dunhill Drive Wilmington, DE 19810	Testing			
Sean Kegelman	181 Durham Road Newtown, PA 18940	Testing			
Greg Kopenhaver	P. O. Box 902 Blue Bell, PA 19422	Testing			
Rebecca Lane	333 Snowberry Lane Venetia, PA 15367	Testing			
John McDermott, III	2655 Harrisburg Pike Lancaster, PA 17601	Testing			
William McKelvey	1301 Old Lincoln Highway Langhorne, PA 19047	Testing			
Dominic Passante	R. R. 2 Box 183 Wapwallopen, PA 18660	Testing			
Brendan Ryan ALARA Environmental	216 Logan Road Valencia, PA 16059	Testing			
Mark Runge	220 Reider Road Robesonia, PA 19551	Testing Mitigation			
Donald Stoltenberg	10522 High Rock Road Airville, PA 17302	Testing			
Kenneth Struder	P. O. Box 722 Thorndale, PA 19372	Laboratory			

[Pa.B. Doc. No. 01-2061. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Plan Approval and Operating Permit Exemptions

Under 25 Pa. Code § 127.14, the Department of Environmental Protection (Department) may determine sources or classes of sources to be exempt from the plan approval and permitting requirements of 25 Pa. Code Chapter 127. A listing of these exemptions was last published at 30 Pa.B. 583 (January 29, 2000). Subsequently, the Department published notice of proposed revisions to the listing and provided a 30-day public comment period at 31 Pa.B. 4699 (August 25, 2001). During the 30-day comment period, no comments were received.

The revised Plan Approval and Operating Permit Exemptions List is set forth as follows:

#### *Listing of Plan Approval Exemptions*

##### *Section 127.14(a) Exemptions*

In accordance with § 127.14(a), approval is not required for the construction, modification, reactivation or installation of the following:

1. Air conditioning or ventilation systems not designed to remove pollutants generated by or released from other sources.
2. Combustion units rated at 2.5 million or less Btus per hour of heat input.
3. Combustion units with a rated capacity of less than 10 million Btus per hour of heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter-viscosity less than or equal to 5.82 C St—and which meet the sulfur content requirements of § 123.22 (relating to combustion units). Combustion units converting to fuel oils which are No. 3 or heavier-viscosity greater than 5.82 C St or contain sulfur in excess of the requirements of § 123.22 require approval. For the purpose of this section, commercial fuel oil shall be virgin oil that contains no reprocessed, recycled or waste material added.
4. Sources used in residential premises designed to house four or less families.
5. Space heaters that heat by direct heat transfer.
6. Mobile sources.
7. Laboratory equipment used exclusively for chemical or physical analyses.
8. Other sources and classes of sources determined to be of minor significance by the Department.

##### *Section 127.14(a)(8) Exemptions*

The following is a list of those sources and classes of sources determined, in accordance with § 127.14(a)(8), to

be exempt from the Plan Approval requirements of §§ 127.11 and 127.12. Unless labeled otherwise, emission rates are to be considered actual ton per year (tpy). Note that certain exceptions and qualifications regarding this list are contained in the discussion that follows the list.

1. Incinerators with rated capacities less than 75 lb per hour burning a municipal or residual waste as defined by the Bureau of Land Recycling and Waste Management.

2. Shot blast and sandblasting units with appropriately designed fabric collectors, cartridge collectors or scrubbers manufactured as an integral part of the design and which have exhaust volumes equal to or smaller than 5,000 scfm.

3. Coal handling facilities processing less than 200 tons per day. (Thermal coal dryers and pneumatic coal cleaners remain subject to the requirements of § 127.11).

4. Combustion turbines rated at less than 1,000 horsepower or 10.7 gigajoules per hour.

5. Internal combustion engines rated at less than 100 brake horsepower. Note Category 36 addresses oil and gas facilities.

6. Portable, temporary generators used for 14 days or less at special events (such as county fairs, circuses and concerts).

7. One or more generators regardless of size, with combined NO<sub>x</sub> emissions less than 100 lbs/hr, 1,000 lbs/day, 2.75 tons per ozone season and 6.6 tons per year on a 12-month rolling basis for all exempt generators at the site.

8. Natural gas-fired heat treating furnaces with less than 10 million Btus per hour heat input (fuel burning emissions only).

9. Steam aspirated vacuum degassing of molten steel.

10. Wet sand and gravel operations (screening only) and dry sand and gravel operations with a capacity of less than 150 tons per hour of unconsolidated materials.

11. Concrete batch plants and associated storage vessels that are equipped with appropriately designed fabric collectors.

12. Bulk material storage bins, except those associated with a production facility with total actual facility particulate emissions greater than 10 tpy.

13. Storage vessels for volatile organic compounds (VOC) which do not contain hazardous air pollutants (HAPs) which have capacities less than 40 m<sup>3</sup> (10,000 gallons) based on vessel dimensions, unless subject to §§ 129.59 or 129.60(b) and (c) (bulk gasoline terminals) and (bulk gasoline plants).

14. Storage vessels containing non-VOC, nonmalodorous, or nonhazardous air pollutant materials.

15. Diesel fuel, Nos. 2, 4 and 6 fuel oils, or kerosene and jet fuel storage and dispensing facilities as long as the stored or dispensed product has a vapor pressure less than 1.5 psia.

16. Covered wastewater transfer systems such as covered junction boxes, sumps and tanks at industrial sites.

17. Plastic bead or pellet milling, screening and storage operations (does not include handling and storage of resin powders).

18. Plastic parts casting ovens and injection molding processes.

19. Tire buffing.

20. Paper trimmers/binders.

21. Vocational education shops. Chemistry laboratories at schools and colleges.

22. Bench-scale laboratory equipment used for kinetic studies, mass/energy transport studies, chemical synthesis and physical or chemical analysis.

23. Research and development activities with annual emission rates:

i. less than or equal to 20 tpy of CO;

ii. less than or equal to 0.12 tpy of lead;

iii. less than or equal to 3 tpy of PM<sub>10</sub>;

iv. less than or equal to 8 tpy of SO<sub>2</sub> or VOC;

v. less than or equal to 10 tpy of NO<sub>x</sub>;

vi. less than or equal to one tpy of a single HAP or 2.5 tpy of a combination of HAPs.

24. Woodworking facilities including sawmills and pallet mills which process green wood; or, small woodworking facilities processing kiln-dried wood or wood products (flakeboard, particleboard, and the like) associated with pattern shops, retail lumber yards, shipping and packing departments, and the like. This category also includes woodworking facilities of any size processing kiln-dried wood or wood products equipped with appropriately designed fabric collectors.

This exemption does not apply to woodworking facilities processing wood that has been treated with a wood preservative of any kind. The term "woodworking facilities" refers only to operations in which wood or a wood product is sawed, sanded, planed or similarly shaped or reshaped. The term does not include activities such as painting, finishing, hardboard manufacturing, plywood manufacturing, and the like.

25. Smokehouses.

26. Slaughterhouses (rendering cookers remain subject to the requirements of § 127.11).

27. Restaurant operations.

28. Cold degreasers, except those emitting more than one tpy of a HAP or 2.5 tpy of a combination of HAPs. These units are still subject to § 129.63(a).

29. Vapor degreasers with cross sectional areas at the liquid-vapor interface, equal to or less than 10 square feet, except those emitting more than one tpy of a HAP or 2.5 tpy of a combination of HAPs.

30. Detergent washing of metal parts, except those using VOCs or HAPs.

31. Sources of uncontrolled VOC emissions not addressed elsewhere in this exemption listing modified or newly added, so that emission increases are less than 2.7 tpy. A facility claiming this exemption must provide a 15-day prior written notification to the Department and limit VOC emission increases to less than 2.7 tpy.

32. Dry-cleaning facilities that are not subject to NSPS, MACT (area MACT sources are currently deferred from plan approval and operating permit requirements), PSD or NSR requirements.

33. Retail gasoline stations and vehicle-fueling operations at industrial plant sites.

34. Sources of particulate matter (not subject to NESHAPs, NSPS, PSD or major source requirements) that are controlled by a baghouse, have an emission rate which meets the limits of Chapter 123, and are exhausted

indoors and cannot be bypassed to exhaust to the outdoor atmosphere. These sources should not emit more than 0.12 tpy of lead, one tpy of a single HAP or 2.5 tpy of a combination of HAPs. Multiple sources within this category may be exempt from plan approval requirements.

35. Sources emitting inert gases only, such as argon, helium, krypton, neon and xenon; pure constituents of air such as nitrogen, oxygen or carbon dioxide; or, methane or ethane.

36. Source(s) qualifying under § 127.449 as de minimis emission increases.

37. Sources that exhaust to a filter/baghouse and have particulate loading (before control) below limits specified in Chapter 123.

38. Oil and gas exploration and production facilities and operations that include wells and associated equipment and processes used either to: a) drill or alter oil and gas wells; b) extract, process and deliver crude oil and natural gas to the point of lease custody transfer; c) plug abandoned wells and restore well sites, or d) treat and dispose of associated wastes. This includes petroleum liquid storage tanks which are used to store produced crude oil and condensate prior to lease custody transfer (multiple sources within this subcategory may be exempt from plan approval requirements). This category does not include gas compressor station engines equal to or greater than 100 HP or gas extraction wells at landfills.

39. Combustion units with a rated capacity of less than 10 million Btus per hour of heat input fueled by natural gas supplied by an independent gas producer. Sources firing natural gas supplied by an independent producer shall be given the same consideration given sources that fire natural gas provided by a public utility.

40. Any source qualifying for exemption based on criteria contained in a general permit developed in accordance with the procedures described in §§ 127.601 —127.642.

41. Powdered metal sintering furnaces using only organic lubricants equal to or less than 0.75% organic lubricant by weight. The furnace atmosphere must contain hydrogen (H<sub>2</sub>) at 3% or greater. The furnace must also maintain an operating flame curtain between the part entry and preheat zone. In the absence of an operating flame curtain, the furnace must operate an afterburner. A furnace sintering metal lubricated parts may be exempted if the furnace emits particulate matter not exceeding 0.15 lb/hr (determined by mass balance or stack tests). Note, for mass balance purposes, the following conversion factors are to be used:

Zinc Stearate to Zinc Oxide particulate matter = 0.129,  
Lithium Stearate to Lithium Carbonate particulate matter = 0.15.

The Department may approve alternate conversion factors provided a satisfactory written justification is submitted to the Department.

A sintering furnace using organic lubricants and operating outside the limitations specified, may be exempted under a case-by-case determination through the execution of a Request for Determination of Requirement for Plan Approval Application form. The owner/operator of a sintering furnace exempt from permitting requirements must notify the Department within 30 days of the furnace installation. For sintering furnaces using metal containing lubricants, records must be maintained to demonstrate compliance with the particulate matter emission limit of 0.15 lb/hr for each product.

The previous exemption does not apply to sintering furnaces used to sinter parts that are treated with oil.

42. Facilities engaged primarily in collision repair and refinishing of automobiles and light duty trucks.

43. Any source granted an exemption by the Department through the execution of a Request for Determination of Requirement for Plan Approval form.

*Further Qualifications Regarding Plan Approval Exempted Sources:*

1. This notice shall not be construed to exempt facilities that include multiple sources of air contaminants, unless specifically stated in the source category.

2. The addition of any source that would subject the facility to major source New Source Review or Prevention of Significant Deterioration, Title V or Reasonably Available Control Technology (RACT) requirements shall comply with plan approval requirements, even if the sources are within a category in the previous list.

3. Sources exempt from plan approval may be required to be included in the operating permit if the source is not included in the trivial activity listing.

4. Sources located in Allegheny and Philadelphia Counties may be subject to different permitting requirements. Contact the Allegheny County Air Quality Program at (412) 567-8115 or the Philadelphia Air Management Services at (215) 823-7580 for information applicable to sources located in those counties.

These determinations do not exempt the previously-listed sources from compliance with the emission limitations, work practice and other applicable requirements contained in Chapters 121–124, 127, 129 and 135. Although a source may be exempt from the plan approval and operating permit requirements of Chapter 127, the source is subject to all other applicable air quality regulations. For example, combustion units exempt from the requirements of Chapter 127 are not exempt from the opacity limitations of § 123.41 or the emission limitations of § 123.22. Storage vessels for organic compounds with capacities between 2,000 gallons to 40,000 gallons, not subject to the requirements of Chapter 127, must install pressure relief valves in accordance with the requirements of § 129.57. (Note: Storage vessels in this size range would also not be subject to the requirements of §§ 129.59 and 129.60.)

If the Department determines that any exempted source is causing air pollution in violation of section 8 of the Air Pollution Control Act (35 P.S. § 4008) or 25 Pa. Code § 121.7, the Department may order the installation of additional air cleaning devices. In those cases, plan approvals and operating permits may be required.

Requests for exemptions from the plan approval requirements of Chapter 127 for multiple source facilities must be considered on a case-by-case basis.

As noted in Category 41 of the list, additional exemptions, when appropriate, may be obtained through the submission of a completed Request for Determination of Requirement for Plan Approval Application form. These forms are available from any of the Department's Air Quality office.

*Physical Changes Qualifying for Exemption Under § 127.14(a)(9)*

In accordance with § 127.14(a)(9), the Department has determined that the following physical changes qualify for plan approval exemption if the change: a) would not violate the terms of an operating permit, the Air Pollution

Control Act, the Clean Air Act or the regulations adopted under the acts; b) would not result in emission increases above the allowable in the operating permit; and, c) would not result in an increased ambient air quality impact for an air contaminant. These changes may be made without notification to the Department.

*Caution:* Do not make determinations regarding the following list without consideration of the preceding criteria.

1. Changes in the supplier or formulation of similar raw materials, fuels, paints and other coatings which do not affect emissions and which meet all applicable standards and limitations.

2. Changes in product formulations that do not affect air emissions.

3. Changes that result in different speciation of pollutants but fall within permit limitations.

4. Changes in the method of raw material addition.

5. Changes in the method of product packaging.

6. Changes in temperature, pressure or other operating parameters which do not adversely affect air cleaning device performance or air emissions.

7. Additions of, or changes to, sampling connections used exclusively to withdraw materials for testing and analysis including air contaminant detection and vent lines.

8. Changes to paint drying oven length designed to alter curing time, so long as capture efficiencies of control equipment are not altered.

9. Routine maintenance, inspection and cleaning of storage tanks and process vessels or the closure or dismantling of a storage tank or process.

10. Changing water sources to air cleaning devices when there is no effect on air cleaning device performance or air emissions.

11. Moving a source from one location to another at the same facility with no change in operation or controls.

12. Installation of an air cleaning device that is not installed to comply with regulatory requirements and will not be used to generate emission reduction credits.

13. Repairing, replacing, upgrading, maintaining or installing pollution control device instrumentation or component equipment including pumps, blowers, burners, filters, filter bags, devices for measuring pressure drop across an air cleaning device or a filter breakage detector for a baghouse, provided the changes would not violate an operating permit term or condition.

14. Installing a fume hood or vent system for industrial hygiene purposes or in a laboratory.

15. The temporary (no longer than 6 months) replacement of a source with a source of equal or less emission potential.

16. Repairing, replacing, upgrading, maintaining or installing equipment and processes at oil and gas extraction and production facilities and operations. The category includes equipment or processes used either to drill or alter oil and natural gas to the point of lease custody transfer, to plug abandoned wells and restore well sites or treat and dispose of associated wastes.

In accordance with § 127.14(c), additional physical changes may be determined to be of minor significance and not subject to plan approval requirements through the following procedure:

1. If the changes do not involve the installation of equipment, the changes may be made within 7 calendar days of the Department's receipt of a written request provided the Department does not request additional information or objects to the change within the 7-day period.

2. If the changes involve the installation of equipment, the changes may be made within 15 calendar days of the Department's receipt of a written request provided the Department does not request additional information or objects to the change within the 15-day period.

3. If the change would violate the terms of an operating permit the plan approval exemption may be processed contemporaneously with the minor operating permit modification under the procedures described in § 127.462.

#### *Exemption Criteria for Operating Permits*

A Title V operating permit is needed by all facilities that have the potential to emit (PTE) exceeding the levels described in the definition of "Title V facility." A State-only operating permit is needed for facilities that do not have a PTE which exceeds the Title V facility thresholds, but which has actual emissions equal to, or exceeding, the facility levels summarized. An existing facility which does not have a PTE exceeding the Title V facility thresholds and which does not have actual emissions exceeding the levels shown, is exempt from the requirement to obtain an operating permit.

#### *State-Only Operating Permit Facility Exemptions\**

<i>Pollutant</i>	<i>PTE&lt;</i>	<i>Actual Emission Rate&lt;</i>
CO	100 TPY	20 TPY
NO <sub>x</sub>	100 TPY**	10 TPY
SO <sub>x</sub>	100 TPY	8 TPY
PM <sub>10</sub>	100 TPY	3 TPY
VOCs	50 TPY**	8 TPY
Single HAP	10 TPY	1 TPY
Multiple HAPs	25 TPY	2.5 TPY

\* Sources located in Allegheny and Philadelphia Counties may be subject to different permitting requirements. Contact the Allegheny County Air Quality Program at (412) 567-8115 or the Philadelphia Air Management Services at (215) 823-7580 for information applicable to sources located in those counties.

\*\* 25 TPY for Severe Ozone NA areas including Bucks, Chester, Delaware and Montgomery Counties.

Source listed in the plan approval exemption list should be included in an operating permit application unless it is also included in the listing of trivial activities.

#### *Exempted Facility and Source Categories for Operating Permits*

Unless preclude by the Clean Air Act, or the regulations thereunder, the following facilities and source categories are exempted from the operating permit requirements of § 127.402.

1. Residential wood stoves.
2. Asbestos demolition/renovation sites.
3. Facilities engaged primarily in collision repair and refinishing of automobiles and light duty trucks.
4. Retail gasoline stations.

#### *Deferral of Operating Permit Requirements for Area Sources*

Sources subject to MACT standards are not exempted from operating permit requirements. However, the per-



mitting of MACT area sources will be deferred at this time. Area MACT sources emit or have the PTE less than 10 tpy of any hazardous air pollutant or 25 tpy of any combination of hazardous air pollutants. These nonmajor sources include: perchloroethylene dry cleaning, halogenated solvent cleaning, ethylene oxide commercial sterilization and fumigation operations, hard and decorative chromium electroplating, chromium anodizing tanks and secondary lead smelters. These MACT area sources are still required to meet all applicable emission control requirements established by the respective MACT requirement. The owner or operator of a MACT area source need not submit an operating permit application until December 9, 2004.

#### *Trivial Activities*

Trivial activities are those located within a facility which do not create air pollution in significant amounts. These insignificant activities need not be described in a Title V or State-only operating permit application. In addition, these activities do not require a plan approval. Sources listed in the plan approval exemption list should be included in an operating permit application unless it is also listed in the following list. Certain of these listed activities include qualifying statements intended to exclude many similar activities.

1. Combustion emissions from propulsion of mobile air contamination sources. The term "mobile air contamination source" means an air contamination source, including, but not limited to, automobiles, trucks, tractors, buses and other motor vehicles; railroad locomotives; ships, boats and other waterborne craft. The term does not include a source mounted on a vehicle, whether the mounting is permanent or temporary, which source is not used to supply power to the vehicle. Examples might include lawn mowers, tow and lift vehicles, and the like.

2. Air-conditioning units used for human comfort that do not have applicable requirements under Title VI of the Act.

3. Ventilating units used for human comfort that do not exhaust air pollutants into the ambient air from any manufacturing, industrial or commercial process.

4. Electric space heaters. Propane and gas fired space heaters with a plant-wide capacity less than 2.5 million Btus per hour heat input and which have not been subject to RACT requirements.

5. Electrically heated furnaces, ovens and heaters and other electrically operated equipment from which no emissions of air contaminants occur.

6. Noncommercial food preparation.

7. Use of office equipment and products, not including printers or businesses primarily involved in photographic reproduction.

8. Any equipment, machine or device from which emission of air contaminant does not occur.

9. Janitorial services and consumer use of janitorial products.

10. Internal combustion engines used for landscaping purposes.

11. Garbage compactors and waste barrels.

12. Laundry activities, except for dry-cleaning and steam boilers.

13. Bathroom/toilet vent emissions.

14. Emergency (backup) electrical generators at residential locations.

15. Tobacco smoking rooms and areas.

16. Blacksmith forges.

17. Plant maintenance and upkeep activities (such as grounds-keeping, general repairs, cleaning, painting, welding, plumbing, retarring roofs, installing insulation and paving parking lots) provided these activities are not conducted as part of a manufacturing process, are not related to the source's primary business activity, and not otherwise triggering a permit modification.<sup>1</sup>

18. Repair or maintenance shop activities not related to the source's primary business activity, not including emissions from surface coating or degreasing (solvent metal cleaning) activities and not otherwise triggering a permit modification.

19. Portable electrical generators that can be moved by hand from one location to another.<sup>2</sup>

20. Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning or machining wood, metal or plastic.

21. Brazing, soldering and welding equipment and cutting torches related to maintenance and construction activities that do not result in emission of HAP metals.<sup>3</sup>

22. Air compressors and pneumatically operated equipment, including hand tools.

23. Batteries and battery charging stations, except at battery manufacturing plants.

24. Storage tanks, vessels and containers holding or storing liquid substances that will not emit any VOC or HAP.

25. Propane or natural gas tanks and containers.

26. Storage tanks, reservoirs and pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.

27. Equipment used to mix and package, soaps, vegetable oil, grease, animal fat and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.

28. Drop hammers or hydraulic presses for forging or metalworking.

29. Equipment used exclusively to slaughter animals, but not including, other equipment at slaughterhouses, such as rendering cookers, boilers, heating plants, incinerators and electrical power generating equipment.

30. Vents from continuous emissions monitors and other analyzers.

31. Natural gas pressure regulator vents.

32. Hand-held applicator equipment for hot melt adhesives with no VOC in the adhesive formulation.

<sup>1</sup> Cleaning and painting activities qualify if they are not subject to VOC or HAP control requirements. Asphalt batch plant owners/operators must still get a permit.  
<sup>2</sup> "Moved by hand" means that it can be moved without the assistance of any motorized or nonmotorized vehicle, conveyance or device.

<sup>3</sup> Brazing, soldering and welding equipment and cutting torches related to manufacturing and construction activities that emit HAP metals are more appropriate for treatment as insignificant activities based on size or production level thresholds. Brazing, soldering, welding and cutting torches directly related to plant maintenance and upkeep and repair or maintenance shop activities that emit HAP metals are treated as trivial and listed separately in this appendix.

33. Equipment used for surface coating, painting, dipping or spraying operations, except those that will emit VOC or HAP.

34. CO<sub>2</sub> lasers, used only on metals and other materials which do not emit HAP in the process.

35. Consumer use of paper trimmers/binders.

36. Electric or steam-heated drying ovens and autoclaves, but not the emissions from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam.

37. Salt baths using nonvolatile salts that do not result in emissions of any regulated air pollutants.

38. Laser trimmers using dust collection to prevent fugitive emissions.

39. Bench-scale laboratory equipment used for kinetic studies, mass/energy transport studies, chemical synthesis and physical or chemical analysis.

40. Sources emitting inert gases only, such as argon, helium, krypton, neon and xenon; pure constituents of air such as nitrogen, oxygen and carbon dioxide; or the organic aliphatic hydrocarbon gases methane and ethane.

41. Routine calibration and maintenance of laboratory equipment or other analytical instruments.

42. Equipment used for quality control/assurance or inspection purposes, including sampling equipment used to withdraw materials for analysis.

43. Hydraulic and hydrostatic testing equipment.

44. Environmental chambers not using HAP gasses.

45. Shock chambers.

46. Humidity chambers.

47. Solar simulators.

48. Fugitive emissions related to movement of passenger vehicles, provided the emissions are not counted for applicability purposes and any required fugitive dust control plan or its equivalent is submitted.

49. Process water filtration systems and demineralizers, but not including air strippers.

50. Demineralized water tanks and demineralizer vents.

51. Boiler water treatment operations, not including cooling towers.

52. Oxygen scavenging (deaeration) of water.

53. Potable water treatment systems.

54. Ozone generators.

55. Fire suppression systems and activities involved in fire protection training, first aid or emergency medical training.

56. Emergency road flares.

57. Steam vents and safety relief valves.

58. Steam leaks.

59. Steam cleaning operations.

60. Steam sterilizers.

61. Oil and gas exploration and production facilities and operations that include wells and associated equipment and processes used either to: a) drill or alter oil and gas wells; b) extract, process and deliver crude oil and natural gas to the point of lease custody transfer; c) plug abandoned wells and restore well sites; or d) treat and

dispose of associated wastes. This category does not include gas compressor station engines or gas extraction wells at landfills.

62. Typesetting, image setting and plate making equipment used in the preparatory phase of printing.

If an applicant conducts an activity that is believed trivial but not covered by this listing, the applicant may list the activity in an operating permit application and provide a written justification for listing the activity as trivial. If the Department accepts the applicant's justification, no further information will be required on the activity. If the Department rejects the justification, additional information must be included in an operating permit application submitted to the Department.

DAVID E. HESS,

*Secretary*

[Pa.B. Doc. No. 01-2062. Filed for public inspection November 16, 2001, 9:00 a.m.]

### **Request for Applications for the Governor's Award for Watershed Stewardship**

To complement the Governor's Award for Environmental Excellence, applications are now being accepted for the new Governor's Award for Watershed Stewardship. The Governor's Award for Watershed Stewardship recognizes the success of the grass roots effort sparked by the Department of Environmental Protection's (DEP) Growing Greener Initiative.

The Governor's Award for Watershed Stewardship is available for initiatives in the following categories: 1) watershed partnerships; 2) watershed assessment and planning; 3) watershed protection and restoration projects; and 4) watershed demonstration, education, and outreach.

Projects or programs will be awarded based on their ability to demonstrate: 1) a commitment to the protection of the environment; 2) the involvement of businesses, governmental officials and community members; 3) a commitment to the public's best interest in the execution of the initiative; 4) effective outreach to stakeholders affected by the initiative; 5) the reduction of pollution at its source rather than controlling waste after it is created; and 6) cost effective manner in carrying out the project.

Eligible applicants include Commonwealth business, government agency, municipality, nonprofit organization, individual, farm or agribusiness engaged in watershed efforts. Candidates may submit only one application, which focuses on the best project or program. However, organizations with multiple branches or facilities may submit applications for each branch or facility. Some portion of the project must have been implemented during the 2001 calendar year in order to be eligible for an award. Projects that have previously received a Governor's Award for Environmental Excellence or Watershed Stewardship for the same project are not eligible for this award. However, organizations that are previous winners of the Governor's Award for Environmental Excellence or Watershed Stewardship may submit new projects for consideration.

Applications are now being accepted online at [www.dep.state.pa.us](http://www.dep.state.pa.us), DirectLINK "2002 watershed app." The deadline for submitting applications for the Governor's Awards for Watershed Stewardship to the DEP Grants

Center is January 4, 2002. Applications must be post-marked by January 4, 2002. Faxed copies will not be accepted.

For more information concerning the Governor's Award for Watershed Stewardship, visit the Growing Greener website at [www.GrowingGreener.org](http://www.GrowingGreener.org), send e-mail to [GrowingGreener@state.pa.us](mailto:GrowingGreener@state.pa.us) or contact the DEP Grants Center at (877) PAGREEN or (717) 705-5400. Written correspondence should be addressed to DEP Grants Center, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8776, Harrisburg, PA 17105-8776.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-2063. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Request for Applications for Watershed Restoration and Protection Grants Through the Growing Greener Program

As part of the fourth year of the Department of Environmental Protection's (DEP) Growing Greener Program, applications are now being accepted for watershed protection and restoration grants.

*Wednesday, December 5, 2001*

Radisson Hotel Williamsport  
Williamsport, Lycoming County

*Tuesday, December 11, 2001*

Greater Plymouth Community Center  
Plymouth Meeting, Montgomery County

*Wednesday, December 12, 2001*

DEP Southcentral Regional Office  
Harrisburg, Dauphin County

To request an application or obtain more information concerning the Growing Greener Program, visit the Growing Greener website at [www.GrowingGreener.org](http://www.GrowingGreener.org), send e-mail to [GrowingGreenerstate.pa.us](mailto:GrowingGreenerstate.pa.us) or contact the DEP Grants Center at (877) PAGREEN or (717) 705-5400. Written correspondence should be addressed to DEP Grants Center, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8776, Harrisburg, PA 17105-8776.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-2064. Filed for public inspection November 16, 2001, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Hahnemann University Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Hahnemann University Hospital has requested an exception to 28 Pa. Code §§ 51.22 and 138.1 (relating to cardiac catheterization; and principle).

For year 4, DEP projects to invest more than \$50 million in a variety of watershed projects, including: organizing a watershed group; watershed assessments and development of watershed restoration and protection plans; implementation of watershed restoration or protection projects; demonstration; education/outreach programs; reclaiming abandoned mines and oil and gas wells; and addressing acid mine drainage polluted streams.

Applications are now being accepted online at [www.dep.state.pa.us/](http://www.dep.state.pa.us/) Direct LINK "Year 4 App." The deadline for submitting applications to the DEP Grants Center is February 8, 2002. Applications must be post-marked (if mailed), or received (if hand delivered) by 4:30 p.m. on February 8, 2002. Faxed copies will not be accepted.

To provide personalized assistance in the application process, DEP is sponsoring a series of grant workshops throughout the State. The workshops feature grant writing tips, what makes a good project and mini-sessions on how to apply for specific project types. DEP will offer two workshops on each of the following six dates. The afternoon workshop will begin at 1 p.m.; the evening workshop will begin at 6 p.m. The dates and locations of the workshops are as follows:

*Tuesday, December 11, 2001*

Ramada Plaza Hotel  
Wilkes-Barre, Luzerne County

*Wednesday, December 12, 2001*

Greensburg Four Points  
Greensburg, Westmoreland County

*Thursday, December 13, 2001*

Community Center of Crawford County  
Meadville, Crawford County

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: [DDITLOW@STATE.PA.US](mailto:DDITLOW@STATE.PA.US).

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2065. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Application of Indiana Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Indiana Hospital has requested an exception to 28 Pa. Code § 127.32 (relating to written orders).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2066. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Application of Main Line Plastic Surgery & Laser Associates, Ltd. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Main Line Plastic Surgery & Laser Associates, Ltd. has requested an exception to 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.F5 i and m (relating to services provided in outpatient surgical facilities).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommoda-

tion to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2067. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(e) (relating to bathing facilities):

Saint Mary's @ Asbury Ridge  
4855 West Ridge Road  
Erie, PA 16504

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.71(a) (relating to bed and furnishings):

Sycamore Creek Nursing Center  
234 Coraopolis Road  
Coraopolis, PA 15108

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address 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 wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2068. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (P. L.104-66, 42 U.S.C.A. § 300d-52), will hold a public meeting on Wednesday, November 28, 2001. The meeting will be held at the Department of Education in the Heritage B Conference Room, 333 Market Street, Harrisburg, PA, from 10 a.m. to 3 p.m.

For additional information, contact Elaine M. Terrell, Director, Head Injury Program, Division of Child and Adult Health Services at (717) 772-4959.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact the Head Injury Program at (717) 772-4959, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-2069. Filed for public inspection November 16, 2001, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

Notice is hereby given that the Department of Transportation, pursuant to 71 P. S. § 513(e)(7), intends to sale certain land owned by the Department.

The following properties are available for sale by the Department.

Parcel No. 4—Bridgeville Borough, Allegheny County. This parcel contains approximately 5,966± square feet of vacant land situated at 437 Chartiers Street, Bridgeville, Pennsylvania.

It has been determined that the land is no longer needed for present or future transportation purposes.

Interest public entities are invited to express their interest in purchasing the site within thirty (30) calendar days from the date of publication of this notice to: Raymond S. Hack, District Engineer, Pennsylvania Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, Pennsylvania 15017.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-2070. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Dealerships and Nondealership Inspection Stations; Request for Participation

The Department of Transportation, Bureau of Motor Vehicles, gives notice that, starting in March 2002, and running until August 2002, it intends to conduct a pilot program for the performance of Onboard Diagnostic (OBD)—I/M checks, in anticipation of incorporating OBD testing of Model Year (MY) 1996 and newer vehicles into the emissions I/M program in this Commonwealth by the promulgation of revisions to 67 Pa. Code Chapter 177 (relating to enhanced emission inspection program). The pilot program will be conducted in the following counties: Allegheny, Beaver, Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, Washington, Westmoreland and York. The Department intends to have approximately 34 inspection stations participate in the pilot program with a goal of two stations in each county,

one a car dealership and the other a nondealership inspection station.

The purpose of the pilot program will be to familiarize the motoring public and emission inspection test stations with the OBD—I/M check process, including necessary new hardware and software, and to provide data on OBD equipped vehicles in this Commonwealth. The OBD—I/M check process will be an OBD and gas-cap test for MY 1996 and newer vehicles, and a gas-cap and anti-tampering test for MY 1995 and older vehicles.

By this notice, the Department is inviting stations within the previously-mentioned counties that meet the criteria in this notice to volunteer to participate in the pilot. Stations chosen for participation in the pilot program will be provided with loaned equipment and free training for up to two inspectors; all other operating costs are to be covered by the inspection station. Pilot stations will be chosen objectively using final selection criteria designed for maximum pilot effectiveness.

To be considered for use in the pilot program, dealerships and nondealership stations must meet the following criteria:

- Car Dealerships
  - Volume Requirements
    - In Allegheny, Beaver, Bucks, Chester, Delaware, Montgomery, Philadelphia, Washington and Westmoreland Counties, the dealership must have performed a minimum of 1,000 emissions inspections of model year 1996 and newer vehicles during the period from March 1, 2001, through August 31, 2001, as verified by data in the PENNDOT Vehicle Inspection Information Data Base (VIID).
    - In Berks, Cumberland, Dauphin, Lancaster, Lebanon, Lehigh, Northampton and York Counties, the dealership must have performed a minimum of 5,000 safety inspections during the period from January 1, 2000, through October 31, 2001, as verified by the number of safety inspection stickers issued to the dealership.
- The dealership must not have been suspended for any safety or emissions inspection violation during the period January 1, 1999, through December 31, 2001.
- The dealership must be willing to host demonstrations of the OBD—I/M check equipment and procedures for motorists, inspection station owners, dealerships, the media, members of the General Assembly and their staffs, as well as for Department staff.
- The dealership must be willing to enter into an agreement with the Department outlining the duties and responsibilities of a pilot station.
- Nondealership inspection stations
  - Volume Requirements
    - In Allegheny, Beaver, Bucks, Chester, Delaware, Montgomery, Philadelphia, Washington and Westmoreland Counties, the station must have performed a minimum of 400 emissions inspections of model year 1996 and newer vehicles during the period from March 1, 2001, through August 31, 2001, as verified by data in the PENNDOT Vehicle Inspection Information Data Base (VIID).
    - In Berks, Cumberland, Dauphin, Lancaster, Lebanon, Lehigh, Northampton and York Counties, the station

must have performed a minimum of 3,000 safety inspections during the period from January 1, 2000, through October 31, 2001, as verified by the number of safety inspection stickers issued to the station.

○ The nondealership station must not have been suspended for any safety or emissions inspection violation during the period January 1, 1999, through December 31, 2001.

○ The nondealership station must be willing to host demonstrations of the OBD—I/M check equipment and procedures for motorists, inspection station owners, dealerships, the media, members of the General Assembly and their staffs, as well as for Department staff.

○ The non-dealership station must be willing to enter into an agreement with the Department outlining the duties and responsibilities of a pilot station.

Responses indicating interest in participation in the OBD—I/M check pilot program should be directed to Barry Williams, Vehicle Inspection Division, 3rd Floor, Riverfront Office Center, 1101 S. Front Street, Harrisburg, PA 17104, or be e-mailed to [bwillia@dot.state.pa.us](mailto:bwillia@dot.state.pa.us) on or before December 31, 2001. All responses should include station name, station ID number, station address, phone number and contact person.

Selection of dealerships and nondealership stations for participation will be limited. Criteria for the selection of participating dealerships and nondealership stations will be posted on the Drive Clean PA! website, [www.drivecleanpa.state.pa.us](http://www.drivecleanpa.state.pa.us), or available from the Department contact listed previously. If, in any of the numerated counties, no dealerships or nondealership stations meeting the criteria seek to participate in the pilot, the selection criteria for that county may be altered by the Department to accomplish the pilot program goals.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-2071. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Equipment Manufacturers; Request for Participation

The Department of Transportation (Department), Bureau of Motor Vehicles, gives notice that, starting in March 2002, and running until August 2002, it intends to conduct a pilot program for the performance of Onboard Diagnostic (OBD)—I/M checks, in anticipation of incorporating OBD testing of Model Year (MY) 1996 and newer vehicles into the emissions I/M program in this Commonwealth by the promulgation of revisions to 67 Pa. Code Chapter 177 (relating to enhanced emission inspection program). The pilot program will be conducted in the following counties: Allegheny, Beaver, Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, Washington, Westmoreland and York. The Department intends to have approximately 34 inspection stations participate in the pilot program with a goal of two stations in each county.

The purpose of the pilot program will be to familiarize the motoring public and emission inspection test stations with the OBD—I/M check process, including necessary new hardware and software, and to provide data on OBD equipped vehicles in this Commonwealth. The OBD—I/M check process will be an OBD and gas-cap test for MY

1996 and newer vehicles, and a gas-cap and antitampering test for MY 1995 and older vehicles.

By this Notice, the Department is soliciting stand alone OBD—I/M check equipment from interested equipment providers to be loaned at no cost to inspection stations participating in the pilot program. The Department intends to have each participating manufacturer's equipment piloted in at least seven inspection stations.

To be considered for use in the pilot program, OBD—I/M check equipment supplied by equipment providers must meet the following criteria:

- OBD—I/M check equipment must meet the Pennsylvania Equipment and Software Specifications which were finalized on November 5, 2001, that is,

- Equipment must utilize software able to perform the Commonwealth's planned OBD—I/M check.

- Equipment must have the capability to communicate results to Commonwealth's Vehicle Inspection Information Data Base (VIID).

- Necessary peripheral equipment to enable inspection stations to conduct a complete Commonwealth emissions inspection/OBD—I/M check must be provided, including:

- Printer to print customer's Vehicle Inspection Report (VIR)

- Bar Code Scanner (to scan vehicle registration card and inspector license)

- Gas Cap Tester.

- Modem/ Connector for phone line to transfer data to VIID

- Additional requirements

- Equipment must be delivered to the Department or its agent for testing/approval before January 31, 2002.

- Equipment provider must have the ability to provide timely repair service to, and technical support for, equipment at stations participating in the pilot program.

- Equipment providers selected must be willing to supply, at no charge to the Department or to participating inspection stations, as many as 34 pieces of necessary equipment for the duration of the pilot program.

Responses indicating interest in participation in the OBD—I/M check pilot program and the ability to meet these criteria should be directed to Peter Gertz, Vehicle Inspection Division, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, or be e-mailed to [gertz@dot.state.pa.us](mailto:gertz@dot.state.pa.us) on or before November 30, 2001. Responses received after that date will be considered if needed. Copies of the Commonwealth's OBD Equipment/Software Specifications may be requested at the same address.

Selection of equipment providers for participation may be limited. Criteria for the selection of participating equipment providers will be posted on the Drive Clean PA! website, [www.drivecleanpa.state.pa.us](http://www.drivecleanpa.state.pa.us), or available from the Department contact listed previously.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-2072. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Finding Chester County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Federal Highway Administration and the Department of Transportation plan to replace the Mortonville Bridge which carries S.R. 3062, Strasburg Road, over the West Branch of the Brandywine Creek in East Fallowfield Township, Chester County.

The project will require use of the National Register-listed Mortonville Bridge and the National Register-listed Dry Mill Race Bridge. If a new owner is not found for either the Mortonville Bridge or the Dry Mill Race Bridge they will be demolished. Both the Mortonville Bridge and the Dry Mill Race Bridge contribute to the significance of the Mortonville Historic District. The project will require the demolition of the Mortonville Mill building ruins. The Mortonville Mill is a contributing resource of the Mortonville Historic District. The project will require acquisition of 19.5 square meters (210 square feet) of land from the National Register-listed Mortonville Hotel. The project will require 2,648 square meters (30,046 square feet) of land and demolition of three contributing elements of the Mortonville Historic District. This action will have a visual effect on the National Register-eligible Mortonville Historic District and will have an effect on the visual character of the western and eastern approaches into the historic district. This action will introduce visual elements that are out of character with the existing historic district.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effects. A Memorandum of Agreement (MOA) has been prepared and signed by all appropriate agencies for the proposed action. Mitigation measures have been stipulated in the MOA. The MOA stipulates that a marketing plan be developed to transfer ownership of the Mortonville Bridge and the Dry Mill Race Bridge to a party which would agree to preserve the bridges in place. If a new owner is not identified, the Mortonville Bridge and the Dry Mill Race Bridge will be documented to an appropriate level of Historic American Engineering Record (HAER) standards.

Measures to minimize harm to the Mortonville Hotel have been incorporated into the proposed project. The amount of land to be acquired from the Mortonville Hotel property for reconfiguration of the Strasburg Road intersection with Creek and Laurel Roads has been minimized. Within the Mortonville Historic District, the proposed project requires the acquisition of the least amount of land compared to the other build alternatives. The demolition of the Mortonville Mill will be mitigated by the preparation of a Historic American Engineering Record or Historic American Building Survey documentation package. A landscaping plan will be developed in consultation with the PA SHPO to mitigate the adverse visual effects of construction with the historic district. The MOA also includes a stipulation for the erection of a plaque commemorating the bridges, historic district, and mill building. The use of stone facing on the abutments and piers of

the new bridge will also mitigate the visual effect of a new bridge.

I have considered the environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, and have concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-2073. Filed for public inspection November 16, 2001, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Tobacco Settlement Act 77 Advisory Committee; Public Meeting

The Department of Public Welfare (Department) is announcing the opportunity for public comment to the Advisory Committee, established under the Tobacco Settlement Act 77 of 2001 (Act). Under this Act, the General Assembly established a Hospital Uncompensated Care Program, which compensates hospitals for certain costs of uncompensated care provided by hospitals. Additionally, under section 1103(d) of the Act, the Department was to establish an Advisory Committee, for the purpose of assisting the Department and the Health Care Cost Containment Council in improving the accuracy, consistency and timeliness of the information collected and used to determine payments to hospitals under the Hospital Uncompensated Care Program. The Department is seeking public input for this Advisory Committee. The Department is especially interested in receiving public comments on two areas of concern.

The first issue concerns uniform reporting requirements for hospital charity care expenses, especially in relation to the following:

1. Patient eligibility for other public or private coverage.
2. Income eligibility threshold based on family size.
3. Consideration of other resources available to a patient or responsible party.
4. Patient or responsible party employment status and earning capacity.
5. Other financial obligations of patient or responsible party.
6. Other sources of funds available to the hospital, such as endowments or donations specified for charity care.

The second issue concerns uniform reporting requirements for hospital bad debt expenses. The Department is particularly interested in comments addressing hospitals' collection procedures for unpaid patient responsibility, including deductibles, coinsurance, copayments and noncovered services.

In order to gather comments from all interested parties, the Department will hold a public meeting on Friday, November 30, 2001, 1:30 p.m.-4 p.m. in the Auditorium of the State Game Commission, 2001 Elmerton Avenue, Harrisburg, PA.

Persons who wish to present comments must schedule a 5-minute time slot by calling (717) 772-6150. The deadline to schedule a speaking slot is November 26, 2001. Bring a written copy of comments to the meeting.

Persons who are unable to attend the meeting, may submit comments in writing to DPW/OMAP, Bureau of Fee-for-Service Programs, P. O. Box 8047, Harrisburg, PA 17120.

Written comments also will be accepted at [wwhite@state.pa.us](mailto:wwhite@state.pa.us).

Written comments will be accepted until 4 p.m. November 30, 2001.

FEATHER O. HOUSTOUN,  
*Secretary*

[Pa.B. Doc. No. 01-2074. Filed for public inspection November 16, 2001, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Alcohol Restriction; Harveys Creek, Luzerne 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 Harveys Creek, Luzerne County in the following areas: the stream, stream bed and a stream corridor 25 feet in width extending from the normal high water line of the stream inland on both banks from Meeker-Outlet Road (T-810) upstream of State Route 118 downstream 8.5 miles to the boundary of the Lackawanna State Forest and the land area between the stream bank and State Route 29 from its junction with Fedor Road (State Route 1059) at Cease's Mills downstream to the boundary of the Lackawanna State Forest. This restriction is effective when posted at the sites.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 01-2075. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Designations of Waters Subject to Special Fishing Regulations

The Fish and Boat Commission (Commission) is designating the following waters as subject to 58 Pa. Code Chapter 65 (relating to special fishing regulations), effective January 1, 2002:

#### 58 Pa. Code § 65.5. Catch-and release areas.

The following water is designated to be regulated and managed as a Catch-and-Release Area and is added to the list of waters subject to these regulations (58 Pa. Code § 65.5):

County	Water on which located	Description
Carbon	Hickory Run	From Sand Spring Run upstream to Saylorville Dam, a distance of 1.38 miles.

The limits of Hickory Run that are currently regulated and managed under the Catch-and Release Program are now described as follows:

From the outlet of Saylorville Dam downstream to the mouth, a distance of 2.88 miles.

#### 58 Pa. Code § 65.8. Warmwater/coolwater species special conservation waters.

The following lake is removed from the list of waters regulated and managed as Warmwater/coolwater Species Special Conservation Waters:

County	Water
Westmoreland	Bridgeport Dam

#### 58 Pa. Code § 65.9. Big bass special regulations.

The following waters are designated to be regulated and managed under the Big Bass Special Regulations and are added to the list of waters subject to these regulations (58 Pa. Code § 65.9):

County	Water
Berks	Carsonia Lake
Bucks	Towhee Lake
Juniata/Perry	Juniata River from the Route 11/15 Bridge near Amity Hall upstream to Newport S.R. 0034 Bridge (Big Bass Regulations now apply on the Juniata River from its mouth upstream to the S.R. 0075 Bridge at Port Royal)
Westmoreland	Bridgeport Dam

#### 58 Pa. Code § 65.10. Select trout stocked lake program.

The following lakes are removed from the list of waters regulated and managed under the Select Trout Stocked Lake Program:

County	Water
Beaver	Upper Hereford Manor Lake
Berks	Angelica Lake
Lackawanna	Merli-Sarnoski Lake
Luzerne	Irena Lake
Luzerne	Lily Lake
Sullivan	Hunters Lake

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 01-2076. Filed for public inspection November 16, 2001, 9:00 a.m.]



## HOUSING FINANCE AGENCY

### Federal Low-Income Housing Tax Credit Program; Public Hearing

The Housing Finance Agency (Agency), as the Administrator of the Federal Low-Income Housing Tax Credit Program for the Commonwealth, hereby provides notice of a public hearing to obtain public comment on the proposed Pennsylvania 2002 Low-Income Housing Tax Credit Allocation Plan. This public hearing will be held on Thursday, November 29, 2001, at the Housing Finance Agency, 2101 North Front Street, Harrisburg, PA at 9 a.m. Copies of the proposed 2002 Allocation Plan are available upon written request at the address listed in this notice, at (717) 780-3850 or through the Agency's website at [www.phfa.org](http://www.phfa.org). Individuals wishing to comment on the plan, but unable to attend the scheduled hearing, are invited to provide written comments no later than Wednesday, November 28, 2001, to the Manager, Tax Credit Program, Housing Finance Agency, P. O. Box 8029, Harrisburg, PA 17105-8029, TDD# for Hearing Impaired (717) 780-1869.

Written comments must be submitted prior to the date of the scheduled hearing or at the public hearing. Individuals who plan to attend the public hearing, should contact the Agency at (717) 780-3850.

Persons with a disability who wish to attend this public hearing, and require an auxiliary aid, service or other accommodation to participate should contact the Agency by Wednesday, November 28, 2001, to discuss how the Agency may best accommodate their needs.

WILLIAM C. BOSTIC,  
*Executive Director*

[Pa.B. Doc. No. 01-2077. Filed for public inspection November 16, 2001, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, November 1, 2001, and took the following actions:

*Regulations deemed approved under section 5(g) of the Regulatory Review Act—Effective October 26, 2001*

Department of Transportation #18-352: Distribution of Highway Maintenance Funds (rescinds 67 Pa. Code Chapter 453)

State Board of Auctioneer Examiners #16A-644: Application Fees (amends 49 Pa. Code § 1.41)

*Regulations Approved:*

State Board of Veterinary Medicine #16A-5711: Continuing Education (amends 49 Pa. Code § 31.15)

State Board of Occupational Therapy Education and Licensure #16A-674: General Revisions (amends 49 Pa. Code Chapter 42)

Pennsylvania Public Utility Commission #57-218: Natural Gas Emergency Plans and Emergency Actions (amends 52 Pa. Code § 59.63, adds §§ 59.71—59.75 and deletes §§ 69.21—69.27)

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner, by phone

### Approval Order

Public Meeting held  
November 1, 2001

*State Board of Veterinary Medicine—Continuing Education; Regulation No. 16A-5711*

On November 3, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Veterinary Medicine (Board). This rulemaking amends 49 Pa. Code § 31.15. The proposed regulation was published in the November 18, 2000 *Pennsylvania Bulletin* with a 30-day public comment period. Under section 5(e) of the Regulatory Review Act (71 P. S. § 745.5(e)), the Department resubmitted the proposed regulation on January 31, 2001. The final-form regulation was submitted to the Commission on October 5, 2001.

This rulemaking limits the number of continuing education credits from individual instruction programs. The new maximum allowance for these programs will be two credit hours per biennium. All licensees, approximately 3,000 licensed veterinarians and 800 animal health technicians, will have to comply with the regulation.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 485.18) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting held  
November 1, 2001

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner, by phone

*State Board of Occupational Therapy—Education and Licensure General Revisions; Regulation No. 16A-674*

On July 28, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Occupational Therapy Education and Licensure (Board). This rulemaking amends 49 Pa. Code Chapter 42. The proposed regulation was published in the August 12, 2000 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 5, 2001.

The regulation eliminates outdated provisions, standardizes language and adopts the 1994 revisions to the American Occupational Therapy Association Code of Eth-

ics. The regulation impacts both occupational therapists and occupational therapy assistants.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1505(b) and 1516(a)(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting held  
November 1, 2001

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner, by phone.

*Pennsylvania Public Utility Commission—Natural Gas Emergency Plans and Emergency Actions; Regulation No. 57-218*

On January 31, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code § 59.63, adds sections 59.71—59.75 and deletes sections 69.21—69.27. The proposed regulation was published in the February 10, 2001 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 5, 2001.

This final-form rulemaking establishes procedures for managing gas supply emergencies with the intent of maintaining gas service while minimizing service disruption. The regulation is mandated by the Natural Gas Choice and Competition Act of 1999 (66 Pa.C.S. §§ 2201—2212). All natural gas distribution companies will be required to comply with the rulemaking.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501 and 2203(12)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 01-2078. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Notice of Comments Issued

Section 5(d) of the Regulatory Review Act (71 P. S. § 745.5(d)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
#15-418	Department of Revenue Personal Income Tax; Employer Withholding	11/1/01	10/1/03
(31 Pa.B. 4956 (September 1, 2001))			

### Department of Revenue Regulation No. 15-418 Personal Income Tax; Employer Withholding November 1, 2001

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Department of Revenue (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 1, 2003, the regulation will be deemed withdrawn.

#### 1. Section 113.3. Computing withholding of Pennsylvania Personal Income Tax.—Consistency with Statute; Clarity.

*Subsections (d) and (e)—Employer failure or refusal to pay over any withheld tax.*

These two subsections implement a statutory provision at 72 P. S. § 7320 that states that all taxes withheld by an employer will constitute a trust fund for the Commonwealth. The existing regulations do not specifically address the concept of a trust fund for employer withholding tax purposes.

This proposed regulation adds these two subsections to an existing section related to computing the withholding of personal income tax. For clarity, Subsections (d) and (e) of Section 113.3 should be placed in a separate and distinct section that specifically addresses the concept of a trust fund for employer withholding tax purposes.

*Subsection (f)—Cafeteria plans.*

This subsection describes what is nontaxable under a qualifying cafeteria plan. There are two concerns.

First, Subparagraph (f)(3) addresses payments that are outside of a qualifying cafeteria plan but are still nontaxable for Pennsylvania Personal Income Tax purposes. Hence, it should appear as a separate subsection.

Second, the nontaxable payments alluded to in Subparagraph (f)(3) are delineated in existing regulations at 61 Pa. Code § 101.6. Therefore, this subparagraph should reference Section 101.6.

#### 2. Section 113.3b. Registration.—Clarity.

This section requires employers to use a "form prescribed by instructions of the Department." The form is available on the Commonwealth's website or at Department district offices throughout the State. This fact should be included in the regulation. In addition, the regulation should identify the form by number or title.

#### 3. Section 113.4. Time and place for filing reconciliation and withholding statements.—Clarity.

Subsection (c) states that when employers file withholding statements via electronic or magnetic media, the data

will be forwarded as "specified in the instructions of the Department." It is our understanding that the Department will be flexible in accepting filings via electronic or magnetic media, and will accept filings based on Federal standards and requirements. For clarity, the Department should explain what the instructions are and where they can be found.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-2079. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

#### Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
54-57	Pennsylvania Liquor Control Board Responsible Alcohol Management	11/01/01

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-2080. Filed for public inspection November 16, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Voluntary Surrender of Certificate of Authority

Health Plans of Pennsylvania, Inc., a domestic health maintenance organization, has submitted an application for approval to surrender its Insurance Department Certificate of Authority. Persons wishing to comment on the grounds of public or private interest concerning the surrender are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to [rbrackbill@state.pa.us](mailto:rbrackbill@state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-2081. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Great Northern Insurance Company; Homeowners Insurance Rate Revision

On October 26, 2001, the Insurance Department (Department) received from Great Northern Insurance Company a filing for a proposed rate level change for homeowners insurance.

The Great Northern Insurance Company requests an overall 12.0% increase amounting to \$3,200,000 annually, to be effective upon the Department approval.

Unless formal administrative action is taken prior to December 25, 2001, 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, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, (e-mail at [xlu@state.pa.us](mailto: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. 01-2082. Filed for public inspection November 16, 2001, 9:00 a.m.]

### QualMed Plans for Health—Group; Rate Filing

On October 31, 2001, QualMed Plans for Health (formerly Greater Atlantic Health Services) submitted a filing requesting a Base Rate increase of 8.73% to 13.35% for Philadelphia and 20.44% to 25.56% for the Lackawanna/Luzerne service areas for the Community Rated HMO Medical Program. The proposed pharmacy increase is between -4.49% and 54.38% for Philadelphia and the Lackawanna/Luzerne service areas. This filing will affect approximately 10,618 members in Philadelphia and 27,462 in Lackawanna/Luzerne. The estimated additional revenue generated from this increase is approximately \$2.4 million and \$9.2 million in Philadelphia and Lackawanna/Luzerne, respectively. The proposed effective date is January 1, 2002.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-2083. Filed for public inspection November 16, 2001, 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 such documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution #CB-01-261, Dated October 5, 2001. This resolution authorizes the side letter of agreement between the Commonwealth and PSEA that increases the rate of pay for substitute employees at Scranton State School for the Deaf and Scotland School for Veterans' Children from \$10.98 per hour to \$12.50 per hour, effective October 1, 2001. Additionally, the rate will increase to \$12.88 per hour effective August, 2002.

Resolution #CB-01-285, Dated October 25, 2001. This resolution authorizes the side letter of agreement between the Commonwealth and the PLCB Enforcement Officer III Meet and Discuss Unit (K5). This letter creates a new section in Recommendation 14 of the Memorandum of Understanding to provide for a \$55.00 per month stipend to compensate employees whose office location is not owned or leased by the Commonwealth for the cost of providing office space.

#### *Governor's Office*

Manual M215.3—Field Procurement Handbook, Revision No. 2, Dated October 5, 2001.

Management Directive No. 250.3—State Contracts Information Document, Revision No. 1, Dated September 27, 2001.

Management Directive No. 525.13—Maintenance of Weighted Salaries, Amended September 28, 2001.

Management Directive No. 530.24—Retired Employee Health Program Eligibility Requirements, Amended October 5, 2001.

Management Directive No. 720.3—Guidelines for Preparing for, Responding to, and Reporting of Bombs, Bomb Threats, and Other Related Incidents and Terrorist Incidents, Amended October 18, 2001.

Administrative Circular No. 01-30—New Telephone and Facsimile Numbers for Rosemont Office Only Medical Professional Liability Catastrophe Loss Fund, Dated October 5, 2001.

Administrative Circular No. 01-31—Relocation—Office of Inspector General's Northeast Regional Office, Dated October 10, 2001.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Code and*  
*Bulletin*

[Pa.B. Doc. No. 01-2084. Filed for public inspection November 16, 2001, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Allegheny County, Wine & Spirits Shoppe #0299, Penn Hills Shopping Center, 11663 Penn Hills Drive, Pittsburgh, PA 15235-3329.

*Lease Expiration Date:* January 31, 2007

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 6,200 net useable square feet of new or existing retail commercial space within a 1/4 mile from the Rodi and Frankstown Road intersection, Penn Hills. Off-street parking and good loading facilities are preferred.

*Proposals due:* December 7, 2001, at 12 noon.

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222

**Contact:** Thomas Deal, (412) 565-5130

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 01-2085. Filed for public inspection November 16, 2001, 9:00 a.m.]

## MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND

### Notice of and Amount of Surcharge

The Medical Professional Liability Catastrophe Fund (Fund), under the authority granted by section 701(e) of the Health Care Services Malpractice Act (40 P. S. § 1301.701(e)), as amended by Act 135 of 1996, has determined that the annual surcharge to be assessed for calendar year 2002 shall be 50% applied to the prevailing primary premium for each health care provider.

Act 135 of 1996 defines "prevailing primary premium" as the schedule of occurrence rates approved by the Insurance Commissioner for the Joint Underwriting Association (JUA). For purposes of the 2002 annual surcharge, the JUA rates to be used are \$500,000 per occurrence/\$1,500,000 per annual aggregate for health care providers other than hospitals and \$500,000 per occurrence/\$2,500,000 per annual aggregate for hospitals.

Health care providers having approved self-insurance plans shall be surcharged an amount equal to the surcharge imposed on a health care provider of like class, size, risk and kind as determined by the Fund's Director.

JOHN H. REED,  
*Director*

[Pa.B. Doc. No. 01-2086. Filed for public inspection November 16, 2001, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 10, 2001, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-00113875, F.1, Am-A Capital City Cab Service, Inc.** (362 South Front Street, Steelton, Dauphin County, PA 17113), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in the county of Dauphin: *So As To Permit* the transportation of persons upon call or demand, in the counties of Cumberland, Perry and York. *Attorney:* Peter B. Foster, 121 South Street, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2087. Filed for public inspection November 16, 2001, 9:00 a.m.]

## Wastewater Without Hearing

**A-230240F0013. Little Washington Wastewater Company.** Application of Little Washington Wastewater Company for approval of: 1) the transfer by sale of the wastewater system assets of White Haven Municipal Authority to Little Washington Wastewater Company; and 2) the right of Little Washington Wastewater Company to begin to offer, render, furnish or supply wastewater service to the public in the Borough of White Haven and in portions of Dennison Township in Luzerne County, PA, and in portions of Kidder Township and East Side Borough in Carbon County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 3, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Little Washington Wastewater Company.

*Through and By Counsel:* Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2088. Filed for public inspection November 16, 2001, 9:00 a.m.]

## Water Service Without Hearing

**A-212600F0007. Consumers Pennsylvania Water Company-Roaring Creek Division.** Application of Consumers Pennsylvania Water Company-Roaring Creek Division, for approval of 1) the transfer by sale of the water supply system assets of White Haven Municipal Authority to Consumers; and 2) the right of Consumers to begin to offer, render, furnish or supply water service to the public in the Borough of White Haven and in a portion of Dennison Township in Luzerne County and a portion of Kidder Township in Carbon County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 3, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Consumers Pennsylvania Water Company-Roaring Creek Division.

*Through and By Counsel:* Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2089. Filed for public inspection November 16, 2001, 9:00 a.m.]

## Water Service Without Hearing

**A-212370F0068 and A-211960F2000. Philadelphia Suburban Water Company and Monroe Manor Water Company.** Joint Application of Philadelphia Suburban Water Company and Monroe Manor Water Company for approval of: 1) the transfer, by merger, of the water system assets of Monroe Manor Water Company to Philadelphia Suburban Water Company; 2) the right of Philadelphia Suburban Water Company to begin to furnish water service to the public in the service area of Monroe Manor Water Company; and 3) the abandonment by Monroe Manor Water Company of water service to the public in its service territory located in portions of Monroe Township, Snyder County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 3, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Philadelphia Suburban Water Company, Monroe Manor Water Company.

*Through and By Counsel:* Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489; and John R. Moore, Esquire, 719 North Market Street, Selinsgrove, PA 17870.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2090. Filed for public inspection November 16, 2001, 9:00 a.m.]

**Water Service  
Without Hearing**

**A-212370 F0069 and A-210036 F2000. Philadelphia Suburban Water Company and Rolling Green Water Company.** Joint Application of Philadelphia Suburban Water Company and Rolling Green Water Company for approval of: 1) the transfer, by merger, of the water system assets of Rolling Green Water Company to Philadelphia Suburban Water Company; 2) the right of Philadelphia Suburban Water Company to begin to furnish water service to the public in the service area of Rolling Green Water Company; and 3) the abandonment by Rolling Green Water Company of water service to the public in its service territory located in portions of Monroe Township, Snyder County, PA.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before December 3, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Philadelphia Suburban Water Company, Rolling Green Water Company

*Through and By Counsel:* Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489; and Myron M. Moskowitz, Esquire, 2 East Independence Street, Shamokin, PA 17872.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-2091. Filed for public inspection November 16, 2001, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project 0163.P, Purchase of One

Reconditioned 5,000 lb. Forklift, until 2 p.m. on Thursday, November 29, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available November 20, 2001. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 01-2092. Filed for public inspection November 16, 2001, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0156.1, Furnish and Install Canopy and Truck Dock Seals at South Loading Dock, Packer Ave. Marine Terminal, Bldg. #1A until 2 p.m. on Thursday, December 6, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available November 20, 2001. The cost of the bid document is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

Mandatory prebid job site meeting will be held Thursday, November 29, 2001, 10 a.m. at the job site, Columbus Blvd. and Packer Ave., Philadelphia, PA 19148 (entrance at down river gate).

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 01-2093. Filed for public inspection November 16, 2001, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

- The payment date specified in the contract.
- 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
- The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



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.

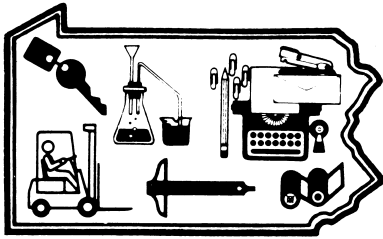
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## 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

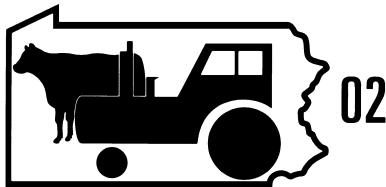
**5680-02 Rebid in Part #1** Highway Inlet Boxes, Grates and Frames. For a copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** All Using Agencies of the Commonwealth, PA  
**Duration:** Contract Period 01/01/00—12/31/02  
**Contact:** Vendor Services (717) 787-2199

**8415-01 Supplement #2** Work Gloves. For a copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** All Using Agencies of the Commonwealth, PA  
**Duration:** Contract Period 09/01/00—08/31/02  
**Contact:** Vendor Services (717) 787-2199

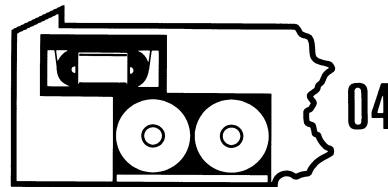
## SERVICES



### Agricultural Services

**LBLA 6251 Brine Shrimp** Procurement of Brine Shrimp eggs. Premium grade, with guaranteed minimum hatch rate of 85%, supplied in 16 Oz. vacuum packed tins and purchased in case lots.

**Department:** Fish and Boat Commission  
**Location:** To be shipped to Pleasant Gap, PA  
**Duration:** Expected shipment December 2001/January 2002  
**Contact:** Kathi Tibbott, Purchasing Agent (814) 359-5130

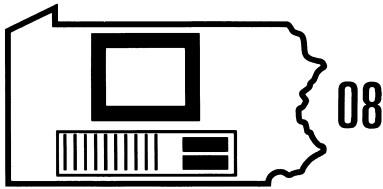


### Audio/Video

**SU-01-05** Shippensburg University is seeking vendors interested in submitting bids to furnish and install New Fiber 12M.M/12S.M from Shippensburg University's Mathematics and Computing Technology Center to the Ezra Lehman Memorial Library then on to the Franklin Science Center. Please fax your request to be added to the bidders list by November 23, 2001 to the attention of Pam King at (717) 477-4004. All responsible bidders are invited to participate including MBE/WBE firms.

**Department:** State System of Higher Education  
**Location:** Shippensburg University, Old Main Drive, Shippensburg, PA 17257  
**Duration:** 45 days ARO  
**Contact:** Pamela King (717) 477-1121

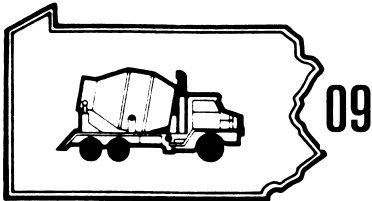




**Computer Related Services**

**081520004** Keypunch and key verify 30,000 Non-Public Schools purchase orders, creating one ASCII file per workday (Mon—Fri) to the Office of the Budget, BMIS; file will be transferred electronically via FTP by 3pm each day. Purchase Orders (PO's) will be supplied in batches of 50 and required input of 3 levels of information, batch, document and item. Maximum record sizes are 116 characters each for batch record, document record and item record. Peak workload occurs April—July and Dec—Feb. Average daily volume projected to 110 PO's; maximum one-day volume not to exceed 1,250 PO's. Error rate not to exceed one-half percent which is calculated on a character basis. Pick up and delivery by contractor will be made on a daily basis, M-F between 8am and 3:30 p.m. at location. Turnover time not to exceed 3 working days and 2 days transportation. Bids must be received no later than 9 a.m. on November 29, 2001.

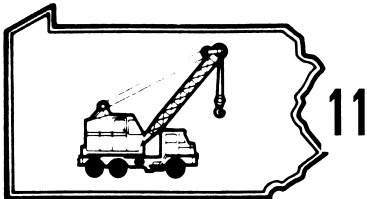
**Department:** Office of the Budget/Executive Offices  
**Location:** 15th floor, Labor and Industry Bldg.  
**Duration:** One year period with option to renew for up to 4 one-year periods.  
**Contact:** Christina Jovic (717) 783-9715



**Construction & Construction Maintenance**

**LBLA 6253 Snow Guard** Furnish and install approx 565 feet of snow guard rail and 161 ft. of heat tape on metal roofed building located on Elmerton Ave, Harrisburg, PA.

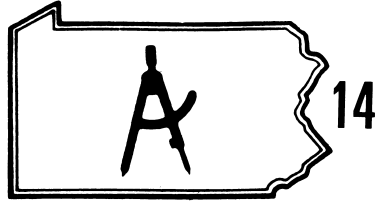
**Department:** Fish and Boat Commission  
**Location:** Headquarters Office Building, Elmerton Avenue, Harrisburg, PA  
**Contact:** Kathi Tibbott, Purchasing Agent (814) 359-5130



**Demolition—Structural Only**

**Contracting for Demolition and/or Removal of Structures** Notice is hereby given by the Department of Transportation that it is seeking bids for the Demolition and/or Removal of certain residential and commercial structures in conjunction with the construction of SR 222, Section 001/002 in the County of Lehigh, Townships of Upper Macungie and Lower Macungie. There is asbestos in some or all of the structures. The bidding will be open to the pre-qualified contractors only. For Bid Forms, date of inspections, specifications and further information, Contact: Presnell Associates, Inc., 5930 Hamilton Blvd., Suite 6, Wescosville, PA 18106.

**Department:** Transportation  
**Location:** Upper Macungie and Lower Macungie Townships  
**Duration:** As Specified in Contract  
**Contact:** David Eckhardt (610) 336-4840



**Engineering Services**

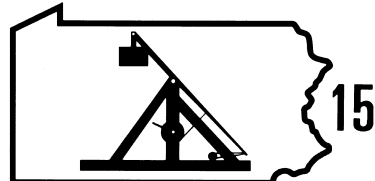
**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)

**110070** Perform soil, rock aggregate and water testing services primarily on samples taken during investigation of District 11's design and maintenance projects. Samples must be picked up at the District Office or Bridgeville Maintenance facility no later than three working days after being notified. Results are to be supplied no later than seven working days after receipt of samples unless testing procedures require additional time. All laboratory data sheets, graphs, calculations and computer input/output must be submitted with results. The laboratory must be AAP accredited, and located within 40 miles of the Engineering District Office building.

**Department:** Transportation  
**Location:** 45 Thoms Run Road, Bridgeville, PA 15017  
**Duration:** The contact will be for an original period of two years from the effective date. The contract will be renewable by mutual consent for one additional two-year period. Escalation clause for the renewal shall not exceed the current Producer Price Index.

**Contact:** William R. Adams Jr., PhD., P.G., P.E. (412) 429-4919



**Environmental Maintenance Service**

**BF 446-101.1** Abandoned Mine Land Reclamation, Howard Burkland, involves clearing and grubbing, 230,000 c.y. grading, 1,000 s.y. rock lining with geotextile, 150 ton limestone screenings, seeding 33 acres, and implementation of erosion and sediment pollution control plan. This project will be issued November 16, 2001; payment in the amount of \$10.00 must be received before bid documents will be sent.

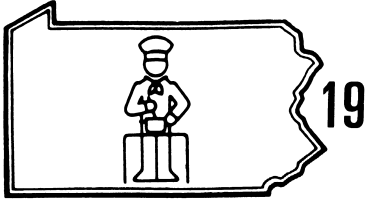
**Department:** Environmental Protection  
**Location:** Luzerne Township, Fayette County  
**Duration:** 310 calendar days after notice to proceed  
**Contact:** Construction Contracts Section (717) 783-7994



**Firefighting Services**

**20973405** Contractor to supply all labor and materials necessary to test, recharge, and repair fire extinguishers.

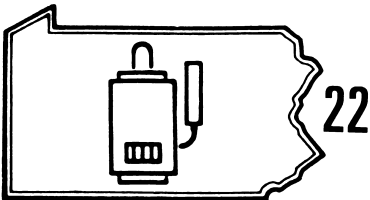
**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779  
**Duration:** 07/01/02—06/30/06  
**Contact:** Linda J. Zoskey (724) 459-4547



### Food

**PF-0879-01** This is a consolidated perishable food bid advertisement for four (4) individual food groups. There are separate commodity bid proposals; each bid proposal is to be requested individually by the product and bid number shown in this advertisement. Poultry and Fish, #9065; Frozen Fruits & Vegetables, #9066; Meat and Meat Products, #9067; Miscellaneous Frozen Foods, #9068. Fax requests for each bid package to (570) 372-5675.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, 1000 U. S. Highway 522, Selinsgrove, PA 17870  
**Duration:** January through March, 2002  
**Contact:** Arletta K. Ney, Purch. Agt. (570) 372-5670



### HVAC Services

**MI-823 STB - Storeroom AC** Provide and install new air handling unit, water supply & return lines, and air vents in the Science and Technology Building Storeroom, Millersville University. Specifications and plans may be obtained by sending a check for \$15.00 nonrefundable, payable to Millersville University of PA, Attn: Jill M. Coleman, Construction Contracting, Room 232 Dilworth Hall, P. O. Box 1002, Millersville, PA, 17551.

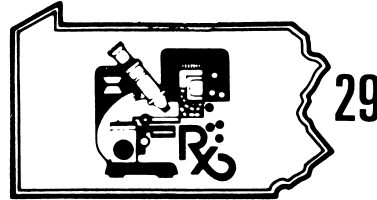
**Department:** State System of Higher Education  
**Location:** Millersville Borough  
**Duration:** 9 days  
**Contact:** Jill M. Coleman (717) 872-3730



### Laundry/Dry Cleaning & Linen/Uniform Rental

**44** Contractor must supply nine (9) various sizes of uniforms to be determined by actual measurement. (22 shirts/11 pants) pants 65% polyester and 35% cotton NAVY color, shirts 65% polyester and 35% cotton GREY-BLUE stripe color for mechanics, one BLUE-WHITE stripe for Manager. One employee 100% cotton (welder) 22 shirts/11 pants (same color as mechanics). Once awarded and approved, the vendor will make arrangements with the Purchasing Agent and Equipment Manager with a date and time to get sizes.

**Department:** Transportation  
**Location:** PA Department of Transportation, 1901 Ruffner Street, Philadelphia, PA 19140-2889  
**Duration:** One year, with 4 renewals  
**Contact:** Suleica Vazquez (215) 225-1415



### Medical Services

**20973404** Contractor certified by the American Board of Radiology to provide reading and interpreting of X-rays performed by hospital staff.

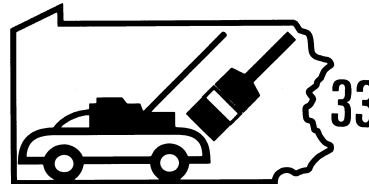
**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779  
**Duration:** 07/01/02—06/30/06  
**Contact:** Linda J. Zoskey (724) 459-4547

**20973403** Contractor, board certified in cardiology, to provide reading and interpreting of EKG's.

**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779  
**Duration:** 07/01/02—06/30/06  
**Contact:** Linda J. Zoskey (724) 459-4547

**20776003** To provide for the service of transporting patients to and from the Allentown State Hospital. Copies of the bid proposal can be obtained by contacting the purchasing department of the Allentown State Hospital at (610) 740-3425 OR FAX (610) 740-3424.

**Department:** Public Welfare  
**Location:** Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498  
**Duration:** 7/01/02 TO 6/30/06  
**Contact:** Robert Mitchell (610) 740-3425



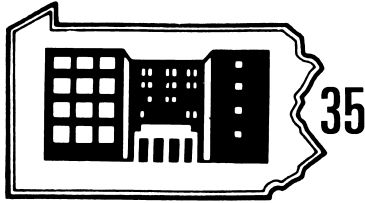
### Property Maintenance

**20973406** Contractor to furnish the necessary labor and equipment, to remove tree limbs, trees and cut/grind off tree stumps on an as-needed basis.

**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779  
**Duration:** 07/01/02—06/30/06  
**Contact:** Linda J. Zoskey (724) 459-4547

**SP 107833019** The scope of work for this project covers the supplying of all labor, tools, equipment, building materials, and appurtenances to repair sills, trim and siding necessary to install new replacement windows in the Dormitory Buildings A and B, and renovation of existing window wall in the Administration Building.

**Department:** Public Welfare  
**Location:** Youth Forestry Camp No. 2, Hickory Run State Park, R. R. 1, Box 82, White Haven, PA 18661  
**Duration:** Through June 30, 2002  
**Contact:** Susan E. Wilkinson, Business Manager (570) 443-9524



### Real Estate Services

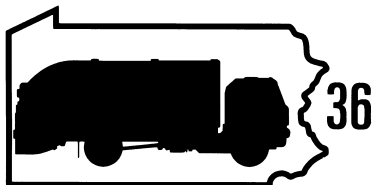
**BHP-0600** Historic Farm Buildings Available for Donation The U.S. Department of Justice, Federal Bureau of Prisons (Bureau), offers to donate one or more buildings contributing to the Farview State Hospital Agricultural complex, a National Register of Historic Places eligible historic property, to a state, county, or municipal subdivision of the Commonwealth of Pennsylvania for their relocation and preservation of Bureau property. These buildings currently stand near the intersection of Canaan Road and Owego Turnpike in Canaan Township, Wayne County. This donation is offered pursuant to the Memorandum of Agreement executed between the Bureau, the Pennsylvania State Historic Preservation Office, and the Advisory Council on Historic Preservation for the United States Penitentiary Project in Canaan Township, Pennsylvania. As part of the donation, the Bureau will require that all preservation activities regarding the building(s) must be in accordance with the Secretary of the Interior's Standards for Rehabilitation. The Bureau will also require that a restrictive covenant ensuring the future preservation of the building(s) be placed on the article of transfer. The Bureau offers up to ten buildings and structures for donation, including three frame barns, three silos, two manure storage buildings, one brick dairy farm, and one brick bull pen shelter. These buildings and structures comprise part of the institutional farm associated with the former Farview State Hospital, the Commonwealth's first facility for the treatment and incarceration of the criminally insane. The institutional farm operated between 1913 and 1975. For further information concerning these buildings or the offer of donation, please contact either Mr. David J. Dorworth, Chief, Site Selection and Environmental Review Branch, Federal Bureau of Prisons, at (202) 514-6470, or Mr. Stuart Dixon of The Louis Berger Group, Inc., the Bureau's cultural resources consultant, at (202) 331-7775, ext. 478.

**Department:** Historical and Museum Commission

**Location:** Address of building for donation: Intersection of Canaan Road and Owego Turnpike in Canaan Township, Wayne County

**Duration:** 2 Months

**Contact:** Ann Safley (717) 787-9121



### Sanitation

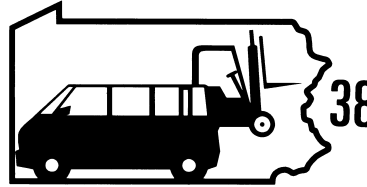
**SP-134302001** Pick-up and removal of all rubbish; including paper, cans, glass containers, rags, mattresses, and all other forms of refuse at the Hollidaysburg Veterans Home. This will require daily pick-up-dumpster style bins to be supplied by the vendor. For a bid package/questions, please fax to Becky J. Clapper, Purchasing Agent 3 @ 814/696-5395.

**Department:** Military Affairs

**Location:** Hollidaysburg Veterans Home, Rte. 220 @ Meadows Intersection, P. O. Box 319, Hollidaysburg, PA 16648-0319

**Duration:** Estimated: 01 July 2002 through 30 June 2005.

**Contact:** Becky J. Clapper, Purchasing Agent (814) 696-5395



### Vehicle, Heavy Equipment and Powered Machinery Services

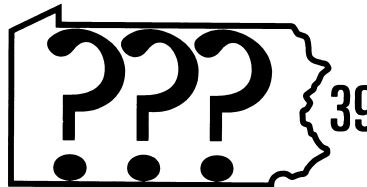
**060026** The Department of Transportation (District 6) is accepting bids for the furnishing and installation of Automatic Dump Truck Body Tarps. The Tarps are to be installed on PENNDOT owned tandem axle and single axle trucks. These trucks are in PENNDOT'S County Maintenance Yards located in Bucks, Chester, Delaware and Philadelphia Counties. Interested Vendors may obtain a bidding package by faxing in your name, address, phone number, and E-mail address to Louis J. Porrini, Highway Maintenance Manager at (610) 205-6909 or E-mail your information to Louis at Lporrini@dot.state.pa.us. The anticipated time frame for the release of Bid Packages is the week of November 19, 2001. The Bid Opening is anticipated to be held on December 19, 2001 @ 11 a.m. in the Engineering District 6 Office located at 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

**Department:** Transportation

**Location:** Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties

**Duration:** One Year with one (1-Year) Renewal

**Contact:** Louis J. Porrini, Highway Maintenance Manager (610) 205-6703



### Miscellaneous

**APR #74-5110** Daily Number/Big 4 Ping Pong Ball Sets (10 Balls per Set). Total of 54 Sets. Cash 5/Super 6 Lotto Ping Pong Ball Sets (69 Balls per Set). Total of 15 Sets. Specifications, delivery instructions and any other pertinent information will be included in the Invitation to Bid package.

**Department:** Revenue

**Location:** Pennsylvania Lottery, 2850 Turnpike Industrial Drive, Middletown, PA 17057 Door #5

**Duration:** December 31, 2001

**Contact:** (Supply) Carol Kirkpatrick (717) 772-0506

**20873010** The vendor will be responsible for the annual inspection and service of the Anodes and Rectifier in two (2) 500M gallon Reservoirs and one (1) 400M gallon elevated water storage tanks at the Harrisburg State Hospital.

**Department:** Public Welfare

**Location:** Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106

**Duration:** The term of this contract is anticipated to begin July 1, 2002 and end June 30, 2005, a period of 5 years

**Contact:** Jack W. Heinze, PA III (717) 772-7435

**FLBA01** Grant applications are being accepted for the Forest Lands Beautification Grant program. The purposes of the act are to deter illegal waste disposal practices on State Forest and State Park lands and provide for its removal, recycling and proper disposal. Grant funds are used for activities that cleanup active and inactive illegal dump sites and to prevent further unauthorized disposal of waste on State Forest and State Park lands. Local agencies and nonprofit organizations are eligible for funding.

**Department:** Conservation and Natural Resources

**Location:** Harrisburg, PA

**Duration:** 2 year grant Date:

**Contact:** Ed Bortzfield (717) 783-0380

**012029** Receive road side trash and construction and demolition materials delivered by PennDot vehicles.

**Department:** Transportation

**Location:** Pennsylvania Department of Transportation, 9031 Peach Street, Waterford, PA 16441

**Duration:** One (1) Year

**Contact:** Jean Zarger (814) 871-4411

[Pa.B. Doc. No. 01-2094. Filed for public inspection November 16, 2001, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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KELLY LOGAN,  
*Acting Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
9130-03	11/01/01	Agway Energy Products	1,819,952.28
9130-03	11/01/01	Bedford Valley Petroleum	222,268.95
9130-03	11/01/01	Connective Energy Supply/ Petron Oil	1,001,674.60
9130-03	11/01/01	Erie Petroleum	17,618.72
9130-03	11/01/01	Export Fuel	525,178.06
9130-03	11/01/01	Farm & Oil	194,570.33
9130-03	11/01/01	Glassmere Fuel Service	225,914.10
9130-03	11/01/01	J J Powell	10,291.85
9130-03	11/01/01	Klasen Oil	185,101.59
9130-03	11/01/01	Montour Oil Service	245,614.81
9130-03	11/01/01	Orris Fuel	329,538.77
9130-03	11/01/01	Petroleum Traders	556,454.69
9130-03	11/01/01	Pipeline Petroleum	115,041.07
9130-03	11/01/01	Richland Partners LLC/ Carlos Lefler	27,435.12

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
9130-03	11/01/01	Witter Gas & Oil	38,993.30
5684-02	11/07/01	Contech Construction Products	827,995.45
1077211-01	11/06/01	PIBH	24,175.66
1102211-01	11/06/01	Telestar	16,685.00
1102211-02	11/06/01	Canon Business Solutions-SE	1,680.00
1102211-03	11/06/01	King Medical & Business Forms	247.50
1102211-04	11/06/01	Buckeye Business Products	490.00
1102211-05	11/06/01	SDF Professional Computer/ SAI Computers	1,306.04
1104211-01	11/06/01	Spencer Mechanical	47,900.00
8251110-01	11/06/01	Crafco	140,214.00
8251340-01	11/06/01	MGS	5,376.00
8251350-01	11/06/01	Concord Road Equipment	57,000.00

KELLY P. LOGAN,  
*Acting Secretary*

[Pa.B. Doc. No. 01-2095. Filed for public inspection November 16, 2001, 9:00 a.m.]