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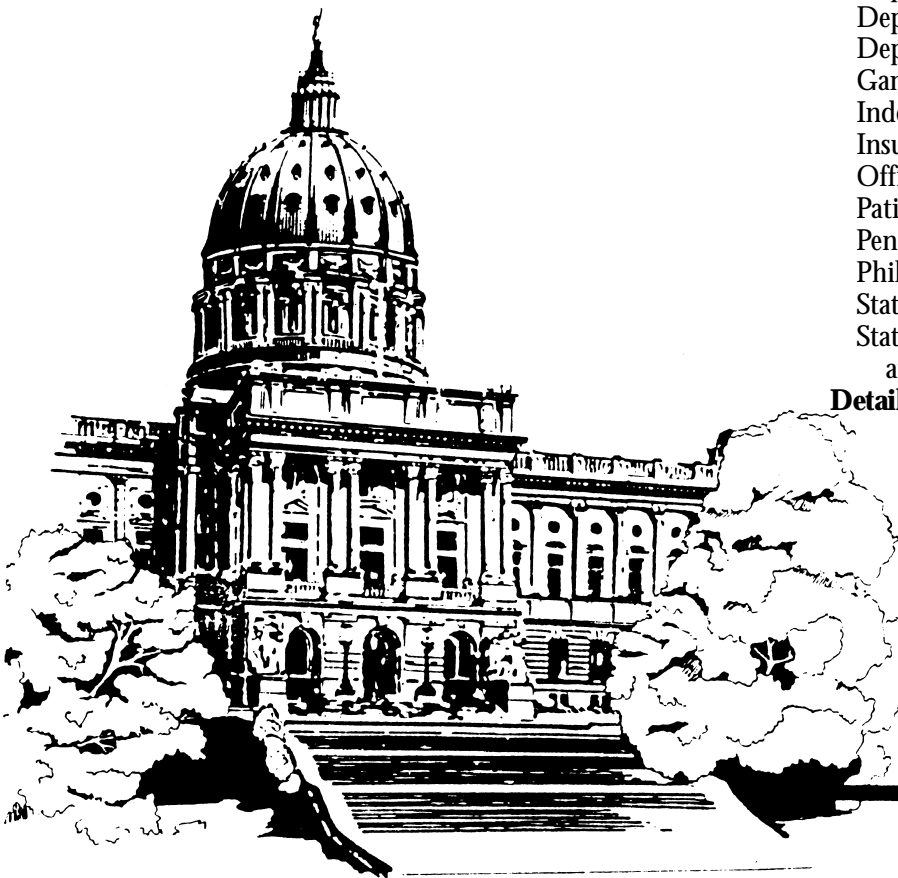
PENNSYLVANIA BULLETIN

Volume 37
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Agencies in this issue

The Courts
Department of Banking
Department of Community and Economic
Development
Department of Education
Department of Environmental Protection
Department of Health
Department of Revenue
Department of State
Department of Transportation
Game Commission
Independent Regulatory Review Commission
Insurance Department
Office of Attorney General
Patient Safety Authority
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
State Board of Cosmetology
State Board of Vehicle Manufacturers, Dealers
and Salespersons

Detailed list of contents appears inside.



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

No. 397, December 2007

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CONTENTS

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT	
Notice of disbarment	6747
JUDICIAL SYSTEM GENERAL PROVISIONS	
Judicial salaries	6742
JUVENILE RULES	
Order amending rules 210 and 232; no. 430 supreme court rules; doc. no. 1	6743
LOCAL COURT RULES	
Cumberland County	
Local rules 1915.3-4, 1915.3-8(b) and 1915.15; civil term; doc. no. 96-1335 civil	6746
Delaware County	
Amendment to local rule 1042.21; medical profes- sional liability actions; doc. no. 07-756	6746
Fayette County	
Administrative order; no. 412 of 2007, misc.	6746
Westmoreland County	
Rescinding and adopting rule W609; no. 3 of 2007 ..	6747
MINOR COURT CIVIL RULES	
Proposed amendments to rule 110 of the rules of conduct, office standards and civil procedure for magisterial district judges	6744
Proposed amendments to rules 341 and 342 of the rules of conduct, office standards and civil proce- dure for magisterial district judges	6745

EXECUTIVE AGENCIES

DEPARTMENT OF BANKING	
Notices	
Actions on applications	6760
DEPARTMENT OF COMMUNITY OF ECONOMIC DEVELOPMENT	
Notices	
Educational Improvement Tax Credit Program; list of qualified scholarship organizations, educational improvement organizations and prekindergarten scholarship organizations	6761
Manufactured Housing Installation Program; approved training curriculum for installers	6803
DEPARTMENT OF EDUCATION	
Notices	
Application of Pennsylvania College of Optometry for approval of change to university status, name change and amendment and restatement of it articles of incorporation	6804
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Notices	
Applications, actions and special notices	6804
Bid opportunity	6846

Board and committee meeting schedules for 2008 ...	6846
State Board for Certification of Sewage Enforcement Officers; 2008 precertification academy and ex- amination schedule	6849
DEPARTMENT OF HEALTH	
Notices	
Health policy board annual meeting schedule for 2008	6850
Long-term care nursing facilities; request for excep- tion	6850
Trans Fat Task Force meeting	6850
Updating the list of citations to ACIP recommenda- tions prescribing child immunization practices and immunizing agents and doses	6851
DEPARTMENT OF REVENUE	
Notices	
Pennsylvania American Idol™ instant lottery game	6855
DEPARTMENT OF STATE	
Notices	
Request for proposal	6859
DEPARTMENT OF TRANSPORTATION	
Notices	
Addendum and revision of the listing of approved speed-timing devices and appointment of mainte- nance and calibration stations	6859
GAME COMMISSION	
Rules and Regulations	
Wildlife classification	6748
Proposed Rule	
Hunting and furtaking licenses (2 documents) .	6749, 6750
Hunting and trapping	6750
Hunting and trapping and special permits	6751
Special permits	6753
INDEPENDENT REGULATORY REVIEW COMMISSION	
Notices	
Action taken by the Commission	6859
INSURANCE DEPARTMENT	
Notices	
Application and request for a certificate of authority (4 documents)	6860, 6861
Coal mine compensation rating bureau; workers' compensation loss cost filing; rate filing	6861
Valerie Connell; prehearing	6861
Golden Living Center—Stanton; prehearing	6862
Pennsylvania Compensation Rating Bureau; workers' compensation loss cost filing; rate filing	6862
Review procedure hearings; cancellation or refusal of insurance	6862
OFFICE OF ATTORNEY GENERAL	
Notices	
Public meeting	6863

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PATIENT SAFETY AUTHORITY

Notices

Reporting requirements for health care facilities under the Medical Care Availability and Reduction of Error (MCARE) Act 6863

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Statements of Policy

Litigated and settled proceedings involving violations of the public Utility Code and Commission Regulation 6755

Notices

Default orders (7 documents) 6866—6889

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices

Request for bid 6889

STATE BOARD OF COSMETOLOGY

Notices

Bureau of Professional and Occupational Affairs v. Janea Baker, t/d/b/a Music 2 Your Hair; doc. no. 2145-45-2007 6889

Bureau of Professional and Occupational Affairs v. Jasmine Wint; doc. no. 0708-45-2007 6890

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Notices

Bureau of Professional and Occupational Affairs v. Nelson E. Hartley; doc. no. 1500-60-2007 6890

Bureau of Professional and Occupational Affairs v. John J. Provost; doc. no. 2215-60-2007 6890

Bureau of Professional and Occupational Affairs v. Robert F. Singer, Jr.; doc. no. 2248-60-2007 6890

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2007.

1 Pa. Code (General Provisions)

Adopted Rules	
301	5886
303	5886
305	5886
307	5886
309	5886
311	5886
311a	5886
313	5886
315	5886

Proposed Rules

301	1220
303	1220
305	1220
307	1220
309	1220
311	1220
311a	1220
313	1220
315	1220

4 Pa. Code (Administration)

Adopted Rules	
7	3362
89	6106
311	5376

Proposed Rules

250	4209
255	6529

Statements of Policy

9	27, 953, 1870, 3438, 4876, 5382, 6121
---------	---------------------------------------

7 Pa. Code (Agriculture)

Adopted Rules	
11	4518
95	4518
123	4518
125	4518
128a	4518
130e	194

Proposed Rules

11	951
21	672
23	672
25	672
27	672
95	951
123	951
125	951
128a	951
130f	5793
139	2823

10 Pa. Code (Banks and Banking)

Proposed Rules	
46	3416

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

Adopted Rules	
145	1840

Statements of Policy

73	5601
123	5266

22 Pa. Code (Education)

Adopted Rules	
49	209, 5150

Proposed Rules

14	2961
16	4872
201	3423
211	3423
213	3423
215	3423
711	6405

25 Pa. Code (Environmental Protection)

Adopted Rules

93	11
121	2365
123	883
126	209
127	2365
245	5979
803	774
804	774
805	774
806	774
807	774
808	774
901	4620

Proposed Rules

83	4780
93	2190
109	4762, 5158
121	2063
127	1317
129	2063
130	5117, 5379, 5799
145	2063
209	4754
209a	4754
260a	3249
261a	3249
262a	3249
263a	3249
264a	3249
265a	3249
266a	3249
266b	3249
267a	3249
269a	3249
270a	3249
806	5531
808	5531
901	785, 3098, 4624, 5527
Unclassified	4871

Statements of Policy

83	2609
----------	------

28 Pa. Code (Health and Safety)**Proposed Rules**

611 4198, 4431, 4525

Statements of Policy

931 953

31 Pa. Code (Insurance)**Adopted Rules**

58 6110

84a 1125

Proposed Rules

133 1229

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

121 4181

123 2804

Statements of Policy

123 317

231 4880

37 Pa. Code (Law)**Adopted Rules**

203 6401

801 2511

802 2511

Proposed Rules

97 786

Statements of Policy

200 1651, 2517

411 1651

40 Pa. Code (Liquor)**Adopted Rules**

5 16

11 16

13 16

17 16

Proposed Rules

1 3418

3 3418

5 3418

7 3418

11 3418

13 3418

17 3418

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

7 20

11 4055

13 2412

16 1644, 3230

18 1644, 3230

19 2606

25 3230

31 3240, 3365

35 2291

36 3367

42 4519

Proposed Rules

5 4627

7 4628

9 4625

13 1867, 1868, 4643, 5257

16 4647, 6539

18 6539

21 1035, 1980, 4649

25 5598

27 1036, 4652, 5260

31 1038

35 1499

39 1494

43b (correction) 2098

47 5264

Statements of Policy

27 5807

43b 2608

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

54 4996

57 4996

Proposed Rules

1 6112

5 6112

54 5895

64 1032

75 5597

102 6421

Unclassified 1126, 2098

Statements of Policy

69 (correction) 29, 1335, 5019, 5166, 6755

Proposed Statement of Policy

69 6022

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

140 2180

1163 4065

1249 2185

Proposed Rules

283 6534

285 6534

1150 1865

1243 1865

1251 6534

Statements of Policy

178 1043, 1046

259 4881

1101 1880

1249 2215

3270 5018

3280 5018

4300 2979

58 Pa. Code (Recreation)**Adopted Rules**

51 6264

61 4752

63 4621, 4869

65 4870

69 6402

111 6404

131 2947

133 6748

135 1309

137 1310, 2948

139 2949

141 2955, 2956, 2957, 2958, 5255, 5377
 147 1310, 1311, 1312, 2959, 5255
 401 2808
 401a 2808, 6265
 403 2808
 403a 2808
 405 2808
 405a 2808
 407 2808
 407a 2808
 421 5752
 421a 5752
 423 5752
 423a 5752
 425 5752
 425a 5752
 427 5752
 427a 5752
 429 6265
 429a 6265
 431 5752
 431a 5752
 433 6265
 433a 6265
 435 6265
 435a 6265
 436 5752
 436a 5752
 437 6265
 437a 6265
 438 5752
 438a 5752
 439 5752
 439a 5752
 440 5752
 440a 5752
 441 6265
 441a 6265
 451 2686
 451a 2686
 461 3381
 461a 3381, 4068
 461b 3381
 463 3381
 463a 3382
 465 4068
 465a 4068
 465b 4068
 466 4068
 466a 4068
 466b 4068
 467 4068
 467a 4068
 471 2686
 471a 2686
 481 2688
 481a 2688
 491 4520
 491a 4520, 5774
 492 4520
 493 5774
 493a 5774
 494 5774
 494a 5774
 495 5774
 495a 5774
 497 5774
 497a 5774
 499 5774
 499a 5774

501 5774
 501a 5774
 503 5774
 503a 5774
 511 5785
 511a 5785
 513 5785
 513a 5785
 Unclassified 2960

Proposed Rules

21 5379
 51 4431
 53 6417
 61 2692
 63 2196, 2694, 6417
 65 1218, 6418
 69 1218
 91 6415
 111 1220, 6416
 131 1325
 133 5164
 135 315
 137 1333
 139 1327
 141 1320, 1324, 2837, 2838, 6750, 6751
 143 6749, 6750
 147 211, 1333, 2695, 6751, 6753
 405a 5799
 421a 2197, 5804
 423a 2197, 5804
 425a 2197
 427a 2197
 429a 2695
 431a 2197
 433a 2695
 435a 2695
 436a 2197
 437a 2695, 6420
 438a 2197
 439a 2197
 440a 2197
 441a 2695
 461a 5799
 491a 23
 493a 2298
 494a 2298
 495a 2298
 497a 2298
 499a 2298
 501a 416
 503a 416
 511a 1490
 513a 1490

Statements of Policy

436a 2099
 436b 2099
 503b 5385

Temporary Rules

401 21, 1841, 1968
 405 1313, 1968
 421 1970
 423 1968, 1970
 425 21
 427 1970
 429 1862
 431 1970
 433 1841, 2292
 435 1841

437 1841
 440 2292
 441 1841, 2296
 443 1841
 461 1968, 2292
 465 1978, 2292
 511 1314

61 Pa. Code (Revenue)

Adopted Rules
 91 6516
 951 4195
 1001 3410

Proposed Rules

1001 1028

Statements of Policy

60 1048

67 Pa. Code (Transportation)

Adopted Rules
 71 4621
 75 1487
 173 3242
 457 1650

201 Pa. Code (Judicial Administration)

Adopted Rules
 5 2491
 7 6385
 19 929

204 Pa. Code (Judicial System General Provisions)

Adopted Rules
 29 5593
 71 311, 3212
 81 3212
 83 1959, 3218
 211 5594, 6742

Proposed Rules

81 394
 83 394, 520, 2602

207 Pa. Code (Judicial Conduct)

Adopted Rules
 1 752
 3 752
 117 1025, 1839

210 Pa. Code (Appellate Procedure)

Adopted Rules
 1 521
 3 521
 9 521, 2492
 13 3222
 15 2492
 19 2405, 2408
 21 2409, 3222
 65 6200
 67 5374

225 Pa. Code (Rules of Evidence)

Adopted Rules
 ART. I 2492
 ART. VI 5247, 6200

Proposed Rules

ART. IV 3223, 6256
 VIII 669

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules
 200 312, 3095, 4515, 6201, 6258
 400 1480
 1000 1411, 1480, 3225
 1300 6201
 1700 1480
 1900 929
 1910 522, 2800, 5976
 1915 2602, 5974
 1920 1959, 5976
 2200 1480
 2950 6258
 3000 939, 1411, 6201
 4000 2178, 5374
 Part II 1759, 2575

Proposed Rules

200 1640, 2930
 1000 5248
 1300 1641
 1311 5250
 1900 6385
 1910 1120, 2493, 5251
 1915 2493
 1920 2493
 3000 1641
 4000 7, 5252

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules
 4 523, 752
 5 2496, 6203
 7 523
 8 1960
 10 312

Proposed Rules

1 2409, 4170
 2 1302
 3 4170
 5 1025, 1303, 2409, 4178
 6 4170
 100 6396
 400 6396
 500 6392, 6396
 900 6396

237 Pa. Code (Juvenile Rules)

Adopted Rules
 1 1123, 1483, 4866
 2 1483
 3 1123, 4866
 5 2506, 4866
 6 1123
 8 1123, 1483
 11 1123
 210 6743
 232 6743

Proposed Rules

1 527, 1306
 3 527
 5 527
 6 3096
 11 943
 12 943
 13 943, 5976
 14 943
 15 943
 16 943

17 943
 18 943

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules
 100 2092

Proposed Rules

100 6744
 300 6745

249 Pa. Code (Philadelphia Rules)

Unclassified 2932, 6262

252 Pa. Code (Allegheny Rules)

Unclassified 2411, 2933

255 Pa. Code (Local Court Rules)

Unclassified 255, 400, 401, 404, 530, 670, 671, 761,
 768, 770, 772, 773, 949, 950, 1026, 1124, 1215, 1216,
 1414, 1642, 1962, 2094, 2095, 2096, 2289, 2509, 2510,
 2681, 2684, 2800, 2802, 2803, 2939, 2940, 3227, 3228,
 3229, 4430, 4517, 4617, 4618, 4750, 4975, 4985, 4986,
 4988, 4995, 5253, 5524, 5594, 5596, 5737, 5743, 6263,
 6513, 6514, 6746, 6747

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 211]

Judicial Salaries

Annex A

TITLE 204. JUDICIAL SYSTEM PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 211. CONSUMER PRICE INDEX

The Court Administrator of Pennsylvania has computed the annual judicial salaries effective January 1, 2008 for publication in the *Pennsylvania Bulletin*.

The Act of July 13, 2007, P. L. 92, No. 30 ("Act 30") provided for judicial cost-of-living adjustments in Section 1741(B).¹

In *Stilp v. Commonwealth*, 588 Pa. 539, 905 A.2d 918 (2006), the Supreme Court of Pennsylvania enjoined Act 72 insofar as it repealed Sections 1801-09 of Act 44. However, the Supreme Court declined to address the constitutional argument concerning the adjustment provisions of Act 44's formula for future judicial compensation as set forth in Section 1810. ("We make no determination because the issue is not properly before us, the parties were not asked to brief it, and it is speculative whether such an issue will ripen." 905 A.2d at 981.)

The Court Administrator of Pennsylvania reports that the percentage increase in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U), for the 12-month period ending October 2007, was 3.5 percent. (See U. S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, October 2007, published Thursday, November 16, 2007).

The Court Administrator of Pennsylvania hereby reports that the following judicial salaries are effective January 1, 2008.

§ 211.2. Judicial salaries effective January 1, 2008.

(a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$181,371.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$186,649.

(b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$171,131.

(2) The annual salary of the President Judge of the Superior Court shall be \$176,409.

(c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$171,131.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$176,409.

(d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$157,441.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$160,080.

(ii) Philadelphia County, \$160,608.

(iii) Judicial districts having six or more judges, \$158,813.

(iv) Judicial districts having one to five judges, \$158,127.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$158,813.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$158,127

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$158,813.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$158,127.

(e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$153,798.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$156,174.

(f) *Philadelphia Traffic Court.*

(1) The annual salary of a judge of the Philadelphia Traffic Court shall be \$82,733.

(2) The annual salary of the President Judge of the Philadelphia Traffic Court shall be \$83,419.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$78,722.

(h) *Senior judges.*

(1) The compensation payable to a senior judge of a court of common pleas, a senior Commonwealth Court judge, a senior Superior Court judge and a senior Supreme Court justice, assigned pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) and a senior Philadelphia Municipal Court judge assigned pursuant to 42 Pa.C.S. § 4124 (relating to assignment of senior Philadelphia Municipal Court judges) shall be \$483 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not, when added to retirement income paid by the Commonwealth, for the senior judge, exceed the annual salary payable by the Commonwealth to a judge then in regular active service on the court from which the senior judge retired.

¹ As was stated in last year's notice (36 Pa.B. 7955), the Act of November 16, 2005, P. L. 385, No. 72 ("Act 72") presumptively repealed Section 1810 of the Act of July 7, 2005, P. L. 201, No. 44 ("Act 44") relating to the judicial COLA and reenacted Section 2.1(i) of the Public Official Compensation Law, Act of September 30, 1983, P. L. 160, No. 39, added by the Act of October 19, 1995, P. L. 324, No. 51 ("Act 51"), 65 P. S. § 366.1, et seq.

(2) In any calendar year, the amount of compensation which a senior judge assigned to serve on a court referred to in 42 Pa.C.S. § 1806 (relating to Philadelphia Municipal Court), 42 Pa.C.S. § 1807 (relating to Philadelphia Traffic Court) or 42 Pa.C.S. § 1808 (relating to magisterial district judges) shall be permitted to earn as a senior judge shall not, when added to retirement income paid by the Commonwealth to that senior judge, exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which that senior judge retired.

(3) A senior judge who so elects may serve without being paid all or any portion of the compensation permitted.

[Pa.B. Doc. No. 07-2341. Filed for public inspection December 21, 2007, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 210 AND 232]

Order Amending Rules 210 and 232; No. 430
Supreme Court Rules; Doc. No. 1

Order

Per Curiam

Now, this 3rd day of December, 2007, upon the recommendation of the Juvenile Court Procedural Rules Committee and an Explanatory Report to be published with this *Order*:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the modifications to the Rules of Juvenile Court Procedure Rules 210 and 232 are approved in the attached form.

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

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 2. COMMENCEMENT OF PROCEEDINGS, ARREST PROCEDURES, WRITTEN ALLEGATION, AND PRE-ADJUDICATORY DETENTION

PART B. ARREST PROCEDURES IN DELINQUENCY CASES

(a). ARREST WARRANTS

Rule 210. Arrest Warrants.

* * * * *

Comment

For the contents of a written allegation, *see* Rule 232. *See* <http://www.courts.state.pa.us> for a copy of the written allegation form. For the requirements of the issuance of an arrest warrant, *see* Rule 211. **The arrest warrant form may be accessed by a judge in the Magisterial District Judge System (MDJS) or the Common Pleas Criminal Court Case Management System (CPCMS).**

* * * * *

Paragraph (A) provides that a magisterial district judge may order the juvenile to be taken into custody pursuant to the laws of arrest. Pursuant to the Juvenile Act, 42 Pa.C.S. § 6303(b), a district judge of the minor judiciary may not detain a juvenile. This rule allows a magisterial district judge to issue an arrest warrant, which may lead to detention in limited circumstances. [**See**] *See* Rule 800 (8).

* * * * *

Official Note: Rule 210 adopted April 1, 2005, effective October 1, 2005. Amended March 23, 2007, effective August 1, 2007. **Amended December 3, 2007, effective immediately.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 210 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule [200] 210 published with the Court's Order at 37 Pa.B. 1485 (April 7, 2007).

Final Report explaining the amendments to Rule 210 published with the Court's Order at 37 Pa.B. 6743 (December 22, 2007).

Rule 232. Contents of Written Allegation.

* * * * *

Comment

This rule sets forth the required contents of all written allegations whether the person making the allegation is a law enforcement officer, a police officer, or a private citizen. ***See* <http://www.courts.state.pa.us> for a copy of the written allegation form that is to be submitted.**

Official Note: Rule 232 adopted April 1, 2005, effective October 1, 2005. **Amended December 3, 2007, effective immediately.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 232 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 232 published with the Court's Order at 37 Pa.B. 6743 (December 22, 2007).

EXPLANATORY REPORT DECEMBER 2007

Introduction

The Supreme Court of Pennsylvania has adopted the proposed changes to Rules 210 and 232. The changes are effective December 3, 2007.

Rule 210—Arrest Warrant

The first modification is in the Comment to Rule 210. The Court's web-page and reference to the Magisterial District Judge System (MDJS) or the Common Pleas Criminal Court Case Management System (CPCMS) has been added to the Comment to guide the judge or practitioner where a written allegation form or arrest warrant form may be found.

Rule 232—Contents of Written Allegation

The second modification is in the Comment to Rule 232. A cite to the Court's web-page has been added to this Rule to reference where the allegation form may be found.

[Pa.B. Doc. No. 07-2342. Filed for public inspection December 21, 2007, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 100]

Proposed Amendments to Rule 110 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rule 110 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges to require bonds for senior magisterial district judges. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory *Report* highlights the Committee's considerations in formulating this proposal. The Committee's *Report* should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

The text of the proposed changes precedes the *Report*. Additions are shown in bold; deletions are in bold and brackets.

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

Paula Knudsen Burke, Counsel
Minor Court Rules Committee
Supreme Court of Pennsylvania
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055
Fax 717-795-2175

or e-mail to: minorrules@pacourts.us

no later than March 1, 2008.

By the Minor Court Rules Committee

M. KAY DUBREE,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 100. RULES AND STANDARDS WITH RESPECT TO OFFICES OF MAGISTERIAL DISTRICT JUDGES

Rule 110. Bonds of Magisterial District Judges and Appointed Senior Magisterial District Judges.

(a) Each magisterial district judge is required to give bond in such sum, not less than \$25,000, as shall be directed by the president judge of the court of common pleas of the judicial district in which is located the

magisterial district of the magisterial district judge, with one or more sufficient sureties. The bond shall be lodged with the prothonotary of the court of common pleas, be conditioned on the faithful application of all moneys that come into the hands of the magisterial district judge as an officer, and be for the benefit of the Commonwealth and its political subdivisions and all persons who may sustain injury from the magisterial district judge in his or her official capacity.

(b) Each appointed senior magisterial district judge is required to give a bond not less than \$25,000. Payment of the appointed senior magisterial district judge bond shall be administered by the Administrative Office of the Pennsylvania Courts. The bond shall be lodged with the prothonotary of the Commonwealth Court, and be conditioned upon faithful application of all moneys that come into the hands of the appointed senior magisterial district judge as an officer, and be for the benefit of the Commonwealth, its political subdivisions and all persons who may sustain injury from the appointed senior magisterial district judge in his or her official capacity.

Official Note: This rule sets forth only the minimum bond amount for each magisterial district judge. The amount of money collected by the district courts varies greatly however, and the president judge is free to require higher bond amounts for some or all of the courts in the judicial district.

See Pa.R.J.A. No. 701(A) for necessary conditions to become a senior magisterial district judge and Pa.R.J.A. No. 701(C) for information about assignment of senior magisterial district judges. Pursuant to Pa.R.J.A. 701(C), senior magisterial district judges are assigned by the Administrative Office of Pennsylvania Courts.

REPORT

Proposed Amendment to the Note to Rule 110 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges

Including Senior Magisterial District Judges in the Bond Requirement of Rule 110

I. Introduction

The Minor Court Rules Committee ("Committee") began reviewing Rule 110 ("Bonds of Magisterial District Judges") in 2006 following an inquiry from a county court administrator. During an audit, a question arose about who bore the responsibility for paying senior magisterial district judges' bonds—the county or state?

The last change to Rule 110 occurred in Jan. 2006, when the Rule changed to reflect an increase in the minimum bond from \$2,500 to \$25,000. A subcommittee of the Supreme Court of Pennsylvania's Intergovernmental Task Force to Study the District Justice System recommended the increase.

II. Discussion and Proposed Change to Rule 110

The Committee invested significant time researching the question of senior MDJ bond payment before arriving at any conclusions. With the assistance of the Committee's Pennsylvania Association of Court Management (PACM) liaison, the Committee surveyed counties throughout the Commonwealth. The responses from a diverse cross-section of counties showed that there was no uniformity in the manner in which senior MDJs were being bonded (if at all). However, one element of this

issue remained fairly constant from all parts of the state—most court administrators strongly felt that their counties should not be required to bear the cost of paying for senior MDJ bonds when the counties themselves have no authority over senior MDJs.

Pursuant to the Rules of Judicial Administration, the statewide Administrative Office of Pennsylvania Courts (“AOPC”) oversees the process of certifying and assigning judges. See Pa.R.J.A. No. 701(B) and (C). Individual county president judges must apply to the AOPC to fill vacancies in their districts. See Pa.R.J.A. No. 701(C)(1). Only senior magisterial district judges who have completed the appropriate AOPC forms and meet eligibility guidelines are considered for assignment in vacant districts. See generally Pa.R.J.A. 701(A) and (B). In addition to overseeing certification and assignments, the AOPC also pays for assigned judges’ expenses. See Pa.R.J.A. No. 701(C)(5). In considering the practical implications of this protocol, the Committee noted that in a relatively short period of time—perhaps a few months—a senior MDJ could be assigned to a number of contiguous counties. In such an instance, it would be unfair for a county to pay a senior MDJ’s bond if he or she were simply going to be transferred by the AOPC the next week to a different county.

In summary, the Committee decided that including senior MDJs in Rule 110 and requiring that the AOPC pay their bonds would be in the interest of judicial economy and centralization. The Committee settled upon the language “appointed senior magisterial district judges” to differentiate from senior MDJs in general. The Committee felt that only those senior MDJs who had actually been appointed to a particular judicial vacancy should be bonded, not all senior MDJs.

[Pa.B. Doc. No. 07-2343. Filed for public inspection December 21, 2007, 9:00 a.m.]

PART I. GENERAL

[246 PA. CODE CH. 300]

Proposed Amendments to Rules 341 and 342 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend the Notes to Rules 341 and 342 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges to clarify payment of costs when entry of satisfaction is requested. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory *Report* highlights the Committee’s considerations in formulating this proposal. The Committee’s *Report* should not be confused with the Committee’s Official Notes to the rules. The Supreme Court does not adopt the Committee’s Official Notes or the contents of the explanatory reports.

The text of the proposed changes precedes the *Report*. Additions are shown in bold.

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

Paula Knudsen Burke, Counsel
 Minor Court Rules Committee
 Supreme Court of Pennsylvania
 5035 Ritter Road, Suite 700
 Mechanicsburg, PA 17055
 Fax: 717-795-2175

or email to: minorcourt.rules@pacourts.us

no later than March 1, 2008.

By the Minor Court Rules Committee

M. KAY DUBREE,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

SATISFACTION OF MONEY JUGDMENTS

Rule 341. Request for Entry of Satisfaction; Service; Entry of Satisfaction.

* * * * *

C. Within 90 days from the date of service of the request for entry of satisfaction, the judgment creditor shall enter satisfaction in the office of the magisterial district judge in which the request for entry of satisfaction was filed.

Official Note: Subdivision A provides a mechanism for a judgment debtor, or anyone interested in the judgment, to file a written request for entry of satisfaction in the office of the magisterial district judge who rendered the judgment. See Section 8104(a) of the Judicial Code, Pa.C.S. § 8104(a).

Subdivision B is intended to provide a number of alternative methods of service. See Rules 307, 308, 309, 310, 311, 312 and 313. When permitted, service by mail should be at the option of the person filing the request for entry of satisfaction. **The requester shall be required to pay for all costs associated with initiating entry of satisfaction.**

* * * * *

Rule 342. Failure of Judgment Creditor to Enter Satisfaction; Supplementary Action.

* * * * *

B. (1) Except as provided in subparagraph B(2), upon the filing of a complaint as provided in subdivision A, the action shall proceed as a civil action in accordance with the rules of the 300 Series.

(2) No claim under Rule 315 will be permitted in a supplementary action filed pursuant to this Rule.

Official Note: A judgment debtor may seek damages pursuant to Section 8104(b) of the Judicial Code, 42 Pa.C.S. § 8104(b). The action commenced under subdivision A of this Rule is a supplementary proceeding in the matter in which the judgment was entered. As such, it must be filed in the office of the magisterial district judge in which the request for entry of satisfaction was filed. Also, it must be indexed to the same docket number as, and made a part of the record of, the underlying action. See Rule 306 and Note. Because the supplementary action is merely a continuation of the underlying action, there are no filing costs for it, however there may be costs for service of the action. **The requester shall be required to pay for all costs associated with initiating entry of satisfaction.**

* * * * *

REPORT**Proposed Amendment to the Notes to Rules 341 and 342 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges****Payment of Costs When Entry of Satisfaction Is Requested****I. Background**

The Minor Court Rules Committee (the Committee) undertook a review of Rules 341 and 342 following an inquiry from a District Court administrator. The administrator pointed out that MDJ Rule 341 does not address *who* is required to pay for service of a request for entry of satisfaction. Instead, Rule 341 simply requires service "in accordance with the rules in the 300 Series regarding service of the complaint." See MDJ Rule 341B.

II. Discussion and Proposed Rule Changes

After reviewing the administrator's inquiry, the Committee agreed that the lack of direction in MDJ 341, with regard to payment of service costs, was problematic. In attempting to fashion a solution, the Committee members settled upon adding language to the Notes of both Rules 341 and 342. The additional language makes it clear that the person who is requesting entry of satisfaction is the individual responsible for payment of any costs associated with his or her request.

[Pa.B. Doc. No. 07-2344. Filed for public inspection December 21, 2007, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CUMBERLAND COUNTY

**Local Rules 1915.3-4, 1915.3-8(b) and 1915.15;
Civil Term; Doc. No. 96-1335 Civil**

Order

And Now, this 30th day of November, 2007, and effective November 30, 2007, or thirty (30) days after publication in the *Pennsylvania Bulletin*, the Cumberland County Local Rules of Court are amended as follows:

1. Cumberland County Local Rule of Court 1915.3-4, requiring that the parties provide certain information to the Custody Conciliator, as of course, prior to the Conciliation Conference is *Rescinded*.

2. Cumberland County Local Rule of Court 1915.3-8(b), providing for the submission of the Conciliator's Conference Summary Report and a proposed order of court is *Amended* to add a final sentence reading: "The proposed recommended order may contain a requirement that the parties file a pretrial memorandum with the Judge to whom the matter has been assigned."

3. Rule 1915.15, setting out the form of the notice for the Conciliation Conference, is amended to *Delete* the sentence which reads: "All children age five or older may also be present at the conference."

Pursuant to Pa.R.C.P. 239, the Court Administrator is directed to forward seven (7) certified copies of this order to the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for

publication in the *Pennsylvania Bulletin*, together with a diskette, formatted in Microsoft Word for Windows reflecting the text in hard copy version, one (1) copy to the Supreme Court Civil Procedural Rules Committee and/or the Supreme Court Domestic Relations Committee, and one (1) copy to the *Cumberland Law Journal*.

By the Court

EDGAR B. BAYLEY,
President Judge

[Pa.B. Doc. No. 07-2345. Filed for public inspection December 21, 2007, 9:00 a.m.]

DELAWARE COUNTY

Amendment to Local Rule 1042.21; Medical Professional Liability Actions; Doc. No. 07-756

Order

And Now, to wit, this 5th day of December, 2007, upon the recommendation of the Civil Procedures Rules Committee, it is hereby *Ordered* and *Decreed* that Local Rule 1042.21 is amended as follows:

A. The title of Local Rule 1042.21 will be "Professional Liability Actions; Motions for Mediation;" and

B. The word "medical" in Paragraph (a) will be deleted.

By the Court

EDWARD J. ZETUSKY, Jr.,
Judge

[Pa.B. Doc. No. 07-2346. Filed for public inspection December 21, 2007, 9:00 a.m.]

FAYETTE COUNTY

Administrative Order; No. 412 of 2007, Misc.

Order

And Now, November 28th, 2007, in accordance with 42 Pa.C.S.A. 9801 (Relating to County Intermediate Punishment), every person sentenced to County Intermediate Punishment with house arrest and electronic monitoring or as a condition of supervision, shall pay in addition to the costs of prosecution, fines, supervision fees, and restitution, a daily electronic monitoring fee of fourteen dollars (\$14.00) and a one time equipment installation fee of thirty-dollars (\$30.00).

It is further ordered that the Clerk of Courts shall distribute a copy of this order to the Criminal Rules Committee and publish it in the *Pennsylvania Bulletin*.

This order shall take effect 30 days from the date that this order is published in the *Pennsylvania Bulletin*.

By the Court

CONRAD B. CAPUZZI,
President Judge

[Pa.B. Doc. No. 07-2347. Filed for public inspection December 21, 2007, 9:00 a.m.]

WESTMORELAND COUNTY

Rescinding and Adopting Rule W609; No. 3 of 2007

And Now, this 3rd day of December, 2007, it is *Hereby Ordered* that Westmoreland County Rule of Civil Procedure W609 is rescinded and new Rule W609 is adopted.

By the Court:

JOHN E. BLAHOVEC,
Acting President Judge

RULE W609 Bill of Costs

(a) A bill of costs listing those items sought to be recovered as record costs must be filed with the Prothonotary, within 10 days of:

- (1) the entry of a jury verdict;
- (2) a final order, decree, or verdict of a judge sitting without a jury; or
- (3) the day on which the Prothonotary makes the notation on the docket, pursuant to Pa.R.C.P. 1307(a)(3), that Notice of any Award including record costs has been mailed.

(b) A certificate that a copy of the bill of costs has been served on the opposing party or that party's counsel of record shall be filed with the bill of costs.

(c) Objections to items or amounts listed in the bill of costs must be filed by the opposing party or that party's counsel of record within 10 days of receipt of a copy of the bill of costs, in which event the trial judge, or judge assigned by the court administrator, shall enter an order specifying which costs are allowable.

COMMENT: See: *Zelenak v. Mikula*, 911 A. 2d. 542 (Pa. Super. 2006) as to what is included in record costs.

Absent an agreement between counsel regarding the payment of record costs, the court has no authority to award costs to either party upon settlement. *Mancine v. Bilesimo, Jr.*, 69 W.L.J. 145, 146 n.1 (1987).

With regard to recovery of cost in an arbitration case, see *Sillings v. Protected Home Mutual Life Ins. Co.*, 84 W.L.J. 7 (2001).

[Pa.B. Doc. No. 07-2348. Filed for public inspection December 21, 2007, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Barbara Ross, having been disbarred by consent from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated March 9, 2007, the Supreme Court of Pennsylvania Disbarred Barbara Ross from the Bar of this Commonwealth, effective January 4, 2008. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 07-2349. Filed for public inspection December 21, 2007, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION [58 PA. CODE CH. 133] Wildlife Classification

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 2, 2007, meeting, adopted § 133.41 (relating to classification of mammals) to update Pennsylvania's list of native endangered and threatened species with current recommendations provided by scientific technical committees of the Pennsylvania Biological Survey by adding the northern flying squirrel to the endangered species list.

The final-form rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 37 Pa.B. 5164 (September 22, 2007).

1. Purpose and Authority

To effectively protect and manage the wildlife resources of this Commonwealth, section 2167 of the code (relating to endangered or threatened species) empowers the Commission to make changes to the Pennsylvania list of native endangered and threatened species. Chapter 133 (relating to wildlife classification) lists native birds and mammals determined by the Commission to be endangered or threatened. This chapter was last modified in October 2005. Commission staff has met with and received recommendations from the scientific technical committees of the Pennsylvania Biological Survey on species classification changes. No classifications were proposed for birds, however, the Mammal Technical Committee recommended one change to the list of threatened and endangered mammals. The amendment to § 133.41 represents the addition of the northern flying squirrel to the endangered species list.

The northern flying squirrel is not a game species, and it is the larger and rarer of the two flying squirrel species in this Commonwealth. Surveys by both Commission personnel and independent researchers demonstrate population declines in this species. Historical records indicate this species once was distributed across northern Pennsylvania; however, recent surveys suggest it is now found only in small island populations in the northeast Pocono region and at one site in Warren County. The primary cause for the decline of this species is the loss and fragmentation of older-growth coniferous forests in this Commonwealth.

Section 322(c)(8) of the code (relating to powers and duties of the commission) specifically empowers the Commission to "Add to or change the classification of any wild bird or wild animal." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat . . . in this Commonwealth." The amendment to § 133.41 was adopted pursuant to this authority.

2. Regulatory Requirements

The final rulemaking updated Pennsylvania's list of native endangered and threatened species found in § 133.41 with current recommendations provided by scientific technical committees of the Pennsylvania Biological Survey by adding the northern flying squirrel to the endangered species list.

3. Persons Affected

Persons wishing to hunt, trap or otherwise affect certain wildlife (or their habitat) within this Commonwealth may be affected by the final rulemaking.

4. Comment and Response Summary

The Commission received one comment respecting this final-form rulemaking, however, the substance of the comment was limited to the short duration of the comment period associated with the proposal rather than the actual substance of the amendment.

5. Cost and Paperwork Requirements

The final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

The final-form rulemaking will be effective upon final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding the final rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

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

(2) The adoption of this amendment of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, order that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 133, are amended by amending § 133.41 to read as set forth 37 Pa.B. 5164.

(b) The Executive Director of the Commission shall certify this order and 37 Pa.B. 5164 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

CARL G. ROE,
Executive Director

Fiscal Note: Fiscal Note 48-255 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 07-2350. Filed for public inspection December 21, 2007, 9:00 a.m.]

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 143]

Hunting and Furtaking Licenses

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 2, 2007, meeting, proposed to amend § 143.12 (relating to fee for replacement hunter education training certificate) to permit the Commission to waive hunter education course registration fees for its staff and volunteer instructors.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the October 2, 2007, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until January 25, 2008.

1. Purpose and Authority

The Commission's hunter education program has grown in recent years to include not only the basic Hunter-Trapper Education curriculum for all first-time license buyers, but also a mandatory Remedial Hunter Education training program and a Cable Restraint Certification curriculum required for certain trapping activities. A voluntary advanced training program titled "Successful Bowhunting" was also developed to improve bowhunters knowledge, skills and abilities. Future curriculum expansion is envisioned with additional species-specific and discipline specific advanced training programs.

With this growth, many staff and volunteer instructors have benefited from these training programs, resulting in an improvement in their knowledge and skills. This regulation will formalize the ability for the agency to waive course registration fees associated with certain hunter education programs, thereby allowing staff and volunteer instructors to participate in these and future training programs without being charged a fee. This waiver would be further defined by formal, written hunter education policy and would be subject to review and approval by the Director. Therefore, the Commission is proposing to amend § 143.12 to permit the Commission to waive hunter education course registration fees for its staff and volunteer instructors.

Section 2722(g)(2) of the code (relating to authorized license-issuing agents) directs the Commission to adopt regulations for the administration, control and performance of activities related to license issuing. Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 143.12 were proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will amend § 143.12 to permit the Commission to waive hunter education course registration fees for its staff and volunteer instructors.

3. Persons Affected

Staff and volunteer instructors of the Commission participating in any of the Commission's hunter education training courses may be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking may result in a nominal increase in additional cost (income avoidance) and paperwork to the Commission in implementing this fee waiver authority, however, such an increase should be absorbed by the Commission's current budget staffing, or both.

5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-257. No fiscal impact; (8) recommends adoption. This proposed rulemaking permits the Game Commission to waive hunter education course registration fees for its staff and volunteer instructors.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 143. HUNTING AND FURTKAKER LICENSES

Subchapter A. GENERAL

§ 143.12. [Fee for replacement hunter education training certificate] Hunter education training.

[A \$10 fee shall be remitted by any person requesting a replacement Hunter Education Training Certificate.]

(a) **Course registration fees.** Upon application for enrollment in each fee-based hunter education course, a student shall remit the associated, nonrefundable course registration fee in the form of cash, credit card, check or money order. Checks or money orders must be made payable to the "Pennsylvania Game Commission."

(b) **Training certificate.** The Commission will issue an appropriate certificate of training to each student who successfully completes an approved hunter education course. The Commission will issue a replacement hunter education training certificate to a person who provides sufficient affirmation or evidence of successful completion of that course of instruction. A \$10 fee shall be remitted by any person requesting a replacement hunter education training certificate.

(c) Waiver. The Director may waive any course registration fee required by this section when the waiver is determined to be consistent with the Commission's hunter education training program or the intent of the act.

[Pa.B. Doc. No. 07-2351. Filed for public inspection December 21, 2007, 9:00 a.m.]

[58 PA. CODE CH. 143]
Hunting and Furtaking Licenses

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 2, 2007, meeting, proposed to amend § 143.52 (relating to procedure for unlimited antlerless licenses) to change the over-the-counter sales date from the third Monday in September to the second Monday in September to permit county treasurers to begin accepting and processing antlerless deer applications prior to the opening day of the new archery season in Wildlife Management Units (WMUs) 2B, 5C and 5D.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the October 2, 2007, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until January 25, 2008.

1. *Purpose and Authority*

Currently, § 143.52 permits county treasurers who issue antlerless deer licenses for WMUs 2B, 5C and 5D to begin accepting applications over-the-counter on the third Monday in September. This date fell on September 17, 2007, this year, which happened to be 2 days after the new opening date for archery deer season within those same WMUs. The relationship of these dates unintentionally precluded some hunters wishing to hunt antlerless deer in WMUs 2B, 5C and 5D from being able to purchase the necessary antlerless deer licenses over-the-counter at county treasurers' offices. In an effort to prevent this unintended result from occurring next year, the Commission is proposing to change the over-the-counter sales date from the third Monday in September to the second Monday in September to permit county treasurers to begin accepting and processing antlerless deer applications prior to the opening day of the new archery season in WMUs 2B, 5C and 5D.

Section 2722(g) of the code directs the Commission to adopt regulations for the administration, control and performance of license issuing activities. Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendment to § 143.52 was proposed under this authority.

2. *Regulatory Requirements*

The proposed rulemaking will amend § 143.52 to change the over-the-counter sales date from the third Monday in September to the second Monday in September to permit county treasurers to begin accepting and processing antlerless deer applications prior to the opening day of the new archery season in WMU's 2B, 5C and 5D.

3. *Persons Affected*

Certain county treasurers and persons wishing to hunt antlerless deer during the early days of the archery season in WMU's 2B, 5C and 5D may be affected by the proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-261. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

**CHAPTER 143. HUNTING AND FURTKAKER
LICENSES**

Subchapter C. ANTLERLESS DEER LICENSES

§ 143.52. Procedure for unlimited antlerless licenses.

* * * * *

(c) Beginning on the [third] second Monday in September, county treasurers within the designated wildlife management units shall accept antlerless applications over the counter from residents and nonresidents of this Commonwealth and may immediately issue licenses to applicants.

[Pa.B. Doc. No. 07-2352. Filed for public inspection December 21, 2007, 9:00 a.m.]

[58 PA. CODE CH. 141]
Hunting and Trapping

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 2, 2007, meeting, proposed to amend § 141.20

(relating to protective material required) to eliminate the protective material requirement for the spring turkey season.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the October 2, 2007, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until January 25, 2008.

1. Purpose and Authority

Various hunters and sporting organizations have requested the Commission to review or reconsider, or both, the current regulatory mandate that turkey hunters wear at least 100 square inches of solid fluorescent orange-colored material on the head while moving about or relocating during the spring turkey season. Safety of hunters afield is without a doubt one of the paramount concerns of the Commission, especially as it relates to hunters shooting other hunters in mistake for game. However, notwithstanding anecdotal indications that the protective material requirement does in fact prevent some accidents, the available statistical data relating to hunting related shooting incidents (HRSIs) during the spring turkey season is devoid of clear evidence that the protective material requirement has made any appreciable reduction in the occurrence of HRSIs since its inception. After thorough discussion and review, the Commission has determined that it is prepared to eliminate the protective material requirement for the spring turkey season, however, it will remain attentive to the effect the removal has on the occurrence of HRSIs. Therefore the Commission is proposing to amend § 141.20 to eliminate the protective material requirement for the spring turkey season. Despite this proposal, the Commission strongly recommends that hunters continue to wear fluorescent orange during the spring turkey season.

Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendment to § 141.20 was proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will amend § 141.20 to eliminate the protective material requirement for the spring turkey season.

3. Persons Affected

Persons wishing to hunt turkey during the spring turkey season within this Commonwealth will be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the Pennsylvania Bulletin and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE, Executive Director

Fiscal Note: 48-256. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.20. Protective material required.

* * * * *

(b) Permitted acts. It is lawful to:

(1) Hunt without wearing daylight fluorescent orange-colored material for:

* * * * *

(x) Turkey during the spring turkey season.

* * * * *

(3) Move about or relocate while wearing a hat containing a minimum of 100 square inches of a solid daylight fluorescent orange-colored material on the head only and be stationary without wearing the required orange-colored material when hunting for:

(i) [Turkey during the spring turkey season.

(ii)] Turkey during the fall turkey season in Wildlife Management Units 1A, 1B, 2A, 2B, 5B, 5C and 5D.

[(iii)] (ii) * * *

[(iv)] (iii) * * *

* * * * *

[Pa.B. Doc. No. 07-2353. Filed for public inspection December 21, 2007, 9:00 a.m.]

[58 PA. CODE CHS. 141 AND 147]
Hunting and Trapping and Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 2, 2007, meeting, proposed to amend § 141.4 (relating to hunting hours) and create Chapter 147, Subchapter W (relating to snow goose conservation hunt permit) to define and create the regulatory structure necessary to implement the new snow goose conservation hunt program within this Commonwealth.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (Code).

The proposed rulemaking was made public at the October 2, 2007, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until January 25, 2008.

1. Purpose and Authority

In recent years, continental snow goose populations have experienced a rapid growth in their population. This dramatic increase in population size has in turn resulted in extensive, possibly irreversible, damage to arctic and subarctic breeding habitats of the continental snow goose, as well as other bird populations dependant on these habitats. The Federal government has proposed, by means of a Light Goose Management Final Environmental Impact Statement, to reduce and stabilize snow goose populations primarily by allowing additional hunting methods and days. The United States Fish and Wildlife Service intends to establish a conservation order that will authorize states, beginning in 2008, to use hunters to harvest snow geese during the period when all waterfowl seasons, excluding falconry, are closed inside or outside the migratory bird hunting season framework. Participating states are required to monitor and assess hunting activity and harvest conducted under this conservation order and annually report to the United States Fish and Wildlife Service each September. To this end, the Commission is proposing to amend § 141.4 and create Chapter 147, Subchapter W to define and create the regulatory structure necessary to implement the new snow goose conservation hunt program within this Commonwealth.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 141.4 and creation of Chapter 147, Subchapter W were proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will amend § 141.4 and create Subchapter W to define and create the regulatory structure necessary to implement the new snow goose conservation hunt program within this Commonwealth.

3. Persons Affected

Persons wishing for additional opportunities to hunt snow geese within this Commonwealth may be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking may result in a nominal increase in additional cost and paperwork to the Commission in implementing this new program, however, such an increase should be absorbed by the Commission's current budget or staffing, or both.

5. Effective Date

The proposed rulemaking will be effective upon final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-260. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.4. Hunting hours.

Except as otherwise provided, wild birds and animals may be taken 1/2 hour before sunrise to 1/2 hour after sunset.

* * * * *

(5) Migratory birds may only be hunted 1/2 hour before sunrise until sunset, except during the **snow goose conservation season and the September resident [Canada]** goose season, when [**Canada**] geese may be hunted 1/2 hour before sunrise until 1/2 hour after sunset.

CHAPTER 147. SPECIAL PERMITS

Subchapter W. SNOW GOOSE CONSERVATION HUNT PERMIT

Sec.
147.781. Purpose and scope.
147.782. Application.
147.783. Permit.
147.784. Violations.

§ 147.781. Purpose and scope.

The purpose of this subchapter is to provide for snow goose conservation hunt permits to be issued to licensed migratory bird hunters. This permit will authorize migratory bird hunters to harvest snow geese during a time specified by the Director when all waterfowl seasons are closed and require hunter activity and harvest reporting carried out under the permit.

§ 147.782. Application.

(a) A permit will only be issued to persons who possess a valid hunting license, a valid migratory game bird license and, if the applicant is 16 years of age or older, a valid Federal duck stamp.

(b) Applications for snow goose conservation hunt permits issued under this subchapter shall be made on the form and in a manner provided by the Commission.

(c) Applications must include the name and contact information of the permit applicant.

§ 147.783. Permit.

(a) A snow goose conservation hunt permit issued under this subchapter authorizes the permittee to harvest snow geese within this Commonwealth during a period of time when all waterfowl seasons are closed.

(b) The permittee is required to maintain records specifying hunting activity and harvest by day, time of day, and any other detail required by the Commission. An annual report of this hunting record shall be submitted in a manner specified by the Commission within 30 days of the last hunting day of the conservation hunt period.

(c) The permittee shall comply with the arms, ammunition, hunting hours and hunting regulations for migratory game birds adopted by the United States Secretary of the Interior as published in the *Federal Register* each year.

§ 147.784. Violations.

The Director may deny permit applications received from persons who failed to complete and submit harvest reports and survey information from the prior season.

[Pa.B. Doc. No. 07-2354. Filed for public inspection Decemer 21, 2007, 9:00 a.m.]

[58 PA. CODE CH. 147]
Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 2, 2007, meeting, proposed to add Chapter 147, Subchapter V (relating to agricultural damage depredation permit) to define and create the regulatory structure necessary to implement the new agricultural damage depredation permit program within this Commonwealth.

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the October 2, 2007, meeting of the Commission. Comments can be sent to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until January 25, 2008.

1. Purpose and Authority

On July 3, 2007, Governor Rendell signed into law House Bill 881, which, in relevant part, amended section 2121 of the code (relating to killing game or wildlife to protect property) to permit the Commission to authorize other individuals to assist eligible landowners in the destruction of wildlife causing agricultural damage on their property. This bill became effective September 1, 2007, however, before the Commission can begin the issuance of any permits to authorize this activity, the Commission must define and create the regulatory structure to implement this new program. To that end the Commission is proposing to create Subchapter V to define and create the regulatory structure necessary to implement the new agricultural damage depredation permit program within this Commonwealth.

Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” Section 2102(a) of the code (relating to regulations) provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to

the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The creation of Subchapter V was proposed pursuant to this authority.

2. Regulatory Requirements

The proposed rulemaking will create Subchapter V to define and create the regulatory structure necessary to implement the new agricultural damage depredation permit program within this Commonwealth.

3. Persons Affected

Eligible landowners and persons wishing to assist eligible landowners with the destruction of wildlife causing agricultural damage on their property within this Commonwealth may be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking may result in a nominal increase in additional cost and paperwork to the Commission in implementing this new program, however, such an increase should be absorbed by the Commission’s current budget or staffing, or both.

5. Effective Date

The proposed rulemaking will be effective upon final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-259. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 147. SPECIAL PERMITS
Subchapter V. AGRICULTURAL DAMAGE
DEPREDATION PERMIT

- Sec.
- 147.761. Purpose and scope.
- 147.762. Application.
- 147.763. Permit.
- 147.764. Subpermittee.
- 147.765. Violations.

§ 147.761. Purpose and scope.

The purpose of this subchapter is to provide for depredation permits to be issued to qualified agricultural landowners to authorize them to secure the assistance of subpermittees, not otherwise individually qualified by section 2121 of the act (relating to killing game or wildlife to protect property) themselves, to destroy game or wildlife causing agricultural damage on lands owned, leased or otherwise controlled by the agricultural landowners.

§ 147.762. Application.

(a) Applications for depredation permits issued under this subchapter shall be made through the district wildlife conservation officer on the appropriate form provided by the Commission.

(b) Applications must identify the name and contact information of the permit applicant, the names and contact information of the subpermittees, the specific location of the subject property owned, leased or otherwise controlled by the applicant, the species of game or wildlife causing damage, the specific nature and extent of the damage caused by the game or wildlife and any additional information the Commission may require.

(c) Applications will only be accepted from persons meeting the following criteria:

(1) The permit applicant meets the definition of a qualified "person," as defined in section 2121(c) of the act (relating to killing game or wildlife to protect property).

(2) Except in Wildlife Management Units 5C and 5D, the permit applicant is currently enrolled in one of the Commission public access programs (Farm Game or Safety Zone) for a minimum of 2 years.

(3) The permit applicant possesses a valid agriculture deer control permit if the species sought to be destroyed is white-tailed deer.

(d) Applications shall be accompanied by a copy of the deed, lease or other legal document evidencing the permit applicant to be the owner, lessor or the person in control of the lands to be permitted, including the hunting rights thereon.

§ 147.763. Permit.

A depredation permit issued under this subchapter authorizes the permittee to enlist the aid of a limited number of subpermittees for the purpose of destroying game or wildlife causing agricultural damage on lands owned, leased or otherwise controlled by the permittee.

(1) The maximum number of subpermittees listed may not exceed two per permit, unless the district wildlife conservation officer recommends an increase due to warranted circumstances.

(2) A depredation permit issued under this subchapter is valid at any hour, day or night, but only for the duration of the current permit year.

(3) An annual report shall be submitted on forms supplied by the Commission by July 31 of each permit year.

§ 147.764. Subpermittees.

A depredation permit issued under this subchapter authorizes a limited number of subpermittees, selected by the permittee, to act on behalf of the permittee by

destroying game or wildlife causing agricultural damage on lands owned, leased or otherwise controlled by the permittee.

(1) *Qualifications.* A subpermittee shall be a resident of this Commonwealth, possess a valid resident hunting license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) and have no prior record of violations of the act or related license revocations within the previous 10 years.

(2) *Eligibility.* A subpermittee may destroy game or wildlife upon lands owned, leased or otherwise controlled by the permittee only when the game or wildlife is either actually engaged in the material destruction of cultivated crops, fruit trees, vegetables, livestock, poultry or beehives, immediately following the destruction or when there is just cause for reasonable apprehension of additional imminent destruction.

(3) *Lawful devices and methods.* A subpermittee shall comply with the arms, ammunition and method restrictions located in section 2126 of the act (relating to unlawful activities) and § 141.19 (relating to killing game or wildlife to protect property). A permittee may further restrict or limit the usage of specific arms, ammunition or methods of destruction as deemed appropriate.

(4) *Reporting.* A subpermittee shall report all wildlife destroyed within 24 hours to the Commission in the manner required by section 2122 of the act (relating to report to commission officer).

(5) *Surrender of carcass.* The allowances of section 2124 of the act (relating to retention of edible carcass for food) do not extend to subpermittees. A subpermittee shall surrender the entire carcass, including the head and hide, of all game or wildlife destroyed under this subchapter to the Commission in the manner provided by sections 2123 and 2125 of the act (relating to safekeeping edible carcass pending disposition; and surrender of carcass to commission officer). A subpermittee who surrenders the entire carcass of any game or wildlife destroyed under this subchapter to a food bank or a butcher operating on behalf of a food bank, at the express direction of the district wildlife conservation officer, shall be deemed to have met the surrender requirement.

§ 147.765. Violations.

The Director may deny, revoke or suspend any permit for any violation of this subchapter, specifically including violations of the conditions of the permit or reporting requirements, upon written notice to the permittee.

[Pa.B. Doc. No. 07-2355. Filed for public inspection December 21, 2007, 9:00 a.m.]

STATEMENTS OF POLICY

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 69]

Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulation

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

Final Policy Statement for Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations; Doc. No. M-00051875

Order

By the Commission:

Background

The Commission is establishing this policy statement in order to address the factors and standards for determining the appropriate amount of fines for violations of the Public Utility Code (Code) and Commission regulations in litigated and settled cases. The Commission currently evaluates both litigated and settled cases involving such violations according to the standards established in *Rosi v. Bell Atlantic-Pennsylvania, Inc. and Sprint Communications Company, L.P.*, C-00992409 (Order entered March 16, 2000). The Commission initially adopted the standards in *Rosi* in order to determine the amount of civil penalties to be assessed in slamming cases, as well as to evaluate settlement agreements in slamming cases. See *Pennsylvania Pub. Util. Comm'n v. PEPCO Energy Serv.*, M-00001432 (Order entered Nov. 9, 2000).

Rosi was a litigated case, in which a hearing was held before an Administrative Law Judge (ALJ) and evidence was placed in the record regarding the alleged violations. Based on that record, the ALJ then determined that the alleged violations had been committed and that Sprint Communications Company (Sprint) should pay a civil fine of \$64,000 for slamming. Sprint appealed as to the amount of the fine, and in resolving the fine amount issue, the Commission set forth the following standards the Commission would apply when determining the amount of a civil penalty in slamming cases:

1. Whether the violation was intentional or negligent. If the violation is intentional, the Commission should start with the presumption that the penalty will be in the range of \$500 to \$1,000 per day. If the violation is negligent, the Commission should start with the presumption that the penalty will be in the range of zero dollars to \$500 per day. The precise penalty amount per day will be arrived at by applying the following additional standards, while recognizing that the Commission retains broad discretion in determining a total civil penalty amount that is reasonable on an individual case basis.
2. Whether the regulated entity promptly and voluntarily took steps to return the customer to the appropriate carrier and credited the customer's account.

3. Whether the regulated entity initiated procedures to prevent future slamming.
4. The number of customers affected and the duration of the violation.
5. Whether the penalty arises from a settlement or a litigated proceeding.
6. The compliance history of the regulated entity which committed the violation.
7. Whether the regulated entity cooperated with the Commission.
8. The amount necessary to deter future violations.
9. Past Commission decisions in similar situations.
10. Other relevant factors.

Subsequently, the Commission determined that all violations of the Code and the Commission's regulations would be subject to review under the standards set forth in *Rosi. Pennsylvania Pub. Util. Comm'n v. NCIC Operator Serv.*, M-00001440 (Order entered Dec. 21, 2000). In reference to the Commission's review under the *Rosi* standards, the *NCIC Operator Services* case states the following:

This review is conducted with the purpose of developing or, in cases of settlement agreements, reviewing the appropriate penalty to be applied for all types of violations for all categories of public utilities. Clearly, the factors we consider pursuant to our decision in *Rosi* are generic in nature and can be applied in all cases. The nature of the violation (intentional or negligent), impact (customers affected and duration), extent of cooperation by the regulated entity, and compliance history are, inter alia, examples of factors that can be reviewed for all types of violations for all types of utilities.

These factors, particularly the extent of cooperation by the regulated entity and measures taken to improve compliance, have been viewed as key mitigating factors under *Rosi*, and the Commission has examined such factors to determine whether settlement agreements are in the public interest.

On August 11, 2005, the Commission adopted a proposed policy statement at this docket to address the factors and standards for evaluating litigated and settled proceedings involving violations of the Code and Commission regulations. In litigated cases, the parties have typically developed an evidentiary record regarding the alleged violation that can be evaluated by the presiding ALJ to determine the appropriate remedy. In settled cases, however, there may not be an evidentiary hearing, and the settlement may be the result of a compromise of positions and an agreement to resolve the matter without admitting culpability. Since the Commission's adoption of the proposed policy statement, parties have been citing to the policy statement and implementing the factors and standards set forth therein. In observing the parties' use of the proposed policy statement since its adoption, the Commission has found that the factors and standards as proposed work well in practice.

The proposed policy statement was published for comment in the 35 Pa.B. 5272 (September 24, 2005). The Office of Consumer Advocate (OCA), the Energy Association of Pennsylvania (EAPA), and the Peoples Natural Gas Company, d/b/a Dominion Peoples (Dominion

Peoples)¹ filed comments concerning the proposed policy statement. A summary of the comments, the Commission's resolution of the comments, and the language of the final policy statement are discussed below. The final policy statement is set forth in Annex A.

DISCUSSION

A. Introduction

The Commission finds that many of the *Rosi* standards work well in evaluating some of the litigated and settled cases involving violations of the Code and the Commission's regulations. However, all of the *Rosi* standards do not apply equally well to all utility cases, particularly those that do not deal with slamming issues. This is due to the wide variety of matters that come before the Commission, including the Commission's Bureau of Consumer Services matters, Gas Safety Division matters, the Bureau of Transportation and Safety matters, and other complaint matters before the Commission. Moreover, strict compliance with the *Rosi* standards does not allow parties adequate flexibility in reaching settlements. Thus, this policy statement will set forth new factors/standards for evaluating litigated and settled cases involving violations of the Code and the Commission's regulations. These factors may be considered by the Commission in determining if a fine or civil penalty for violating a Commission order, regulation, or statute is appropriate and if a proposed settlement for a violation is reasonable and approval of the settlement agreement is in the public interest.

Though many of the same factors may be applied in both litigated and settled proceedings, parties in settled cases should be afforded more flexibility in determining the amount of a fine, penalty, or other resolution. We encourage settlements and intend to allow the parties flexibility in reaching amicable resolutions to complaints and other matters before us so long as the settlement is in the public interest. To this end the parties to a settlement should include in the settlement agreement a statement in support of settlement explaining how and why the settlement is in the public interest. The statement may be filed jointly by the parties or separately by each individual party. Accordingly, while the standards for settlements may reflect some of those standards to be applied in litigated cases, parties will be free to propose innovative provisions that address the issues at hand but which may not strictly adhere to specific guidelines. As always, our overriding concern in these matters is that any proposed agreement reflects the public interest.

B. General Comments

1. Separate Standards for Litigated and Settled Proceedings

In its comments, the OCA recommends that the Commission adopt one set of standards for evaluating an appropriate civil penalty, whether assessed through the litigation process or agreed to through a settlement. The OCA submits that having two similar sets of standards for litigation and settlements does not serve a useful purpose, and the OCA has not found any precedent that supports such a dual standard. The OCA further states that the standards set forth in the proposed policy statement apply to some degree in any procedural context

¹ By order, entered April 13, 2007 at Docket No. A-122250F5000, the Commission approved the Joint Application of Equitable Resources, Inc., and The Peoples Natural Gas Company, d/b/a Dominion Peoples, for the transfer of all stock and rights of Dominion Peoples to Equitable Resources, Inc., and for the approval of the transfer of all stock of Hope Gas, Inc., d/b/a Dominion Hope, to Equitable Resources, Inc.

and, thus, it would be less confusing to have one set of standards to apply in the penalty phase of any case, whether litigated or settled.

Dominion Peoples and the EAPA support standards that distinguish between assessing penalties in a fully litigated case and approving a settlement in a case that was not litigated when evaluating proceedings for violations of the Code or Commission regulations. Dominion Peoples comments that strict standards are appropriate when arriving at a penalty in a case where a hearing was held, evidence was evaluated, and a final decision was issued. Dominion Peoples states that when parties are negotiating a settlement, a finding of intentional or negligent conduct is unnecessary because neither side has had the opportunity to present or cross-examine witnesses and to persuade the administrative law judge of the validity of their position. Flexible standards for evaluating whether a settlement is in the public interest will promote settlements and preserve administrative economy.

The EAPA comments that with respect to litigated cases, the proposed policy statement will increase the predictability of outcomes in relevant cases. With respect to settled cases, the proposed policy statement will provide parties with a definitive framework for structuring an agreement that is acceptable to the Commission. The EAPA believes that this would facilitate the Commission's policy of encouraging parties to reach settlements.

The Commission appreciates the commentators' thorough consideration of this issue. Based on our experience with proceedings involving violations of the Code and Commission regulations and the parties' current use of the proposed policy statement, we agree with the OCA and find that one set of standards is practical, straightforward, and easy to apply. For this reason, we have created one set of standards for both litigated and settled cases within the final policy statement. We emphasize, however, that as in the proposed policy statement, the factor regarding intentional or negligent conduct will still, in most cases, apply only in litigated proceedings and that parties to a settlement retain flexibility in applying all of the factors so that they can reach an equitable agreement that is in the public interest.

2. Preservation of Agency Authority

The OCA comments that every case should be evaluated by the Commission with some consideration of whether the outcome preserves the Commission's authority. The OCA believes that the Commission currently considers this factor in making its decisions. Nevertheless, the OCA suggests that the Commission include this factor in the final policy statement to inform parties that certain fact patterns may warrant a higher penalty or resource commitment as an exercise of Commission authority. While we agree with the OCA that agency authority is an appropriate and important consideration in Commission decisions, we will not incorporate this factor into the final policy statement. We find that the provisions of the Code and the Commission's regulations clearly set forth the Commission's regulatory authority. Enforcing these provisions by imposing penalties and fines for violations of the Code and the regulations is sufficient to emphasize and preserve Commission authority.

3. Commission Resources Expended

In its comments, the OCA presents an overview of public policy concerns it believes the Commission should consider. The OCA states that the Commission should

consider the degree of harm to the public. The OCA avers that every violation that comes before the Commission taxes the Commission's resources to some extent. The OCA reasons that administrative resources used to investigate, document, mediate, or adjudicate matters depletes the pool of resources available to the Commission and that numerous factors, such as the length and breadth of the investigation and the ability to get information from parties, affect the amount of resources that will be consumed. As such, the OCA submits that this factor should be examined on a case-by-case basis in determining the appropriateness of a penalty or settlement.

The Commission appreciates OCA's comments on this issue. We acknowledge that in certain cases a considerable amount of costs may be incurred for prosecuting and investigating utilities, including for time spent in hearings and depositions and travel time for a case. However, we decline to expressly consider such costs as a factor within the policy statement at this time.

C. Factors and Standards for Litigated and Settled Cases

1. Nature of the Violation—§ 69.1201(c)(1) and (2)

The OCA avers that the seriousness of the violation is the logical starting point for evaluating whether the amount of the penalty or settlement is appropriate based on the facts presented. The OCA agrees that whether the utility's conduct is intentional or negligent is also important, but points out that a technical or administrative error that negligently results in a customer's heat-related service being terminated in the winter, a matter of life or death in some instances, is a very serious violation regardless of whether it is intentional or negligent.

In evaluating the appropriateness of a penalty or the contents of a settlement, the OCA states that the Commission should assess whether there is a reasonable relationship between the punishment and the seriousness of the violation. The OCA reasons that because civil penalties in this context are deterrent in nature, the standards to evaluate the appropriateness of penalties are analogous to those used by the courts when evaluating a punitive damages award. As such, the OCA states that the Commission may look at the violation itself and the potential for harm, not just the actual harm sustained.²

The EAPA and Dominion Peoples submitted similar comments regarding the severity of the conduct at issue as set forth in proposed § 69.1201(1)(ii) and (2)(i). The commentators agree that the severity of the conduct should be considered when determining whether a civil penalty, fine, or other action is appropriate. However, they state that the language in the subsections is unclear because it mixes the two concepts of the severity of the conduct at issue and the seriousness of the resulting consequences. Serious conduct is defined based on the harm the conduct allegedly causes. The commentators suggest that to the extent the Commission desires that the results of the utility's conduct should be a factor in evaluating alleged violations, it would be clearer if the conduct and the results of the conduct were listed as separate factors within the policy statement. They recommend that when reviewing a decision or settlement, the Commission should examine the facts to determine whether there is a sufficient nexus between the conduct and the resulting consequences so as to warrant imposition of a higher fine or penalty.

Based on our review of these comments, we find that a logical starting point for evaluating cases includes an

examination of (1) whether the conduct at issue was of a serious nature and (2) whether the resulting consequences were of a serious nature.³ While the conduct and the consequences are listed as separate factors within the policy statement, they should be analyzed together. The Commission will consider the facts of the case in determining if there is a sufficient nexus between the conduct and the resulting consequences.

In examining the conduct at issue, conduct such as willful fraud and misrepresentation are considered more serious in nature and, thus, may warrant a higher, more significant penalty, whereas administrative filing and technical errors are less egregious and may warrant a lower, less significant penalty. In examining the resulting consequences, when consequences are serious in nature, such as personal injury or property damage, this may result in a higher, more significant penalty. The Commission will evaluate the actual harm sustained rather than engaging in any amount of speculation about the potential for harm.

2. Intentional or Negligent Conduct in Litigated Cases—§ 69.1201(c)(3)

The OCA agrees that intentional violations deserve harsher treatment than those resulting from the negligence of a utility employee or contractor. The OCA states that when facts are present that support crime or fraud, the conduct should be considered intentional.

The Commission will retain considerations regarding intentional or negligent conduct only for litigated cases due to the distinctions between litigated and settled proceedings. We emphasize that in litigated cases, parties typically have the opportunity to develop an evidentiary record regarding the conduct at issue that can be evaluated by the presiding ALJ to determine culpability and an appropriate remedy. However, in settled cases, there may not be an evidentiary hearing, and the settlement may be based on a compromise of positions and an agreement to resolve the matter without admitting culpability with regard to the alleged violation. We decline to include express language stating that when facts are present that support a finding of crime or fraud, the conduct should be considered intentional. Such facts will be included in the record evidence of the case, and the presiding ALJ has the discretion to consider those facts in determining whether an act was intentional.

3. Remediation Efforts—§ 69.1201(c)(4)

The OCA suggests that some facts to consider in addressing the utility's remedial actions include whether the utility recognized the situation and actively sought to correct its procedures so similar incidents would not occur. The Commission may also consider how quickly the utility took action once it recognized the situation. The OCA states that the involvement of top-level management in reporting and correcting the situation may also be considered in analyzing whether the utility's efforts were proactive or reactive. The OCA summarizes that a decisive, speedy correction plan may be a mitigating factor while a forced, haphazard response should be an aggravating factor in evaluating appropriate penalties or responsibilities for violations.

The Commission will retain consideration of the utility's efforts to modify its internal practices and procedures in order to address the conduct at issue and to prevent similar future conduct. We concur with the OCA's com-

² In support of this statement, the OCA cites to *Pacific Mutual Life Ins. Co. v. Haslip*, 499 U. S. 1, 21-22 (1991) and *Kirkbride v. Lisbon Contractors, Inc.*, 555 A.2d 800 (Pa. 1989).

³ We emphasize that the factors set forth in the policy statement are not listed in order of importance and that each factor should be considered and weighed as appropriate based on the particular facts of a case.

ment that the speed with which the utility acted to correct the situation once it was discovered and the involvement of top-level management should be considered in evaluating whether the utility's remediation efforts were proactive or reactive. These considerations must still be analyzed within the specific fact situation of each case, and it must be recognized that certain remedial actions, such as training and improvements to internal procedures, even if started immediately, may take some time to fully implement.

4. Number of Customers Affected and Duration of the Violation—§ 69.1201(c)(5)

The OCA comments that the Commission can evaluate the facts presented regarding the number of customers involved, the duration of the violations, and the possible impact of a violation on third parties. The OCA states that aggravating factors would be present when a violation involves a large number of customers or lasts a lengthy period and, thus, a larger penalty may be appropriate. Equally significant, a violation that could potentially cause financial or other harm to innocent third parties may result in the imposition of higher fines.

Consistent with OCA's comments, the Commission will continue to consider the number of customers affected and the duration of the violation as enumerated in *Rosi*. Taking into consideration the specific facts of a case and the nature of the violation, we agree that a violation that involves a large amount of customers and that lasts a long period of time may warrant a larger penalty. The Commission, however, declines to speculate about the possibility of potential, and not actual harm, to third parties.

5. Compliance History—§ 69.1201(c)(6) and (7)

The OCA agrees that the overall actions of the utility should be evaluated with regard to its level of cooperation with the Commission and its willingness to work with other parties toward resolving the violation. Additionally, an isolated incident from an otherwise responsible utility should be a mitigating factor, while a utility that is a recurring or frequent violator should be subject to greater penalties. On the other hand, the OCA states that facts establishing bad faith support an increased penalty, and evidence of active concealment of violations or attempts to derail Commission investigations should be aggravating factors. The Commission agrees with OCA's comments regarding the utility's compliance history and the utility's level of cooperation with the Commission, and we will incorporate some of these considerations into the final policy statement.

6. Deterrence Level—§ 69.1201(c)(8)

The OCA submits that in determining whether a penalty will have a sufficient deterrent effect, review of the size of the utility, as measured by the utility's annual revenues, may be relevant. A fine that may seem like a rounding error for a major electric or telecommunications company may be significant enough to deter a small water or sewer company. Therefore, some consideration of the impact of a penalty based on the size of the utility should be examined. We concur with the OCA's comments and will incorporate this idea into the policy statement.

7. Commission Precedent—§ 69.1201(c)(9)

The OCA states that the value of Commission precedent in similar factual situations provides guidance and stability to the regulated community. While the OCA believes that parties to settlement proceedings should have the flexibility to develop new solutions that benefit

all stakeholders, precedent should always factor into any case involving violations of the Code or Commission regulations. We agree with the OCA's comments on this issue and will reflect these comments in the final policy statement. Commission precedent may be considered in both litigated and settled cases; however, parties in settled cases will have flexibility in determining whether and how this factor should be applied within the specific facts of the case in order to develop innovative solutions and to reach an equitable agreement.

8. Other Relevant Factors—§ 69.1201(c)(11)

The OCA supports this "catch-all" category to include broad-ranging factors that may be necessary in particular cases to effectively craft a penalty or assess the appropriateness of a settlement that includes a penalty. The OCA reasons that this broad category will work well when the Commission encounters factual situations that do not fit into a prescribed mold, such as natural disasters, national or political unrest, macroeconomic conditions, and other events that are external to the regulatory process. The Commission appreciates OCA's statements in support of this factor and will retain consideration of this factor in the final policy statement.

Accordingly, pursuant to section 501 of the Public Utility Code, 66 Pa.C.S. § 501, and the Commonwealth Documents Law, 45 P.S. §§ 1201 *et seq.*, and regulations promulgated thereunder in 1 Pa. Code §§ 7.1—7.4, we add a statement of policy in 52 Pa. Code Chapter 69, § 69.1201, as noted above and as set forth in Annex A; *Therefore,*

It Is Ordered That:

1. The regulations of the Commission, 52 Pa. Code Chapter 69, are amended by adding a statement of policy in § 69.1201 to read as set forth in Annex A.
2. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.
3. The Secretary shall certify this order and Annex A and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
4. A copy of this order and Annex A shall be posted on the Commission's website.
5. This policy statement shall become effective upon publication in the *Pennsylvania Bulletin*.
6. Alternative formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, at (717) 772-4597.

JAMES J. MCNULTY,
Secretary

Fiscal Note: Fiscal Note 57-241 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 52. PUBLIC UTILITIES
PART I. PUBLIC UTILITY COMMISSION
Subpart C. FIXED SERVICE UTILITIES
CHAPTER 69. GENERAL ORDERS, POLICY
STATEMENTS AND GUIDELINES ON FIXED
UTILITIES
FACTORS AND STANDARDS FOR EVALUATING
LITIGATED AND SETTLED PROCEEDINGS

§ 69.1201. Factors and standards for evaluating litigated and settled proceedings involving violations of the Public Utility Code and Commission regulations.

(a) The Commission will consider specific factors and standards in evaluating litigated and settled cases involving violations of 66 Pa.C.S. (relating to Public Utility Code) and this title. These factors and standards will be utilized by the Commission in determining if a fine for violating a Commission order, regulation or statute is appropriate, as well as if a proposed settlement for a violation is reasonable and approval of the settlement agreement is in the public interest.

(b) Many of the same factors and standards may be considered in the evaluation of both litigated and settled cases. When applied in settled cases, these factors and standards will not be applied in as strict a fashion as in a litigated proceeding. The parties in settled cases will be afforded flexibility in reaching amicable resolutions to complaints and other matters so long as the settlement is in the public interest. The parties to a settlement should include in the settlement agreement a statement in support of settlement explaining how and why the settlement is in the public interest. The statement may be filed jointly by the parties or separately by each individual party.

(c) The factors and standards that will be considered by the Commission include the following:

(1) Whether the conduct at issue was of a serious nature. When conduct of a serious nature is involved, such as willful fraud or misrepresentation, the conduct may warrant a higher penalty. When the conduct is less egregious, such as administrative filing or technical errors, it may warrant a lower penalty.

(2) Whether the resulting consequences of the conduct at issue were of a serious nature. When consequences of a

serious nature are involved, such as personal injury or property damage, the consequences may warrant a higher penalty.

(3) Whether the conduct at issue was deemed intentional or negligent. This factor may only be considered in evaluating litigated cases. When conduct has been deemed intentional, the conduct may result in a higher penalty.

(4) Whether the regulated entity made efforts to modify internal practices and procedures to address the conduct at issue and prevent similar conduct in the future. These modifications may include activities such as training and improving company techniques and supervision. The amount of time it took the utility to correct the conduct once it was discovered and the involvement of top-level management in correcting the conduct may be considered.

(5) The number of customers affected and the duration of the violation.

(6) The compliance history of the regulated entity which committed the violation. An isolated incident from an otherwise compliant utility may result in a lower penalty, whereas frequent, recurrent violations by a utility may result in a higher penalty.

(7) Whether the regulated entity cooperated with the Commission's investigation. Facts establishing bad faith, active concealment of violations, or attempts to interfere with Commission investigations may result in a higher penalty.

(8) The amount of the civil penalty or fine necessary to deter future violations. The size of the utility may be considered to determine an appropriate penalty amount.

(9) Past Commission decisions in similar situations.

(10) Other relevant factors.

[Pa.B. Doc. No. 07-2356. Filed for public inspection December 21, 2007, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending December 11, 2007.

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-7-07	Quakertown National Bank Quakertown Bucks County <i>To:</i> QNB Bank Quakertown Bucks County	Quakertown	Approved

Application for conversion from a Federally-chartered bank to a Pennsylvania State-chartered bank.

Section 112 Applications

<i>Date</i>	<i>Name of Individual</i>	<i>Location</i>	<i>Action</i>
12-7-07	Steven D. Hovde to acquire up to 13.4% of the common shares of Bucks County Bank, Doylestown.	Barrington, IL	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-11-07	Fulton Bank, Lancaster, PA, and Resource Bank, Virginia Beach, VA Surviving Institution— Fulton Bank, Lancaster, PA	Lancaster	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-26-07	Parkvale Savings Bank Monroeville Allegheny County	681 Clairton Boulevard Pittsburgh Allegheny County	Opened

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-3-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 6052 Ridge Avenue Philadelphia Philadelphia County <i>From:</i> 6060 Ridge Avenue Philadelphia Philadelphia County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-5-07	Reliance Savings Bank Altoona Blair County	3119 Pleasant Valley Boulevard Altoona Blair County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-3-07	Diamond Credit Union Pottstown Montgomery County	6581—6591 West Perkiomen Avenue Exeter Township Berks County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
12-3-07	Pittsburgh Teachers Credit Union Pittsburgh Allegheny County	Amendment to the 1st and 8th Articles of the Articles of Incorporation	Filed

Amendment to the 1st Article of the Articles of Incorporation provides for a change in the name of the credit union to "Riverset Credit Union"; Amendment to the 8th Article of the Articles of Incorporation provides for a change in the field of membership of the credit union to read as follows: "Membership in Riverset Credit Union is open to employees and retired employees of the Pittsburgh Board of Education, Pittsburgh Mount Oliver Intermediate Unit, and this credit union; members of the immediate family or household of existing credit union members; spouses of deceased credit union members; occupational or associational groups as provided by law and with prior written approval of the Department of Banking; persons who live in the area of Pittsburgh, PA known as the South Side, bounded by the Ohio and Monongahela Rivers on the north beginning at the West End Bridge, running east to Becks Run Road on the south, Wagner Avenue, Mountain Avenue, Spring Street, Arlington Avenue and West Carson Street on the west, ending at the West End Bridge; persons who regularly work, worship, go to school, perform volunteer services, or participate in associations headquartered in the above area; persons participating in programs to alleviate poverty or distress which are located in the above area; incorporated and unincorporated organizations located in the above area or maintaining a facility in the above area."

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 07-2357. Filed for public inspection December 21, 2007, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Educational Improvement Tax Credit Program; List of Qualified Scholarship Organizations, Educational Improvement Organizations and Pre-kindergarten Scholarship Organizations

The Department of Community and Economic Development (Department) gives notice of the continuation of the Educational Improvement Tax Credit Program (Program) which authorizes the award of tax credits to businesses that make contributions to qualified scholarship organizations, educational improvement organizations and prekindergarten scholarship organizations determined by the Department to meet the requirements of Act 4 of 2001. The current list of qualified scholarship organizations, educational improvement organizations and prekindergarten scholarship organizations follows and can be found on the Department's website at www.inventpa.com. Program guidelines, which establish the process whereby a qualified scholarship organization, an educational improvement organization or a prekindergarten

scholarship organization may be included on the list of organizations published by the Department, are available by contacting the Department's Center for Business Financing Tax Credit Division or by accessing the Department's website.

Program inquiries and applications should be directed to the Educational Improvement Tax Credit Program, Center for Business Financing Tax Credit Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 787-7120, tknorr@state.pa.us.

DENNIS YABLONSKY,
Secretary

List of Scholarship Organizations

Effective July 1, 2007 through June 30, 2008

Abington Friends School
575 Washington Lane
Jenkintown, PA 19046
www.abingtonfriends.net
Jon Harris
(215) 576-3956
kloder@abingtonfriends.net

Academy in Manayunk
169 Connarroe Street
Philadelphia, PA 19127
www.aimpa.org
Pam Hutchinson
(215) 469-0666
pamelahutchinson@comcast.net

Academy of Notre Dame de Namur
560 Sproul Road
Villanova, PA 19085
www.ndapa.org
Deirdre J. Mecke
(610) 971-1509
dmecke@ndapa.org

ACSI Children's Tuition Fund of PA—SO
845 Silver Spring Plaza, Suite B
Lancaster, PA 17601
www.acsi.org
David Hegedus
(717) 285-3022
david_hegedus@acsi.org

Agnes Irwin School
Ithan Avenue and Conestoga Road
Rosemont, PA 19010
www.agnesirwin.org
Vicki Lynch
(610) 525-8400
vlynch@agnesirwin.org

Albert Gallatin Planning & Development Corporation/
A. G. Montessori School—SO
199 Edison Street
Uniontown, PA 15401
www.agmontessorischool.com
Majorie Murphy
(724) 439-6116
mrs.murphy@agmontessorischool.com

All Saints Eastern Orthodox School
Post Office Box 306
White Haven, PA 18661
Stella Boosalis
(570) 427-2127

Aquinas Academy
2308 West Hardies Road
Gibsonia, PA 15044
www.AquinasAcademy-Pittsburgh.org
Carol Hyrcza
(724) 444-0722
hyrcza@aquinas.pvt.k12.pa.us

Armstrong County Community Foundation
160 North McKean Street
Kittanning, PA 16201
www.accfound.org
Mindy Knappenberger
(724) 548-5897
accfound@alltel.net

ATG Learning Academy
27 West Butler Avenue
Chalfont, PA 18914
atglearningacademy.org
Kathleen Smookler
(215) 996-1275
ksmookler@atglearningacademy.com

Benchmark School
2107 North Providence Road
Media, PA 19063
www.benchmarkschool.org
Lynn M. Gonzalez
(610) 565-3741
lynngonzalez@benchmarkschool.org

Berks County Community Foundation
Post Office Box 212
Reading, PA 19603
www.bccf.org
Richard C. Mappin
(610) 685-2223
richardm@bccf.org

Blue & White Scholastic Foundation, Inc.
P. O. Box 17
Bangor, PA 18013
David J. Ceraul
(610) 588-0378

Bravo Foundation, Inc.—SO
20 North Market Square
Suite 800
Harrisburg, PA 17101
Kelly Kopenhaver
(717) 214-2200
kelly@thebravogroup.com

Bridge Educational Foundation—SO
205 State Street
Harrisburg, PA 17101
www.bridgeedu.org
Natalie Nutt
(717) 214-6792
natalie.nutt@bridgeedu.org

Bryn Athyn Church of the New Jerusalem
P. O. Box 277
Bryn Athyn, PA 19009
Stewart Asplundh
(215) 947-6225
stewart@bacs-gc.org

Buckingham Friends School
P. O. Box 159
Lahaska, PA 18931
www.bfs.org
Alan Stifelman
(215) 794-7496
bfsbm@bfs.org

Business Leadership Organized for Catholic Schools
(BLOCS)—SO
Archdiocese of Philadelphia
222 North 17th Street, Suite 709
Philadelphia, PA 19103
www.blocs.org
Christina F. DiMichele
(215) 587-0590
cdimiche@adphila.org

Byerschool Foundation—SO
210 West Rittenhouse Square, Suite 400
Philadelphia, PA 19103
www.byerschool.org
Laurada Byers
(215) 772-1777
lbyers@byerschool.org

Calvary Baptist Christian Academy
543 Randolph Street
Meadville, PA 16335
www.nwpacef.org
Joe Waresak
(814) 724-6606
joe@seekfirstmin.org

Calvary Christian Academy—SO
13500 Philmont Avenue
Philadelphia, PA 19116
www.ccphilly.org
Gary Gordon
(215) 969-2404
ggordon@ccphilly.org

Cathedral Preparatory Scholarship Fund
225 West 9th Street
Erie, PA 16502
www.cathedral-prep.com
Dawn M. Slokan
(814) 453-7737
dslokan@cathedral-prep.com

Center School
2450 Hamilton Avenue
Abington, PA 19001
www.centerschoolpa.org
Carol White
(215) 657-2200
cwhite@centerschoolpa.org

Central Pennsylvania Community Foundation—SO
Blair County Community Endowment
1330 11th Avenue
Altoona, PA 16601
www.centralpacf.org
Jodi Cessna
(814) 944-6102
cessna@centralpacf.org

CEO America Lehigh Valley
33 South 7th Street
Allentown, PA 18101
www.ceoamerica.net
Jim Saunders
(610) 776-8740

Chamber of Commerce of Greater West Chester
Education Foundation
119 North High Street
West Chester, PA 19380
www.gwcc.org
Katie L. Walker
(610) 696-4046
katie@gwcc.org

Chestnut Hill Academy
500 West Willow Grove Avenue
Philadelphia, PA 19118
www.chestnuthillacademy.org
Matthew C. Paul
(215) 754-1623
mpaul@chestnuthillacademy.com

Children First America Delaware County—SO
1005 West 7th Street
Chester, PA 19013
Dietra Conner
(610) 872-7472
cfaDelawareco@aol.com

Children's Jubilee Fund
308 Bethlehem Pike
Erdenheim, PA 19038
www.jubileefund.org
James C. Petty
(215) 233-9866
mail@jubileefund.org

Children's Scholarship Fund of Pennsylvania—SO
Post Office Box 855
Clarion, PA 16214
www.thechildrensscholarship.org
Milissa Bauer
(814) 226-4160
mbauer@kriebelgas.com

Children's Scholarship Fund Philadelphia
1616 Walnut Street, Suite 2200
Philadelphia, PA 19103
www.csphiladelphia.org
Ina Lipman
(215) 670-8410
lipman@csphiladelphia.org

Christian Life Academy Scholarship Fund—SO
224 South Main Street
Seneca, PA 16346
Michael S. Lloyd
(814) 676-9360
mslloyd@csonline.net

Christian School of York—SO
907 Greenbriar Road
York, PA 17404
www.csyonline.com
Patti Hansen
(717) 767-6842
phansen@csyonline.com

Classical School Foundation
3920 Market Street
Camp Hill, PA 17011
www.classicalschoolfoundation.org
Dr. Christopher Perrin, Ph.D.
(717) 730-0711
cperrin@classicalschoolfoundation.org

Community Country Day School
5800 Old Zuck Road
Erie, PA 16506
Angela Collins
(814) 833-7933

Community Foundation of Fayette County
2 West Main Street, Suite 101
Uniontown, PA 15401
www.cffayettepa.org
Clara L. Pascoe
(724) 437-8600
cpascoe@cffayettepa.org

Community Foundation of Greene County—SO
Post Office Box 768
Waynesburg, PA 15370
www.cfgcpa.org
Bettie Stammerjohn
(724) 627-2010
cfgcpa@gmail.com

Community Foundation of Susquehanna and
Wyoming Counties—SO
36 Lake Avenue
Montrose, PA 18801
www.community
foundation@epix.net
Peter Quigg
(570) 278-3800
foundation@epix.net

Community Friends Educational Corporation
P. O. Box 438
Millville, PA 17846
www.greenwood-friends.org
Rejena Girton
(570) 458-5532
rgirton@girton.com

Community Partnership School
1936 North Judson Street
Philadelphia, PA 19121
www.communitypartnerschool.org
Pam Hutchinson
(215) 469-0666
pamelahutchinson@comcast.net

Country Day School of the Sacred Heart
480 Bryn Mawr Avenue
Bryn Mawr, PA 19010
www.cdssh.org
Patricia D. McWilliams
(610) 527-3915
pmcwilliams@cdssh.org

Covenant Scholarship Organization
310 Extension Street
Mansfield, PA 16933
www.ncalions.org
Terry L. Mickey
(570) 662-2996
terrym@ncalions.org

Crispus Attucks Association, Inc.—SO
605 South Duke Street
York, PA 17403
www.crispusattucks.org
Amy Chamberlin
(717) 848-3610
achamberlin@crispusattucks.org

Crossroads Foundation, The
2915 Webster Avenue
Pittsburgh, PA 15219
www.crossroadsfoundation.org
Veronica Morgan-Lee, Ph.D.
(412) 621-9422
vmorganlee@crfdn.com

Davidsville Community Church
197 Pender Road
Johnstown, PA 15905
Harry Beam
(814) 479-2525
dcc_dcs@floodcity.net

Dayspring Christian Academy—SO
1008 New Holland Avenue
Lancaster, PA 17601
www.dayspringchristian.com
Patricia Cook
(717) 295-6427
pcook@dayspringchristian.com

Delaware Valley Friends School
19 East Central Avenue
Paoli, PA 19301
www.dvfs.org
Kathleen Sanger
(610) 640-4150
sangk@fc.dvfs.org

Derry New Testament Church Scholarship Organization
224 Pittsburgh Street
Derry, PA 15627
www.derrychristianacademy.org/
Susan Lyons
(724) 694-5468
susanlyonshac@aol.com

Devon Preparatory School
363 North Valley Forge Road
Devon, PA 19333
www.devonprep.com
Jean Emhof
(610) 688-7337
jemhof@devonprep.com

Diocese of Scranton Scholarship Foundation—SO
300 Wyoming Avenue
Scranton, PA 18503
www.dioceseofscranton.org
Ernest G. Pappa
(570) 207-2250
Ernest-Pappa@dioceseofscranton.org

Eastern Pennsylvania Scholarship Foundation—
Diocese of Allentown—SO
P. O. Box F
1101 West Hamilton Street
Allentown, PA 18105
www.allentowndiocese.org
Christine Chew
(610) 871-5200
cchew@allentowndiocese.org

Ephrata Church of the Nazarene—SO
110 Durlach Road
Ephrata, PA 17522
www.ghcapa.com
Jeanne Weber
(717) 738-0895
Cougar@dejazzd.com

Erie Day School, Inc.—SO
1372 West 6th Street
Erie, PA 16505
www.riedayschool.com
John McCandless
(814) 452-4273
jmccandless@riedayschool.com

Evangelical Lutheran Church in America
Luther Memorial Learning Center
220 West 11th Street
Erie, PA 16501
www.luthermemorialonline.org
Susan M. Belott
(814) 454-0106
sbelott@luthermemorialonline.org

Faith Builders Educational Programs, Inc.—SO
P. O. Box 127
Guys Mills, PA 16327
Merle Herr
(814) 789-2219
merle@fbscholarship.org

Faith First Educational Assistance Corporation—SO
6900 Revere Street, Ground Floor
Philadelphia, PA 19149
www.faithschoice.org
Alberta C. Wilson
(215) 624-1716
faith_first@verizon.net

Family Choice Scholarship Fund of the PA Family
Institute—SO
23 North Front Street
Harrisburg, PA 17101
www.pafamily.org
Michael Geer
(717) 545-0600
mgeer@pafamily.org

Foundation for Jewish Day Schools of Greater
Philadelphia—SO
2100 Arch Street
Philadelphia, PA 19103
www.jewishphilly.org
Brian Mono
(215) 832-0812
bmono@philafederation.org

Foundation of the Delaware County Chamber
602 East Baltimore Pike
Media, PA 19063
www.delcochamber.org
Ginny Miller
(610) 565-3677
ginnym@delcochamber.org

French Creek Valley Christian School
420 North Street
Saegertown, PA 16433
www.fcvc.org
Beth Robertson
(814) 763-3282
fcvcssecretary@zoominternet.net

French International School of Philadelphia—SO
150 North Highland Avenue
Bala Cynwyd, PA 19004
www.efiponline.com
Pam Hutchinson
(610) 667-1284
pamelahutchinson@comcast.net

Friends' Central School
1101 City Avenue
Wynnewood, PA 19096
www.friendscentral.org
Lydia Martin
(610) 645-5034
lmartin@friendscentral.org

Fund for the Advancement of Minorities through
Education, Inc., The
555 Morewood Avenue
Pittsburgh, PA 15213
www.famefund.org
Constance F. Horton
(412) 224-4600
chorton@famefund.org

Futuro Educacional, Inc.—SO
1346 North Hancock Street
Philadelphia, PA 19122
Vilma D. Diaz
(215) 805-9308
vilma.d.diaz@verizon.net

George Junior Republic—SO
233 George Junior Road
Post Office Box 1058
Grove City, PA 16127
www.georgejuniorrepublic.org
James F. Bird
(724) 458-9330
jbird@georgejuniorrepublic.org

George School—SO
P. O. Box 4000
Newtown, PA 18940
www.georgeschool.org
Andrew Popkin
(215) 579-6563
andy_popkin@georgeschool.org

Germantown Academy (Public School of
Germantown)—SO
340 Morris Road, P. O. Box 287
Fort Washington, PA 19034
www.germantownacademy.net
Thomas Taft
(215) 646-3300
ttaft@germantownacademy.org

Gesu Scholarship Fund—SO
1700 West Thompson Street
Philadelphia, PA 19121
www.gesuschool.org
Suzette Baird
(215) 763-9077
suzette@gesuschool.org

Girard College Development Fund
2101 South College Avenue
Philadelphia, PA 19121
http://www.gcdf.org
Clinton A. Walters
(215) 568-0440
Cwalters@girardestate.org

Gladwyne Montessori School—SO
920 Youngsford Road
Gladwyne, PA 19035
www.gladwyne.org
Michael Dyson
(610) 649-1761
mdyson@gladwyne.org

Greater Erie Community Action Committee—SO
18 West 9th Street
Erie, PA 16501
www.gecac.org
Linda Madara
(814) 870-5402
lmadara@gecac.org

Greater Works Outreach
301 College Park Drive
Monroeville, PA 15146
www.greaterworksoutreach.org
Tim Hart
(724) 327-6500
thart@greaterworksoutreach.org

Greene Towne School—SO
2121 Arch Street
Philadelphia, PA 19103
www.greenetowneschool.org
Pam Hutchinson
(215) 469-0666
info@greenetowneschool.org

Greenlee Partners Educational Foundation
230 State Street
Harrisburg, PA 17101
Andrew Marsico
(717) 236-0443
aj@greenleepartners.com

Gwynedd-Mercy Academy
1345 Sumneytown Pike
Gwynedd Valley, PA 19437
www.gmahs.com
Sister Kathleen Boyce
(215) 646-8815
skathleen@gmahs.org

Harrisburg Academy
10 Erford Road
Wormleysburg, PA 17043
www.harrisburgacademy.org
David C. Zett
(717) 763-7811
dzett@harrisburgacademy.org

Henkels Foundation
985 Jolly Road
Blue Bell, PA 19422
Maria Marston
(215) 283-7628
mmarston@henkels.com

Heritage Health Foundation, Inc.—SO
445 Fourth Street
Braddock, PA 15104
www.hhfi.org
Barbara Willard
(412) 351-0535
bwillard@hhfi.org

Hershey Christian School Association
P. O. Box 378
Hershey, PA 17033
www.hersheychristian.org
Jeffrey Kime
(717) 835-0246
jkime@hersheychristian.org

Holy Child Academy—SO
475 Shadeland Avenue
Drexel Hill, PA 19026
www.holychildacademy.com
Frank Cagliari
(610) 259-2712
fcagliari@holychildacademy.com

Holy Family Foundation
8235 Ohio River Boulevard
Pittsburgh, PA 15202
www.hfi-pgh.org
Sheila Talarico
(412) 766-9020
talarico.sheila@hfi-pgh.org

Holy Ghost Preparatory School
2429 Bristol Pike
Bensalem, PA 19020
www.holyghostprep.org
Gregory L. Dennison
(215) 639-2102
gdenni01@holyghostprep.org

Hope Partnership for Education
1701 North 8th Street
Philadelphia, PA 19122
www.hopepartnershipforeducation.org
Rose Martin, RSM
(215) 232-7821
rtmartinpa@aol.com

Imani Christian Academy—SO
235 Eastgate Drive
Pittsburgh, PA 15235
www.imanichristianacademy.org
Alyssa Cholodofsky
(412) 436-1017
alyssa.ica@verizon.net

Indian Creek Valley Christian Family and Children's
Center—SO
2166 Indian Head Road
Champion, PA 15622
www.champion.org
D. Merle Skinner
(724) 593-9200
merle_skinner@champion.org

Jewish Federation of Greater Harrisburg
3301 North Front Street
Harrisburg, PA 17110
www.hbgjewishcommunity.com
David I. Weisberg
(717) 236-9555
d.weisberg@jewishfedhbg.org

Jewish Federation of Greater Wilkes-Barre—SO
60 South River Street
Wilkes-Barre, PA 18702
www.jccwb.com
Arlene Grudkowski
(570) 824-4646
denr916@aol.com

Jewish Federation of the Lehigh Valley—SO
702 North 22nd Street
Allentown, PA 18104
www.jewishlehighvalley.org
Temple J. Coldren
(610) 821-5500
controller@jflv.org

Joey F. Casey Memorial Foundation
8121 Cresco Avenue
Philadelphia, PA 19136
www.joeycasey.com
Thomas Crossett
(610) 337-7640
tcrosset@comcast.net

Jump Street—SO
123 Forster Street
Harrisburg, PA 17102
www.jumpstreet.org
Eileen Emanuel
(717) 238-1887
eemanuel@jumpstreet.org

Junior Achievement of Western PA—SO
120 Marshall Drive
Warrendale, PA 15086
www.jawesternpa.org
Dennis P. Gilfoyle
(724) 772-5900
dgilfoyle@jawesternpa.org

Kentucky Avenue School
5701 Fifth Avenue
Pittsburgh, PA 15232
www.kentuckyavenueschool.org
Janet Schwartz
(412) 361-5332
kentuckyavenueschool@yahoo.com

Keystone Christian Education Association—SO
6101 Bell Road
Harrisburg, PA 17111
www.kcea.com
Reverend Theodore E. Clater, Ph.D.
(717) 564-1164
TClater@kcea.com

Kimberton Waldorf School—SO
P. O. Box 350
Kimberton, PA 19442
www.Kimberton.org
Bonnie S. Yost
(610) 933-3635
bonnie@kimberton.org

Kiskiminetas Springs School
1888 Brett Lane
Saltsburg, PA 15681
www.kiski.org
Steve Szilagyi
(724) 639-3586
steven.szilagyi@kiski.org

La Salle Academy
1434 North 2nd Street
Philadelphia, PA 19122
www.lsa-philadelphia.org
Megan G. Thomson
(215) 739-5804
mgthomson13@hotmail.com

La Salle College High School Scholarship Fund
8605 Cheltenham Avenue
Wyndmoor, PA 19038
www.lschs.org
Gail Evans
(215) 233-2350
gailevans@lschs.org

Lancaster Country Day School
725 Hamilton Road
Lancaster, PA 17603
www.e-lcds.org
Maria Burns
(717) 392-2916
burnsm@e-lcds.org

Lansdowne Friends School
110 North Lansdowne Avenue
Lansdowne, PA 19050
www.lansdownefriendsschool.org
Nancy Werner
(610) 623-2548
nwerner.lansdownefriends.lfs@verizon.net

Linden Hall School for Girls
212 East Main Street
Lititz, PA 17543
www.lindenhall.org
June Stine
(717) 626-8512
stine@lindenhall.org

Living Word Christian School
21 South Maysville Road
Greenville, PA 16125
www.livingwordchristian.org
Janet M. Chapin
(724) 588-2140
lwcs@verizon.net

Lutheran Church-Missouri Synod
Hope Christian School
2600 Haines Road
Levittown, PA 19055
www.hopelcs.org
Douglas Puls
(215) 946-3467
hopeprincipal@comcast.net

Maguire Foundation
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19444
Susie Maguire
(610) 206-7857
smaguire@phiyins.com

Malvern Preparatory School
418 South Warren Avenue
Malvern, PA 19355
www.malvernprep.org
Theodore N. Caniglia, Jr.
(484) 595-1122
tcaniglia@malvernprep.org

Meadowbrook School—SO
1641 Hamptom Road
Meadowbrook, PA 19046
www.meadowbrookN6.org
Pamela Hutchinson
(215) 469-0666
pamelahutchinson@comcast.net

Media-Providence Friends School, Inc.—SO
125 West Third Street
Media, PA 19063
www.mpfs.org
Janice Peterson
(610) 565-1960
jpeterson@fox.mpfs.org

Mennonite Foundation, Inc., The—SO
Post Office Box 483
1110 North Main Street
Goshen, IN 46527
www.mma-online.org
Marlin Hershey
(717) 560-6800
marlin.hershey@mmapartners.org

Mercersburg Academy
300 East Seminary Street
Mercersburg, PA 17236
www.mercersburg.edu
Gail Reeder
(717) 328-6323
reederg@mercersburg.edu

Mercy Vocational High School
2900 Hunting Park Avenue
Philadelphia, PA 19129
www.mercyvocational.org
Timothy McEndy
(215) 228-6334
tmcendy@comcast.net

Mercyhurst Preparatory School
538 East Grandview Boulevard
Erie, PA 16504
www.mpslakers.com
David A. Agresti
(814) 824-2408
dagresti@mpslakers.com

Merion Mercy Academy
511 Montgomery Avenue
Merion, PA 19066
www.merion-mercy.com
Monica Wilson
(610) 664-6655
mwilson@merion-mercy.com

MMI Preparatory School
154 Centre Street
Freeland, PA 18224
www.mmiprep.org
Julie Lenio
(570) 636-1108
jlenio@mmiprep.org

Montessori Academy of Chambersburg—SO
875 Ragged Edge Road
Chambersburg, PA 17201
www.montaced.org
Michael A. Starr
(717) 261-1110
info@montaced.org

Montessori Academy of Lancaster
2750 Weaver Road
Lancaster, PA 17601
www.montlanc.com
Pamm Klingensmith
(717) 560-0815
pamm@montlanc.com

Montgomery School
1141 Route 113
Chester Springs, PA 19425
www.montgomeryschool.org
Christine Schaffer
(610) 827-7222
cschaffer@montgomeryschool.org

Moravian Academy
7 East Market Street
Bethlehem, PA 18018
www.moravianacademy.org
Robert Zaiser
(610) 868-4744
bzaiser@moravianacademy.org

Nativity School of Harrisburg
1453 Zarker Street
Harrisburg, PA 17104
www.nativityharrisburg.org
Jairee A. Counterman
(717) 236-5602
jaireeC@aol.com

Neumann Scholarship Foundation (Diocese of
Harrisburg)—SO
4800 Union Deposit Road
Post Office Box 3553
Harrisburg, PA 17105
www.hbgdiocese.org
Reverend Edward J. Quinlan
(717) 657-4804
frquinlan@hbgdiocese.org

New Horizons Montessori School Association—SO
1701 Jarrettown Road
Dresher, PA 19025
www.newhorizonsmontessori.org
Donna L. Kyle, CPA
(215) 542-0740
bratay@nhms.info

Newtown Friends School
1450 Newtown-Langhorne Road
Newtown, PA 18940
www.newtownfriends.org
Sara P. Olson
(215) 968-2225
solson@newtownfriends.org

Oak Lane Day School
137 Stenton Avenue
Blue Bell, PA 19422
www.oaklanedayschool.org
Donna Kyle
(610) 825-1055
kwelsh@oaklanedayschool.org

Officer Daniel Boyle Scholarship Fund
410 Overhill Avenue
Philadelphia, PA 19116
T. Patrick Boyle
(215) 677-3819
boyles410@comcast.net

PALS—Pittsburgh Area Lutheran Schools—SO
1261 Pennsylvania Avenue
Oakmont, PA 15139
PittsburghAreaLutheranSchools.org
Edward Terhune, IV
(412) 392-8790
eterhune@saiengr.com

Pen Ryn School
235 South Olds Boulevard
Fairless Hills, PA 19030
www.penryn.org
Liz Morton
(215) 547-1800
lmorton@penryn.org

Penngift Foundation, Inc.
102 South Pine Street
Elverson, PA 19520
Dr. John M. Cassidy
(610) 286-1936
penngift@ptd.net

Penn-Mont Academy—SO
131 Holliday Hills Drive
Hollidaysburg, PA 16648
www.pennmontacademy.com
Michelle Hartye
(814) 696-8801
pennmont@winbeam.com

Pennsylvania Catholic Conference Scholarship
Foundation
233 North Street
Post Office Box 2835
Harrisburg, PA 17105
Karen McFadden
(717) 238-9613
staff@pacatholic.org

Philadelphia BAE0 Scholarship Programs
1207 Chestnut Street, 7th Floor
Philadelphia, PA 19107
www.philadelphia.baeo.org
Darlene Callands-Curry
(215) 851-1795
darlene@baeo.org

Pittsburgh Jewish Educational Improvement Foundation
234 McKee Place
Pittsburgh, PA 15213
www.ujfpittsburgh.org
Sally Stein
(412) 992-5243
sstein@ujfpittsburgh.org

Pittsburgh Urban Christian School, Inc.
809 Center Street
Pittsburgh, PA 15221
www.pucs.org
Jana McCracken
(412) 244-1779
jana.mccracken@pucs.org

PJHS Scholarship Organization (St. Joe's Prep and
Scranton Prep)
1000 Wyoming Avenue
Scranton, PA 18411
Linda M. Briskey
(570) 941-7747
briskey@scrantonprep.com

Poise Foundation—SO
1 Gateway Center, Suite 500
420 Ft. Duquesne Boulevard
Pittsburgh, PA 15222
www.poisefoundation.org
Mark S. Lewis
(412) 281-4967
mlewis@poisefdn.org

Providence Heights Alpha School
9000 Babcock Boulevard
Allison Park, PA 15101
www.alphaschool.org
Sister Rochelle Holly
(412) 366-4455
ehughes@alphaschool.org

Quaker School at Horsham
250 Meetinghouse Road
Horsham, PA 19004
www.quakerschool.org
Gail Crane
(215) 674-2875
gcrane@quakerschool.org

River Valley Waldorf School
1395 Bridgeton Hill Road
Upper Black Eddy, PA 18972
www.rivervalleyschool.org
Alex Skovronek
(610) 982-5606
info@rivervalleyschool.org

Rosemont School of the Holy Child
1344 Montgomery Avenue
Rosemont, PA 19010
www.rosemontschool.org
Carole A. Manley
(610) 922-1021
cmanley@rosemontschool.org

Scholarship Partners Foundation—SO
723 East Pittsburgh Street
Greensburg, PA 15601
www.dioceseofgreensburg.org
Michael Ziemski
(724) 837-0901
mziemski@scholarshippartners.org

Scholastic Opportunity Scholarship Fund (SOS)—SO
111 Boulevard of the Allies
Pittsburgh, PA 15222
www.diopitt.org
Ronald T. Bowes, Ph.D.
(412) 456-3090
rbowes@diopitt.org

Second Century Scholarship Fund—SO
126 Logan Boulevard
Hollidaysburg, PA 16648
www.secondcenturyfund.org
Joseph M. Scialabba
(814) 695-5577
scialaj@dioceseaj.org

Sewickley Academy
315 Academy Avenue
Sewickley, PA 15143
www.sewickley.org
Paula Dillig
(412) 741-2230
pdillig@sewickley.org

Shady Side Academy—SO
423 Fox Chapel Road
Pittsburgh, PA 15238
www.shadysideacademy.org
Andrea A. Lovelace
(412) 968-3032
alovelace@shadysideacademy.org

Shenango Valley Foundation—SO
33 Chestnut Street
Sharon, PA 16146
sv-foundation.org
Lawrence E. Haynes
(724) 981-5882
larry@sv-foundation.org

Solebury School
P. O. Box 429
6820 Phillips Mill Road
New Hope, PA 18938
www.solebury.org
Linda Brown
(215) 862-5261
linda@solebury.org

South Central Pennsylvania Educational Improvement
Program, Inc.—SO
3211 North Front Street, Suite 201
Harrisburg, PA 17110
www.Hbgrc.org
Lynne Klock
(717) 213-5021
lklock@hbgrc.org

Springside School
8000 Cherokee Street
Philadelphia, PA 19118
www.Springside.org
Jennifer McHugh
(215) 247-7003
jmchugh@springside.org

St. Edmund's Academy
5705 Darlington Road
Pittsburgh, PA 15217
www.stedmunds.net
Diana McAllister
(412) 521-1907
dianamcallister@stedmunds.net

St. James Catholic High School Alumni Association
1499 East 9th Street
Eddystone, PA 19022
www.stjbulldogs.org
Michael R. Ritz
(610) 876-2006
stjdoghouse@comcast.net

St. Peter's School
319 Lombard Street
Philadelphia, PA 19147
www.stpeteronline.org
Marcy Leader
(215) 925-3963
mleader@stpeteronline.org

St. Sophia Orthodox Christian Academy—SO
111 Alberta Avenue
Johnstown, PA 15905
Daniel A. Tvarozna
(814) 255-7732
carpenterp@atlanticbb.net

STAR Foundation—SO
429 East Grandview Boulevard
Erie, PA 16504
www.eriercd.org
Charles Banducci
(814) 824-1188
cbanducci@eriercd.org

State College Friends School
1900 University Drive
State College, PA 16801
www.statecollegefriendsschool.org
Margy Frysinger
(814) 237-8386
scfs@statecollegefriendsschool.org

Susquehanna Valley House of Hope
309 Elysburg Road
Post Office Box 429
Danville, PA 17821
www.svhoh.org
Vince Anselmo
(570) 275-2280
vanselmo@svhoh.org

Susquehanna Waldorf School—SO
15 Walnut Street
Marietta, PA 17547
www.susquehanna.org
Deborah Duke
(717) 426-4506
maria.wherley@susquehanna.org

Talk, Inc.—SO
Magnolia Speech School Demonstration Program
1416 Berwyn Paoli Road
Berwyn, PA 19312
www.talkinc.org
Rick Bohrer
(610) 249-9632
rfbohrer@comcast.net

The Baldwin School
701 Montgomery Avenue
Bryn Mawr, PA 19010
www.baldwinschool.org
Regina Hill
(610) 525-2700
rhill@baldwinschool.org

The Church Farm School
P. O. Box 2000
Paoli, PA 19301
www.gocfs.net
Neil J. Fanelli, Jr.
(610) 363-7500
nfanelli@gocfs.net

The Circle School—SO
210 Oakleigh Avenue
Harrisburg, PA 17111
www.circleschool.org
Jim Rietmulder
(717) 564-6700
jim@circleschool.org

The Crossroads School
P. O. Box 730
1681 North Valley Road
Paoli, PA 19301
www.thecrossroadsschool.net
Mimi Koelle
(610) 296-6765
mkoelle@thecrossroadsschool.net

The Ellis School
6425 Fifth Avenue
Pittsburgh, PA 15206
www.theellisschool.org
Vince Watchorn
(412) 661-6796
watchornv@theellisschool.org

The Episcopal Academy
376 North Latches Lane
Merion, PA 19066
www.ea1785.org
Bruce Konopka
(610) 617-2233
bkonopka@ea1785.org

The Glen Montessori School—SO
500 Huntington Avenue
Pittsburgh, PA 15202
www.glenmontessori.org
Lois J. Payne
(412) 766-3815
lpayne@glenmontessori.org

The Grier Foundation
P. O. Box 308, Route 453
Tyrone, PA 16686
www.grier.org
Andrew M. Wilson
(814) 684-3000
admissions@grier.org

The Haverford School
450 Lancaster Avenue
Haverford, PA 19041
www.haverford.org
David Merrick
(610) 642-3020
dmerrick@haverford.org

The Hill Top Preparatory School, Inc.
737 South Ithan Avenue
Rosemont, PA 19010
www.hilltopprep.org
Lex Nugent
(610) 527-3230
lnugent@hilltopprep.org

The Hillside School & Swain School (Lehigh Valley
Independent School Scholarship)
2697 Brookside Road
Macungie, PA 18062
www.hillsideschool.org
Kathy Green
(610) 967-3701
kgreen@hillsideschool.org

The Howard Gardner School for Discovery
134 School Street
Scranton, PA 18508
www.howardgardnerschool.com
Vincent Rizzo
(570) 941-4100
vjr7121@msn.com

The Janus School
205 Lefever Road
Mount Joy, PA 17552
www.thejanusschool.org
Jim Showalter
(717) 653-0025
jshowalter@thejanusschool.org

The Miquon School
2025 Harts Lane
Conshohocken, PA 19428
www.miquon.org
Pamela Hutchinson
(610) 828-1231
business@miquon.org

The Neighborhood Academy
5231 Penn Avenue, Suite 200
Pittsburgh, PA 15224
www.theneighborhoodacademy.org
Mary Kaczorowski
(412) 362-2001
maryk@theneighborhoodacademy.org

The New School of Lancaster—SO
935 Columbia Avenue
Lancaster, PA 17603
www.newschool.net
Myrna Lee
(717) 397-7655
mlee@newschool.net

The Phelps School
P. O. Box 476
583 Sugartown Road
Malvern, PA 19355
www.thephelpsschool.org
Emily Shaker
(610) 644-1754
eshaker@thephelpsschool.org

The Philadelphia Foundation—SO
Community Scholarship Fund
1234 Market Street, Suite 1800
Philadelphia, PA 19107
www.philafound.org
Keith Dougherty
(215) 563-6417
kdougherty@philafound.org

The Philadelphia School
2501 Lombard Street
Philadelphia, PA 19146
www.tpschool.org
Joan Giannobile
(215) 545-5323
jgiannobile@tpschool.org

The School in Rose Valley
20 School Lane
Rose Valley, PA 19063
www.theschoolinrosevalley.org
Laurie Grant
(610) 566-1088
laurie@theschoolinrosevalley.org

The Shipley School
814 Yarrow Street
Bryn Mawr, PA 19010
www.shipleyschool.org
Gilbert Smith
(610) 525-4300
gsmith@shipleyschool.org

The Vista School—SO
1249 Cocoa Avenue
Hershey, PA 17033
www.thevistaschool.org
James N. Boudier
(717) 835-0310
jboudier@thevistaschool.org

The Walden School
901 North Providence Road
Media, PA 19063
www.thewaldenschool.org
Karen Breitmayer
(610) 892-9357
kbreitmayer@thewaldenschool.org

The Woodlynde School Corporation
445 Upper Gulph Road
Strafford, PA 19087
www.woodlynde.org
Irene van Zijl
(610) 687-9660
vanzijl@woodlynde.org

Three Hierarchs Eastern Orthodox School
1819 Ellsworth Avenue
Heidelberg, PA 15106
Christal Chaney, Ph.D.
(412) 278-3333
holyhierarchs@aol.com

Trinity Lutheran Church and School—SO
53 West Avenue
Wellsboro, PA 16901
Susan Owlett
(570) 724-7723
owletts@ptd.net

United Disabilities Services
1901 Olde Homestead Lane
Lancaster, PA 17605
www.udservices.org
Becky Brown
(717) 397-1841
beckyb@udservices.org

United States Catholic Conference
St. Timothy Education Program For Scholarships—
STEPS

3001 Levick Street
Philadelphia, PA 19149
www.st-tims.org
Marianne Whwlan
(215) 624-6188
Steps@st-tims.org

United Way of Wyoming Valley—SO
8 West Market Street, Suite 450
Wilkes-Barre, PA 18711
www.unitedwaywb.org
David Lee
(570) 829-6711
dmlee@epix.net

Upland Country Day School
420 West Street Road
Kennett Square, PA 19348
www.uplandcds.org
Lucy S. Singleton
(610) 444-8114
lsing@uplandcds.org

Valley Forge Military Academy Foundation
1001 Eagle Road
Wayne, PA 19087
www.vfmac.edu
Ann Sinatra
(610) 989-1343
asinatra@vfmac.edu

Valley School of Ligonier
Post Office Box 616
Ligonier, PA 15658
www.valleyschoolofligonier.org
Tammy Kline
(724) 238-6652
tkline@valleyschoolofligonier.org

Vanguard School
1777 North Valley Road
Post Office Box 730
Paoli, PA 19301
www.vanguardschool-pa.org
Richard Riggs
(610) 296-6700
ririggs@vanguardschool-pa.org

Villa Maria Academy (Erie)
2403 West 8th Street
Erie, PA 16505
www.villamaria.com
Geri Cicchetti
(814) 838-2061
gcicchetti@villamaria.com

Villa Maria Academy (Malvern)
370 Old Lincoln Highway
Malvern, PA 19355
www.vmahs.org
Sister Patricia Spingler
(610) 644-2551
spingler@vmahs.org

Villa Maria Elementary School—SO
2551 West 8th Street
Erie, PA 16505
www.vmelementary.com
Sister Margaret Frank
(814) 838-5451
margaret.frank@vmelementary.com

Waldorf School of Pittsburgh
201 South Winebiddle Street
Pittsburgh, PA 15224
www.waldorfpittsburgh.org
Laura Zech
(412) 441-5792
info@waldorfpittsburgh.org

Waldron Mercy Academy
513 Montgomery Avenue
Merion Station, PA 19066
www.waldronmercy.org
Stephen J. Stritch
(610) 664-9847
sstritch@waldronmercy.org

Washington County Community Foundation—SO
77 South Main Street
Washington, PA 15301
www.wccf.net
B. R. Trew
(724) 222-6330
info@wccf.net

Water Street Rescue Mission—SO
P. O. Box 7267
210 South Prince Street
Lancaster, PA 17604
www.wsrn.org
Steve Gentino
(717) 358-2084
sgentino@wsrn.org

Watson town Alliance Church of the Christian and
Missionary Alliance Scholarship
P. O. Box 214
Watson town, PA 17777
Donald R. Jones, Jr.
(570) 538-9432
wachurch@ptd.net

West Chester Friends School
415 North High Street
West Chester, PA 19380
www.wcfriends.org
Karen Iacobucci
(610) 696-2820
kiacobucci@wcfriends.org

Westtown School
P. O. Box 1799
Westtown, PA 19395
www.westtown.edu
David Eldridge
(610) 399-7914
david.eldridge@westtown.edu

William Penn Charter School
3000 West School House Lane
Philadelphia, PA 19144
www.penncharter.com
Rachel Dyer
(215) 844-3460
rdyer@penncharter.com

Winchester Thurston School—SO
555 Morewood Avenue
Pittsburgh, PA 15213
www.winchesterthurston.org
Scot Lorenzi
(412) 578-3738
LorenziS@winchesterthurston.org

Woods Services Foundation
P. O. Box 36
Langhorne, PA 19047
www.woods.org
Cheryl M. Kauffman
(215) 750-4255
ckauffman@woods.org

WPA K-12 Education Scholarship Fund
341 Chestnut Street
ATTN: Nancy Sprowls
Punxsutawney, PA 15767
www.cmawpa.org
Nancy Sprowls
(717) 492-4191
WPAK12@cmawpa.org

Wyoming Seminary
201 North Sprague Avenue
Kingston, PA 18704
www.wyomingseminary.org
John H. Shafer
(570) 270-2140
jshafer@wyomingseminary.org

Yeshiva Academy of Harrisburg Foundation
1800 Linglestown Road, Suite 101
Harrisburg, PA 17110
Morton Spector
(717) 213-9020
msde@worldnet.att.net

Yeshiva Beth Moshe NEPA Jewish Educational
Scholarship Fund
930 Hickory Street
Scranton, PA 18505
Rabbi Avrohom Pressman
(570) 346-1747
amp@ybm.edu

York County Community Foundation—Opportunities
Scholarship Fund
20 West Market Street
York, PA 17401
www.yccf.org
Betsy W. Buckingham
(717) 848-3733
bbuckingham@yccf.org

Young Scholars Foundation, Inc.—SO
202 Park West Drive
Pittsburgh, PA 15275
William J. Wolf
(412) 788-7400

List of Educational Improvement Organizations

Effective July 1, 2007 through June 30, 2008

Abington Heights Educational Improvement
Organization, Inc.
309 Carbondale Road
Clarks Summit, PA 18411
www.aheio.org
Susan Brundage
(570) 586-0184
rgbskb@aol.com

Abington School District Educational Foundation
970 Highland Avenue
Abington, PA 19001
Dr. Leigh J. Altadonna
(215) 881-2507
leighaltadonna@abington.k12.pa.us

Academy of Natural Sciences of Philadelphia
1900 Benjamin Franklin Parkway
Philadelphia, PA 19103
www.anasp.org
Linda V. Ellsworth
(215) 299-1045
ellsworth@anasp.org

Adams County Arts Council
18 Carlisle Street, Suite 201
Gettysburg, PA 17325
www.adamscountyartscouncil.org
Christina E. Glatfelter
(717) 334-5006
info@adamsarts.org

Adams County Economic Education Foundation
18 Carlisle Street, Suite 203
Gettysburg, PA 17325
www.acbep.org
James C. Roach
(717) 338-0861
acbep@gettysburg-chamber.org

Advanced Skills Learning Center
2101 Pennsylvania Avenue
York, PA 17404
www.advskills.org
Bill Brenner
(717) 699-0832
bbrenner@advskills.org

Advancing Academics, Inc.
519 Penn Avenue
Turtle Creek, PA 15145
Dave Coplan
(412) 829-7112
davecoplan@stargate.net

Allegheny College
520 North Main Street
Meadville, PA 16335
www.allegheny.edu
Ann H. Areson
(814) 332-2348
ann.areson@allegheny.edu

Allentown Art Museum
31 North Fifth Street
Allentown, PA 18101
www.allentownartmuseum.org
Deni Thurman-Eyer
(610) 432-4333
grants@allentownartmuseum.org

Allentown Symphony Association
23 North 6th Street
Allentown, PA 18101
www.allentownsymphony.org
Maureen Shannon Joly
(610) 432-7961
mjoly@allentownsymphony.org

Alternative Community Resource Program
131 Market Street
Johnstown, PA 15901
www.acrpkids.org
Frank Janakovic
(814) 535-2277
fjanakovic@acrpkids.org

Altoona Area School District Foundation
1415 Sixth Avenue
Altoona, PA 16602
www.aasdcad.com/aasd
Thomas M. Bradley
(814) 946-8424
tbradley@aasdcad.com

American Red Cross Southeastern PA Chapter
23rd and Chestnut Streets
Philadelphia, PA 19103
www.redcross-philly.org
Patricia Ma
(215) 299-4077
pat.ma@redcross-philly.org

Americans for the Competitive Enterprise System, Inc.
(ACES)
1001 State Street, Suite 310
Erie, PA 16501
www.aceserie.org
Valerie Laufenberg
(814) 456-7007
val@aceserie.org

Arden Theatre Company
40 North 2nd Street
Philadelphia, PA 19106
www.ardentheatre.org
Amy L. Murphy
(215) 922-8900
amurphy@ardentheatre.org

Armstrong County Educational Trust
81 Glade Drive
Kittanning, PA 16201
www.crookedcreekelc.org
Dennis Hawley
(724) 763-6316
elcaet@alltel.net

Army Heritage Center Foundation
950 Soldiers Drive
P. O. Box 839
Carlisle, PA 17013
www.armyheritage.org
Lorraine Luciano
(717) 258-1102
lluciano@armyheritage.org

Art Sanctuary
1801 West Diamond Street
Philadelphia, PA 19121
www.artsanctuary.org
Danielle Ayers
(215) 232-4485
dayers@artsanctuary.org

Arts Council of Erie (The)
3 East 4th Street, Suite 10
Erie, PA 16507
www.artscounciloferie.org
M. Holly Nowak
(814) 452-3427
hollyn@artscounciloferie.org

ArtsQuest
25 West Third Street, Suite 300
Bethlehem, PA 18015
www.fest.org
Ronald T. Unger
(610) 332-1347
runger@fest.org

Asian Americans United
1023 Callowhill Street
Philadelphia, PA 19123
www.aaunited.org
Neeta Patel
(215) 569-2600
npatel@factsweb.org

Asian Arts Initiative
105 North Watts Street
Philadelphia, PA 19107
www.asianartsinitiative.org
Betsy Elijah
(215) 557-0455
betsy@asianartsinitiative.org

ASSET, Inc.
2403 Sidney Street, Suite 800
Pittsburgh, PA 15203
www.assetinc.org
Reeny D. Davison, Ed.D.
(412) 481-7320
rdavison@assetinc.org

Astral Artistic Services
230 South Broad Street, Suite 300
Philadelphia, PA 19102
www.astralartisticservices.org
Julia H. Rubio
(215) 735-6284
Julia@astralartists.org

Auberle Development
1101 Hartman Street
McKeesport, PA 15132
www.auberle.org
Lauri K. Fink
(412) 673-5800
laurif@auberle.org

Audubon Society of Western Pennsylvania
614 Dorseyville Road
Beechwood Farms Nature Reserve
Pittsburgh, PA 15238
www.aswp.org
Joel Anne Sweithelm
(412) 963-6100
jsweithelm@aswp.org

Bach Choir of Bethlehem
423 Heckewelder Place
Bethlehem, PA 18018
www.bach.org
Kathy Link
(610) 866-4382
kathy@bach.org

Baum School of Art
P. O. Box 653
510 Linden Street
Allentown, PA 18105
www.baumschool.org
Ann A. Lalik
(610) 433-0032
AnnL@baumschool.org

Bear Creek Nature Center
Eastern PA Lutheran Camp Corporation
Post Office Box 278
Bear Creek, PA 18602
www.bearcreeknaturecenter.org
Robert Stover
(570) 472-3741
exdir@bearcreekcamp.org

Beaver County Educational Trust
 Post Office Box 216
 Beaver, PA 15009
 Betty Sue Schaugency
 (724) 775-0567
 schaugency@verizon.net

Bedford County Chamber Foundation, Inc.
 137 East Pitt Street
 Bedford, PA 15522
 www.bedfordcountychamber.org
 Carol Snyder
 (814) 623-2233
 director@bedfordcountychamber.org

Bedford County Regional Education Foundation
 18 North River Lane
 Everett, PA 15537
 Merle W. Hesel
 (814) 652-9528
 mhesel@allegany.edu

Beginning with Books
 5920 Kirkwood Street
 Pittsburgh, PA 15206
 www.beginningwithbooks.org
 Linda Pool
 (412) 361-8560
 pool@mybwb.org

Bellwood-Antis School District Foundation
 400 Martin Street
 Bellwood, PA 16617
 blwd.k12.pa.us
 Crystal Himes
 (814) 742-2271
 gbt@blwd.k12.pa.us

Berks Business Education Coalition
 960 Old Mill Road
 Wyomissing, PA 19610
 www.berksbec.org
 Robert Runkle
 (610) 372-6114
 rrunkle@berksbec.org

Berks Community Television
 645 Penn Street
 Reading, PA 19601
 www.bctv.org
 Ann Sheehan
 (610) 374-3065
 asheehan@bctv.org

Berks County Community Foundation
 Post Office Box 212
 Reading, PA 19603
 www.bccf.org
 Richard C. Mappin
 (610) 685-2223
 richardm@bccf.org

Big Brothers Big Sisters of Berks County
 303 Windsor Street
 Centre Park
 Reading, PA 19601
 www.bigsinberks.org
 Jim Smith
 (610) 373-5544
 jims@bigsinberks.org

Big Brothers Big Sisters of Blair County
 891 23rd Street
 Altoona, PA 16601
 www.bbbsblaircounty.org
 Gail Clapper
 (814) 643-6955
 kkelleybbs@aol.com

Big Brothers Big Sisters of Bucks County
 2875 York Road
 Jamison, PA 18929
 www.bbbsbc.org
 Mae O'Brien
 (215) 343-8260
 obrien@bbbsbc.org

Big Brothers Big Sisters of Greater Pittsburgh, Inc.
 5989 Penn Circle South
 Pittsburgh, PA 15206
 www.bbbspittsburgh.org
 Tom Wiese
 (412) 363-6100
 twiese@bbbspgh.org

Big Brothers Big Sisters of Schuylkill County, Inc.
 91 South Progress Avenue
 Pottsville, PA 17901
 Doug Allen
 (570) 622-0174
 bbbs.doug@verizon.net

Big Brothers Big Sisters of Southeastern Pennsylvania
 123 South Broad Street, Suite 2180
 Philadelphia, PA 19109
 bbbssepa.org
 Sheryl Kuhlman
 (215) 790-9200
 skuhlman@bbbssepa.org

Big Brothers Big Sisters of the Capital Region
 1500 North Second Street, Suite H
 Harrisburg, PA 17102
 www.capbigs.org
 Susan Hair
 (717) 236-0199
 shair@capbigs.org

Big Brothers Big Sisters of the Laurel Region
 1011 Old Salem Road, Suite 211
 Greensburg, PA 15601
 www.bbbslr.org
 Kelli S. Belanger
 (724) 837-6198
 kelli@bbbslr.org

Big Brothers Big Sisters of the Lehigh Valley
 878 Minesite Road
 Allentown, PA 18103
 www.bbbslv.org
 Maryjean deSandes
 (610) 391-1827
 mdesandes@bbbslv.org

Big Brothers Big Sisters of York County
 227 West Market Street
 York, PA 17401
 Robert Banfill
 (717) 843-0051
 bbbs-York@att.net

Blackhawk Foundation
500 Blackhawk Road
Beaver Falls, PA 15010
www.blackhawkfoundation.org
Jack Fullen
(724) 506-1700
bfoundation@bsd.k12.pa.us

Blair County Chamber Foundation, Inc.
3900 Industrial Park Drive, Suite 12
Altoona, PA 16602
www.blairchamber.com
Cindy Cessna
(814) 943-8151
ccessna@blairchamber.com

Blue Mountain Eagle Foundation
Post Office Box 321, 675 Reddale Road
Orwigsburg, PA 17961
www.eaglefoundationofbmsd.org
Elizabeth Dal Santo
(570) 714-7170
edalsanto@netscape.net

Bosler Memorial Library
158 West High Street
Carlisle, PA 17013
www.ccpa.net/bosler
Sara Franing
(717) 243-4642
sfraning@ccpa.net

Boy Scouts of America—Greater Pittsburgh Council
1275 Bedford Avenue
Pittsburgh, PA 15219
www.gpc-bsa.org
Amy D. Franz
(412) 325-7910
afranz@bsaemail.org

Boy Scouts of America—Moraine Trails Council
830 Morton Avenue Ext.
Butler, PA 16001
www.morainetrails.org
Betty Bopp
(724) 287-6791
bebopp@bsaemail.org

Boy Scouts of America—Penn's Woods Council
201 West High Street
Ebensburg, PA 15931
www.pwcbbsa.org
Cletus J. McConville, Jr.
(814) 471-1090
cmconvi@bsaemail.org

Boys and Girls Club of Allentown
720 North 6th Street
Allentown, PA 18102
www.bgcalledtown.org
Patricia Johnson
(610) 432-9944
BGCALLEN@aol.com

Bradford County Regional Arts Council
601 Main Street
Towanda, PA 18840
www.bcrac.org
Brooks Eldredge-Martin
(570) 268-2787
brooks@bcrac.org

Bryn Mawr Film Institute
824 West Lancaster Avenue
Post Office Box 1058
Bryn Mawr, PA 19010
www.brynmawrfilm.org
Patricia Wesley
(610) 527-4008
pwesley@brynmawrfilm.org

Bucks County Free Library
150 South Pine Street
Doylestown, PA 18901
www.buckslib.org
Martina Kominiarek
(215) 348-0332
kominiarekm@buckslib.org

Burn Prevention Foundation
236 North 17th Street
Allentown, PA 18104
www.burnprevention.org
B. Daniel Dillard
(610) 969-3930
burnprev@fast.net

Butler County Family YMCA
339 North Washington Street
Butler, PA 16001
www.bcfymca.org
Andria Jones
(724) 287-4733
Ajones@bcfymca.org

Byerschool Foundation—EIO
210 West Rittenhouse Square, Suite 405
Philadelphia, PA 19103
www.byerschool.org
Laurada Byers
(215) 772-1777
lbyers@byerschool.org

Camp Curtin Y.M.C.A.
2135 North 6th Street
Harrisburg, PA 17110
www.ccmblackachievers.org
Joseph Summers
(717) 234-7058
joseph.summers@ymcaharrisburg.org

Carbon Lehigh Educational Options, Inc.
4210 Independence Drive
Schnecksville, PA 18078
www.cliu.org
Robert J. Keegan, Jr.
(610) 769-4111
keeganr@cliu.org

Carnegie Library of Pittsburgh
4400 Forbes Avenue
Pittsburgh, PA 15213
www.carnegielibrary.org
Larry Karnoff
(412) 622-8873
karnoffl@carnegielibrary.org

Carnegie Museums of Pittsburgh
4400 Forbes Avenue
Pittsburgh, PA 15213
www.carnegiemuseums.org
Doug Frederick
(412) 578-2469
frederickd@carnegiemuseums.org

Carson Valley School
1419 Bethlehem Pike
Flourtown, PA 19031
www.carsonvalleyschool.org
Clare Strenger
(215) 233-1945
cstrenger@carsonvalley.org

Cedar Foundation
1000 South 8th Street
Lebanon, PA 17042
www.lebanon.k12.pa.us
Michelle Norman
(717) 273-9391
mnorman@lebanon.k12.pa.us

Center Area Education Foundation
Post Office Box 82
Monaca, PA 15061
www.casd.k12.pa.us
Barbara Magnotta
(724) 775-5990
caef@casd.k12.pa.us

Center for Theater Arts
250 Mt. Lebanon Boulevard
Pittsburgh, PA 15234
www.centerfortheaterarts.org
Marc Field
(412) 563-5080
ctapgh@aol.com

Central Bucks Healthier Community Team
252 West Swamp Road, Suite 5
Doylestown, PA 18901
www.cbhct.org
Kimberly Cambra
(215) 489-9120
kcambra@dh.org

Central Cambria Education Foundation
208 Schoolhouse Road
Post Office Box 624
Ebensburg, PA 15931
cchs.k12.pa.us
Susan W. Makosy
(814) 472-8870
swm@cchs.k12.pa.us

Central Pennsylvania Community Foundation—EIO
Blair County Community Endowment
1330 11th Avenue
Altoona, PA 16601
www.centralpacf.org
Randy Tarpey
(814) 944-6102
tyronecpa@verizon.net

Central Pennsylvania Youth Ballet
5 North Orange Street, Suite 3
Carlisle, PA 17013
www.cpyb.org
Maurinda Wingard
(717) 245-1193
wingard@cpyb.org

Central Susquehanna Community Foundation
309 Vine Street
Berwick, PA 18603
www.csgiving.org
Eric DeWald
(570) 752-3930
edewald@csgiving.org

Centre County Youth Service Bureau
410 South Fraser Street
State College, PA 16801
www.ccsyb.com
Denise McCann
(814) 237-5731
dmccann@ccsyb.com

Chambersburg YMCA
570 East McKinley Street
Chambersburg, PA 17201
www.chbg.org
David W. Matthews, Jr.
(717) 263-8508
dmatthews@chbg.org

Chester County Art Association
100 North Bradford Avenue
West Chester, PA 19382
www.chescoart.org
Paul Andreas
(610) 696-5600
pandreas@chescoart.org

Chester County Historical Society
225 North High Street
West Chester, PA 19380
www.chestercohistorical.org
Katie Arter
(610) 692-4800
karter@chestercohistorical.org

Chester County Regional Education Services
Mill Town Square, Suite 450
150 East Pennsylvania Avenue
Downingtown, PA 19335
www.cres.org
William Kropp
(610) 269-4740
willkropp@cres.org

Chester Education Foundation (CEF)
2600 West Ninth Street, Suite GS-100
Chester, PA 19013
www.chestereducation.org
Cheryl F. Cunningham
(610) 364-1212
cheryl@chestereducation.org

Chichester Education Foundation, Inc.
P. O. Box 2100
Boothwyn, PA 19061
Edward J. Cardow
(610) 485-6881
cef@chichestersd.org

Children's Aid Home Programs of Somerset County, Inc.
1476 North Center Avenue
P. O. Box 1195
Somerset, PA 15501
www.cahprogram.org
Robert C. Miller, Jr.
(814) 443-1637
rmiller@cahprogram.org

Children's Home of Easton Services, Inc.
2000 South 25th Street
Easton, PA 18042
www.thechildrenshome.org
Brian Leidy
(610) 258-2831
brianl@thechildrenshome.org

Children's Literacy Initiative
2314 Market Street, 3rd Floor
Philadelphia, PA 19103
www.cliontheweb.org
Bruce Bonner
(215) 561-4676
Bbonner@cliontheweb.org

Children's Museum of Pittsburgh
10 Children's Way
Pittsburgh, PA 15212
www.pittsburghkids.org
Rebecca McNeil
(412) 322-5058
rmcneil@pittsburghkids.org

Chinese Cultural and Arts Institute
200 South 41st Street
Harrisburg, PA 17111
www.chineseculturalartsinstitute.org
William F. Hubler
(717) 566-8999
hubimex@itech.net

Citizens to Abolish Domestic Apartheid, Inc.
Post Office Box 80
North Versailles, PA 15137
www.cadaprograms.org
Dr. Brooks
(412) 829-1160
cadaprograms@aol.com

City Theatre Company
1300 Bingham Street
Pittsburgh, PA 15203
www.citytheatrecompany.org
John Federico
(412) 431-4400
jfederico@citytheatrecompany.org

City Year, Inc.
2221 Chestnut Street, 2nd Floor
Philadelphia, PA 19103
www.cityyear.org
Dana Fiordaliso
(267) 386-7036
dfiordaliso@cityyear.org

Civic Light Opera
719 Liberty Avenue, 6th Floor
Pittsburgh, PA 15222
www.pittsburghclo.org
Donald B. Arnheim
(412) 281-3973
darnheim@pittsburghclo.org

Clarion University Foundation, Inc.
840 Wood Street
Center for Advancement
Clarion, PA 16214
www.clarion.edu/foundation
Charles Desch
(814) 393-2572
cdesch@clarion.edu

College Misericordia
301 Lake Street
Dallas, PA 18612
www.misericordia.edu
Larry Pellegrini
(570) 674-6307
lpellegr@misericordia.edu

Columbia Education Foundation
P. O. Box 548
Columbia, PA 17512
www.columbiaeducationfd.org
Rich Gerfin
(717) 684-4818
bsr916@aol.com

Communities in Schools of Philadelphia, Inc.
2000 Hamilton Street, Suite 201
Philadelphia, PA 19130
www.cisphl.org
Tonya Mack
(267) 386-4600
tmack@cisphl.org

Communities in Schools of Pittsburgh—Allegheny County,
Inc.
225 Boulevard of the Allies, Suite 404
Pittsburgh, PA 15222
www.cispac.org/pittsburgh.html
Nicole Molinaro
(412) 471-7911
nmolinaro@cispac.org

Communities in Schools of Southwest PA, Inc.
137 North Beeson Avenue
Uniontown, PA 15401
www.cisofswpa.org
Linda Smith
(724) 437-2540
lgsmith@winbeam.com

Communities in Schools of the Laurel Highlands, Inc.—
EIO
524 Central Avenue
Cresson, PA 16630
www.cisnet.org
Mickie Eberhart
(814) 886-8409
mickiee1@verizon.net

Communities in Schools of the Lehigh Valley, Inc.
P. O. Box 722
Allentown, PA 18105
www.cislv.org
William Leh
(610) 969-2697
leh@cislv.org

Community Action Committee of the Lehigh Valley, Inc.
1337 East Fifth Street
Bethlehem, PA 18015
www.caclv.org
Katharine Watt
(610) 691-5620
kwatt@caclv.org

Community Arts Center
414 Plush Mill Road
Wallingford, PA 19086
www.communityartscenter.org
Jane Valdes-Dapena
(610) 566-1713
jane@communityartscenter.org

Community Care Foundation for Students of
Lower Dauphin
291 East Main Street
Hummelstown, PA 17036
James Hazen
(717) 566-5307
jhazen@ldsd.org

Community Education Alliance of West Philadelphia
1630 Locust Street, 3rd floor
Philadelphia, PA 19103
www.cea-philly.org
Taylor Evans
(215) 790-1294
taylor.evans@cea-philly.org

Community Foundation for the Alleghenies
116 Market Street, Suite 4
Johnstown, PA 15924
www.cfalleghenies.org
Mike Kane
(814) 536-7741
mkane@cfalleghenies.org

Community Foundation of Greene County—EIO
Post Office Box 768
Waynesburg, PA 15370
www.cfgcpa.org
Bettie B. Stammerjohn
(724) 627-2010
cfgcpa@gmail.com

Community Foundation of Susquehanna and
Wyoming Counties—EIO
36 Lake Avenue
Montrose, PA 18801
www.community-foundation.org
Peter Quigg
(570) 278-3800
foundation@epix.net

Community Foundation of Upper Street Clair
2585 Washington Road, Suite 131 A
Pittsburgh, PA 15241
www.mainstreetUSC.com
Celeste Acinapura
(412) 831-1107
cfusc@adelphia.net

Community Music School of Collegeville
775 West Main Street
Trappe, PA 19426
www.cmsmusic.org
Edwina French
(610) 489-3676
french@cmsmusic.org

Computers for Youth Foundation
3502 Scotts Lane, Suite 2121C
Philadelphia, PA 19129
www.cfy.org
Keisha Jordan
(267) 231-5019
kjordan@cfy.org

Conestoga Valley Education Foundation
2110 Horseshoe Road
Lancaster, PA 17601
www.cvsd.k12.pa.us
Bev Breniser
(717) 445-9529
bevbreniser@frontiernet.net

Corporation for Penn State
408 Old Main
University Park, PA 16802
Patricia A. Cochrane
(814) 863-0327
pzc3@psu.edu

Crispus Attucks Association, Inc.—EIO
605 South Duke Street
York, PA 17403
www.crispusattucks.org
Amy Chamberlin
(717) 848-3610
achamberlin@crispusattucks.org

Cultural Alliance of York County
14 West Market Street
York, PA 17401
www.culturalalliance-york.org
Joanne Riley
(717) 812-9255
rileyjp1@culturalalliance-york.org

Cumberland County Historical Society
21 North Pitt Street
Carlisle, PA 17013
www.historicalsociety.com
Linda Witmer
(717) 249-7610
execdirector@historicalsociety.com

Da Vinci Discovery Center of Science and Technology
3145 Hamilton Boulevard Bypass
Allentown, PA 18103
www.davinci-center.org
Bill McGlenn
(484) 664-1002
bmclenn@davinci-center.org

Dallastown Area Educational Foundation
700 New School Lane
Dallastown, PA 17313
www.dallastown.net
Lori D. Hartman
(717) 244-4021
lori.hartman@dallastown.net

Dauphin County Library System
101 Walnut Street
Harrisburg, PA 17101
www.dcls.org
Karen Cullings
(717) 234-4961
kcullings@dcls.org

Delaware and Lehigh National Heritage Corridor
2750 Hugh Moore Park Road
Easton, PA 18042
www.delawareandlehigh.org
Rayne Schnabel
(610) 923-3548
rayne@delawareandlehigh.org

Delaware County Historical Society
991 Palmers Mill Road
Media, PA 19063
www.delcohistory.org/dchs
Debbie Frederick
(610) 359-0826
dfrederick.dchs@comcast.net

Delaware County Veterans Museum
Pennsylvania Veterans Museum
12 East State Street
Media, PA 19063
www.paveteransmuseum.org
JoAnne Schultze
(610) 566-0788
jschultze@paveteransmuseum.org

Delaware Valley Arts Consortium
 Post Office Box 987
 Frazer, PA 19355
www.dvarts.org
 Ann DiPietro
 (610) 304-5077
anndipietro@comcast.net

Derry Area School District Foundation
 982 North Chestnut Street Ext.
 Derry, PA 15627
 Joseph A. Koluder, Jr.
 (724) 694-1403
jkoluder@wiu.k12.pa.us

DeSales University
 2755 Station Avenue
 Center Valley, PA 18034
www.desales.edu
 Judy Barberich
 (610) 282-1100
judy.barberich@desales.edu

Donegal School District Education Foundation
 1051 Koser Road
 Post Office Box 495
 Mount Joy, PA 17552
www.donegalfoundation.org
 John Felix
 (717) 492-1200
jfelix@donegal.k12.pa.us

Dr. Gertrude A. Barber National Institute—EIO
 100 Barber Place
 Erie, PA 16507
www.barberinstitute.org
 Maureen Barber-Carey, Ed.D.
 (814) 878-5903
maureenbarbercarey@barberinstitute.org

DreamWrights Youth and Family Theatre
 100 Carlisle Avenue
 York, PA 17401
www.dreamwrights.org
 Debbie Krout-Althoff
 (717) 848-8623
debbie@dreamwrights.org

DuBois Area Schools Educational Foundation
 500 Liberty Boulevard
 DuBois, PA 15801
www.dasd.k12.pa.us
 Sharon L. Kirk
 (814) 371-2700
skirk@dasd.k12.pa.us

Eagle Foundation
 6746 Carlisle Pike
 Mechanicsburg, PA 17050
cvschools.org/eaglefdn
 Bobbi Jo Gabrielson
 (717) 506-3351
bgabrielson@cvschools.org

Earth Force, Inc. (Lake Erie-Allegheny and
 Delaware Valley)
 100 Greenwood Avenue
 Wyncote, PA 19095
www.earthforce.org
 Janet W. Starwood
 (215) 884-9888
janet.starwood@verizon.net

East Coast Exotic Animal Rescue, Inc.
 320 Zoo Road
 Fairfield, PA 17320
www.eastcoastrescue.org
 Suzanne Murray
 (717) 642-5229
ecearescue@innernet.net

East Pennsboro Education Foundation
 890 Valley Street
 Enola, PA 17025
 Bruce Deveney
 (717) 732-3601
bdeveney@epasd

Eastern Lebanon County High School Education
 Foundation (ELCO)
 180 ELCO Drive
 Myerstown, PA 17067
www.elco.k12.pa.us
 Ed Albert
 (717) 866-7117
ealbert@elco.k12.pa.us

EconomicsPA
 123 North Market Street
 Selingsgrove, PA 17870
www.EconomicsPA.org
 Kelly Charlesworth
 (570) 372-9997
kcharlesworth@economicspa.org

Edinboro University Foundation
 210 Meadville Street
 Edinboro, PA 16444
www.edinboro.edu
 Terri L. Birchard
 (814) 732-1780
tbirchard@edinboro.edu

Educating Communities for Parenting, Inc.
 211 North 13th Street, Suite 701
 Philadelphia, PA 19107
www.ecparenting.org
 Charlotte K. Hummel
 (215) 496-9780
charlotte@ecparenting.org

EducationWorks, Inc.—EIO
 684 Whitehead Road
 Lawrenceville, NJ 08648
www.educationworks-online.org
 Maria Dimas
 (609) 392-6662
mdimas@educationworks-online.org

Elk County Community Foundation
 111 Erie Avenue
 Post Office Box 934
 St. Marys, PA 15857
www.elkcountyfoundation.com
 Paula Fritz Eddy
 (814) 834-2125
eccf@alltel.net

Ephrata Area Education Foundation
 803 Oak Boulevard
 Ephrata, PA 17522
www.ephrataeducation.org
 Stephanie Gingrich
 (717) 721-1589
s_gingrich@easdpa.org

Erie County Historical Society
419 State Street
Erie, PA 16501
www.eriecountyhistory.org
Melinda Meyer
(814) 454-1813
mmeyer196@hotmail.com

Erie Times-News in Education, Inc.
205 West 12th Street
Erie, PA 16534
www.goerie.com/nie
Anna McCartney
(814) 870-1820
nie@timesnews.com

Falcon Foundation
105 East Evergreen Road
Lebanon, PA 17042
www.clsd.k12.pa.us
Robert J. Richards
(717) 270-7806
rrichards@gshleb.com

Family Resources
141 South Highland Avenue
Pittsburgh, PA 15206
www.familyresourcesofpa.org
Andi Fischhoff
(412) 363-1702
andif@familyresourcesofpa.org

Fannett-Metal Education Foundation
P. O. Box 112
14823 PathValley Road
Willow Hill, PA 17271
Greg Rosenberry
(717) 349-2688

Fay-Penn Economic Development Corporation
2 West Main Street, Suite 407
P. O. Box 2101
Uniontown, PA 15401
www.faypenn.org
Beth Thomas Wehner
(724) 437-7913
bethw@faypenn.org

First Community Foundation of Pennsylvania
330 Pine Street, Suite 401
Williamsport, PA 17701
www.fcfa.org
Candy K. Bower
(570) 321-1500
candyb@fcfa.org

First Philadelphia Charter School for Literacy
4300 Tacony Street
Philadelphia, PA 19124
www.firstphiladelphiacharter.org
Rachel Smith
(215) 743-3100
jstanton@firstphiladelphiacharter.org

Forest City Regional Educational Foundation
100 Susquehanna Street
Forest City, PA 18421
Thomas Baileys
(610) 515-6533
fpe3@nep.net

Foundation for California University of Pennsylvania
250 University Avenue, Box 59
California, PA 15419
www.cup.edu
Denise Hines
(724) 938-4329
hines@cup.edu

Foundation for Indiana University
Center for Student Life
101 Pratt Hall
Indiana, PA 15701
www.OnstageAtIUPUI.edu
Frank Destefano
(724) 357-2594
destefan@iupui.edu

Foundation for the Central Dauphin Schools
600 Rutherford Road
Harrisburg, PA 17109
www.cdschools.org
Leslie Meck
(717) 545-4703

Frick Art and Historical Center
7227 Reynolds Street
Pittsburgh, PA 15208
www.frickart.org
Susan Neszpaul
(412) 371-0600
sneszpaul@frickart.org

Fund for West Chester University
102 Filano Hall
628 South High Street
West Chester, PA 19383
www.wcupa.edu
Dr. C. James Trotman
(610) 436-2766
jtrotman@wcupa.edu

Galaxy, Arts in Education Program
Central Intermediate Unit 10
345 Link Road
West Decatur, PA 16878
www.galaxy.ciu10.com
Jennene B. Lundy
(814) 237-3003
jlundy@ciu10.com

Gamut Theatre Group
605 Strawberry Square
Harrisburg, PA 17101
www.gamutplays.org
Melissa H. Nicholson
(717) 238-4111
melissa.nicholson@gamutplays.org

Gateway Foundation
9000 Gateway Campus Boulevard
Monroeville, PA 15146
www.gwffoundation.org
Cleveland Steward
(412) 373-5700
csteward@gatewayk12.org

Gateway to the Arts
1400 South Braddock Avenue, Suite E
Pittsburgh, PA 15218
www.gatewaytothearts.org
Lisa Hoitsma
(412) 342-4444
lisah@gatewaytothearts.org

George Junior Republic—EIO
233 George Junior Road
Post Office Box 1058
Grove City, PA 16127
www.georgejuniorrepublic.org
James F. Bird
(724) 458-9330
jbird@georgejuniorrepublic.org

Girl Scouts—Trillium Council
606 Liberty Avenue
Pittsburgh, PA 15222
www.girlscouts-wpa.org
Carol Popp
(412) 594-2215
cpopp@gstrillium.org

GoggleWorks Center for the Arts
201 Washington Street
Reading, PA 19601
www.goggleworks.org
Diane LaBelle
(610) 374-4600
dlabelle@goggleworks.org

GPUAC/After School Activities Partnerships (ASAP)
230 South Broad Street, Suite 400
Philadelphia, PA 19102
www.phillyasap.org
Maria Walker
(215) 545-3070
mwalker@phillyasap.org

Greater Chambersburg Chamber Foundation
100 Lincoln Way East, Suite A
Chambersburg, PA 17201
www.chambersburg.org
Melissa Knepper
(717) 377-1821
mknepper@chambersburg.org

Greater Erie Youth Symphony
3232 Westwood Estates
Erie, PA 16506
www.geyso.org
Kate Breese
(814) 898-6243
kcb169@psu.edu

Greater Harrisburg Foundation/Dillsburg Area
Foundation
18 Autumn Drive
Dillsburg, PA 17019
www.dillsburg.com
Jay Young
(717) 432-4409
jay@exhibitstudios.com

Greater Hazelton Partners in Education
One South Church Street
Hazelton, PA 18201
www.partnersined.org
Edward S. Lyba, Ed.D.
(570) 450-6314
edufirst@ptd.net

Greater Philadelphia Cares
100 South Broad Street, Suite 2200
Philadelphia, PA 19110
www.philacares.com
Ellen Firestone
(215) 564-4544
volunteer@gpcares.com

Greater Philadelphia Urban Affairs Coalition/
PHILADELPHIA READS
1207 Chestnut Street, 7th Floor
Philadelphia, PA 19107
www.phila.gov/philareads
Adrienne Jacoby, Ed. D.
(215) 851-1723
ajacoby@gpuac.org

Greater Pittsburgh Literacy Council
100 Sheridan Square, 4th Floor
Pittsburgh, PA 15206
www.gplc.org
Chad Stacy
(412) 661-7323
cstacy@gplc.org

Greater Pittston YMCA
10 North Main Street
Pittston, PA 18640
www.greaterpittstonymca.org
Frank Bartoli
(570) 655-2255
fbartoli@greaterpittstonymca.org

Greencastle-Antrim Education Foundation
500 East Leitersburg Street
Post Office Box 623
Greencastle, PA 17225
Ginny Lays
(717) 597-1137
ginnylays@hotmail.com

Gwen's Girls, Inc.
7230 McPherson Boulevard
Pittsburgh, PA 15208
www.gwensgirls.org
Lonnie Silver
(412) 731-7670
lsilver@gwensgirls.org

H. Robert Davis Bubbler Athletic Foundation
4 Forge Road
Boiling Springs, PA 17007
www.bubblerfoundation.org
Doris M. Bream
(717) 258-6484
foundation@smsd.us

Hamburg Area Education Foundation
363 Hill Drive
Hamburg, PA 19526
Cynthia Zerr
(610) 562-3413
cinzer@hasdhawks.org

Hampton Alliance for Educational Excellence
P. O. Box 473
Allison Park, PA 15101
www.htsd.k12.pa.us.hae
James R. Hune
(412) 635-9088
jhune@creesesmith.com

Hanna Education Foundation
P. O. Box 60023
Harrisburg, PA 17110
Gregory H. Denk
(717) 652-4953
gdenkcpa@comcast.net

Hanover Foundation for Excellence in Education, Inc.
40 York Street
Hanover, PA 17331
www.hpsd.k12.pa.us/hanoverfoundation
Peter H. Sheppard
(717) 630-4644
psheppard@rhsheppard.com

Harrisburg Public School Foundation
2101 North Front Street, Building 2
Harrisburg, PA 17110
www.hbgpsf.org
Lisa Paige
(717) 703-4113
lpaige@hbgsd.k12.pa.us

Harrisburg Symphony Association
800 Corporate Circle, Suite 101
Harrisburg, PA 17110
www.harrisburgsymphony.org
J. Roger Clark
(717) 545-5527
rclark@harrisburgsymphony.org

Harrisburg University of Science and Technology
215 Market Street
Harrisburg, PA 17101
www.harrisburgu.net
Ryan Riley
(717) 901-5140
rriley@harrisburgu.net

Hatboro-Horsham Educational Foundation
229 Meetinghouse Road
Horsham, PA 19044
www.hhef.org
Robert Reichert
(215) 420-5261
hhef@hatboro-horsham.org

Hawk Mountain Sanctuary Association
1700 Hawk Mountain Road
Kempton, PA 19529
www.hawkmountain.org
Celeste A. Voyer
(610) 756-6961
voyer@hawkmountain.org

Heart of Variety Fund
1520 Locust Street, 2nd Floor
Philadelphia, PA 19102
www.varietyphila.org
Andrew Pack
(215) 735-0803
andrewpack@varietyphila.org

Hempfield Educational Foundation
200 Church Street
Landisville, PA 17538
www.hempfieldsd.org
Jessie Long
(717) 898-5539
jessie_long@hempfieldsd.org

Hepatitis B Foundation
3805 Old Easton Road
Doylestown, PA 18902
www.hepb.org
Kate Johnson
(215) 489-4901
kate@hepb.org

Heritage Center of Lancaster County
13 West King Street
Lancaster, PA 17603
www.lancasterheritage.com
Kim Fortney
(717) 299-6440
kfortney@lancasterheritage.com

Heritage Health Foundation, Inc.—EIO
445 Fourth Street
Braddock, PA 15104
http://www.hhfi.org
Barbara Willard
(412) 351-0535
bwillard@hhfi.org

High Tech High Philadelphia Foundation
35 South 4th Street
Philadelphia, PA 19106
www.masterycharter.org
Joni Bishop
(215) 922-1902
joni.bishop@masterycharter.org

Historic Bethlehem Partnership, Inc.
459 Old York Road
Bethlehem, PA 18018
www.historicbethlehem.org
Marsha Fritz
(610) 882-0450
mfritz@historicbethlehem.org

Historical Society of Western Pennsylvania d/b/a
Sen. Heinz History Center
1212 Smallman Street
Pittsburgh, PA 15222
www.pghhistory.org
Nina Margiotta
(412) 454-6000
nmargiotta@hswp.org

Holidaysburg Area School District Foundation, Inc.
201 Jackson Street
Holidaysburg, PA 16648
www.tigerwires.com
Linda Russo
(814) 696-0733
Linda_Russo@tigerwires.com

Holy Family Learning
8235 Ohio River Boulevard
Pittsburgh, PA 15202
www.hfi-pgh.org
Sheila Talarico
(412) 766-9020
talarico.sheila@hfi-pgh.org

Homeless Children's Education Fund
2100 Smallman Street, 2nd Floor
Pittsburgh, PA 15222
www.homelessfund.org
Jennifer Vickers
(412) 562-0154
jvickers@homelessfund.org

Honesdale Communities That Care, Inc.
Post Office Box 494
Honesdale, PA 18431
Kathleen Grandjean
(570) 229-0055
honesdalectc@gmail.com

Human Services Center Corporation
519 Penn Avenue, 2nd Floor
Turtle Creek, PA 15145
www.hsc-mvpc.org
Alicia Andrews
(412) 829-7112
aandrews@hsc-mvpc.org

Illick's Mill Foundation, Inc.
P. O. Box 204
Bethlehem, PA 18016
www.illicksmill.org
Karen Dolan
(610) 653-0908
project@illicksmill.org

Independence Seaport Museum
211 South Columbus Boulevard
Philadelphia, PA 19106
www.phillyseaport.org
Kevin J. McNamara
(215) 413-8611
kmcnamara@phillyseaport.org

Inner-City Neighborhood Art House
6101 East Lake Road
Erie, PA 16511
www.eriebenedictines.org
Sister Anne Wambach, OSB
(814) 455-5508
annewosb@yahoo.com

Institute for the Development of Educational Alliances
(IDEALL)
313 West Liberty Place
Suite 201
Lancaster, PA 17603
www.ideall.org
Sidney P. Marland
(717) 735-7704
smarla@aol.com

Johnstown Area Heritage Association
P. O. Box 1889
Johnstown, PA 15907
www.jaha.org
Danielle Miller
(814) 539-1889
danielledmiller@gmail.com

Jump Street—EIO
1703 North Front Street
Harrisburg, PA 17102
www.jumpstreet.org
Eileen Emanuel
(717) 238-1887
eemanuel@jumpstreet.org

Juniata College
1700 Moore Street
Huntingdon, PA 16652
services.juniata.edu/ScienceInMotion/
James J. Lakso, Ph.D.
(814) 641-3123
lasko@juniata.edu

Junior Achievement of Central Pennsylvania
1322 Loop Road
Lancaster, PA 17601
centralpa.ja.org
Allen E. Tate
(717) 397-5779
atate@jacentralpa.org

Junior Achievement of Delaware Valley
419 Avenue of the States
Chester, PA 19013
www.jainpa.org
Ka-Msiyara Corbett
(610) 499-1620
ka-msiyara@jadv.org

Junior Achievement of Greater Reading and
Lehigh Valley
35 North 6th Street, Suite M-102
Mezzanine
Reading, PA 19601
www.jaberks.org
Robin Costenbader-Jacobson
(610) 373-3500
robin@jaberks.org

Junior Achievement of Northeastern PA, Inc.
533 Main Street, 2nd Floor
Peckville, PA 18452
nepa.ja.org
Kathleen M. Matthews
(570) 489-9474
kmatthews@janepa.org

Junior Achievement of South Central PA
610 South George Street
York, PA 17401
www.jascpa.org
Barry L. Winter
(717) 843-8028
barry@jascpa.org

Junior Achievement of Western PA—EIO
120 Marshall Drive
Warrendale, PA 15086
www.jawesternpa.org
Dennis P. Gilfoyle
(724) 772-5900
dgilfoyle@jawesternpa.org

Kennett Education Foundation
Post Office Box 849
Kennett Square, PA 19348
www.kennetteducationfoundation.org
Karl E. Bennett
(610) 444-6602
bennettx@rcn.com

Keystone School District Education Foundation
451 Huston Avenue
Knox, PA 16232
www.keynox.com
Vernon F. Lauffer
(814) 797-5921
vlauffer@keynox.com

Keystone SMILES Community Learning Center, Inc.
420 Main Street
P. O. Box 352
Knox, PA 16232
www.keystonesmiles.org
Joyce A. Fosdick
(814) 797-2127
JFOSDICK@keystonesmiles.org

Kids and Cultures
823 North Duke Street
Lancaster, PA 17602
www.kidsandcultures.com
Timm Wenger
(717) 290-6948
info@kidsandcultures.com

Kutztown Area School District Education Foundation
262 West Main Street
Kutztown, PA 19530
www.kasd.org
Dr. Brenda A. Winkler
(610) 683-7361
bwinkler@kasd.org

Kutztown University Foundation
202 Wiesenberger Alumni Center
Kutztown, PA 19510
www.kutztown.edu
Jeffrey Werner
(484) 646-4167
werner@kutztown.edu

Lackawanna College
501 Vine Street
Scranton, PA 18509
www.lackawanna.edu
Gail Scaramuzzo
(570) 961-7848
scaramuzzog@lackawanna.edu

Lancaster County Career and Technology Foundation—
EIO
P. O. Box 527
Willow Street, PA 17584
www.lcctc.org
Anthony Gillespie
(717) 464-7061
agillespie@lcctc.org

Lancaster Foundation for Educational Enrichment
445 North Reservoir Street
Lancaster, PA 17602
www.lfee.org
Laura Sadler Olin
(717) 391-8660
lsolin@lancaster.k12.pa.us

Lancaster Science Center
405 West Charlotte Street
Millersville, PA 17551
www.lancastersciencefactory.com
Jim Bunting
(717) 872-6263
jwbunting@excite.com

Lancaster Symphony Orchestra
226 North Arch Street
Lancaster, PA 17603
www.lancastersymphony.org
Nancy LeVasseur
(717) 291-6440
nancy@lancastersymphony.org

Lancaster-Lebanon Education Foundation
1020 New Holland Avenue
Lancaster, PA 17601
www.iu13.org/foundation.shtml
James W. Scott, Ed.D.
(717) 606-1600
foundation@iu13.org

Laurel Arts
214 South Harrison Avenue
P. O. Box 414
Somerset, PA 15501
www.laurelarts.org
Michael S. Knecht
(814) 443-2433
michael@laurelarts.org

Learning for Life/Cradle of Liberty Council, BSA
22nd and Winter Streets
Philadelphia, PA 19103
www.learning-for-life.org
Ellen Williams
(215) 988-9811
elwilliams@colbsa.org

Lehigh University
618 Brodhead Avenue
Academic Outreach and Special Projects
Bethlehem, PA 18015
www.lehigh.edu/star
Henry Odi
(610) 758-4802
huo0@lehigh.edu

Lehigh Valley Arts Council
840 Hamilton Street, Suite 201
Allentown, PA 18101
www.lvartscouncil.org
Randall Forte
(610) 437-5915

Lehigh Valley Business Education Partnership
P. O. Box 109
511 East Third Street
Bethlehem, PA 18016
www.lvbep.org
Diane Donaher
(610) 691-7585
ddonaher@lvbep.org

Lehigh Valley Zoological Society
5150 Game Preserve Road
Post Office Box 519
Schnecksville, PA 18078
www.lvzoo.org
Tom Elias
(610) 799-4171
telias@lvzoo.org

Lincoln Park Performing Arts Center
One Lincoln Park
Midland, PA 15059
www.lppac.org
Stephen Catanzarite
(724) 643-9004
stephen.catanzarite@lppac.org

LL Science and Technology Alliance, Inc.
P. O. Box 6188
Lancaster, PA 17607
www.llsta.org
David Martin
(717) 606-2989
dmartin@redrose.net

Lower Bucks Family YMCA—EIO
601 South Oxford Valley Road
Fairless Hills, PA 19030
www.lowerbucksymca.org
Florence Kawoczka
(215) 949-3400
FKawoczka@lowerbucksymca.org

Lower Merion/Harrington Community Foundation
Box 79
Narberth, PA 19072
www.educationfoundationoflm.org
Sherry Wert
(610) 527-6167
info@educationfoundationoflm.org

M. S. Hershey Foundation
9 West Chocolate Avenue
Hershey, PA 17033
www.mshersheyfoundation.org
Donna B. Evans
(717) 298-2205
devans2mshersheyfoundation.org

Manchester Craftsmen's Guild
1815 Metropolitan Street
Pittsburgh, PA 15233
www.manchesterguild.org
Carole Bailey
(412) 323-4000

Manchester Youth Development Center
1214 Liverpool Street
Pittsburgh, PA 15233
www.mydc.org
Cheryl A. Walker
(412) 322-0585
cwalker@mydc.org

Manheim Central Foundation for Educational
Enrichment
P. O. Box 7
Manheim, PA 17545
Jere A. Murphy
(717) 367-6747
jeremurphy@paonline.com

Manheim Township Educational Foundation
P. O. Box 5134 , School Road
Lancaster, PA 17606
www.mtef.net
Julia Merrill
(717) 333-1776
julia_merrill@mtwp.net

Martin Library Association
159 East Market Street
York, PA 17401
www.yorklibraries.org
Susan Davidson-Linton
(717) 846-5300
sdavidson@yorklibraries.org

Mary Miller Dance Company
601 Wood Street
Pittsburgh, PA 15222
www.marymillerdanceco.org
Mary Miller
(412) 434-1169
marymillerdanceco@netzero.net

Meadville Area Chamber of Commerce Foundation
211 Chestnut Street
Meadville, PA 16335
www.ccvts.org/swork
Tracey C. Larson
(814) 337-8202
tlarson@ccvts.org

Middlecreek Area Community Center
67 Elm Street
Beaver Springs, PA 17812
maccatbeaversprings.org
Eric P. Grimes
(570) 658-2276
ericg@maccatbeaversprings.org

Millcreek School Foundation
3740 West 26th Street
Erie, PA 16506
www.mtsd.org
Kenneth C. Borland
(814) 835-5320
borland@mtsd.org

Millersville University Foundation
Post Office Box 1002
Millersville, PA 17551
muweb.millersville.edu/develop/mu.php
Jan Edwards
(717) 872-3820
jan.edwards@millersville.edu

Montgomery County Special Needs Children Foundation
MCIU Education Foundation
1605 West Main Street
Norristown, PA 19403
www.mciu.org
Dr. Sharon N. Richardson
(610) 755-9304
srichardson@mciu.org

Mt. Lebanon Foundation for Education
P. O. Box 11664
Pittsburgh, PA 15228
www.mlfe.org
Jacqueline Foor
(412) 478-7743
mlfe@mlfe.org

Muhlenberg College
2400 West Chew Street
Allentown, PA 18104
www.Muhlenberg.edu
Deborah J. Kipp
(484) 664-3223
kipp@muhlenberg.edu

Musicopia (Strings for Schools)
2001 Market Street, Suite 3100
Philadelphia, PA 19103
www.musicopia.net
Dierdre Woody
(215) 829-9522
woody@musicopia.net

National Aviary in Pittsburgh, Inc.
Allegheny Commons West
Pittsburgh, PA 15212
www.aviary.org
Patricia Rambasek
(412) 323-7235
patti.rambasek@aviary.org

National Canal Museum (Hugh Moore Historical Park
and Museums)
30 Centre Square
Easton, PA 18042
www.canals.org
Susan McDonough
(610) 559-6622
susanm@canals.org

National Civil War Museum
1 Lincoln Circle @ Reservoir Park
P. O. Box 1861
Harrisburg, PA 17105
www.nationalcivilwarmuseum.org
Trini M. Nye
(717) 260-1861
tnye@nationalcivilwarmuseum.org

National Foundation for Teaching Entrepreneurship
307 Fourth Avenue, Suite 500
Pittsburgh, PA 15222
www.nfte.com
Jerry Cozewith
(412) 456-4169
JerryC@NFTE.com

Nazareth Blue Eagle Education Foundation
501 East Center Street
Nazareth, PA 18064
Bruce M. Applegate
(610) 759-1730
bmapplegate@nazarethaso.org

Ned Smith Center for Nature and Art
176 Water Company Road
P. O. Box 33
Millersburg, PA 17061
www.nedsmithcenter.org
Beth Sanders
(717) 692-3699
bsanders@epix.net

Need in Deed
8616 Germantown Avenue, 2nd Floor Rear
Philadelphia, PA 19118
www.needindeed.org
Ena Rosen
(215) 242-6333
enarosen@needindeed.org

Negro Educational Emergency Drive
425 Sixth Avenue
Suite 2880
Pittsburgh, PA 15219
www.needld.org
Virginia Montanez
(412) 566-2760
vmontanez@needld.org

NetworkArts
P. O. Box 4066
Philadelphia, PA 19118
www.networkarts.org
Earl T. Stamm
(215) 592-1990
estamm@networkarts.org

New Kensington Community Development Corporation
2515 Frankford Avenue
Philadelphia, PA 19125
www.nkcdc.org
Shanta Schachter
(215) 427-0350
sschacter@nkcdc.org

North Central Region Math/Science Education
Collaborative
108 Becht Hall
Clarion University
Clarion, PA 16214
www.mathsciencequest.org
Josephine Shirey
(814) 393-1612
mathsci@clarion.edu

North Penn School District Educational Foundation
Post Office Box 1084
Lansdale, PA 19466
www.npenn.org
Christine Liberaski
(215) 853-1020
liberacd@npenn.org

Northeastern Educational Intermediate Unit CORE
Foundation
1200 Line Street
Archbald, PA 18403
www.neiu.org
Regina Myers
(570) 876-9309
myersr@neiu.org

Northern Lebanon Education Foundation
Post Office Box 100
Fredericksburg, PA 17026
www.norleb.k12.pa.us
Edward F. Lee
(717) 865-0541
elee@norleb.k12.pa.us

Northern Tier Industry Education Consortium, Inc.
P. O. Box 200
Dimock, PA 18816
www.ntiec.com
Marleen Butler
(570) 278-5038
mbutler@ntiec.com

Northwestern Lehigh Educational Foundation, Inc.
6786 Flint Hill Road
New Tripoli, PA 18066
www.nwlef.org
Kenneth K. Kistler
(610) 298-2903
kistler@enter.net

Old Bedford Village
220 Sawblade Road
Bedford, PA 15522
www.oldbedfordvillege.com
Charles A. Davis
(814) 623-1156
village@pennswoods.net

Oley Valley Community Education Foundation
P. O. Box 331
Oley, PA 19547
www.oleyvalleysd.org/ovcef
Joanne Ewing
(610) 987-4100
jewing@ptd.net

Opera Company of Philadelphia
1420 Locust Street, Suite 210
Philadelphia, PA 19102
www.operaphilly.com
David B. Devan
(215) 893-3600
devan@operaphilly.com

Owen J. Roberts School District Education Foundation
901 Ridge Road
Administration Building
Pottstown, PA 19465
www.ojrdsd.com
Dr. Kathleen M. Hocker
(610) 469-5333
khocker@ojrdsd.com

PA Academy of the Fine Arts
118 North Broad Street
Philadelphia, PA 19102
www.pafa.org
Louisa Hanshew
(215) 972-7600
lhanshew@pafa.org

Panther Foundation, The
 Post Office Box 3652
 York, PA 17404
www.thepantherfoundation.com
 Patricia Stauffer
 (717) 846-6789
pstauffer@thepantherfoundation.com

Parental Stress Center, Inc.
 5877 Commerce Street
 Pittsburgh, PA 15206
www.PSCFamily.net
 Diane McMahon
 (412) 361-4800
DMcMahon@PSCFamily.net

Partners in Pottstown Public Schools, Inc.
 Beech and Penn Streets
 School District Administration Building
 Pottstown, PA 19464
www.pottstownschoools.com
 David P. Krem
 (610) 323-8200

Penn Manor School District Education Foundation
 Post Office Box 1001
 Millersville, PA 17551
www.pennmanor.net
 Cindy Rhoades
 (717) 872-9500
cindy.rhoades@pennmanor.net

Pennsbury Education Foundation
 134 Yardley Avenue
 Fallsington, PA 19058
www.pennsbury.k12.pa.us
 Isabel M. Miller
 (215) 428-4115
imiller@pennsbury.k12.pa.us

Pennsylvania Academy of Music
 313 West Liberty Street, Suite 210
 Lancaster, PA 17603
www.paacademymusic.com
 Patricia Pacifico
 (717) 399-2295
ppacifico@pamusacad.org

Pennsylvania Envirothon, Inc.
 702 West Pitt Street, Suite 3
 Bedford, PA 15522
www.envirothonpa.org
 Lorelle Steach
 (814) 623-7900
paenvirothon@pennswoods.net

Pennsylvania Free Enterprise Week/Foundation for
 Free Enterprise Education
 2840 West 21st Street, Suite 2
 Erie, PA 16506
www.pfew.org
 John J. Trombetta
 (814) 833-9576
john@pfew.org

Pennsylvania Highlands Community College
 110 Franklin Street
 Post Office Box 68
 Johnstown, PA 15907
www.pennhighlands.edu
 Lorraine Sylvia
 (814) 532-5342
lsylvia@pennhighlands.edu

Pennsylvania Resources Council
 3606 Providence Road
 Newtown Square, PA 19073
www.prc.org
 Barbara R. Van Clief
 (610) 353-1555
vanclief@prc.org

Pennsylvania Shakespeare Festival
 at DeSales University
 2755 Station Avenue
 Center Valley, PA 18034
www.pashakespeare.org
 Jeanne Bitler
 (610) 282-1100
Jeanne.bitler@desales.edu

Pennsylvania Youth Theatre
 25 West Third Street
 Bethlehem, PA 18015
www.123pyt.org
 Beth Starbuck
 (610) 332-1404
development@123pyt.org

Performing Arts for Children
 P. O. Box 134
 York, PA 17405
www.PerformingArtsForChildren.com
 Nada Seidon
 (717) 252-2477
ImThink1@verizon.net

Perkiomen Valley School District Foundation
 3 Iron Bridge Drive
 Collegeville, PA 19426
www.pvsdfoundation.org
 Kimberly Minor
 (610) 489-8506
kminor@pvsd.org

Perry County Council of the Arts
 One South Second Street
 P. O. Box 354
 Newport, PA 17074
www.perrycountyarts.org
 Joni Williamson
 (717) 567-7023
joni@perrycountyarts.org

Perseus House Charter School of Excellence
 1511 Peach Street
 Erie, PA 16501
www.perseushouse.org
 Della Parshall
 (814) 480-5900
dparshall@perseushouse.org

Phase 4 Learning Center
 3075 Clairton Road, Suite 930
 West Mifflin, PA 15123
www.Phase4LearningCenter.org
 Terrie Suica-Reed
 (412) 650-9004
tsuicareed@yahoo.com

Philadelphia Academies, Inc.
 230 South Broad Street, Suite 1300
 Philadelphia, PA 19102
www.academiesinc.org
 Kristen Henry
 (215) 546-6300
khenry@academiesinc.org

Philadelphia Education Fund
7 Ben Franklin Parkway
Philadelphia, PA 19103
www.philaedfund.org
Jennifer Trachtman
(215) 665-1400
jtrachtman@philaedfund.org

Philadelphia Futures for Youth
230 South Broad Street, 7th Floor
Philadelphia, PA 19102
www.philadelphiafutures.org
Joan C. Mazzotti
(215) 790-1666
joanmazzotti@philadelphiafutures.org

Philadelphia Mural Arts Advocates
1729 Mt. Vernon Street
Philadelphia, PA 19130
www.muralarts.org
Kathryn Ott Lovell
(215) 685-0759
kathryn.o.lovell@phila.gov

Philadelphia Museum of Art
P. O. Box 7646
Philadelphia, PA 19101
www.philamuseum.org
Nico Hartzell
(215) 684-7356
nhartzell@verizon.net

Philadelphia Performing Arts
2600 South Broad Street
Philadelphia, PA 19145
www.ppacs.org
Jerry Santilli
(215) 551-4000
gsantilli@santillithomson.com

Philadelphia Theatre Company
230 South 15th Street, 4th Floor
Philadelphia, PA 19102
www.phillytheatreco.com
James J. Lynes
(215) 985-1400
jlyness@phillytheatreco.com

Philadelphia Young Playwrights Program
7 Benjamin Franklin Parkway, 2nd Floor
Philadelphia, PA 19103
www.phillyyoungplaywrights.org
Glen Knapp
(215) 665-9226
glen@phillyyoungplaywrights.org

Philadelphia Youth Network, Inc.
714 Market Street, Suite 304
Philadelphia, PA 19106
www.pyninc.org
Melissa Orner
(267) 502-3718
mjorner@pyninc.org

Philadelphia Zoo
3400 West Girard Avenue
Philadelphia, PA 19104
www.philadelphiazoo.org
Michael Sullivan
(215) 243-5344
michael.sullivan@phillyzoo.org

Philadelphia's Children First Fund
440 North Broad Street, Suite 326
Philadelphia, PA 19130
Megan Moreno
(215) 400-5397
mamckeon@phila.k12.pa.us

Phipps Conservatory, Inc.
One Schenley Park
Pittsburgh, PA 15213
www.phipps.conservatory.org
Greg DuFour
(412) 622-6915
gdufour@conservatory.org

Phoenixville Community Education Foundation—EIO
1120 South Gay Street
P. O. Box 809
Phoenixville, PA 19460
www.pasd.com
Dr. David R. Noyes
(484) 925-5010
noyesd@pasd.com

Phoenixville Public Library
183 Second Avenue
Phoenixville, PA 19460
www.phoenixvillelibrary.org
Dorian L. Wells
(610) 933-3013
dwells@ccls.org

Pike County Public Library
201 Broad Street
Milford, PA 18337
www.pcpl.org
Ellen Schaffner
(570) 296-8221
director@pcpl.org

Pine Grove Area Educational Foundation
P. O. Box 98
Pine Grove, PA 17963
www.pgaef.org/
Stephen L. Frantz
(570) 345-3252
pgaef@pgaef.org

Pine-Richland Youth Center
5554 Community Center Drive
Gibsonia, PA 15044
Carl R. Mele
(724) 443-3796
Carlmele@aol.com

Pittsburgh Ballet Theatre, Inc.
2900 Liberty Avenue
Pittsburgh, PA 15201
www.pbt.org
Carol Meeder
(412) 281-0360
cmeeder@pittsburghballet.org

Pittsburgh History and Landmarks Foundation
100 West Station Square Drive, Suite 450
Pittsburgh, PA 15219
www.phlf.org
Louise Sturgess
(412) 471-5808
louise@phlf.org

Pittsburgh Musical Theater
327 South Main Street
Pittsburgh, PA 15220
www.pittsburghmusicals.com
Kenneth Gargaro, Ph.D.
(412) 539-0900
kgargaro@pittsburghmusicals.com

Pittsburgh Opera Theater, Inc. d/b/a Opera Theater of
Pittsburgh
Stephen Foster Center
286 Main Street, Third Floor
Pittsburgh, PA 15201
www.operatheaterpittsburgh.org
Mary Ann Lapinski
(412) 621-1499
mlapinski@operatheaterpittsburgh.org

Pittsburgh Opera, Inc.
801 Penn Avenue
Pittsburgh, PA 15222
www.pittsburghopera.org
Rachael French
(412) 281-0912
rfrench@pittsburghopera.org

Pittsburgh Public Theater
621 Penn Avenue
Pittsburgh, PA 15222
www.ppt.org
Susan Amorose
(412) 316-8200
samorose@ppt.org

Pittsburgh Symphony Orchestra
600 Penn Avenue
Pittsburgh, PA 15222
www.pittsburghsymphony.org
Jeff Tsai
(412) 392-4842
jtsai@pittsburghsymphony.org

Pittsburgh Tissue Engineering Initiative
100 Technology Drive, Suite 200
Pittsburgh, PA 15219
www.ptei.org
Joan F. Schanck
(412) 235-5122
jschanck@ptei.org

Pittsburgh Voyager d/b/a RiverQuest
1501 Reedsdale Street, Suite 2001
Pittsburgh, PA 15233
www.riverquest.org
Shayna Pitt
(412) 231-2712
shaynapitt@riverquest.org

Pittsburgh Zoo and PPG Aquarium
One Wild Place
Pittsburgh, PA 15206
www.pittsburghzoo.org
Patricia A. Hargest
(412) 665-3640
phargest@pittsburghzoo.org

Pittston Area Educational Improvement Organization
5 Stout Street
Pittston, PA 18640
www.pittstonarea.com
Dr. Ross A. Scarantino
(570) 654-2271
scaranti@pittstonarea.com

Please Touch Museum
210 North 21st Street
Philadelphia, PA 19103
www.pleasetouchmuseum.org
Tracey Soulges
(215) 963-0667
tsoulges@pleasetouchmuseum.org

Polar Bear Foundation
149 South Baltimore Street
Dillsburg, PA 17019
Brian Small
(717) 432-8691
bsmall@nycsd.k12.pa.us

Police Athletic League of Philadelphia
2524 East Clearfield Street
Philadelphia, PA 19134
www.phillypal.com
Lindsay Weiss
(215) 291-9000
lweiss@phillypal.com

Pottsgrove Education Foundation
1301 Kauffman Road
Pottstown, PA 19464
www.pgsd.org
David L. Nester
(610) 327-2277
dnester@pgsd.org

Project Forward Leap Foundation
1706 Race Street, 2nd Floor
Philadelphia, PA 19103
www.projectforwardleap.org
Michal Smith
(215) 568-2344
msmith@projectforwardleap.org

Project H.O.M.E
1515 Fairmount Avenue
Philadelphia, PA 19130
www.projecthome.org
Amanda S. Aronoff
(215) 232-7272
amandaaronoff@projecthome.org

ProJeCt of Easton, Inc.
320 Ferry Street
Easton, PA 18042
www.projecteaston.org
Noreen Davis
(610) 258-4361
ndavis@projecteaston.org

Purchase Line Red Dragon Foundation
315 Sebring Road
Marion Center, PA 15729
Randy Degenkolb
(724) 463-2712
degenkolb@comcast.net

Quiet Creek Herb Farm and School of Country Living,
Inc.—EIO
93 Quiet Creek Lane
Brookville, PA 15825
www.quietcreekherbfarm.com
Claire Orner
(814) 849-9662
quietcreek@windstream.net

Radnor Educational Foundation, Inc.
354 West Lancaster Avenue, Suite 201
Wayne, PA 19087
radnoreducationalfoundation.org
Joy Antonoplos
(610) 687-5235
JAntonoplos@radnoreducationalfoundation.org

Reading Education Foundation
800 Washington Street
Reading, PA 19601
www.readingsd.org
Dr. Thomas R. Chapman, Jr.
(610) 371-5611
doctom@readingsd.org

Reading is Fundamental Pittsburgh
10 Children's Way, Suite 300
Pittsburgh, PA 15212
www.rifpittsburgh.org
Cynthia Krappweis
(412) 321-8022
cindyrif@aol.com

Reading is Fundamental, Inc.
1825 Connecticut Avenue NW
Suite 400
Washington, DC 20009
www.rif.org
Kathryn Jackson
(202) 536-3437
kjackson@rif.org

Regional Environmental Education Center
Post Office Box 12566
Upper St. Clair, PA 15241
www.regionaleec.org
Jessica Stombaugh
(412) 838-0064
info@regionaleec.org

Renaissance and Baroque Society of Pittsburgh
5530 Penn Avenue
Pittsburgh, PA 15206
www.rbsp.org
Ann Mason
(412) 361-2049
director@rbsp.org

Saint Francis University
P.O. Box 600
Loretto, PA 15940
www.francis.edu
Edward Zovinka
(814) 472-3373
ezovinka@francis.edu

Samuel S. Fleisher Art Memorial, Inc.
719 Catharine Street
Philadelphia, PA 19147
www.fleisher.org
Meg Wise
(215) 922-3456
mwise@fleisher.org

Sarah A. Reed Children's Center
2445 West 34th Street
Erie, PA 16506
www.sarahreed.org
Vernon Peterson
(814) 838-1954
vpeterson@sarahreed.org

SATORI
2985 Fairfield Drive North
Allentown, PA 18103
www.satori-chambermusic.org
Nora Suggs
(610) 435-6036
info@satori-chambermusic.org

Schuylkill Community Education Council
1500 Rockwood Center, Route 61 South
Pottsville, PA 17901
www.SchuylkillEducation.org
Jillian Mullen
(570) 773-1270
scec@edcouncil.com

Schuylkill YMCA
216 North 12th Street
Pottsville, PA 17901
www.schuylkillymca.com
Wayne R. Stump
(570) 622-7850
ymcaceo@comcast.net

Senior Adults for Greater Education, Inc.
203 Anselm Road
Richboro, PA 18954
www.beasage.org
Beryl Katz
(215) 357-2332
beasage03@aol.com

Shenango Valley Foundation—EIO
33 Chestnut Street
Sharon, PA 16146
www.sv-foundation.org
Lawrence E. Haynes
(724) 981-5882
larry@sv-foundation.org

Shippensburg Area School District Foundation
209 Shippen Hall
Shippensburg, PA 17257
www.ship.k12.pa.us
Lynn Baynum, Ph.D
(717) 477-1102
lfbayn@ship.edu

SkillsUSA Council
1601 Union Boulevard
Allentown, PA 18109
www.skillsUSA-padistrictll.org
Melinda Stumpf
(610) 841-1190
mstumpf@skillsUSA-PAdistrict11.org

Smart Futures
401 Wood Street, Suite 1400
Pittsburgh, PA 15222
www.SmartFutures.org
David J. Mosey
(412) 288-3900
dmosey@smartfutures.org

Somerset County Campus Foundation for Allegany
Community College
6022 Glades Pike, Suite 100
Somerset, PA 15501
www.allegany.edu
Leah Pepple
(814) 445-9848
lpepple@allegany.edu

Souderton Area Education Foundation
760 Lower Road
Souderton, PA 18964
www.souderton.org
Dr. John M. Eells
(215) 723-6061
jeells@soudertonsd.org

South Central Pennsylvania Educational Improvement
Program, Inc.—EIO
3211 North Front Street, Suite 201
Harrisburg, PA 17110
www.hbgrc.org
Lynne Klock
(717) 213-5021
lklock@hbgrc.org

Southern Lancaster County Foundation for Education
(SOLANCO)
121 South Hess Street
Quarryville, PA 17566
www.solanco.org
Keith Kaufman
(717) 786-8401
keith_kaufman@solanco.k12.pa.us

Southern York County School District Foundation
3280 Fissels Church Road
P. O. Box 128
Glen Rock, PA 17327
www.syc.k12.pa.us
Dale Keagy
(717) 757-2267
drk@mail.syc.k12.pa.us

Southwest Community Enrichment Center
1341 South 46th Street
Philadelphia, PA 19143
www.swcecphila.org
Katie R. Cofey
(215) 386-8250
t.malachi3@verizon.net

Spanish American Civic Association, Inc.
545 Pershing Avenue
Lancaster, PA 17602
www.sacapa.org
Catherine L. Calkins
(717) 509-1012
cgraupera@sacapa.org

Spring Cove Educational Foundation
1100 East Main Street
Roaring Spring, PA 16673
springcove.schoolnet.com/outreach/district/foundation
John E. Clark
(814) 224-5124
jclark@scsd.k12pen.com

Spring-Ford Area School District Education Foundation
199 Bechtel Road
Collegeville, PA 19426
www.spring-ford.net
Kathleen Kotch
(610) 705-6081
KKOTC@spring-ford.net

Starfinder Foundation
123 South Broad Street, 21st Floor
Philadelphia, PA 19109
www.starfinderfoundation.org
Paul Nye
(215) 772-5018
pauln@starfinderfoundation.org

State Street Academy of Music at St. Lawrence
110 State Street
Harrisburg, PA 17101
www.ssamusic.org
John A. Morefield
(717) 697-1743
johnmorefield@alum.mit.edu

Strawberry Hill Foundation, Inc.
1537 Mount Hope Road
Fairfield, PA 17320
www.strawberryhill.org
Eddy Rubin
(717) 642-5840
eddy@strawberryhill.org

Stroud Water Research Center
970 Spencer Road
Avondale, PA 19311
www.stroudcenter.org
Claire Birney
(610) 268-2153
clairebirney@stroudcenter.org

Student Conservation Association
689 River Road
Charlestown, NH 03603
www.thesca.org
Walter J. Burlack
(412) 325-1851
wburlack@thesca.org

Summerbridge of Greater Philadelphia
31 West Coulter Street
Philadelphia, PA 19144
www.gfsnet.org/summerbridge
Darren Spielman, Ph.D.
(215) 951-6996
dspielman@gfsnet.org

Susan P. Byrnes Health Education Center, Inc.
515 South George Street
York, PA 17401
www.byrneshec.com
Anne E. Bahn
(717) 848-3064
abahn@byrneshec.com

Susquehanna Art Museum
301 Market Street
Harrisburg, PA 17101
www.sqart.org
Corrine Topper
(717) 233-8668
ctopper@sqart.org

Susquehanna Folk Music Society
378 Old York Road
New Cumberland, PA 17070
www.sfmsfolk.org
Jessica Hayden
(717) 932-2348
concerts@sfmsfolk.org

Taller Puertorriqueño, Inc.
2721 North 5th Street
Philadelphia, PA 19133
www.tallerpr.org
Carmen Febo San Miguel, MD
(215) 426-3311
cfebo@tallerpr.org

Temple University
200 Sullivan Hall
Philadelphia, PA 19121
www.temple.edu
John K. DiPaolo
(215) 204-4997
john.dipaolo@temple.edu

The Arc of Dauphin and Lebanon Counties
2569 Walnut Street
Harrisburg, PA 17103
www.Arcofdc.org
Ken Seeger
(717) 920-2727
kseeger@arcofdc.org

The Business Center at New Covenant Campus
7500 Germantown Avenue
Suite 13 Elder's Hall
Philadelphia, PA 19119
www.thebizctr.com
Solomon Wheeler
(215) 247-2473
swheeler@thebizctr.com

The Carl and Emily Weller Center for Health Education
325 Northampton Street
Easton, PA 18042
www.wellercenter.org
Melissa Lee
(610) 258-8500
mlee@wellercenter.org

The Community Foundation of Westmoreland County—
EIO
951 Old Salem Road, Penthouse Suite
Greensburg, PA 15601
www.cfwestmoreland.org
Kirk A. Utzinger
(724) 836-4400
kutzinger@cfwestmoreland.org

The Consortium for Public Education
336 Shaw Avenue
McKeesport, PA 15132
www.tcfpe.org
Linda L. Croushore
(412) 678-9215
lcroushore@tcfpe.org

The Delphi Project Foundation
2001 Market Street, Suite 1500
Philadelphia, PA 19103
Tammy Salvadore
(610) 640-1206
tammy.salvadore@rsli.com

The First Tee of Susquehanna Valley
600 A Eden Road
Lancaster, PA 17601
www.TheFirstTeeSVPA.org
Joseph Nehila
(717) 368-4591
jnehila@thefirstteesvpa.org

The Food Trust
1201 Chestnut Street, 4th Floor
Philadelphia, PA 19107
www.thefoodtrust.org
Yael Lehmann
(215) 568-0830
ylehmann@thefoodtrust.org

The Franklin Institute
222 North 20th Street
Philadelphia, PA 19103
www.fi.edu
Bart Bronk
(215) 448-1094
bbronk@fi.edu

The Learning Lamp, Inc.—EIO
108 College Park Plaza
Johnstown, PA 15904
www.thelearninglamp.org
Leah Spangler
(814) 262-0732
lspangler@thelearninglamp.org

The Lion Foundation Camp Hill School District
2627 Chestnut Street
Camp Hill, PA 17011
www.camphillsd.kas.pa.us
Peggy Kunz
(717) 761-1580
pkunz@camphillsd.k12.pa.us

The Mountain Playhouse
P. O. Box 205
Jennertown, PA 15547
www.mountainplayhouse.com
Erica Roslonski
(814) 629-9201
erica@mountainplayhouse.com

The National Watch and Clock Museum
514 Poplar Street
Columbia, PA 17512
www.nawcc.org/museum/museum.htm
Noel B. Poirier
(717) 684-8261
npoirier@nawcc.org

The North Museum of Natural History and Science
400 College Avenue
Lancaster, PA 17603
www.northmuseum.org
Margaret M. Marino
(717) 358-4445
margie.marino@fandm.edu

The Pennsbury Society
400 Pennsbury Memorial Road
Morrisville, PA 19067
www.pennsburymanor.org
Douglas A. Miller
(215) 946-0400
dougmiller@state.pa.us

The People's Light and Theatre Company
39 Conestoga Road
Malvern, PA 19355
www.peopleslight.org
Carin Brastow
(610) 647-1900
brastow@peopleslight.org

The Philadelphia Foundation—EIO
1234 Market Street, Suite 1800
Philadelphia, PA 19107
www.philafound.org
Keith Doughty
(215) 563-6417
kdoughty@philafound.org

The Philadelphia Orchestra Association
260 South Broad Street, 16th Floor
Philadelphia, PA 19102
www.philorch.org
Cathy Werner
(215) 875-7655
cwerner@philorch.org

The Pittsburgh Cultural Trust
803 Liberty Avenue
Pittsburgh, PA 15222
www.pgharts.org
Jocelyn Malik
(412) 471-8711
malik@pgharts.org

The Pittsburgh Project
2801 North Charles Street
Pittsburgh, PA 15214
www.pittsburghproject.org
Elizabeth Rosemeyer
(412) 321-1678
erosemeyer@pittsburghproject.org

The Second Mile
1402 South Atherton Street
State College, PA 16801
www.thesecondmile.org
William W. Speakman
(814) 237-1719
bill@thesecondmile.org

The University of the Arts
320 South Broad Street
Philadelphia, PA 19102
www.uarts.edu
Eugene Bolt
(215) 717-6144
ebolt@uarts.edu

The Village of Arts and Humanities, Inc.
2544 Germantown Avenue
Philadelphia, PA 19133
www.villagearts.org
Lauren Gutierrez
(215) 225-7830
lauren@villagearts.org

The Wildcat Foundation
500 South Broad Street
Mechanicsburg, PA 17055
www.wildcatfoundation.org
Carole Bruce
(717) 691-4505
cbruce@mbgsd.org

Thiel College
75 College Avenue
Greenville, PA 16125
www.thiel.edu
Roberta J. Leonard
(724) 589-2024
rleonard@thiel.edu

Threshold Foundation
20 East James Street
Lancaster, PA 17602
www.thresholdPA.org
Schirryn Kamara
(717) 481-8734
kamaraschirryn@yahoo.com

Tiger Pause Youth Ministries
P. O. Box 34
Beaver Falls, PA 15010
www.tigerpause.org
Matthew A. Nance
(724) 630-9383
ramnance@yahoo.com

Tioga County Foundation
114 Main Street
Wellsboro, PA 16901
www.tcdc-pa.com
Robert J. Blair
(570) 723-8232
tcdc1@ptd.net

Titusville Area United Way—EIO
P. O. Box 401
Titusville, PA 16354
www.titusvilleunitedway.com
Terri Ann Wig
(814) 827-1322
twig@titusvilleunitedway.com

Tri-Chamber Foundation, Inc.
5050 Sweppenheiser Drive
Bloomsburg, PA 17815
www.cmbepartnership.com
Tracy Gillespie
(570) 784-8040
tgillespie@cmvt.us

TriCounty Area Chamber of Commerce Foundation, Inc.
152 High Street, Suite 360
Pottstown, PA 19464
tricountyareachamber.com
Dale Mahle
(610) 326-2900
dale@tricountyareachamber.com

Trojan Foundation
Post Office Box 898
Hershey, PA 17033
Steve Rineer
(717) 534-2501
tportser@hershey.k12.pa.us

Turtle Creek Valley MH/MR, Inc.
723 Braddock Avenue
Braddock, PA 15104
www.tcv.net
Kimberly Mroziak
(412) 351-0222
kmroziak@tcmhmr.org

Tuscarora Educational Foundation
4773 Ft. Loudon Road
Mercersburg, PA 17236
Julie Statler
(717) 328-3121
jstatler@fnmbmg.com

Tuscarora Wildlife Education Project
P. O. Box 97
Mercersburg, PA 17236
www.twep.org
Rick Showalter
(717) 328-2126
twep@pa.net

United Way of the Greater Lehigh Valley—EIO
2200 Avenue A, Third Floor
Bethlehem, PA 18017
www.unitedwayglv.org
Meredith Palmateer Kim
(610) 807-5740
meredithp@unitedwayglv.org

United Way of Westmoreland County
1011 Old Salem Road, Suite 101
Greensburg, PA 15601
www.unitedway4u.org
Melinda Bercik
(724) 834-7170

Upper Dublin Education Foundation
1580 Fort Washington Avenue
Maple Glen, PA 19002
www.undef.info
Art Levinowitz
(215) 643-8809
levinowitz@comcast.net

Upper Merion Area Educational Foundation
435 Crossfield Road
King of Prussia, PA 19406
www.umasd.org
Robert S. Krutsick
(610) 964-1004
bkrutsick@verizon.net

Urban Youth Action, Inc.
333 Forbes Avenue
Pittsburgh, PA 15222
www.urbandyouthaction.org
Karris M. Jackson
(412) 391-7807
kjackson@urbanyouthaction.org

Vocational Administrators of Pennsylvania
23 Meadow Drive
Camp Hill, PA 17011
Jacqueline L. Cullen
(717) 761-3381
jackie@pava.org

Wagner Free Institute of Science
1700 West Montgomery Avenue
Philadelphia, PA 19121
www.wagnerfreeinstitute.org
Susan Glassman
(215) 763-6529
susang@wagnerfreeinstitute.org

Walnut Street Theatre
825 Walnut Street
Philadelphia, PA 19107
www.walnutstreettheatre.org
Rebekah Sassi
(215) 574-3580
sassi@walnutstreettheatre.org

Warren/Forest Higher Education Council
185 Hospital Drive
Warren, PA 16365
www.warrenforesthied.org
Joan Stitzinger
(814) 723-3222
jcs@warrenforestied.org

Warwick Education Foundation
11 StarLite Drive
Lititz, PA 17543
Dan Doremus
(717) 627-3772
ddoremus@ptd.net

Washington County Community Foundation—EIO
77 South Main Street
Washington, PA 15301
www.wccf.net
B. R. Trew
(724) 222-6330
info@wccf.net

Watson Institute
301 Camp Meeting Road
Sewickley, PA 15143
www.thewatsoninstitute.org
Shari Bruce
(412) 749-2851
sharib@thewatsoninstitute.org

Wayne County Community Foundation
214 Ninth Street
Honesdale, PA 18431
www.waynefoundation.org
Paul Edwards
(570) 251-9993
wccf@ptd.net

Wayne County Public Library
1406 Main Street
Honesdale, PA 18431
www.waynelibraries.org
Molly Rodgers
(570) 253-1220
mrogers@waynelibraries.org

Waynesboro Area Business Education and Community
Foundation
210 Clayton Avenue
Waynesboro, PA 17268
Rita Sterner-Hine
(717) 762-1191
rita_sterner-hine@wasd.k12.pa.us

Wesley Spectrum Services—EIO
243 Johnston Road
Pittsburgh, PA 15241
www.wesleyspectrum.org
Douglas W. Muetzel
(412) 831-9390
dmuetzel@wesleyspectrum.org

West Shore Foundation
507 Fishing Creek Road
Post Office Box 803
New Cumberland, PA 17070
www.wssd.k12.pa.us
Wendy L. Royer
(717) 938-9577
wroyer@wssd.k12.pa.us

Western Pennsylvania Conservancy (Fallingwater)
Post Office Box R
Mill Run, PA 15464
www.fallingwater.org
Cara Armstrong
(724) 329-1441
carmstrong@paconserve.org

Westmoreland Museum of American Art
221 North Main Street
Greensburg, PA 15601
www.wmuseumaa.org
Amy Baldonieri
(724) 837-1500
amyb@wmuseumaa.org

Whitaker Center for Science and the Arts
225 Market Street
Harrisburg, PA 17101
www.whitakercenter.org
Susan L. Stuart, CFRE
(717) 221-8201
sstuart@whitakercenter.org

White-Williams Scholars
215 South Broad Street, 5th Floor
Philadelphia, PA 19107
www.wwscholars.org
Sara Manning
(215) 735-4480
smanning@wwscholars.org

Wildlife Information Center, Inc.
Post Office Box 198
Slatington, PA 18080
www.lgnc.org
Dan R. Kunkle
(610) 760-8889
dan@lgnc.org

Williamsport Area School District Education Foundation
201 West Third Street
Williamsport, PA 17701
www.wasd.org/foundation
Charles E. Peterson, Jr.
(570) 327-5500
cpeterso@wasd.org

Williamsport YMCA
320 Elmira Street
Williamsport, PA 17701
www.williamsportymca.org
Sheri Crain
(570) 323-7134
development@rvrymca.org

Wilson Area Partners in Education Foundation, Inc.
2040 Washington Boulevard
Easton, PA 18042
Richard Male
(484) 373-6000
richmale@wilsonareasd.org

Wissahickon Educational Opportunities Foundation
601 Knight Road
Ambler, PA 19002
wsdweb.edu
Robert Salanik
(215) 619-8000
RSalanik@wsd.k12.pa.us

Wissahickon Valley Watershed Association
12 Morris Road
Ambler, PA 19002
www.wvwa.org
Judith Gratz
(215) 646-8866
judith@wvwa.org

Woodrock, Inc.
1229 Chestnut Street
Philadelphia, PA 19107
www.woodrock.org
Rebecca Fabiano
(215) 231-9810
rfabiano@woodrockinc.org

World Affairs Council of Philadelphia
One South Broad Street, 2 Mezz
Philadelphia, PA 19107
www.wacphila.org
Margaret H. Lonzetta
(215) 561-4700
mlonzetta@wacphila.org

World Affairs Council of Pittsburgh
2640 One Mellon Center
500 Grant Street
Pittsburgh, PA 15219
www.worldaffairspittsburgh.org
Annie M. Prucey
(412) 281-7028
annie@worldaffairspittsburgh.org

WQLN Public Broadcasting of Northwest Pennsylvania,
Inc.
8425 Peach Street
Erie, PA 16509
www.wqln.org
Traci Teudhope
(814) 217-6020
tteudhope@wqln.org

Wyoming County Cultural Center
60 East Tioga Street
Tunkhannock, PA 18657
www.dietrichtheater.com
Erica Rogler
(570) 996-1509
rogler@dietrichtheater.com

Wyomissing Area Education Foundation, Inc.
630 Evans Avenue
Wyomissing, PA 19610
www.wyoareaedfoundation.org
Lauri Coffey
(610) 374-4031
lcoffey@wyoarea.org

Wyomissing Institute of Fine Arts
1100 Belmont Avenue
Reading, PA 19610
www.instituteofarts.com
Susan Rohn
(610) 376-1576
srohn@institute-of-arts.com

YMCA of Philadelphia and Vicinity
2000 Market Street, Suite 750
Philadelphia, PA 19103
www.philaymca.org
Shannon Connolly
(215) 963-3788
sconnolly@philaymca.org

YMCA of Pittsburgh—EIO
330 Boulevard of the Allies, 7th Floor
Pittsburgh, PA 15222
www.ymcaofpittsburgh.org
Cari Maslow
(412) 227-3828
cmaslow@ymcaofpittsburgh.org

YMCA York—EIO
90 North Newberry Street
York, PA 17401
www.yorkcoymca.org
Kristi Myers
(717) 812-0119
kmyers@yorkcoymca.org

York County Alliance for Learning
2179 South Queen Street
York, PA 17402
www.ycal.org
Glenn C. Cauffman
(717) 845-4585
gcauffman@ycstech.org

York County Heritage Trust
250 East Market Street
York, PA 17403
www.yorkheritage.org
Nan Bunner
(717) 848-1587
nbunner@yorkheritage.org

York County Library System
159 East Market Street
York, PA 17401
www.yorklibraries.org
Susan Davidson-Linton
(717) 846-5300
sdaavidson@yorklibraries.org

York Symphony Orchestra
10 North Beaver Street
York, PA 17401
www.yorksymphony.org
Henry Nixon
(717) 812-0717
executivedirector@yorksymphony.org

YorkArts—The Arts Centre of York, Inc.
10 North Beaver Street
York, PA 17401
www.yorkarts.org
Kevin A. Lenkner
(717) 848-3200
kevinlenkner@yorkarts.org

Young People's Philharmonic of the Lehigh Valley
Post Office Box 1614
Bethlehem, PA 18016
www.ypp-jsp.org
Louise Arnold
(610) 967-3670

YWCA Chester County
123 North Church Street
West Chester, PA 19380
www.ywcachesco.org
Sarah M. Sands
(610) 692-3737
sandsywacc@comcast.net

YWCA of Bethlehem
22 West Broad Street
Bethlehem, PA 18018
www.ywcabethlehem.org
Stephanie Hnatiw
(610) 867-4669
shnatiw@ywcabethlehem.org

YWCA of Bucks County
2425 Trevoise Road
Trevoise, PA 19053
www.ywcabucks.org
Lorna Michelson
(215) 953-7793
ywcabc1@erols.com

YWCA of Carlisle
301 G. Street
Carlisle, PA 17013
www.ywcaofcarlisle.org
Barbara Kohutiak
(717) 243-3818
bkohutiak@ywcaofcarlisle.org

YWCA of Hanover—EIO
23 West Chestnut Street
Hanover, PA 17331
www.ywcahanover.org
Tina M. Heffner
(717) 637-2125
theffner@ywcahanover.org

YWCA of Lancaster
110 North Lime Street
Lancaster, PA 17602
www.ywca.org/lancaster
Angela Lightfoot Roth
(717) 393-1735
alightfootroth@ywcamlancaster.org

YWCA of Westmoreland County
424 North Main Street
Greensburg, PA 15601
www.ywcawestmoreland.org
Bonnie B. Lewis
(724) 834-9390
bonniel@ywcawestmoreland.org

YWCA of York—EIO
320 East Market Street
York, PA 17403
www.ywcaofyork.org
Kathleen Tunney
(717) 845-2631
ktunney@ywcaofyork.org

List of Prekindergarten Scholarship Organizations

Effective July 1, 2007 through June 30, 2008

Abundant Beginnings
235 Eastgate Drive
Pittsburgh, PA 15235
www.abundantbeginnings.org
Catherine Whitely
(412) 247-0394
cthrwhite@aol.com

ACSI Children's Tuition Fund—PKSO
845 Silver Spring Plaza, Suite B
Lancaster, PA 17601
www.acsi.org
David Hegedus
(717) 285-3022
david_hegedus@acsi.org

Albert Gallatin Planning and Development Group/A. G.
Montessori School—PKSO
199 Edison Street
Uniontown, PA 15401
www.agmontessorischool.com
Marjorie Murphy
(724) 439-6116
mrsmurphy@agmontessorischool.com

Angel's Place, Inc.
2615 Norwood Avenue
Pittsburgh, PA 15214
www.angelsplacephg.org
Mary Winter
(412) 321-4447
angelsplacephg@hotmail.com

Arsenal Family and Children's Center
336 South Aiken Avenue
Pittsburgh, PA 15232
www.arsenalfamily.com
Sharon Bogdan
(412) 345-0008
sharonbogdan@comcast.net

Bravo Foundation—PKSO
20 North Market Square, Suite 800
Harrisburg, PA 17101
Kelly Kopenhaver
(717) 214-2200
kelly@thebravogroup.com

Bridge Educational Foundation—PKSO
205 State Street
Harrisburg, PA 17101
www.bridgeedu.org
Natalie Nutt
(717) 214-6796
natalie.nutt@bridgeedu.org

Business Leadership Organized for Catholic Schools
(BLOCS)—PKSO
222 North 17th Street, Suite 709
Philadelphia, PA 19103
www.blocs.org
Christina F. DiMichele
(215) 587-0590
cdimiche@adphila.org

Calvary Christian Academy—PKSO
13500 Philmont Avenue
Philadelphia, PA 19116
www.ccphilly.org
Gary Gordon
(215) 969-2404
ggordon@ccphilly.org

Central Pennsylvania Community Foundation—PKSO
Blair County Community Endowment
1330 Eleventh Avenue
Altoona, PA 16602
www.centralpacf.org
Jodi Cessna
(814) 944-6102
cessna@centralpacf.org

Child Development Centers, Inc.
614 11th Street
Franklin, PA 16323
www.cdcenters.org
Tom Horner
(814) 437-7288
merlich@cdcenters.org

Children First America Delaware County—PKSO
1005 West 7th Street
Chester, PA 19013
Dietra Conner
(610) 872-7472
CFADelawareCo@aol.com

Children's Scholarship Fund of Pennsylvania—PKSO
Post Office Box 855
Clarion, PA 16214
www.thechildrensscholarship.org
Milissa Bauer
(814) 226-9723
mbauer@kriebelgas.com

Children's Village Child Care Center Scholarship Fund
125 North 8th Street
Philadelphia, PA 19106
www.cvchildcare.org
Susan W. Frankel
(215) 931-0196
susan.f@cvchildcare.org

Christian Life Academy Scholarship Fund—PKSO
224 South Main Street
Seneca, PA 16346
Michael Lloyd
(814) 676-9360
cla@csoline.net

Christian School of York—PKSO
907 Greenbriar Road
York, PA 17404
www.csyonline.com
Patti Hansen
(717) 767-6842
phansen@csyonline.com

City Church of Philadelphia d/b/a City Kids
2311 South 13th Street
Philadelphia, PA 19148
www.citychurchofphiladelphia.org
Sandra Rudi
(215) 334-7440
sandrarudi@citychurchofphiladelphia.org

Community Foundation of Greene County—PKSO
Post Office Box 768
Waynesburg, PA 15370
www.cfgcpa.org
Bettie Stammerjohn
(724) 627-2011
cfgcpa@gmail.com

Community Foundation of Susquehanna and
Wyoming Counties—PKSO
36 Lake Avenue
Montrose, PA 18801
www.community-foundation.org
Peter Quigg
(570) 278-3800
foundation@epix.net

Crispus Attucks Association, Inc.—PKSO
605 South Duke Street
York, PA 17403
www.crispusattucks.org
Amy Chamberlin
(717) 848-3610
achamberlin@crispusattucks.org

Day Care Association of Montgomery County, Inc. d/b/a
Montgomery Early Learning
201 Sabine Avenue
Narbeth, PA 19072
www.melc.org
Fred Citron
(610) 617-4550
fcitron@melc.org

Dayspring Christian Academy—PKSO
1008 New Holland Avenue
Lancaster, PA 17601
www.dayspringchristian.com
Patricia Cook
(717) 295-6427
pcook@dayspringchristian.com

Diocese of Scranton Scholarship Foundation—PKSO
300 Wyoming Avenue
Scranton, PA 18503
dioceseofscranton.org
Ernest G. Pappa
(570) 207-2250
Ernest-Pappa@dioceseofscranton.org

Dr. Gertrude A. Barber National Institute—PKSO
100 Barber Place
Erie, PA 16507
www.barberinstitute.org
Maureen Barber-Carey, Ed.D.
(814) 878-5903
Maureenbarbercarey@barberinstitute.org

Early Connections, Inc.—PKSO
420 West Sixth Street, Suite 101
Erie, PA 16507
www.earlyconnectionserie.org
Nancy Anne Kalista
(814) 874-0144
nkalista@earlyconnectionserie.org

Eastern Pennsylvania Scholarship Foundation—
Diocese of Allentown—PKSO
1101 West Hamilton Street
P. O. Box F
Allentown, PA 18105
www.allentowndiocese.org
Christine M. Chew
(610) 871-5200
cchew@allentowndiocese.org

EducationWorks, Inc.—PKSO
684 Whitehead Road
Lawrenceville, NJ 08648
www.educationworks-online.org
Maria Dimas
(609) 392-6662
mdimas@educationworks-online.org

Erie Day School, Inc.—PKSO
1372 West 6th Street
Erie, PA 16505
www.eriedayschool.com
John McCandless
(814) 452-4273
jmccandless@eriedayschool.com

Faith Builders Educational Programs, Inc.—PKSO
P. O. Box 127
Guys Mills, PA 16327
Merle Herr
(814) 789-2219
merle@fbscholarship.org

Faith First Educational Assistance Program—PKSO
6900 Revere Street, Ground Floor
Philadelphia, PA 19149
www.faithschoice.org
Dr. Alberta C. Wilson
(215) 624-1712
faith_first@verizon.net

Family Choice Scholarship Program of Pennsylvania
Family Institute—PKSO
23 North Front Street
Harrisburg, PA 17101
Michael Geer
(717) 545-0600
familychoice@pafamily.org

Family YMCA of Easton Phillipsburg and Vicinity, Inc.
1225 West Lafayette Street
Easton, PA 18042
www.familyymca.org
Cheryl Tuturice
(610) 258-6158
cheryl@familyymca.org

Foundation for Jewish Day Schools of Greater
Philadelphia—PKSO
2100 Arch Street
Philadelphia, PA 19103
www.jewishphilly.org
Brian Mono
(215) 832-0812
bmono@philafederation.org

French International School of Philadelphia—PKSO
150 North Highland Avenue
Bala Cynwyd, PA 19004
www.efiponline.com
Pam Hutchinson
(610) 667-1284
pamelahutchinson@comcast.net

Futuro Educacional, Inc.—PKSO
1346 North Hancock Street
Philadelphia, PA 19122
Vilma D. Diaz
(215) 561-1655

Germantown Academy (Public School of Germantown)—
PKSO
340 Morris Road, P. O. Box 287
Fort Washington, PA 19034
www.germantownacademy.org
Thomas Taft
(215) 646-3300
ttaft@germantownacademy.org

Gesu Scholarship Fund—PKSO
1700 West Thompson Street
Philadelphia, PA 19121
www.gesuschool.org
Suzette Baird
(215) 763-9077
suzette@gesuschool.org

Gladwyne Montessori School—PKSO
920 Youngsford Road
Gladwyne, PA 19035
www.gladwyne.org
Michael Dyson
(610) 649-1761
mdyson@gladwyne.org

God's Little Ones Preschool
45 South West Street
Carlisle, PA 17013
www.carlislegrace.org
Colleen Kulp
(717) 249-1512
eocker@gumc-carlisle.org

Greater Wilkes-Barre Family YMCA—PKSO
40 West Northampton Street
Wilkes-Barre, PA 18701
www.wbymca.org
Heather Lavelle
(570) 823-2191
heather.lavelle@wbymca.org

Greene Towne School—PKSO
2121 Arch Street
Philadelphia, PA 19103
www.greenetowneschool.org
Pam Hutchinson
(215) 469-0666
info@greenetowneschool.org

Heritage Health Foundation, Inc.—PKSO
445 Fourth Street
Braddock, PA 15104
www.hhfi.org
Barbara Willard
(412) 351-0535
bwillard@hhfi.org

Indian Creek Valley Christian Family and Children's
Center—PKSO
2166 Indian Head Road
Champion, PA 15622
www.champion.org
D. Merle Skinner
(724) 593-9200
merle_skinner@champion.org

Jack and Jill Preschool and Myerstown Nursery School
Scholarship Organization
280 Hillcrest Road
Lebanon, PA 17042
www.jackandjillschool.org
Erich Batra
(717) 272-3588
jackandjilleit@aol.com

Jewish Federation of Greater Wilkes-Barre—PKSO
60 South River Street
Wilkes-Barre, PA 18702
www.jccwb.com
Arlene Grudkowski
(570) 824-4646
denr916@aol.com

Jewish Federation of the Lehigh Valley—PKSO
702 North 22nd Street
Allentown, PA 18104
jewishlehighvalley.org
Temple J. Coldren
(610) 821-5500
controller@jflv.org

John Heinz Childcare Center
2005 Wyandotte Street
Pittsburgh, PA 15219
www.jubileesoupkitchen.org
Sr. Liquori Rossner
(412) 261-5417
jubileeassoc79@yahoo.com

Jubilee School
4211 Chester Avenue
Philadelphia, PA 19104
www.jubileeschool.net
Karen Falcon
(215) 387-7592
jubileeschool@verizon.net

Keystone Christian Education Association—PKSO
6101 Bell Road
Harrisburg, PA 17111
www.kcea.com
Reverend Theodore E. Clater, Ph.D.
(717) 564-1164
tclater@kcea.com

Kimberton Waldorf School—PKSO
P. O. Box 350
Kimberton, PA 19442
www.kimberton.org
Bonnie S. Yost
(610) 933-3635
bonnie@kimberton.org

Lancaster County Career and Technology Foundation—
PKSO
P. O. Box 527
Willow Street, PA 17584
www.lcctc.org
Anthony Gillespie
(717) 464-7061
agillespie@lcctc.org

Lancaster Day Care Center
150 South Queen Street
Lancaster, PA 17603
Nancy Jordan
(717) 392-7413
edldcc@dejazzd.com

Lehigh Valley Child Care, Inc.
1550 Hanover Avenue
Allentown, PA 18109
www.lvchildcare.org
Debra Lamb
(610) 820-5333
dlamb@lvchildcare.org

Libertae, Inc.
5245 Bensalem Boulevard
Bensalem, PA 19020
www.libertae.org
Connie Karasow
(215) 639-8681
cbkarasow@libertae.org

Lower Bucks Family YMCA—PKSO
601 South Oxford Valley Road
Fairless Hills, PA 19030
www.lowerbucksymca.org
Florence Kawoczka
(215) 949-3400
fkawoczka@lowerbucksymca.org

Meadowbrook School—PKSO
1641 Hamptom Road
Meadowbrook, PA 19046
www.meadowbrookN6.org
Pamela Hutchinson
(215) 469-0666
pamelahutchinson@comcast.net

Media-Providence Friends School, Inc.—PKSO
125 West Third Street
Media, PA 19063
www.mpf.org
Janice Peterson
(610) 565-1960
jpeterson@fox.mpf.org

Mennonite Foundation, Inc., The—PKSO
1110 North Main Street
Post Office Box 483
Goshen, IN 46527
www.mma-online.org
Marlin Hershey
(717) 560-6800
marlin.hershey@mmapartners.org

Mercy Center for the Arts, Inc.
444 East Grandview Boulevard
Erie, PA 16504
www.mercyerie.org/ministries.htm
Sr. Catherine E. Delaney
(814) 824-2519
catherine_ed@yahoo.com

Methodist Church Union of the Pittsburgh Conference
United Methodist Church Union
Post Office Box 100086
Pittsburgh, PA 15233
umchurchunion.org
Erwin K. Kerr
(412) 231-4900
churchunion@stargate.net

Montessori Academy of Chambersburg—PKSO
875 Ragged Edge Road
Chambersburg, PA 17201
www.montaced.org
Michael A. Starr
(717) 261-1110
info@montaced.org

Neumann Scholarship Foundation—PKSO
4800 Union Deposit Road
Post Office Box 3553
Harrisburg, PA 17105
Reverend Edward J. Quinlan
(717) 657-3790
frquinlan@hbgdiocese.org

New Horizons Montessori School Association—PKSO
1701 Jarrettown Road
Dresher, PA 19025
www.newhorizonsmontessori.org
Donna L. Kyle
(215) 542-0740
bratay@nhms.info

Oak Lane Day School Preschool
137 Stenton Avenue
Blue Bell, PA 19422
www.oaklanedayschool.org
Pamela Hutchinson
(215) 469-0666
pamelahutchinson@comcast.net

PALS—Pittsburgh Area Lutheran Schools—PKSO
1261 Pennsylvania Avenue
Oakmont, PA 15139
pittsburgharealutheranschools.org
Edward A. Terhune, IV
(412) 392-8790
eterhune@saiengr.com

Penn-Mont Academy—PKSO
131 Holliday Hills Drive
Hollidaysburg, PA 16648
www.pennmontacademy.com
Michelle Hartye
(814) 696-8801
pennmont@winbeam.com

Pennsylvania Catholic Conference Scholarship
Foundation
223 North Street
Post Office Box 2835
Harrisburg, PA 17105
Karen McFadden
(717) 238-9613
staff@pacatholic.org

Phoenixville Area YMCA—PKSO
2460 Boulevard of the Generals
West Norriton, PA 19403
www.paymca.org
Gerry H. Wetzel
(484) 674-6228
gwetzel@paymca.org

Phoenixville Community Education Foundation—PKSO
P. O. Box 809
1120 South Gay Street
Phoenixville, PA 19460
www.pasd.com
David R. Noyes, Ed.D.
(484) 927-5010
noyesd@pasd.com

Pittsburgh Jewish Prekindergarten Educational
Improvement Foundation
234 McKee Place
Pittsburgh, PA 15213
Sally Stein
(412) 992-5243
sstein@ujfpittsburgh.org

Pocono Family YMCA—PKSO
809 Main Street
Stroudsburg, PA 18360
www.poconoyymca.org
Matthew Rumph
(570) 421-2525
ceo@poconoyymca.org

Poise Foundation—PKSO
1 Gateway Center, Suite 500
420 Ft. Duquesne Boulevard
Pittsburgh, PA 15222
www.poisefoundation.org
Mark Lewis
(412) 281-4967
mlewis@poisefdn.org

ProJeCt of Easton, Inc.
320 Ferry Street
Easton, PA 18042
www.projecteaston.org
Noreen Davis
(610) 258-4361
ndavis@projecteaston.org

Quiet Creek Herb Farm and School of Country Living,
Inc.—PKSO
93 Quiet Creek Lane
Brookville, PA 15825
www.quietcreekherbfarm.com
Claire Orner
(814) 849-9662
quietcreek@windstream.net

Scholarship Partners Foundation—PKSO
723 East Pittsburgh Street
Greensburg, PA 15601
www.dioceseofgreensburg.org
Mike Ziemski
(724) 837-0901
mziemski@scholarshippartners.org

Scholastic Opportunity Scholarship Fund (SOS)—PKSO
111 Boulevard of the Allies
Pittsburgh, PA 15222
www.diopitt.org
Ronald T. Bowes, Ph.D.
(412) 456-3090
rbowes@diopitt.org

Second Century Scholarship Fund—PKSO
126 Logan Boulevard
Hollidaysburg, PA 16648
www.secondcenturyfund.org
Joseph M. Scialabba
(814) 695-5577
scialaj@Dioceseaj.org

Settlement Music School of Philadelphia
Post Office Box 63966
Philadelphia, PA 19147
www.smsmusic.org
Andrew Brenner
(215) 320-2674
abrenner@smsmusic.org

Shady Lane / Riverview PKTC
100 North Braddock Avenue
Pittsburgh, PA 15208
www.shadylane.org
Patrick Webster
(412) 243-4040
pwebster@shadylane.org

Shady Side Academy—PKSO
423 Fox Chapel Road
Pittsburgh, PA 15238
www.shadysideacademy.org
Andrea Lovelace
(412) 968-3032
alovelace@shadysideacademy.org

Shenango Valley Foundation—PKSO
33 Chestnut Street
Sharon, PA 16146
www.sv-foundation.org
Larry Haynes
(724) 981-5882
larrysvf@sv-foundation.org

South Central Pennsylvania Educational Improvement
Program, Inc.—PKSO
3211 North Front Street, Suite 201
Harrisburg, PA 17110
www.hbgrc.org
Lynne Klock
(717) 213-5021
lklock@hbgrc.org

St. Sophia Orthodox Christian Academy—PKSO
111 Alberta Avenue
Johnstown, PA 15905
Daniel A. Tvarozna
(814) 255-7732
carpenterp@atlanticbb.net

STAR Foundation—PKSO
429 East Grandview Boulevard
Erie, PA 16504
www.eriercd.org
Charles Banducci
(814) 824-1188
cbanducci@eriercd.org

Success by 6 (United Community Fund)
145 South Hanover Street
Carlisle, PA 17013
www.carlisleunitedway.org
Nancy Fishman
(717) 243-4805
nancy@carlisleunitedway.org

Talk, Inc.—PKSO
Magnolia Speech School Demonstration Program
1416 Berwyn Paoli Road
Berwyn, PA 19312
www.talkinc.org
Rick Bohrer
(610) 249-9632
rbohrrer@comcast.net

The Circle School—PKSO
210 Oakleigh Avenue
Harrisburg, PA 17111
www.circleschool.org
James Rietmulder
(717) 564-6700
jim@circleschool.org

The Early Learning Institute
2510 Baldwick Road
Pittsburgh, PA 15205
www.earlylearninginstitute.org
Kara D. Rutowski
(412) 922-8322
kara@earlylearninginstitute.org

The Glen Montessori School—PKSO
500 Huntington Avenue
Pittsburgh, PA 15202
www.glenmontessori.org
Lois J. Payne
(412) 766-3815
lpayne@glenmontessori.org

The Learning Lamp, Inc.—PKSO
108 College Park Plaza
Johnstown, PA 15904
www.thelearninglamp.org
Leah Spangler
(814) 262-0732
lspangler@thelearninglamp.org

The New School of Lancaster—PKSO
935 Columbia Avenue
Lancaster, PA 17603
www.newschool.net
Myrna Lee
(717) 397-7655
mlee@newschool.net

The Vista School—PKSO
1249 Cocoa Avenue
Hershey, PA 17033
www.thevistaschool.org
James N. Boudier
(717) 835-0310
jboudier@thevistachool.org

Titusville Area United Way—PKSO
P. O. Box 401
Titusville, PA 16354
www.titusvilleunitedway.com
Terri Ann Wig
(814) 827-1322
twig@titusvilleunitedway.com

Trinity Lutheran Church and School—PKSO
53 West Avenue
Wellsboro, PA 16901
Susan Owlett
(570) 724-7723
owletts@ptd.net

United Way of Lackawanna County
615 Jefferson Avenue
Scranton, PA 18501
www.uwlc.net
Peg Kopko
(570) 343-1267
pkopko@uwlc.net

United Way of the Greater Lehigh Valley—PKSO
2200 Avenue A, Third Floor
Bethlehem, PA 18017
www.unitedwayglv.org
Meredith Palmateer Kim
(610) 807-5740
meredithp@unitedwayglv.org

United Way of Wyoming Valley—PKSO
8 West Market Street, Suite 450
Wilkes-Barre, PA 18711
www.unitedwaywb.org
David Lee
(570) 829-6711
dmlee@epix.net

Volunteers of America Children's Center
730 Union Street
Allentown, PA 18101
www.voapa.org
William M. Jones
(570) 825-5261
bjones@voapa.org

Warren-Forest Counties Economic Opportunity Council
1209 Pennsylvania Avenue West
Post Office Box 547
Warren, PA 16365
www.wfcaa.org
Robert A. Raible
(814) 726-2400
raible@wfcaa.org

Water Street Rescue Mission—PKSO
P. O. Box 7267
210 South Prince Street
Lancaster, PA 17604
www.wsrn.org
Steve Gentino
(717) 358-2084
sgentino@wsrn.org

Wesley Spectrum Services—PKSO
243 Johnston Road
Pittsburgh, PA 15241
www.wesleyspectrum.org
Douglas W. Muetzel
(412) 831-9390
dmuetzel@wesleyspectrum.org

Winchester Thurston School—PKSO
555 Morewood Avenue
Pittsburgh, PA 15213
www.winchesterthurston.org
Scot Lorenzi
(412) 578-3738
LorenziS@WinchesterThurston.org

YMCA of Pittsburgh—PKSO
330 Boulevard of the Allies
Pittsburgh, PA 15222
www.ymcaofpittsburgh.org
Cari Maslow
(412) 227-3828
cmaslow@ymcaofpittsburgh.org

YMCA York—PKSO
90 North Newberry Street
York, PA 17401
www.yorkcoymca.org
Larry M. Richardson
(717) 812-0119
lrichardson@yorkcoymca.org

York Day Nursery and Kindergarten, Inc.
450 East Philadelphia Street
York, PA 17403
www.yorkdaynursery.net
Catherine Repman
(717) 843-1955
crepman@comcast.net

Young Scholars Foundation, Inc.—PKSO
202 Park West Drive
Pittsburgh, PA 15275
William J. Wolf
(412) 788-7400

YWCA of Gettysburg, PA
909 Fairfield Road
Gettysburg, PA 17325
www.ywcagettysburg.org
Suzanne Wiltgen
(717) 334-9171
swiltgen@ywcagettysburg.org

YWCA of Hanover—PKSO
23 West Chestnut Street
Hanover, PA 17331
www.ywcahanover.org
Tina M. Heffner
(717) 637-2125
theffner@ywcahanover.org

YWCA of York—PKSO
320 East Market Street
York, PA 17403
www.ywcaofyork.org
Kathleen Tunney
(717) 845-2631
ktunney@ywcaofyork.org

[Pa.B. Doc. No. 07-2358. Filed for public inspection December 21, 2007, 9:00 a.m.]

Manufactured Housing Installation Program; Approved Training Curriculum for Installers

Under 12 Pa. Code § 149.4(a)(4) (relating to installer training and certification), the Department of Community and Economic Development (Department) publishes the list of approved training curriculum for those persons seeking certification as installers of manufactured homes. Persons that have successfully completed the training curriculum listed will be eligible to apply for certification as an installer as defined in section 3 the Manufacturing Housing Improvement Act (35 P. S. § 1658.3).

- *Spec 101: Pennsylvania Manufactured Housing Installer Certification Course*, administered by the Pennsylvania Construction Codes Academy.

Persons already certified as installers are required to complete a specified training curriculum every 3 years as provided for in 12 Pa. Code § 149.4(b)(iii). The following training curriculum is approved for those installers:

- *Spec 104: Manufactured Housing Installers Update Course*, administered by the Pennsylvania Construction Codes Academy.
- *Spec 101: Pennsylvania Manufactured Housing Installer Certification Course*, administered by the Pennsylvania Construction Codes Academy.

Program inquiries should be directed to Mark A. Conte, Chief, Housing Standards Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7416, mconte@state.pa.us.

DENNIS YABLONSKY,
Secretary

[Pa.B. Doc. No. 07-2359. Filed for public inspection December 21, 2007, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Pennsylvania College of Optometry for Approval of Change to University Status, Name Change and Amendment and Restatement of its Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department)

will consider the application of Pennsylvania College of Optometry for a Certificate of Authority approving the institution's change to university status with a corresponding change of name to Salus University. Additionally and in tandem, the Department will consider the request to amend and restate the institution's Articles of Incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon these items without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Carol M. D. Gisselquist, Higher Education Specialist (717) 787-4448, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Carol Gisselquist at (717) 787-4448 to discuss how the Department may best accommodate their needs.

GERALD L. ZAHORCHAK, D. Ed.,
Secretary

[Pa.B. Doc. No. 07-2360. Filed for public inspection December 21, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0063126	Artex, Inc. 300 South Tamaqua Street Hazleton, PA 18201	Schuylkill County Rush Township	Pine Creek 3A	Y
PA0051799	Lehigh Carbon Community College 4525 Education Park Drive Schnecksville, PA 18078	North Whitehall Township Lehigh County	Tributary to Jordan Creek 2C	Y
PA0070289 (Minor Sewage)	Pinebrook II P. O. Box 218 Orwigsburg, PA 17961	West Brunswick Township Schuylkill County	Pine Creek 03A	Y
PAS232208	Carpenter Company 57 Olin Way Fogelsville, PA 18051	Lehigh County Upper Macungie Township	Iron Run 2C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0113514	Hilner Project Wastewater Treatment Plant Madison Township P. O. Box 620 Millville, PA 17846	Columbia County Madison Township	UNT to Mud Creek SWP 10D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0037133	Fairview State Fish Hatchery 1735 Shiloh Road State College, PA 16801-8495	Fairview Township Erie County	UNT to Trout Run 15-TR	Y

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

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

PA0026107, Sewage, **Wyoming Valley Sanitation Authority**, P. O. Box 33A, Wilkes-Barre, PA 18703-1333. This proposed facility is located in Hanover Township, **Luzerne County**.

Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, North Branch, Susquehanna River, is in the State Water Plan Watershed 5B and is classified for: WWF. The nearest downstream public water supply intake for Danville Borough Water Company is located on North Branch Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 32.0 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean		
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	0.50		1.20

Chesapeake Bay Tributary Strategy Nutrient Requirements

<i>Parameter</i>	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly Load</i>	<i>Mass (lbs) Annual Load</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	
Nitrate-Nitrate as N	Report	Report	
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen		Report	584,467*
Net Total Phosphorus		Report	77,929*

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department of Environmental Protection's (Department) Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document No. 392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2010. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Outfalls 059 and 060 (Stormwater):

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
CBOD ₅				Report
Chemical Oxygen Demand				Report
Oil and Grease				Report
pH				Report
Total Suspended Solids (TSS)				Report
Total Kjeldahl Nitrogen (TKN)				Report
Total Phosphorus				Report
Iron (dissolved)				Report

Permittee has the option to perform an annual inspection of facilities in lieu of annual monitoring for Outfalls 059 and 060.

In addition to the effluent limits, the permit contains the following major special conditions: Point Sources 002—058 (except 014, 027, 041, 047, 048 and 050) serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or treatment plant. In accordance with the Department's EPA approved CSO strategy, a special permit requirement is included in Part C of this Permit.

Other Conditions: Sludge disposal, Pretreatment Operating and Reporting Requirements, Combined Sewer Overflows, WETT, the Chesapeake Bay Tributary Nutrient Strategy, and Stormwater.

The EPA waiver is not in effect.

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

PA0001287, Industrial Waste, SIC 3296, **Armstrong World Industries, Inc.**, 1018 11th Street, Beaver Falls, PA 15010. This application is for renewal of an NPDES permit to discharge untreated cooling water and stormwater from the Beaver Falls Plant in Beaver Falls, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Walnut Bottom and Brighton Alley Runs, classified as WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply considered during the evaluation is Beaver Falls Municipal Authority, New Brighton Plant, located 2 miles below the discharge point.

Outfall 001: Emergency Overflow.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Temperature					81° F
pH	not less than 6.0 nor greater than 9.0				

Outfalls 002: existing discharges of stormwater runoff.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen				Monitor and Report	
BOD				Monitor and Report	
Bromide				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Oil and Grease				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Formaldehyde				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

Outfalls 003: existing discharge of stormwater runoff.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen				Monitor and Report	
BOD				Monitor and Report	
Bromide				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

The EPA waiver is in effect.

Outfalls 004, 005, 007: existing discharges of stormwater runoff.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen				Monitor and Report	
BOD				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Formaldehyde				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

The EPA waiver is in effect.

Outfalls 006: existing discharges of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen				Monitor and Report	
BOD				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Oil and Grease				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Formaldehyde				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

Outfalls 008: existing discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen				Monitor and Report	
BOD				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

The EPA waiver is in effect.

Outfalls 009: existing discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen				Monitor and Report	
BOD				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

The EPA waiver is in effect.

Outfalls 011: existing discharge of stormwater runoff.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Average Monthly</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>		<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

The EPA waiver is in effect.

Outfalls 012: existing discharge of stormwater runoff.

<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>
Ammonia Nitrogen				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Phosphate				Monitor and Report	
TKN				Monitor and Report	
Zinc				Monitor and Report	
Iron				Monitor and Report	
Total Suspended Solids				Monitor and Report	
pH				Monitor and Report	

The EPA waiver is in effect.

PA0090913, Sewage, **Independence-Cross Creek Joint Sewer Authority**, 16 Campbell Street, P. O. Box 156, Avella, PA 15312. This application is for renewal of an NPDES permit to discharge treated sewage from P & W Patch STP in Independence Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Cross Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the City of Wheeling Water Supply Company.

Outfall 001: existing discharge, design flow of 0.024 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	4.0			8.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.08			0.19
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0094757, Sewage, **E. J. Holtz Sewage Plant, Inc.**, 633 Logan Boulevard, Altoona, PA 16602. This application is for renewal of an NPDES permit to discharge treated sewage from Lake Cresson Manor STP in Allegheny Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Clearfield Creek, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the PA American Water Company at Milton.

Outfall 001: existing discharge, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	20.0			40.0
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
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0218782, Sewage, **Menallen Township Sewer Authority**, 427 Searights Hebert Road, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from Rock Works STP in Menallen Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.175 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.4	3.6		4.8
(11-1 to 4-30)	7.2	10.8		14.4
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			
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.

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

PA0240052, Sewage. **Renea Bailey**, 22980 Old Plank Road, Venango, PA 16440. This proposed facility is located in Venango Township, **Crawford County**.

Description of Proposed Activity: New discharge of treated sewage from a SFTF.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the General Authority of the City of Franklin is located on the French Creek in Franklin, PA, and is approximately 45 miles below point of discharge.

The receiving stream, French Creek, is in Watershed 16-A and classified for: WWF, aquatic life, water supply and recreation.

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

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a Geometric Average		
Total Residual Chlorine	XX		XX
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

PA0026174, Sewage. **The General Authority of the City of Franklin**, 430 13th Street, Franklin, PA 16323. This facility is located in City of Franklin, **Venango County**.

Description of Proposed Activity: renewal of an NPDES Permit, including adding three newly discovered CSO outfalls (008—010) to the permit and removing milestones from the previous CSO special condition.

The proposed effluent limits for Outfall 001 based on a design flow of 5 mgd are:

Parameters	Loadings			Concentrations	
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow			XX		
CBOD ₅	1,042	1,668	25	40	50
Total Suspended Solids	1,251	1,876	30	45	60
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				
Total Residual Chlorine			0.5		1.6
pH	6.0 to 9.0 Standard Units at all times				

<i>CSO **Outfall No.</i>	<i>Name of Outfall and/ or Street Location</i>	<i>Location</i>		<i>Receiving Stream Name</i>
002	At the STP	41° 22' 27"	79° 49' 04"	Allegheny River
003	CSO-related bypass	41° 22' 27"	79° 49' 04"	Allegheny River
004 A	12th Street	41° 23' 55"	79° 49' 36"	French Creek
004 B	12th Street	41° 23' 55"	79° 49' 36"	French Creek
007	11th Street	41° 23' 44"	79° 49' 23"	French Creek
008	8th Street	41° 23' 20"	79° 49' 13"	Allegheny River
009	14th Street and Elk	41° 23' 57"	79° 50' 01"	Chub Run
010	14th Street and Liberty	41° 23' 54"	79° 50' 02"	Chub Run

** Refer to Combined Sewer Overflow Management Condition in Part C.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company is located on the Allegheny River and is approximately 30 miles below point of discharge.

The receiving streams, the Allegheny River, French Creek and Chub Run, are in Watersheds 16-G and 16-D and classified for: WWF, aquatic life, water supply and recreation.

Special Conditions:

1. CSO Management.
2. CSO related bypass.
3. TRC minimization.
4. 2 additional WET tests required for next renewal.
5. WETT for next renewal.
6. SSO Condition.

The EPA waiver is not in effect.

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

PA0222151, Industrial Waste, **Chemtura Corporation**, 199 Benson Road, Middlebury, CT 06749. This proposed facility is located in City of Bradford, **McKean County**.

Description of Proposed Activity: a new NPDES permit for an existing discharge of treated groundwater.

The receiving water is Tunungwant Creek. The receiving stream is in State Water Plan 16-C and is classified for the following uses: WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, the PA/NY state line, is located on the Allegheny River and is approximately 2.7 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.1728 mgd.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		XX
Total Iron	3.5	7	8.8
Oil and Grease	15		30
Dissolved Iron	XX		7
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report on DMRs.

The EPA waiver is in effect.

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

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

WQM Permit No. 1507417, Sewerage, **Valley Forge Sewer Authority**, 333 Pawling Road, Phoenixville, PA 19460. This proposed facility is located in Schuylkill Township, **Chester County**.

Description of Action/Activity: Replacement of both pumps impeller from 14.7" to 15.25" to increase capacity from 2,250 gpm to 3,000 gpm for both pumps.

WQM Permit No. 4607411, Sewerage, **Hatfield Township, Municipal Authority**, 3200 Advance Lane, Colmar, PA 18915. This proposed facility is located in Hatfield Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a new pumping station.

WQM Permit No. 2307404, Sewerage, **Upper Providence Township Sewer Authority**, 935 North Providence Road, Media, PA 19063-1499. This proposed facility is located in Upper Providence Township, **Delaware County**.

Description of Action/Activity: Development of 37.4 acres of land proposed for residential utilizing of a low pressure sewer to convey sanitary waste.

WQM Permit No. 1507418, Sewerage, **East Whiteland Township**, 800 Springdale Drive, Suite 200, Exton, PA 19341. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Action/Activity: Construction of a sanitary sewer extension to serve Whiteland Village and areas identified by the Township in need of public sewer.

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

WQM Permit No. 4507406, Sewerage, **Pleasant Valley School District**, Route 115, Brodheads ville, PA 18322. This proposed facility is located in Chestnuthill Township, **Monroe County**.

Description of Proposed Action/Activity: This project consists of an addition to the existing wastewater treatment plant and spray irrigation field that will include an increase in capacity to 30,000 gpd and addition of processing tanks, storage lagoons and spray irrigation fields.

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

WQM Permit No. WQM6007401, Sewerage-Industrial Waste, SIC 4952, **White Deer Township Sewer Authority**, P. O. Box 90, West Milton, PA 17886. This proposed facility is located in White Deer Township, **Union County**.

Description of Proposed Action/Activity: The applicant proposes the replacement of the 80 and 15 Pump Station in White Deer Township, Union County. The proposed pump station will have a capacity of 0.050 mgd. Also proposed is the abandonment of the existing pump station.

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

WQM Permit No. WQG026117, Sewerage, **Deer Creek Drainage Basin Authority**, P. O. Box 148, Russelton, PA 15076. This proposed facility is located in West Deer and Indiana Townships, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewage collection and conveyance facility.

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

WQM Permit No. 4207402, Sewerage, **Paul V. Wittenbrink**, 434 Hammock Drive, Orchard Park, NY 14127-1685. This proposed facility is located in Corydon Township, **McKean County**.

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

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

V. Applications for NPDES Wavier Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011507054	Jonas S. Stoltzfus 246 Maple Street Honey Brook, PA 19344-8647	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI011507055	F. John Seibert, Jr. 465 Indian Run Road Glenmoore, PA 19343	Chester	Wallace Township	North Branch Indian Run HQ-CWF
PAI011507056	The Stonewall Links P. O. Box 203 375 Bulltown Road Elverson, PA 19520	Chester	Warwick Township	French Creek EV
PAI014607007	Wilbur E. Hoot 1253 Payne Road Green Lane, PA 18054	Montgomery	Marlborough Township	Unami Creek/Perkiomen Creek HQ-TSF
PAI015107006	Foxwoods Development Company P. O. Box 3777 Nashantucket, CT 06339	City of Philadelphia	Philadelphia	Delaware River WWF-MF

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

Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024507011	Department of Transportation District 5-0 1002 Hamilton Boulevard Allentown, PA 18101	Monroe	Coolbaugh Township	Tobyhanna Creek HQ-CWF

Lehigh County Conservation District: Lehigh Agricultural Center, Suite 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023907029	Robert Sperling Allentown School District 1301 Sumner Avenue Allentown, PA 18102	Lehigh	City of Allentown	Little Lehigh Creek HQ-CWF

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI036707002	James E. Quesenberry 6544 Anderson Road Stewartstown, PA 17363	York	Hopewell Township	UNT to Scott Creek TSF
PAI034407003	Mifflin County Airport Authority 547 Airport Road Reedsville, PA 17084	Mifflin	Brown Township	Tea Creek HQ-CWF

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

Sullivan County Conservation District: R. R. 2, Box 2022B, Dushore, PA 18614, (570) 928-7057.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI045707003	Fredrick S. Holmes, Jr. 7323 Masonville Drive Annandale, VA 22003	Sullivan	Eagles Mere Borough	Big Run HQ-CWF

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

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

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on a 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 the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments 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 are available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users should 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

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

Application No. 4007509, Public Water Supply.

Applicant **WJM Services, Inc.**
Rice Township
Luzerne County

Responsible Official William J. Miller
52 Zerbe Street
Cressona, PA 17929
(570) 385-5065

Type of Facility Community Water System

Consulting Engineer Edward Davis, P. E.
Forino Company, LP
555 Mountain Home Road
Sinking Spring, PA 19608
(610) 670-2200

Application Received Date October 9, 2007

Description of Action Construction of a new well with green sand filtration for treatment of iron/manganese to serve Valley Stream Mobile Home Park.

Application No. 3907507, Public Water Supply.

Applicant **Southern Lehigh School District**
Lower Milford Township
Lehigh County

Responsible Official Dan Altieri, Director of Support Services
Southern Lehigh School District
Lower Milford Elementary School
5775 Main Street
Center Valley, PA 18034

Type of Facility NTNC PWS System

Consulting Engineer George Ruby, P. E.
Ruby Engineering
3605 Island Club No. 9
North Port, FL 34288

Application Received Date November 29, 2007

Description of Action Addition of pH/alkalinity chemical treatment facilities per the Department of Environmental Protection's Lead and Copper Rule.

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

Permit No. 6707507, Public Water Supply.

Applicant **Glen Rock Water Authority**

Municipality Glen Rock Borough

County **York**

Responsible Official Glen Rock Water Authority,
Director of Administration
P. O. Box 205
Glen Rock, PA 17327

Type of Facility Public Water Supply

Consulting Engineer Peter Lusardi, P. E.
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112

Application Received: July 2, 2007

Description of Action Corrosion control, phosphate sequestration.

Permit No. 3407503, Public Water Supply.

Applicant **John E. Groninger, Inc.**

Municipality Fermanagh Township

County **Juniata**

Responsible Official John E. Groninger, Inc., Vice President
P. O. Box 36
Mexico, PA 17056

Type of Facility Public Water Supply

Consulting Engineer Stephen R. Morse, P. E.
Skelly and Loy, Inc.
2601 North Front Street
Harrisburg, PA 17110-1185

Application Received: November 8, 2007

Description of Action Proposed Arch Rock Development's water system includes two wells, a storage tank, a treatment building and distribution system.

Permit No. 3607505, Public Water Supply.

Applicant **Splashes Swim Club**

Municipality Bart Township

County **Lancaster**

Responsible Official Splashes Swim Club
4915 White Oak Road
Paradise, PA 17562

Type of Facility Public Water Supply

Consulting Engineer G. Matthew Brown, P. E.
ARRO Consulting, Inc.
270 Granite Run Drive
Lancaster, PA 17601

Application Received: February 9, 2007

Description of Action Installation of water softener, nitrate removal, upflow acid neutralizer and liquid chlorination.

Application No. 2107504 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**

Municipality Upper Allen Township

County **Cumberland**

Responsible Official John D. Hollenbach, Vice President
4211 East Park Circle
Harrisburg, PA 17111-0151

Type of Facility Public Water Supply

Consulting Engineer Thomas Schink
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Application Received: June 13, 2007
 Description of Action Rosegarden Standpipe Repainting

Application No. 6707506 MA, Minor Amendment, Public Water Supply.

Applicant **West Manchester Township Authority**

Municipality West Manchester Township

County **York**

Responsible Official Samuel Null, Chairperson
 2115 Log Cabin Road
 York, PA 17404

Type of Facility Public Water Supply

Consulting Engineer Diana Young, P. E.
 Buchart-Horn, Inc.
 P. O. Box 15040
 York, PA 17405-7040

Application Received: June 15, 2007

Description of Action Brenda Road Standpipe repainting.

Application No. 2107503 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**

Municipality Upper Allen Township

County **Cumberland**

Responsible Official John D. Hollenbach, Vice President
 4211 East Park Circle
 Harrisburg, PA 17111-0151

Type of Facility Public Water Supply

Consulting Engineer Arthur Saunders, P. E.
 United Water Pennsylvania
 4211 East Park Circle
 Harrisburg, PA 17111

Application Received: May 16, 2007

Description of Action Replacement of the diluted sodium hypochlorite injection to a concentrated sodium hypochlorite injection

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

Permit No. 0207504, Public Water Supply.

Applicant **Moon Township Municipal Authority**
 1700 Beaver Grade Road
 Suite 200
 Moon Township, PA 15108

Township or Borough Moon Township

Responsible Official John F. Riley, Manager
 Moon Township Municipal Authority
 1700 Beaver Grade Road
 Suite 200
 Moon Township, PA 15108

Type of Facility Water treatment plant

Consulting Engineer KLH Engineers
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Application Received Date November 14, 2007

Description of Action The addition of sodium hypochlorite feed systems at the Western Area Water Tank No. 3, Carnot Water Tank No. 1, Carnot Water Tank No. 2, Carnot Water Tank No. 4 and Airport Water Tank No. 5.

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

Application No. 2407501, Public Water Supply.

Applicant **Ridgway Township Municipal Authority**

Township or Borough Ridgway Township
Elk County

Responsible Official Edward P. LaValle, Chairperson
 Consulting Engineer
 Richard L. Wray, Partner
 Hegemann & Wray
 429 Park Avenue
 Cresson, PA 16630

Application Received Date November 28, 2007

Description of Action Water System Improvements, involving addition of 3 chemical feed stations.

Application No. 2507507, Public Water Supply.

Applicant **John C. and Karla R. Edwards, Owners**
Edwards Mobile Home Park

Township or Borough Springfield Township
Erie County

Responsible Official John C. Edwards, Owner
 P. O. Box 201
 West Springfield, PA 16433

Type of Facility Public Water Supply

Application Received Date November 30, 2007

Description of Action Installation and operation of diatomaceous earth filtration system for Nitrate removal.

MINOR AMENDMENT

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

Application, Minor Amendment, Public Water Supply.

Applicant **Sunrise Terrace Management, LLC**
 Honesdale Borough
Wayne County

Responsible Official Frank T. Perano, Owner
 P. O. Box 677
 Morgantown, PA 19543
 (610) 286-0490, Ext. 313

Type of Facility Community Water System

Consulting Engineer NA
 Application Received November 14, 2007
 Date
 Description of Action Application for transfer of PWS permit No. 2640004 for the community water system serving Sunrise Terrace/Grove Street Estates from All-Tyme, Inc. to Sunrise Terrace Management, LLC.

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

Application No. 3007502MA, Minor Amendment.

Applicant **East Dunkard Water Association**
 P. O. Box 241, SR 88
 Dilliner, PA 15327

Township or Borough Dunkard Township

Responsible Official James Holbert, Plant Manager
 East Dunkard Water Association
 P. O. Box 241, SR 88
 Dilliner, PA 15327

Type of Facility Water treatment plant

Consulting Engineer Dakota Engineering Associates, Inc.
 Etna Technical Center
 Suite 200
 35 Wilson Street
 Pittsburgh, PA 15223

Application Received November 6, 2007
 Date

Description of Action Construction of a temporary water booster pump station adjacent to the existing Willow Tree pump station.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the

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

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

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

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

Northeast Region: Ronald S. Brezinski, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Belyea Company, Inc., Palmer Township, **Northampton County**. Thomas Martinelli, JMT Environmental Technologies, Inc., P. O. Box 22044, Lehigh Valley, PA 18002-2044 has submitted a Notice of Intent to Remediate (on behalf of his client, Belyea Company, Inc., 2200 Northwood Avenue, Easton, PA 18045), concerning the remediation of soils found to have been impacted with diesel fuel as a result of a vehicular accident. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soils. The proposed future use of the property will be residential. A summary of the Notice of Intent to Remediate was published in the *Express Times* on October 29, 2007. A Final Report was simultaneously submitted.

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

Kunkle Tract, Hampden Township, **Cumberland County**. CMX, 910 Century Drive, Mechanicsburg, PA 17055-4351, on behalf of K Rail, Inc., P. O. Box 3088, Camp Hill, PA 17011-3088, submitted a Notice of Intent to Remediate site soils and groundwater contaminated from petroleum releases from three adjacent bulk fueling terminals. The property was undeveloped due to perceived environmental conditions. Future use is light commercial and residential. The applicant is seeking to remediate to the background standard.

**DETERMINATION FOR APPLICABILITY FOR
MUNICIPAL WASTE GENERAL PERMITS**

Application for Determination of Applicability for General Permit received. Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

General Permit Application No. WMGM025SW001. Pittsburgh Recycling Services, LLC, 50 Vespucius Street, Pittsburgh, PA 15207. Pittsburgh Recycling Services, 50 Vespucius Street, Pittsburgh, PA 15207. Application requesting coverage under the existing Department of Environmental Protection (Department) WMGM025 Municipal Waste Beneficial Use General Permit for the proposed sorting and processing of construction waste materials at a proposed facility in The City of Pittsburgh, Allegheny County, was received in the Regional Office on December 4, 2007.

Comments concerning the application should be directed to David Eberle, Facilities Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Persons interested in obtaining more information about the general permit application may contact the Department's Southwest Regional Office at (412) 442-4000. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 30 days of this notice and may recommend revisions to and approval or denial of the application.

**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.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

Permit Application No. WMGR028SE002A. Rushland Quarry, located at 887 Mill Creek Road, Rushland, PA 18956. This application is for a determination of applicability under the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants as an aggregate in roadway construction, an ingredient or component in cement or asphalt products, a soil additive or a soil conditioner located in Wrightstown Township, Bucks County. The application for determination of applicability was received on November 30, 2007 and accepted as administratively complete by the Southeast Regional Office on December 11, 2007.

AIR QUALITY

**PLAN APPROVAL AND OPERATING PERMIT
APPLICATIONS**

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State

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

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

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

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

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

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

PLAN APPROVALS

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

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

36-05120A: Nesso Ent, LLC, TBA Meridian Products (124 Earland Drive, New Holland, PA 17557) for moving painting operations and adding spray booth capacity at their East Earl Township, Lancaster County facility.

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

65-00016H: Latrobe Specialty Steel Co. (2626 Ligonier Street, Latrobe, PA 15650) for installation of a new Vacuum Induction Melting Facility behind their existing EAF shop in Latrobe, **Westmoreland County**. This is a Title V facility.

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

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

09-0110D: Riverside Construction Materials, Inc. (7900 North Radcliffe Street, Bristol, PA 19007) for installation of an additional storage dome, to be designated Dome No. 2, which will be used to store dry cement. This facility is a non-Title V facility, in Bristol Township, **Bucks County**. The new dome will utilize an existing air pollution control system for controlling emissions of PM. This Plan Approval will maintain the existing annual throughput limit of dry cement for this facility. Only one dome (or silo) of the cement unloading operation will be filled at a time. Therefore, hourly and annual emissions will not increase as a result of this approval. The Plan Approval will contain monitoring, recordkeeping and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

05-03019A: Steckman Ridge LP—Quarles 1709 OG Well Compressor Station (890 Winter Street, Waltham, MA 02451) for construction of a natural gas compressor station with two engine compressors controlled by oxidation catalyst and dehydration units controlled by thermal oxidizer, and associated equipment, at Monroe Township, **Bedford County**. The primary emissions from the sources are NOx and VOCs, with the facility potential controlled emissions rates of 69.8 tpy and 48.9 tpy respectively. The plan approval will be rolled into an operating permit. The permit will have work practice, and monitoring, recordkeeping and reporting requirements.

28-03052A: Tactical Cleaning Co., LLC (4755 Technology Avenue, Building 211, Chambersburg, PA 17201-7876) for operation of a railcar cleaning facility in Greene Township, **Franklin County**. VOC emissions are expected to be 10.41 tpy. The plan approval will include emission limits, monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

67-03143B: ESAB Welding and Cutting Products (1500 Karen Lane, Hanover, PA 17331) for construction of a flux powder mixing operation controlled by two cartridge collectors at their welding equipment manufacturing facility in Hanover Borough, **York County**. The source has the potential to emit 0.1 ton PM10 per year. The plan approval and subsequent State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05091B: Metropolitan Edison Co. (P. O. Box 16001, Reading, PA 19612) for construction of nine por-

table 2,000 kW diesel-fired peak electrical generating units at their Yorkana Substation in Lower Windsor Township, **York County**. The facility has the following annual potential emissions based on an annual restriction of 438 operating hours per unit: 58 tons NOx; three tons VOC; two tons CO; one ton SOx; and 0.3 ton PM10. The plan approval and subsequent State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

24-083M: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) for construction of an electric furnace with associated thermal oxidizer in St. Marys City, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

1. Emissions shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions respectively.

2. No person may permit the emission into the outdoor atmosphere of PM in a manner that the concentration of PM in the effluent gas exceeds 0.02 grain per dry standard cubic foot.

3. The source shall not exceed the following emission limitations:

1. VOC—1.73 lbs/hr.

2. SOx—2.6 lbs/hr.

- The permittee shall stack test for SOx, VOC and PM.
- The source is subject to CAM.

- The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problems or defects, and any routine maintenance performed.

- The permittee shall maintain records of the operational inspections.

- The permittee shall maintain continuous records of the thermal oxidizer exhaust temperature.

- The permittee shall perform a daily operational inspection of the control device.

- The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- The thermal oxidizer shall be operated at all times the source is in operation.

- The permittee shall maintain a thermocouple or equivalent device to measure the exhaust temperature to the control device. All gauges employed shall have a scale that the expected normal reading shall be no less than

20% of full scale and be accurate within a +/- 2% of full scale reading. Exhaust temperature indicator shall be mounted in accessible areas, and shall be maintained in good operating conditions at all times.

- The thermal oxidizer exhaust temperature shall be not less than 750° C (1,380° F) or the minimum temperature established during compliance testing. This is a CAM indicator parameter.

37-268B: Commercial Asphalt Supply, Inc. (161 Plain Grove Road, Slippery Rock, PA 16057-5923) for modification of a plan approval to burn Reclaimed fuel oil at their bituminous concrete production facility in Scott Township, **Lawrence County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval to: for modification of a plan approval to burn Reclaimed fuel oil at the bituminous concrete production facility in Scott Township, Lawrence County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

61-204D: Franklin Bronze & Alloy Company, Inc. (655 Grant Street, Franklin, PA 16323) to upgrade the dust collection system which includes the installation of a new dust collector to control fumes from various sources in the investment casting process in the City of Franklin, **Venango County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval to upgrade the dust collection system which includes the installation of a new dust collector to control fumes from various sources in the investment casting process in the City of Franklin, Venango County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date.

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

AMS 07163: Sunoco, Inc.—R & M (3144 Passyunk Avenue, Philadelphia, PA 19145) for replacement of the existing No. 6 oil burners on the 137 Crude Unit F-3 Vacuum Heater with four Next Generation Ultra Low NOx Burners that burn fuel gas or natural gas in the City of Philadelphia, **Philadelphia County**. The heater capacity will remain 60 mmBtu/hr. The plan approval will contain operating, testing, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable requirements.

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

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

09-00046: RJM Manufacturing, Inc.—d/b/a TaraTape (250 Canal Road, Fairless Hills, PA 19030) for a renewal of Title V Operating Permit No. 09-00046, originally issued on January 8, 2001 in Falls Township, **Bucks County**. Based on a facility-wide VOC limit of 24.9 tpy, the permit type has been changed from Title V to State-only (Synthetic Minor). The State-only Operating Permit (SOOP) is for the operation of three coating lines,

two flexographic presses, an extruder and other miscellaneous sources, as well as a catalytic oxidizer that controls VOC emissions from one of the coating lines. The renewed SOOP will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements. In addition to the change in permit type, the following major changes will be addressed in the renewed SOOP:

The phrase “d/b/a TaraTape” has been added to the owner name.

The following sources and emission points, along with corresponding source capacity and throughput listings, permit maps, conditions and emission restrictions, have been removed from Sections A (Site Inventory List), D (Source Level Requirements), and F (Emission Restriction Summary), of the SOOP, as applicable:

<i>Source ID</i>	<i>Source Name</i>
031	Space Heaters (7)
102	North Mix Tank
103	South Mix Tank
104	Hot Melt Boiler
109	Hot Water Heater for Storage Cabinet
S03	North Mix Tank Stack
S04	South Mix Tank Stack
S05	Hot Melt Boiler Stack
S10	Hot Water Heater for Storage Cabinet Stack
Z01	Fugitive Emissions

The following source and emission point, along with corresponding source throughput listing, permit map and conditions, have been added to Sections A (Site Inventory List) and D, of the SOOP, as applicable:

<i>Source ID</i>	<i>Source Name</i>
111	Cold Parts Cleaner
Z11	Cold Parts Cleaner Fugitive Emissions

A fuel material location for natural gas has been added as Source ID FML01.

The requirements of 40 CFR 60, Subpart RR and 25 Pa. Code § 129.52 have been moved from Section C, of the SOOP, to Section D, of the SOOP, where applicable.

The stack testing requirement for the catalytic oxidizer has been modified that the only pollutant required to be tested for is VOCs.

23-00052: Crozer Chester Medical Center (One Medical Center Boulevard, Upland, PA 19013-3995) for operation of a hospital in Upland Borough, **Delaware County**. The permit is for a non-Title V (State-only) facility. The hospital has the potential to emit 24.95 tpy of NOx. A new source has been added as Source 109 (750 kW diesel-fired emergency generator) of the operating permit. The aggregate NOx limit (permits 23-00052 and 23-00007) has been rewritten because the Department of Environmental Protection has revoked permit number 23-00007. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-00029: Upper Darby High School (601 North Lansdowne Avenue, Drexel Hill, PA 19026) for a renewal of a State-only, Natural Minor Operating Permit in Upper Darby Township, **Delaware County**. The permit is for a non-Title V (State-only) facility. The school's main sources include: three fuel oil and natural gas fired boilers, two natural gas fired chillers, one fuel oil fired emergency

generator and three natural gas fired emergency generators. The permit will include monitoring, record keeping and reporting requirements to address all applicable air quality requirements.

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

06-03067: Beacon Container Corp. (700 West First Street, Birdsboro, PA 19508) for operation of a corrugated box manufacturing facility in the Borough of Birdsboro, **Berks County**. The facility has the maximum potential to emit 30.7 tpy of SO₂, 21.5 tpy of NO_x, 2 tpy of CO, 0.1 tpy of VOC and 3.9 tpy of PM. This is for renewal of the existing permit. The State-only operating permit includes monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

31-03008: Interforest Lumber Corp. (22510 Croghan Pike, Shade Gap, PA 17255) for operation of hardwood lumber manufacturing facility in Dublin Township, **Huntingdon County**. This is a renewal of the State-only operating permit issued in April 2003.

38-03020: Tech Cast, Inc. (640 South Cherry Street, Myerstown, PA 17067) for operation of two new furnace/afterburner systems in Myerstown Borough, **Lebanon County**. The State-only operating permit will contain emission limits along with monitoring, recordkeeping and additional requirements designed to keep the facility operating within all applicable air quality requirements.

67-05067: Persing Enterprises, Inc. (214 North Franklin Street, Red Lion, PA 17356) for operation of its wood furniture manufacturing facility in Red Lion Borough, **York County**. The State-only operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit issued in 2003.

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

08-00020: Calvin C. Cole, Inc. (27321 Route 220, Milan, PA 18831) for renewal of State-only Operating Permit 08-00020 for operation of an asphalt concrete production facility ("asphalt plant") in Athens Township, **Bradford County**.

The facility incorporates a 150 ton per hour natural gas/No. 2 fuel oil-fired drum mix asphalt concrete plant, a .8 mmBtu/hr natural gas-fired asphalt heater, a 443 horsepower diesel fuel-fired electric generator and three aboveground storage tanks (asphalt, No. 2 fuel oil and diesel fuel). The PM emissions from the drum mix asphalt concrete plant are controlled by a fabric collector.

The facility has the potential to emit up to 25.54 tons of SO_x, 16.79 tons of CO, 12.93 tons of VOCs, 12.33 tons of NO_x, 6.62 tons of PM/PM10 and .22 ton of HAPs per year.

The facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection (Department) proposes to renew State-only Operating Permit 08-00020. The Department intends to incorporate into this renewal all conditions currently contained in State-only Operating Permit 08-00020 with these exceptions, additions and changes:

1. A condition limiting the sulfur content of all No. 2 fuel oil and diesel fuel used in the facility to .5% (by weight) has been modified to only apply to No. 2 fuel oil.

2. Conditions concerning the monitoring of No. 2 fuel oil sulfur content and the maintenance of records of this information have been modified to eliminate a monitoring option which the Department has determined does not provide the compliance demonstration originally intended and to require the maintenance of more comprehensive records of No. 2 fuel oil sulfur content.

3. Conditions requiring a weekly inspection of the facility for the presence of visible air contaminant emissions, visible fugitive air contaminant emissions and malodorous air contaminant emissions, and the maintenance of records of this information, have been removed from the permit as the Department does not believe that the performance of inspections at this facility will have any significant impact on the maintenance of compliance with applicable air contaminant emission limitations and requirements.

4. A condition requiring malfunctions to be reported to the Department has been revised to exclude the reporting of malfunctions which do not result in, or potentially result in, air contaminant emissions in excess of an applicable air contaminant emission limitation and/or do not result in, or potentially result in, noncompliance with any operating permit condition.

5. A condition requiring the drum mix asphalt plant fabric collector temperature and pressure differential to be recorded at least once per day has been removed from the permit.

6. A condition requiring the maintenance of records of the "supporting calculations used to verify compliance with the PM and VOC emission limitations" for the drum mix asphalt plant has been removed from the permit as it is not possible to verify compliance with the applicable emission limitations with "calculations."

7. A condition has been added to the permit requiring the performance of PM stack testing on the drum mix asphalt plant sometime between January 1, 2009 and December 31, 2009.

8. A condition prohibiting the storage of any VOC-containing liquid with a vapor pressure greater than 1.5 psi in the asphalt and No. 2 fuel oil storage tanks has been replaced with a condition restricting the tanks to the storage of asphalt and No. 2 fuel oil.

9. A condition requiring the maintenance of records of the vapor pressure of the materials stored in the asphalt and No. 2 fuel oil storage tanks has been replaced with a condition requiring the maintenance of records of the identity of the materials stored in the respective tanks.

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

65-00932: C-K Composites, Inc. (361 Bridgeport Street, Mount Pleasant, PA 15666) for manufacture of resin-impregnated wood, filament-wound tubes and cast and molded epoxy resin at their facility in Mount Pleasant Township, **Westmoreland County**. This is a State-only Operating Permit Renewal Application.

30-00109: Equitrans (200 Allegheny Center Mall, Pittsburgh, PA 15212) for operation of a natural gas transmission station at their facility in Center Township, **Greene County**. This is a State-only Operating Permit Application.

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

25-00092: Noram Seating, Inc. (18 South Market Street, Union City, PA 16438) a Natural Minor Operating Permit for the operation of the facility's air contamination sources consisting of: a 1.7 mmBtu/hr wood-fired boiler, chair tumbler, four paint booths and miscellaneous wood working operations for the manufacturing of hardwood chairs in the Borough of Union City, **Erie County**.

61-00190: Oil City Area School District (10 Lynch Boulevard, Oil City, PA 16301) for re-issuance of a Natural Minor Permit to operate two natural gas boilers, two hot water heaters and one natural gas electric generator located in Oil City, **Venango County**. The facility is natural minor because the emissions of pollutants are less than Title V threshold.

**COAL AND NONCOAL MINING
ACTIVITY APPLICATIONS**

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

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

Coal Applications Received

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹ The parameter is applicable at all times.

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

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

Permit Number 3001301 and NPDES Permit No. NA, Dana Mining Company of Pennsylvania, LLC, (308 Dents Run Road, Morgantown, WV 26501), to transfer the permit for the Crowsdad Portal B Mine in Dunkard and Perry Townships, **Greene County** from Dana Mining Company of Pennsylvania, Inc. No additional discharges. Application received October 31, 2007.

Permit Number 30031301 and NPDES Permit No. PA0235610, Dana Mining Company of Pennsylvania, LLC, (308 Dents Run Road, Morgantown, WV 26501), to transfer the permit for the 4-West Mine in Dunkard and

Perry Townships, **Greene County** and related NPDES permit from Dana Mining Company of Pennsylvania, Inc. No additional discharges. Application received October 31, 2007.

Permit Number 30743705 and NPDES Permit No. PA0214753, Dana Mining Company of Pennsylvania, LLC, (308 Dents Run Road, Morgantown, WV 26501), to transfer the permit for the Mundell Hollow Refuse Disposal Area in Dunkard Township, **Greene County** and related NPDES permit from Dana Mining Company of Pennsylvania, Inc. No additional discharges. Application received October 31, 2007.

Permit Number 30841314 and NPDES Permit No. PA0215368, Dana Mining Company of Pennsylvania, LLC, (308 Dents Run Road, Morgantown, WV 26501), to transfer the permit for the Titus Mine in Dunkard Township, **Greene County** and related NPDES permit from Dana Mining Company of Pennsylvania, Inc. No additional discharges. Application received October 31, 2007.

Permit Number 30841320 and NPDES Permit No. PA0213861, Dana Mining Company of Pennsylvania, LLC, (308 Dents Run Road, Morgantown, WV 26501), to transfer the permit for the Dooley Run Mine in Dunkard Township, **Greene County** and related NPDES permit from Dana Mining Company of Pennsylvania, Inc. No additional discharges. Application received October 31, 2007.

Permit Number 32971303 and NPDES Permit No. PA0215066, Penn View Mining, Inc., (2340 Smith Road, Shelocta, PA 15774), to renew the permit for the Penn View Mine in West Wheatfield and Burrell Townships, **Indiana County** and related NPDES permit. No additional discharges. Application received October 22, 2007.

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

32070108 and NPDES No. PA262528, Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, commencement, operation and restoration of a bituminous surface mine in Center Township, **Indiana County**, affecting 274.3 acres. Receiving streams: UNTs to Tearing Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 28, 2007.

11920102, L & J Energy Company, Inc., P. O. Box J, Grampian, PA 16838, permit renewal for reclamation only of a bituminous surface mine in Susquehanna Township, **Cambria County**, affecting 113.3 acres. Receiving streams: UNT to Moss Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 5, 2007.

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

04070103 and NPDES Permit No. PA0251283, Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application for commencement, operation and reclamation of a bituminous surface mine, located in Ohioville Borough, **Beaver County**, affecting 30 acres. Receiving stream: Bieler Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received November 30, 2007.

03070104 and NPDES Permit No. PA0251267, AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Application for commencement, operation and reclamation of a bituminous surface mine, located in East Franklin and Washington Townships, **Armstrong County**, affecting 253.2 acres. Receiving streams: UNTs to Limestone Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received December 5, 2007.

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

54020201R, Stoult's Ferry Preparation Co., Inc., (P. O. Box 279, St. Clair, PA 17970), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Mahanoy Township, **Schuylkill County** affecting 66.0 acres, receiving stream: none. Application received November 28, 2007.

Noncoal Applications Received

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

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

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

01870301 and NPDES No. PA0593931, Vulcan Construction Materials, LP, 5601 Ironbridge Parkway, Suite 201, Chester, VA 23831, revision of an existing bituminous surface mine to reconstruct stream in Berwick, Conewago and Oxford Townships, **Adams County**, affecting 1,292.7 acres. Receiving stream: Slagle Run classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is New Oxford Municipal Authority and

Hanover Municipal Water Works. Application received October 17, 2007.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the

involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-919. Valley Square Lifestyle, LP, 232 North 22nd Street, Philadelphia, PA 19102, Warrington Township, **Bucks County**, ACOE Philadelphia District.

To modify and maintain a nonjurisdictional dam associated impoundment and appurtenances. Work will include excavation for expansion of ponds and removal of sediment and debris for the purpose of utilizing the pond as a stormwater management facility.

The project also includes water obstruction and encroachments that were previously authorized by GP 040904303, 050904307, 070904304, 080904301 and WL0904303.

The site located on the Northeast corner of SR 132 (Street Road) and SR 611 (Easton Road), Warrington Township, Bucks County (Ambler, PA Quadrangle N: 16.1 inches; W: 0.9 inch).

E46-1020. Lansdale Borough, 1 Vine Street, Lansdale, PA 19446, Lansdale Borough, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the proposed construction of the Wissahickon Creek Infiltration Basin and Riparian Corridor Project within and along the Wissahickon Creek (TSF):

1) To modify, construct and maintain a six-foot wide pedestrian trail within the floodplain. The trail will consist of two types of paving—macadam and boardwalk. Boardwalk will be situated in more environmentally sensitive areas to minimize impacts—particularly on steep slopes. An observation deck will also be constructed at two locations along the trail.

2) To construct and maintain a 7-foot wide by 40-foot long pedestrian bridge across the Wissahickon Creek.

3) To construct and maintain two pedestrian bridges along the pedestrian trail and within the floodway.

4) To construct and maintain two riprap-lined open channel swales and outfalls located along the Wissahickon Creek. Total length of swales will be approximately 265 linear feet.

The project will directly affect approximately 1,250 feet of the Wissahickon Creek floodway on both the easterly and westerly banks. The site is located along Norway Drive between Lakeview Drive and Sycamore Drive (Lansdale, PA Quadrangle N: 19.8 inches; W: 2.2 inches).

E46-1021. Heritage Building Group, Inc., 2500 York Road, Jamison, PA 18929, New Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a stream enclosure measuring 283 feet in length within and along a UNT to Swamp Creek (TSF, MF). This project is associated with the proposed Steck Wagner Tract residential subdivision. The project is located along Wagner Road (T-347) approximately 1,400 feet from the intersection of Wagner and Faust Roads (Sassamansville, PA Quadrangle N: 4.9 inches; W: 8.1 inches).

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

E48-385. Hercules Cement Co., LP d/b/a Buzzi Unicem USA, P. O. Box 69, Stockertown, PA 18083-0069, in Upper Nazareth, Palmer and Stocker Townships, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the Hercules Cement Company's Northeast Highwall Reclamation Project:

1. To realign approximately 810 linear feet of Bushkill Creek with the new stream channel consisting of a geomembrane liner system, concrete and natural streambed material.

2. To relocate a portion of a tributary to Bushkill Creek (tributary 04642) with the construction of approximately 2,200 feet of new channel consisting of a geomembrane liner system and natural streambed material.

3. To construct and maintain a railroad spur crossing of a tributary to Bushkill Creek (tributary 04642) consisting of twin CMP arches, each having a 6-foot span in a 1.22-foot underclearance.

4. To place fill in the floodway of and along the right bank of Bushkill Creek for the purpose of constructing an access road paralleling the channel. The project is located along SR 0191 approximately 0.3 mile west of SR 0033 (Wind Gap, PA Quadrangle N: 0.4 inch; W: 3.3 inches).

E40-680. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, in Dennison Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of Creasy Creek (HQ-CWF) consisting of an 18-foot by 6-foot concrete box culvert with its invert depressed 1 foot with fish baffles. The project is located along SR 437, Segment 0080, Offset 0812, Denison Township, Luzerne County (White Haven, PA Quadrangle N: 17.1 inches; W: 9.6 inches).

E40-683. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18510, in Wyoming Borough and Jenkins Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a 10 span prestressed concrete I-beam bridge having a total span of 1,315 feet with a maximum underclearance of 22.5 feet or an alternative design consisting of a 9-span steel girder bridge having a total length of 1,315 feet with a maximum underclearance of 23.1 feet across the Susquehanna River (WWF). The project includes the temporary installation of access roads and R-7 rock riprap causeways to be constructed in separate phases to facilitate the construction of a new bridge and the removal of the existing structure. The project is known as the Eighth Street Bridge replacement project and is located at SR 1021, Section 370 over the Susquehanna River (Pittston, PA Quadrangle N: 10.0 inches; W: 11.0 inches).

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

E41-582. Jason Kline, P. O. Box 46, Eagles Mere, PA 17731. Residential subdivision construction in Wolf Township, **Lycoming County**, United States Army Corps of Engineers, Baltimore District (Hughesville, PA Quadrangle N: 20.0 inches; W: 16.8 inches).

As part of the construction of a townhouse development, the permit applicant proposes to permanently impact 0.96 acre of palustrine emergent (PEM) wetlands. To meet the wetland replacement requirement, the applicant proposes to construct 0.96 acre of PEM wetlands in the vicinity of the impacted area.

The site is located in the watershed of a UNT to Muncy Creek, State Water Plan Subdivision 10D, approximately 1.7 miles west of the center of Hughesville and approximately 0.7 mile northwest of the SR 405/SR 2040 intersection.

E59-483. Walter F. Grabowski Partnership, P. O. Box 741, Wellsboro, PA 16901. Water Obstruction and Encroachment Joint Permit Application in Tioga Township, **Tioga County**, United States Army Corps of Engineers, Susquehanna River Basin District (Jackson Summit, PA Quadrangle N: 41° 54' 24"; W: 77° 7' 1.4").

To construct and maintain a culvert crossing on a skew of 90° in Bentley Creek (WWF). The project is located along Park Hill Road, approximately 1.9 miles east of the intersection with SR 0287 in Tioga Township, Tioga County. This project does not propose to impact any jurisdictional wetlands.

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

E26-345. Joseph A. Hardy Connellsville Airport, 874 Airport Road, Lemont Furnace, PA 15456. To place fill in, construct and maintain channel in Dunbar and North Union Townships, **Fayette County**, United States Army Corps of Engineers, Pittsburgh District

(Uniontown, PA Quadrangle N: 14.9 inches; W: 5.3 inches, Latitude: 39° 57' 25"; Longitude: 79° 39' 47"). The applicant proposes to place fill in 2,767 linear feet of the channel, five UNTs to Redstone Creek and to construct and maintain a channel relocation and to place and maintain fill in 0.81 acre of wetlands for the purpose of construction of an embankment at the south end of Runway 5/23 at the Joseph Hardy Connellsville Airport and to construct wetland and stream mitigation onsite.

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

E42-337. Tuna Valley Trail Association, 300 Campus Drive, Bradford, PA 16701. South Trail, in Bradford Township, **McKean County**, United States Army Corps of Engineers, Pittsburgh District.

To conduct the following activities associated with the construction of Tuna Valley Trail Association South Trail following approximately 3.4 miles of an existing abandoned railroad grade extending south from Owens Way south of Bradford to the Main Street in Lewis Run Borough:

1. To rehabilitate and maintain the existing Browntown Bridge having a span of 80 feet across East Branch Tunungwant Creek just north of T-331 (Bradford, PA Quadrangle N: 41° 53' 13.5"; W: 78° 39' 14.0").

2. To construct and maintain a steel beam bridge having a clear span of 23 feet, 8 inches and an underclearance of 6.4 feet across Sheppard Run approximately 250 feet north of East Warren Road (Bradford, PA Quadrangle N: 41° 54' 22.7"; W: 78° 39' 0.5").

3. To repair, modify or replace and maintain various cross culverts on smaller tributaries to East Branch Tunungwant Creek along the 3.4 mile trail.

WATER QUALITY CERTIFICATIONS REQUESTS

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION REQUESTS FOR CERTIFICATION UNDER SECTION 401 OF THE FEDERAL WATER POLLUTION CONTROL ACT

The following requests have been made to the Department of Environmental Protection (Department) for certification under § 401 (a) of the 1972 amendments to the Federal Water Pollution Control Act, 33 U.S.C. § 1341 (a), that there is reasonable assurance that the construction herein described will not violate applicable federal and state water quality standards.

Prior to final approval of the proposed certification, consideration will be given to any comments, suggestions and objections, which are submitted in writing 30 days from the date of this notice. Comments should be submitted to the Department at the address indicated previously each of the following requests for certification. 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 and suggestions in sufficient detail to inform the Department of the exact basis of the proposal and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given comments if deemed necessary to resolve conflicts. Each individual will be

notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated previously each request for certification between 8 a.m. and 4 p.m on each working day.

Southeast Regional Office: Regional Water Management Program Manager, 2 East Main Street, Norristown, PA 19401, (484) 250-5970.

Certification Request Initiated By:	Department of the Navy, Naval Support Activity, Philadelphia, 700 Robbins Avenue, Philadelphia, PA 19111-5098
Project Description/Location:	<i>Project Description/Location:</i> This project involves the discharge of supernatant from the Fort Mifflin dredge disposal area resulting from the emergent dredging of the Naval Support Activity, The Navy Yard, Pier 4. Approximately 130,000 cubic yards of sediment will be removed and placed in the disposal area located at the confluence of the Schuylkill and Delaware Rivers. Sediments will settle out and the supernatant will be returned to the Delaware Estuary.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0063568	Northampton Borough Municipal Authority 1 Clear Springs Drive Northampton, PA 18067-0156	Whitehall Township Lehigh County	Spring Creek CWF 2C	Y
PA0038270 (Industrial Waste)	Sunoco Partners Marketing & Terminals, LP (Tamaqua Terminal) 525 Fritztown Road Sinking Spring, PA 19608	Rush Township Schuylkill County	Little Schuylkill River 03A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0110850 (SEW)	Meda Nipple Convalescent Home R. R. 1 Box 109 Thompsontown, PA 17094	Delaware Township Juniata County	UNT Cocolamus Creek 12-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0228656 IW	Irvona Municipal Authority P. O. Box 247 Irvona, PA 16656	Clearfield County Irvona Borough	North Witmer Run 8C	Y
PA0112551 (Nonmunicipal)	Randall B. Moyer, SFTF 230 Madisonburg Pike Madisonburg, PA 16852	Centre County Miles Township	UNT to Elk Creek 6A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0025003 Sewage	United States Army Corps of Engineers Pittsburgh District 1000 Liberty Avenue Pittsburgh, PA 15222-4168	Fayette County Henry Clay Township	Youghiogheny River Reservoir	Y
PA0093165 Sewage	Claysville-Donegal Joint Municipal Authority P. O. Box 467 Claysville, PA 15323	Washington County Donegal Township	Dutch Fork	Y
PA0098094 Sewage	Stonewood Family Partnership, LP 116 East Pittsburgh Street Greensburg, PA 15601	Beaver County Independence Township	Raccoon Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0030104	Frenchcreek Township 4507 Georgetown Road Franklin, PA 16323	Polk Borough Venango County	Little Sandy Creek 16-G	Y
PA0239062	Norbert F. Dietrich 30002 Lake Creek Road Cochranon, PA 16314	Wayne Township Crawford County	UNT to Sugar Creek 16-D	Y
PA0210285	James A. Newton 959 Jackson Avenue Warren, PA 16365	Glade Township Warren County	UNT to Glade Run 16-B	Y

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

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

NPDES Permit No. PA0070505, Industrial Waste, **Geo Specialty Chemicals**, 2409 North Cedar Crest Boulevard, Allentown, PA 18104-9733. This existing facility is located in South Whitehall Township, **Lehigh County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated industrial wastewater and noncontact cooling water to Jordan Creek in State Water Plan Watershed 02C. The final permit includes effluent limits for applicable parameters in 40 CFR 414 Subpart I; monitoring for those parameters is waived pursuant to 40 CFR 122.44(a)(2).

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

NPDES Permit No. PA0033391, Amendment No. 1, Sewage, **Frank T. Perano, Pine Manor, LLC**, P. O. Box 677, Morgantown, PA 19543. This proposed facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit.

NPDES Permit No. PA0260487, Industrial Waste, **Christen Barger, Ultra Pure Products, Inc., Mountain Pure Water Systems**, 535 Sunbury Street, P. O. Box 589. This proposed facility is located in Millerstown Borough, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to the dry swale to Juniata River in Watershed 12-B.

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

NPDES Permit No. PA0253260-A1, Sewage, **Henry Berdine**, 559 Zediker Station Road, Washington, PA 15301. This existing facility is located in South Strabane Township, **Washington County**.

Description of Proposed Action/Activity: Permit amendment issuance to reflect flow consistency with the WQM Permit for a single residence sewage treatment plant.

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

NPDES Permit No. PA0240001, Sewage, **Department of Conservation and Natural Resources**, Rachel Carson State Office Building, P. O. Box 8451, Harrisburg, PA 17105-8451. This proposed facility is located in Barnett Township, **Jefferson County**.

Description of Proposed Action/Activity: New discharge of treated sewage. The receiving stream, the Clarion River, is in Watershed 17-B and classified for: CWF, aquatic life, water supply and recreation.

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

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

WQM Permit No. 1507410, Sewerage, **Warwick Township**, 2500 Ridge Road, Elverson, PA 19520. This proposed facility is located in Warwick Township, **Chester County**.

Description of Action/Activity: Construction and operation of a 63,050 gpd treatment lagoon plant and 12.67 acres of sprayfield.

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

WQM Permit No. WQG02210706, Sewage, **Middlesex Township Municipal Authority**, 350 North Middlesex Road, Suite 2, Carlisle, PA 17013. This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Operation of a wastewater pumping station at the Cumberland Knoll subdivision.

WQM Permit No. WQG02210707, Sewage, **Lemoyne Municipal Authority**, 3 Lowther Street, Lemoyne, PA 17403-2029. This proposed facility is located in Lemoyne Borough, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Operation of the North Side Pump Station.

WQM Permit No. 6771423, Amendment 06-1, Sewage, **Chanceford Manor Village Sewer Company, Inc.**, 200 Bailey Drive, Stewartstown, PA 17363. This proposed facility is located in Chanceford Township, **York County**.

Description of Proposed Action/Activity: Modification/Upgrade of the existing treatment system.

WQM Permit No. 2272411, Transfer 1, Sewage, **Frank T. Perano, Pine Manor, LLC**, P. O. Box 677, Morgantown, PA 19543. This proposed facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

WQM Permit No. WQG01140703, Sewerage 4952, **Linda S. Carlson**, 112 Old Mill Road, Apartment 4, State College, PA 16801. The facility will be located in Howard Township, **Centre County**.

Description of Proposed Action/Activity: Permit issued approving the design, construction and operation of a small flow treatment facility to serve a residence. Discharge will be to a dry drainage swale to Bullit Run, a CWF.

WQM Permit No. 4707401, Sewerage 4952, **Geisinger Health System**, 100 North Academy Avenue, Danville, PA 17822. This proposed facility is located in Mahoning Township, **Montour County**.

Description of Proposed Action/Activity: Sewer system improvements at the Geisinger Medical Center Campus in Danville. The proposed facilities will consist of a pump station with a design capacity of 0.1—0.4 mgd, associated force main, and installation of new and replacement gravity sewer collection lines.

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

WQM Permit No. 6307401, Sewerage, **Henry Berdine**, 559 Zediker Station Road, Washington, PA 15301. This proposed facility is located in South Strabane Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a single residence sewage treatment plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024006003	Blue Ridge Real Estate Company P. O. Box 707 Blakeslee, PA 18610-0707	Luzerne	Buck Township	Choke Creek HQ-CWF
PAI024806011	James Carty 619 East Lawn Road Nazareth, PA 18064	Northampton	Bushkill and Upper Nazareth Townships	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062007002	Cambridge Area Joint Authority 161 Carringer Street Cambridge Springs, PA 16403	Crawford	Cambridge Springs Borough Cambridge Township	French Creek WWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

NOTICES

6829

General Permit Type PAG—02

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bristol Township Bucks County	PAG200090711	Summitt Realty Advisors, LLC 8 Devonshires Court Blue Bell, PA 19422	Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000907077	St. Ephrem's Church 5400 Hulmeville Road Bensalem, PA 19020	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Southampton Township Bucks County	PAG2000907090	Fizzano Bros. Concrete Products, Inc. 1776 Chester Pike Cyrn Lynne, PA 19022-1223	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000907076	Holland Enterprise Developers, Inc. 130 Buck Road Suite 201 Holland, PA 18965	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Avondale Borough Chester County	PAG2001507001	Wilkinson Advantage, LP 1020 Broad Run Road Landenberg, PA 19350	East Branch White Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Nottingham Township Chester County	PAG2001507015	TDT Prime Development, LP 2 New Road Suite 126 Aston, PA 19014	Tributary Tivah Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Grove Borough Chester County	PAG2001507058	West Grove Partners, LLC 1195 McDermott Drive Greenhill Corporate Center West Chester, PA 19380	UNT Middle Branch White Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Chichester Township Delaware County	PAG2002307016	Jefferson Building Investments, LLC 795 Milmont Avenue Swarthmore, PA 19081	Marcus Hook Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002307023	Tog Construction 1109 Smithbridge Road Glen Mills, PA 19342	West Branch Chester Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Aston Township Delaware County	PAG2002307028	Nolen Investments, LLC 950 West Valley Forge Road King of Prussia, PA 19406	Chester Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Haverford Township Delaware County	PAG2002306055	Haverford Township 2825 Darby Road Haverford, PA 19083	Darby Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plymouth Township Montgomery County	PAG2004606203	Brandywine Metroplex, LP 555 East Lancaster Avenue Radnor, PA 19087	Plymouth Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004607153	The Archdiocese of Philadelphia P. O. Box 229 Limerick, PA 19468	Hartenstine Creek Mine Run WWF, TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Providence Township Montgomery County	PAG2004607137	Julie and Timothy Barto 3045 Fairhill Drive Collegeville, PA 19426	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG2004607079	Clemens Development, LLC 2700 Funks Road P. O. Box 902 Hatfield, PA 19440	UNT Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG2004607126	Ratoskey and Trainor, Inc. 115 Fayette Street Conshohocken, PA 19428	Schuylkill River CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Pottsgrove Township Montgomery County	PAG2004606147	Danny Jake Corporation 3625 Welsh Road Willow Grove, PA 19190	UNT Sprogles Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004604177-1	Piazza Family Limited Partnership 401 South Schuylkill Avenue Norristown, PA 19403	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG2004607024	Philadelphia Suburban Dev. Co. 100 Ross Road Suite 200 King of Prussia, PA 19406	Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106046	McDowell Development Group 184-D East Evergreen Avenue Philadelphia, PA 19118	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015107026	Food For Life 6901 Woodland Avenue Philadelphia, PA 19142	Darby-Cobbs Creeks WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Pine Grove Township Schuylkill Company	PAG2005407018	Solar Innovations 234 Rosebud Road Myerstown, PA 17067	Swope Valley Run CWF Tributary to Swatara Creek CWF	Schuylkill County Conservation District (570) 622-3742
Butler Township Luzerne Company	PAG2004007034	Butler Township Wastewater Department Attn: Ranson Young 415 West Butler Drive Drums, PA 18222	Nescopeck Creek TSF Little Nescopeck Creek CWF	Luzerne County Conservation District (570) 674-7991
Upper Mt. Bethel Township Northampton Company	PAG2004807028	Upper Mt. Bethel Township 387 Ye Olde Highway P. O. 520 Mt. Bethel, PA 18343	Tributaries to the Delaware River CWF	Northampton County Conservation District Dist. (610) 746-1971
Pine Grove Township Schuylkill County	PAG2005407019	Daryl and Jane Frantz 5 Berger Road Pine Grove, PA 17963	Tributary to Swatara and Upper Little Swatara Creeks CWF	Schuylkill County Conservation District (570) 622-3742

NOTICES

6831

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
South Middleton Township Dickinson Township Cumberland County	PAG2002107013	Andrew Mele Trammell Crow Services, Inc. 300 Conshohocken Road Suite 250 West Conshohocken, PA 19428	Alexander Spring Run CWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 (717) 240-7812
Carroll Township Perry County	PAG2035007012	Maverick Homes, Inc. c/o Jared Sawyer 696 Losh Road Shermans Dale, PA 17090	Shermans Creek WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068
Hellam Township York County	PAG2006707060	Ashton Investment Group, LLC 336 West King Street Lancaster, PA 17603	Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Hellam Township York County	PAG2006703107	Mike Jeffers Kinsley Equities II, LP 6259 Reynolds Mill Road Seven Valleys, PA 17360	UNT to Susquehanna River WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester and Manchester Townships York County	PAG2006707081	Jerry Watson Barnhart Drive Associates, LP 30 Marianne Drive York, PA 17406	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Spring Garden Township York County	PAG2006707076	Dr. Kenneth Martin York College of PA 439 Country Club Road York, PA 17405 -and- Jan Wagner Kinsley Construction 2700 Water Street York, PA 17405	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Ruscombmanor Township Berks County	PAG2000607072	Fred Lustrì Lin Development Group 105 Lakeview Drive Harleysville, PA 19438	Maiden Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-0520
Columbia County Scott Township	PAG2001907013	Mark McIntyre JIS Properties Holdings, Inc. 328 Buttonwood Street Reading, PA 19601	Neal's Run CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102
Fayette County Fairchance Borough	PAG2002607019	Louis Agostini 417 Dove Drive Uniontown, PA 15401	Georges Creek WWF	Fayette County CD (724) 438-4497
Washington County Canonsburg Borough	PAG2006307023	Maronda Homes, Inc. 202 Park West Drive Pittsburgh, PA 15275	Brush Run WWF	Washington County CD (724) 228-6774
Erie County Northeast Township	PAG2002507015	Roberts Trucking 4011 Depot Road Erie, PA 16510	UNT to Sixteen-Mile Creek Lake Erie WWF; MF	Erie Conservation District (814) 825-6403
Erie County Borough of Edinboro	PAG2002507026	Edinboro University of PA 219 Meadville Street Edinboro, PA 16444	Conneautee Creek TSP	Erie Conservation District (814) 825-6403

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Jefferson County Punxsutawney Borough	PAG2003306003(1)	Department of Military and Veteran's Affairs Building 0-47 Fort Indiantown Gap Annville, PA 17003	Mahoning Creek WWF	Jefferson Conservation District (814) 849-7463
Mercer County Borough of Sharpsville	PAG2004307011	Michael Wilson, Manager Borough of Sharpsville 1 South Walnut Street Sharpsville, PA 16150	Shenango River WWF	Mercer Conservation District (724) 662-2242
Warren County Conewango Township	PAG2006207004	M. McGraw, LLC 210 Ludlow Street Warren, PA 16365	Conewango Creek WWF	Warren Conservation District (814) 563-3117
<i>General Permit Type—PAG-3</i>				
<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Plains Township Luzerne County	PAR202249	Unison Engine Components Tru-Form 1141 Highway 315 Wilkes-Barre, PA 18705	Laurel Run Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
East Manchester Townships York County	PAR113555	GEA PHE Systems North America, Inc. 100 Gea Drive York, PA 17406-8469	UNT Little Conewago Creek TSF 7F	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
East Manchester Township York County	PAR603595	Penn Waste, Inc., Penn Waste Recycling Center P. O. Box 3066 85 Brickyard Road York, PA 17402	UNT Codorus Creek WWF 7H	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Jackson Township York County	PAR803701	Pitt Ohio Express, LLC York Terminal 15 27th Street Pittsburgh, PA 15222	Honey Run TSF 7F	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Greene Township Franklin County	PAR803702	Tactical Cleaning Company—Chambersburg 3400 East 56th Avenue Commerce City, CO 80216	UNT Conococheague Creek WWF 13C	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
City of Arnold Westmoreland County	PAR126104	North Side Foods Corporation 2200 Rivers Edge Drive Arnold, PA 15068	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Meadville City Crawford County	PAR208343	Channellock, Inc. 1306 South Main Street P. O. Box 519 Meadville, PA 16335	French Creek (by means of municipal storm sewer)	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Meadville City Crawford County	PAR208342	Channellock, Inc. 1306 South Main Street P. O. Box 519 Meadville, PA 16335	French Creek (by means of municipal storm sewer)	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Howard Township Centre County	PAG045242	Linda S. Carlson 112 Old Mill Road Apartment 4 State College, PA 16801	Bullit Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Greenwood Township Crawford County	PAG048888	Carol E. Walker 2804 Perry Highway Cochranton, PA 16314	UNT to Sandy Creek 16-G	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 2450063, Operations Permit, Public Water Supply.

Applicant	Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033 Coolbaugh Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Scott Thomas, P. E. Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Operate Issued	November 9, 2007
Permit No. 2450140, Operations Permit, Public Water Supply.	
Applicant	Robinwood Village Recreation & Maintenance Fund, Inc. 56 Robinwood Village Saylorsburg, PA 18353 Chestnuthill Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Jacqueline Peleschak, P. E. Alfred Benesch & Co. 400 One Norwegian Plaza P. O. Box 1090 Pottsville, PA 17901
Permit to Operate Issued	November 14, 2007
Permit No. 4506504MA, Minor Amendment, Public Water Supply.	
Applicant	Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033 Stroud Township
County	Monroe
Type of Facility	PWS

Consulting Engineer Michael Gephart, P. E.
SAIC
1129 Business Parkway South
Suite 10
Westminster, MD 21157

Permit to Construct December 3, 2007
Issued

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

Permit No. 5004501, Public Water Supply.

Applicant **Countryside Mobile Home Park**

Municipality Carroll Township

County **Perry**

Type of Facility This permit approves the installation of manganese control equipment to the existing public water supply.

Consulting Engineer Stephen R. Morse, P. E.
Skelly and Loy, Inc.
2601 North Front Street
Harrisburg, PA 17110-1185

Permit to Construct May 28, 2004
Issued:

Permit No. 0607514, Public Water Supply.

Applicant **Brush Wellman, Inc.**

Municipality Shoemakersville Borough

County **Berks**

Type of Facility Installation and operation of a potassium orthophosphate feed system for lead and copper corrosion control.

Consulting Engineer James C. Elliot, P. E.
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100

Permit to Construct December 4, 2007
Issued:

Permit No. 6706501, Public Water Supply.

Applicant **Dover Borough**

Municipality Dover Borough

County **York**

Type of Facility Addition of disinfection facilities at well house No. 3 to boost chlorine residuals for interconnection with Dover Township at interconnection point No. 1.

Consulting Engineer Charles A. Kehew II, P. E.
James R. Holley & Assoc., Inc.
18 South George Street
York, PA 17401

Permit to Construct December 28, 2006
Issued:

Permit No. 0607517, Public Water Supply.

Applicant **Shillington Municipal Authority**

Municipality Cumru Township

County **Berks**

Type of Facility Installation of a booster pump station to allow the Governor Pointe development to meet the municipal fire flow rate specifications.

Consulting Engineer Darryl A. Jenkins, P. E.
Great Valley Consultants
75 Commerce Drive
Wyomissing, PA 19610

Permit to Construct December 4, 2007
Issued:

Operations Permit issued to **Pennsylvania American Water**, 7210029, Hampden Township, **Cumberland County** on December 4, 2007, for the operation of facilities approved under Construction Permit No. 2105502 MA.

Operations Permit issued to **Perry Village Nursing Home**, 7500008, Centre Township, **Perry County** on April 1, 2003, for the operation of facilities approved under Construction Permit No. 5001503.

Operations Permit issued to **Pennsylvania American Water Company**, 7210029, Silver Spring Township, **Cumberland County** on March 13, 2007, for the operation of facilities approved under Construction Permit No. 2102507 MA.

Operations Permit issued to **Pennsylvania-American Water Company**, 7210029, Hampden Township, **Cumberland County** on December 4, 2007, for the operation of facilities approved under Construction Permit No. 2105503 MA.

Operations Permit issued to **Shippensburg Borough Authority**, 7210043, Letterkenny Township, **Cumberland County** on February 21, 2007, for the operation of facilities approved under Construction Permit No. 2805505 MA.

Operations Permit issued to **Bear Valley Franklin County Pennsylvania Joint Authority**, 7284403, St. Thomas, Peters and Hamilton, **Franklin County** on November 16, 2007, for the operation of facilities approved under Construction Permit No. 2805506 MA.

Operations Permit issued to **Dover Township**, 7670073, Dover Township, **York County** on February 21, 2007, for the operation of facilities approved under Construction Permit No. 6706513 MA.

Operations Permit issued to **Carlisle Borough**, 7210002, Carlisle Borough, **Cumberland County** on August 24, 2007, for the operation of facilities approved under Construction Permit No. 2106502 MA.

Operations Permit issued to **The York Water Company**, 7670100, Conewago Township, **York County** on August 24, 2007, for the operation of facilities approved under Construction Permit No. 6707501 MA.

Operations Permit issued to **Manheim Borough Authority**, 7360078, Manheim Borough, **Lancaster County** on November 5, 2007, for the operation of facilities approved under Construction Permit No. 3607506 MA.

Operations Permit issued to **Manheim Borough Authority**, 7360078, Manheim Borough, **Lancaster County** on August 24, 2007, for the operation of facilities approved under Construction Permit No. 3607507 MA.

Operations Permit issued to **North Heidelberg Water Company**, 3060115, North Heidelberg Township, **Berks County** on December 7, 2007, for the operation of facilities approved under Construction Permit No. 0607521 E.

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

Permit No. M.A. 5998501, Construction and Operation, Public Water Supply.

Applicant	Wellsboro Municipal Authority
Township or Borough	Duncan Township
County	Tioga
Responsible Official	John Orr, Chairperson Wellsboro Municipal Authority 28 Crafton Street Wellsboro, PA 16901
Type of Facility	Public Water Supply—Construction and Operation
Consulting Engineer	William S. Bray, P. E. P. O. Box 535 Wellsboro, PA 16901
Permit Issued Date	December 5, 2007
Description of Action	Replacement of the submersible pump in the Wooden Shanty Well.

Permit No. M. A.—5306501, Operation, Public Water Supply.

Applicant	Roulette Township Municipal Water Company
Township or Borough	Roulette Township
County	Potter
Responsible Official	George Baker, Chairperson Roulette Township Supervisors P. O. Box 253 Roulette, PA 16746
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	December 5, 2007
Description of Action	Operation of Well No. 7, the new pump in Well No. 4, water storage tank and distribution piping.

Permit No. 5507501—Construction, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Township or Borough	Monroe Township
County	Snyder
Responsible Official	Patrick R. Burke, Regional Manager Aqua Pennsylvania, Inc. 204 East Sunbury Street Shamokin, PA 17872

Type of Facility	Public Water Supply—Construction
Consulting Engineer	William LaDieu CET Engineering Services 1240 North Mountain Road Harrisburg, PA 17112
Permit Issued Date	December 6, 2007
Description of Action	Construction of a finished water storage tank at the Monroe Marketplace.

Permit No. M.A.—1794502—Construction and Operation, Public Water Supply.

Applicant	Houtzdale Municipal Authority
Township or Borough	Houtzdale Borough
County	Clearfield
Responsible Official	John Gallagher, Manager Houtzdale Municipal Authority 561 Kirk Street Houtzdale, PA 16651
Type of Facility	Public Water Supply—Construction and Operation
Consulting Engineer	N/A
Permit Issued Date	December 7, 2007
Description of Action	Installation and operation of a 30HP submersible pump, with variable frequency drive, in Well TH-4, Permit No. 1794502 originally approved development of Well TH-4, among other things.

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

Permit No. 0407505, Public Water Supply.

Applicant	Borough of Ambridge Water Authority P. O. Box 257 600 Eleventh Street Ambridge, PA 15003-2377
Borough or Township	Economy Borough
County	Beaver
Type of Facility	Conway Wallrose Road standpipe, pump station and pressure vault
Consulting Engineer	NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis, PA 15108
Permit to Construct Issued	December 10, 2007

Permit No. 2680501MA, Minor Amendment, Public Water Supply.

Applicant	Municipal Authority of Westmoreland County 124 Park and Pool Roads New Stanton, PA 15672
Borough or Township	City of Connellsville
County	Fayette

Type of Facility Indian Creek water treatment plant
 Consulting Engineer
 Permit to Construct December 10, 2007
 Issued

WATER ALLOCATIONS

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

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

WA3-1007, Water Allocations. **Manor Township Joint Municipal Authority**, 2310 Pleasant View Drive, Ford City, PA 16226, **Armstrong County**. The right to withdraw 1,209,000 gallons of water per day (peak month, 30-day average) from well numbers 1—4 located along the banks of the Allegheny River in Armstrong County.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mount Joy Township	159 Merts Drive Elizabethtown, PA 17022	Lancaster County

Plan Description: The approved plan provides for an equestrian center on 15 acres on the Richard McGrath property with an apartment and a barn to generate 600 gpd in sewage flows tributary to a small flow sewage treatment facility which will discharge to Conewago Creek. The proposed development is located at the northeast corner of the intersection of Mt. Gretna and Bellaire Roads, Mount Joy Township, Lancaster County. The ID number for this plan revision is A3-36942-326-3s and the APS number is 593692. The Department of Environmental Protection's (Department) review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the owner as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Frankford and Upper Frankford Township	1205 Easy Road Carlisle, PA 17013 660 Mohawk Road Newville, PA 17241	Cumberland

Plan Description: The approved plan provides for a Small Flow Treatment Facility (SFTF) of 400 gpd to serve the proposed Russell Wilson subdivision formed by the subdivision of one residential lot (Lot 18) from Lot 10. Lot 18 is also proposed to receive a lot addition from adjoining Lot 15. Lot 18 is proposed to be served by a Small Flow Treatment System (SFTS). The proposed develop-

ment is located off of Isaiah Lane, which is on the east side of Grahams Wood Road, approximately 1/3 mile north of the intersection of Grahams Wood Road and Frystown Road. The proposed SFTF will discharge to a UNT of Conodoguinet Creek. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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>
Philipsburg Borough	Philipsburg Borough Council 4 North Centre Street P. O. Box 631 Philipsburg, PA 16866	Centre

Plan Description: The approved plan provides for the replacement of approximately 66,000 feet of clay sewer line and approximately 6,300 feet of sewer laterals with PVC pipe, and construction of approximately 7,000 feet of sewer to serve the remaining unsewered portions of the Borough. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Woodward Township	Woodward Township Supervisors 86 Riverside Terrace Lock Haven, PA 17745	Clinton

Plan Description: The approved plan provides for the replacement of pumps and controls at the main sewage pump station, rehabilitation of the existing collection system, including laterals, a new force main under the river to Lock Haven and improvements to a portion of Lock Haven's collection system. This pump station and force main will convey all sewage from Woodward Township to Lock Haven for treatment. In addition, the plan calls for adopting and enforcing an onlot Management Ordinance in the unsewered portions of the Township. The plan also commits Woodward Township to completing an additional Act 537 update by 2012 to address sewage problems in the Swisssdale area. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Green Hills Borough	2755 Park Avenue Indianola, PA 15051	Washington

Plan Description: The approved plan provides for a proposed sewage treatment plant located northeast of SR 18 in the municipality of Green Hills Borough, Washington County. The proposed treatment facility will service

458 new homes and discharge to a UNT of Chartiers Creek. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Jarrettown Elementary School, Upper Darby Township, **Montgomery County**. Philip Donmoyer, Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Dresher, PA 19025 on behalf of Jim Donahue, Upper Dublin School District, 1580 Fort Washington Avenue, Maple Glen, PA 19002 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Toll Integrated System Property, Morrisville Borough, **Bucks County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., Sky Run II, Sit A1, 4050 Skyron Drive, Doylestown, PA 18901 on behalf of Brain Hunter, Toll Integrated Systems, 449 South Pennsylvania Avenue, Morrisville, PA 1906 has submitted a Cleanup Plan concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standards.

1190 Church Road Site, Lansdale Borough/Upper Gwynedd Township, **Montgomery County**. Gary Brown, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA on behalf of Anthony Lordi, Dewey Commercial, 435 Devon Park Drive, Suite 200, Wayne, PA 19087 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents compounds, semivolatle organic compounds and metals. The report is intended to document remediation of the site to meet the Site-Specific Standards

TPG/P&A, 2101 Market, LP, City of Philadelphia, **Philadelphia County**. Raymond P. Duchaine, P. G., ENVision Environmental, Inc., 912 North Oriana Street, Philadelphia, PA 19123 on behalf of Randall L. Scott, TPA/P&A 2101 Market Street, LP, 2101 Market Street, Philadelphia, PA 19103 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Holland Shopping Center, Northampton Township, **Bucks County**. Jeffrey T. Bauer, Whitestone Associates, Inc., 1120 Welsh Road, Suite 100, North Wales, PA 19454 Keith T. D'Ambrosio, P. E., Whitestone Associates, Inc., 1120 Welsh Road, Suite 100, North Wales, PA 19454 on behalf of Matthew Winters, Wawa Inc., Red Roof Office, 260 Baltimore Pike, WaWa, PA 19063 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standards.

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Diane Mastroddi Property, Ross Township, **Monroe County**. Christopher Sassaman, Environmental Management Associates, Inc., 209 Winding Way, Morrisville, PA 19067 has submitted a Final Report (on behalf of his client, Diane Mastroddi, 3389 Route 9, Cold Spring, NY 10516), concerning the remediation of soils found to have been impacted by waste automotive oil and lubricating oil as a result of a leakage from several 55-gallon drums. The report was submitted in order to document attainment of the Residential Statewide Health Standard for soils. The proposed future use of the property will be residential. A public notice regarding the submittal of the Final Report was published in the *Pocono Record* on November 7, 2007.

Dougherty Property, Penn Forest Township, **Carbon County**. Cathryn R. Stewart, P. G., AquAeTer, Inc., 7340 East Caley Avenue, Suite 200, Centennial, CO 80111 and Michael R. Corn, P. E., AquAeTer, Inc., 215 Jamestown Park, Suite 100, Brentwood, TN 37027 has submitted a Final Report (on behalf of their clients, Miguel and Evelyn Castillo, R. R. 1, Box 256A, Effort, PA 18330), concerning the remediation of soil and groundwater found to have been impacted by kerosene as a result of an accidental release from a former aboveground storage

tank. The report was submitted in order to document attainment of the Statewide Health Standard. A public notice regarding the submittal of the Final Report was published in *The Times News* on November 9, 2007.

Belyea Company, Inc., Palmer Township, **Northampton County**. Thomas Martinelli, JMT Environmental Technologies, Inc., P. O. 22044, Lehigh Valley, PA 18002-2044 has submitted a Final Report (on behalf of his client, Belyea Company, Inc., 2200 Northwood Avenue, Easton, PA 18045), concerning the remediation of soils found to have been impacted with diesel fuel as a result of a vehicular accident. The report was submitted to document attainment of the Residential Statewide Health Standard for soils. The proposed future use of the property will be residential. A public notice regarding the submittal of the final report was published in the *Express Times* on October 29, 2007. A Notice of Intent to Remediate was simultaneously submitted.

PPL Former Manufactured Gas Plant-Pen Argyl, Pen Argyl Borough, **Northampton County**. Bryan Sladky, Silar Services, Inc., 983 Butler Pike, Bluebell, PA 19422, has submitted a Final Report, detailing the remediation of site soils and groundwater impacted by semivolatiles organics related to the manufactured gas process (on behalf of his client PPL Gas Utilities Corporation). The Final Report was submitted in order to document attainment of the Statewide Health Standard and the Site-Specific Standard, using pathway elimination. Future use of the property will remain nonresidential.

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

J. F. Arms Enterprises I-80 W MM 247 Accident, Mifflin Township, **Columbia County**. Taylor Geo-Services, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 on behalf of J. F. Arms Enterprises, 5080 North Lakeview Road, Bloomington, IN 47404 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Townsend Plant (Former) Lagoon Site, North Sewickley Township, **Beaver County**. Nicole Feczko, MACTEC Engineering and Consulting, Inc., 700 North Bell Avenue, Suite 200, Carnegie, PA 15106 (on behalf of Steven Sosensky, Esq. (on behalf of NER), NER Auction System of Pittsburgh, Inc., 135 South Road, Farmington, CT 06032, and Greg Simpson, Textron, Inc., 40 Westminister Street, Providence, RI 02903) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents, and other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Siemens Westinghouse Power Corporation, Borough of Glassport, **Allegheny County**. David Nakles, ENSR Corporation, 4075 Monroeville Boulevard, Building II, Suite 400, Monroeville, PA 15146 (on behalf of Siemens Westinghouse Power Corporation, 4400 Alafaya Trail, Orlando, FL 32826-2399) has submitted a Remedial Investigation Report, Risk Assessment Report and a Cleanup Plan concerning remediation of site soil contaminated with lead, PCBs and solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Heth's Run, Pittsburgh Zoo Property, City of Pittsburgh, **Allegheny County**. Wendy Noe, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 (on behalf of Dan Sentz, City of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219) has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Westinghouse Air Brake Technology Company, Borough of Wilmerding, **Allegheny County**. Bruce Shaw, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 (on behalf of Westinghouse Air Brake Technology Company, 1001 Air Brake Avenue, Wilmerding, PA 15148) has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with heavy metals, solvents, BTEX and PAHs. The report is intended to document remediation of the site to meet the Site-Specific 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), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may

approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Bridgeview Development, Inc., Bridgeport Borough **Montgomery County**. Janathan Spergel, Manko, Gold Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Brian Finnega, Bridgeview Development, LP, 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline and leaded gasoline. The Final Report did not demonstrate attainment of the Site-Specific Standards and was placed on hold by the Department of Environmental Protection on November 19, 2007.

Sunoco, Inc. R&M, Upper Uwchlan Township, **Chester County**. Lisa Strobridge, Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19320, Bradford Fish, Sunoco, Inc. (R&M) Automotive Lab, Post Road and Blueball Avenue, P. O. 1135, Marcus Hook, PA 19061 on behalf of Bradford Fish, Sunoco, Inc. (R&M) Automotive Lab, Post Road and Blueball Avenue, P. O. 1135, Marcus Hook, PA 19061 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on November 14, 2007.

Smith Property, Bensalem Township, **Bucks County**. Jason Free, PT Consultants, Inc., 120 North Delsea Drive, Suite 2, Westville, NJ 08093, David Carlson, Cemco, P. O. Box 212, Hainesport, NJ 08036 on behalf of Michael Smith, The GST Group, 2291 Bristol Pike, Bensalem, PA 19020 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standards and was disapproved by the Department of Environmental Protection on November 14, 2007.

Fibre Metal Products Company, Concord Township, **Delaware County**. Jennifer Gresh, Duffield Associates, Inc., 5400 Limestone Road, Wilmington, DE 19088, has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation/Final Report was placed on hold by the Department of Environmental Protection on November 13, 2007.

Richland Meadows, MHP, Richland Townships **Bucks County**. Clorece Kulp, DelVal Soil & Environmental Consultants, Inc., 4050 Skyrun Drive, Suite A1, Doylestown, PA 18902, Eric Williams, on behalf of Richland Meadows, Mobile Home Park, 232 Yankee Road, Lot 395, Quakertown, PA 18951 has submitted a Final

Report concerning the remediation of site soil contaminated with kerosene. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on November 16, 2007.

Heintz Corporation Parcel B (Soil), City of Philadelphia, **Philadelphia County**. Steven Coe, Brown Environmental Service Corporation, 312 South State Street, Suite N102, Newtown, PA 18940 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standards and was approved November 16, 2007.

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Lehigh County Minor League Ballpark (former Agere South Campus), City of Allentown, **Lehigh County**. Vincent Carbone, HDR Engineering, Inc., The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101 submitted a Final Report (on behalf of his client, LV Red, LLC, 2390 East Camelback Road, Suite 400, Phoenix, AZ 85016), concerning the remediation of soils and groundwater found to have been impacted by arsenic, silver, TCE and mercury as a result of the property's historic industrial use. The report demonstrated attainment of the Site-Specific Standard, using pathway elimination, and was approved by Central Office on October 24, 2007.

Sunoco, Inc. Plymouth Pump Station, Jackson Township, **Luzerne County**. Lisa Strobridge, Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381 submitted a Final Report (on behalf of her client Sunoco, Inc. (R&M), P. O. Box 1135, Post Road and Blueball Avenue, Marcus Hook, PA 19061), concerning the remediation soils and groundwater found to have been impacted by gasoline as a result of an accidental pipeline release. The report demonstrated attainment of the Residential Statewide Health Standard for Sites 2—4 and was approved on November 14, 2007.

Bendobrook Trust, Paradise Township, **Monroe County**. David Everitt, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 submitted a Final Report (on behalf of his client, Bendobrook Trust, 1400 Waverly Road, B-226, Gladwyne, PA 19035), concerning the remediation of soils found to have been impacted by No. 2 fuel oil as a result of an act of vandalism to a 275-gallon AST. The report demonstrated attainment of the Statewide Health Standard and was approved on December 6, 2007.

Midwest Specialized Transportation, Blooming Grove Township, **Pike County**. Michael Napolitan, Taylor GeoServices, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 submitted a Final Report (on behalf of his client, Richard Cochrane, Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512), concerning the remediation of soils found to have been impacted by diesel fuel as a result of a tractor trailer accident. The report demonstrated attainment of the Residential Statewide Health Standard for soils and was approved on December 7, 2007.

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

Former Domestic Linens, Harrisburg City, **Dauphin County**. BL Company, 213 Market Street, Harrisburg, PA 17101, on behalf of City of Harrisburg, Department of

Building and Housing Development, 10 North Second Street, Harrisburg, PA 17101-1677, submitted a Remedial Investigation report concerning remediation of site soils and groundwater contaminated with VOCs and SVOCs. The report was approved by the Department of Environmental Protection on December 3, 2007.

RR Donnelley, Lancaster Township, **Lancaster County**. AMO Environmental Decisions, 4327 Point Pleasant Pike, Danboro, PA 18916, on behalf of RR Donnelley, 1375 Harrisburg Pike, Lancaster, PA 17601, submitted a Final Report concerning the remediation of site groundwater contaminated with VOCs and nickel. The Final Report did not demonstrate attainment of the Statewide Health Standard, and was disapproved by the Department of Environmental Protection on December 6, 2007.

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

Bellefonte Former MPG Site, Spring Township, **Centre County**. Haley & Aldrich, Inc., 465 Medford Street, Suite 2200, Boston, MA 02129-1400 on behalf of PPL Service Corp., 2N 9th Street (GENTW-17), Allentown, PA 18101-1179 has submitted a Risk Assessment Report concerning remediation of site soil contaminated with inorganics, lead (metals), organics and PAHs and groundwater contaminated with inorganic, organics and PAHs. The Risk Assessment was approved on December 10, 2007.

Sheetz Store No. 280—Mill Hall, Bald Eagle Township, **Clinton County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Sheetz, Inc., 5700 6th Avenue, Altoona, PA 16602 has submitted a combined Remedial Investigation Report/Final Report concerning remediation of site soil and groundwater contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, toluene, ethylbenzene, xylene, naphthalene, cumene and lead; groundwater is also contaminated with MTBE. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on December 5, 2007.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Westinghouse Air Brake Technology Company, Borough of Wilmerding **Allegheny County**. Bruce Shaw, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 on behalf of Westinghouse Air Brake Technology Company, 1001 Air Brake Avenue, Wilmerding, PA 15148 has submitted a Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with heavy metals, solvents, BTEX and PHCs. The Risk Assessment Report was approved by the Department on March 22, 2007

AIR QUALITY

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

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

35-399-044: Northeast Ethanol & Renewable Resources Ltd. (1252 Midvalley Drive, Jessup, PA 18434) on November 16, 2007, to construct and operate a 60 million gpy denatured ethanol production facility in Mayfield Borough, **Lackawanna County**.

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

GP2-21-05021B: Arnold Fuel Oil, Inc. (P. O. Box 2621, Harrisburg, PA 17105-2621) on December 6, 2007, for storage tanks for volatile organic liquids for GP2 in Silver Spring Township, **Cumberland County**.

GP3-22-05046: Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on December 3, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in Lower Swatara Township, **Dauphin County**.

GP9-22-05046: Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on December 3, 2007, for Diesel or No. 2 Fuel-fired Internal Combustion Engines under GP9 in Lower Swatara Township, **Dauphin County**.

GP19-67-03147: Temtco Steel, Inc. (500 Manchester Court, York, PA 17404) on December 3, 2007, for Dry Abrasive Blasting Operations under GP19 in West Manchester Township, **York County**.

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

GP4-18-01: First Quality Nonwovens (101 Green Mountain Road, Hazelton, PA 18202) on November 6, 2007, to renew the authorization to operate a burnoff oven under the "General Plan Approval and/or General Operating Permit for Burn Off Ovens (BAQ-GPA/GP-4)" in Wayne Township, **Clinton County**.

GP14-49-01: Oak Lane Crematory, Inc. (27 North Vine Street, Mt. Carmel, PA 17851) on November 26, 2007, for authorization to construct and operate a human remains crematory incinerator under the "General Plan Approval and/or General Operating Permit for Human or Animal Crematories (BAQ-GPA/GP-14)" in Kulpmont Borough, **Northumberland County**.

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

GP5-65-00979A: Atlas Pipeline Pennsylvania, LLC—Hermine Compressor Station (1550 Coraopolis Heights Road, 2nd Floor, P. O. Box 611, Moon Township, PA 15108) on December 5, 2007, to add a new compressor engine to the existing compressor engine and dehydrator in West Newton Borough, **Westmoreland County**.

GP5-30-00170: Atlas Pipeline Pennsylvania, LLC—Brown Compressor Station (1550 Coraopolis Heights Road, 2nd Floor, P. O. Box 611, Moon Township, PA 15108) on December 5, 2007, to add a new compressor engine to the existing compressor engine and dehydrator in Greensboro Borough, **Greene 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.

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

28-05004C: Grove US LLC (1565 Buchanan TRL E, P. O. Box 21, Shady Grove, PA 17256) on December 3, 2007, for installation of a paint spray booth at their Shady Grove plant in Antrim Township, **Franklin 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, 2 East Main Street, Norristown, PA 19401, Sachin Shankar, New Source Review Chief, (484) 250-5920.

09-0134C: Reed Minerals (P. O. Box 8888, Camp Hill, PA 17001) on December 6, 2007, to operate a replacement dust collector in Falls Township, **Bucks County**.

09-0163: Blooming Glen Quarry—Division Of Haines (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on December 6, 2007, to operate a replace existing screen in Hilltown Township, **Bucks County**.

23-0003E: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061) on December 7, 2007, to operate a gasoline and diesel desulfurization project in Trainer Borough, **Delaware County**.

46-0155D: Sermatech International, Inc. (159 South Limerick Road, Royersford, PA 19468-1699) on December 10, 2007, to operate four chamber spray booths, Limerick Township, **Montgomery County**.

09-0048C: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on December 10, 2007, to operate a batch asphalt plant in Hilltown Township, **Bucks County**.

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

36-05019G: Anvil International, Inc. (1411 Lancaster Avenue, Columbia, PA 17512-1939) on December 4, 2007, to construct a new molding line at their foundry in Columbia Borough, **Lancaster County**. This plan approval was extended.

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

65-00837B: Dominion Resources Services, Inc. (445 West Main Street, Clarksburg, WV 26301) on December 10, 2007, to allow completion of retrofitting project at their Oakford Compressor Station in Salem Township, **Westmoreland County**. This plan approval was extended.

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

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

13-00005: Altadis USA, Inc. (1000 Treschow Road, McAdoo, PA 18237) on November 16, 2007, for an administrative amendment to include all applicable require-

ments from plan approval numbers 13-302-024 and 13-399-011 at their site in Banks Township, **Carbon County**.

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

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

23-00031: Mercy Fitzgerald Hospital (1500 Lansdowne Avenue, Darby, PA 19023) On December 6, 2007, to operate a hospital in Darby Borough, **Delaware County**. The permit is for a non-Title V (State-only) facility. The hospital has the potential to emit 24.9 tpy of NOx. There have been no changes since the permit was last issued on October 1, 2002. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

05-03003: Chestnut Ridge School District (P. O. Box 80, Fishertown, PA 15339-0080) on December 4, 2007, to operate their boiler plant at the middle school in East Saint Clair Township, **Bedford County**. This is a renewal of the State-only operating permit.

05-03004: Chestnut Ridge School District (P. O. Box 80, Fishertown, PA 15339-0080) on December 4, 2007, to operate the boiler plant at their central elementary and high school campus in East Saint Clair Township, **Bedford County**. This is a renewal of the State-only operating permit.

06-03085: Power Packaging, Inc. (1055 Cross Road Boulevard, Reading, PA 19605) on December 10, 2007, to operate three dual fuel fired boilers at their facility in Muhlenberg Township, **Berks County**. This is a renewal of the State-only operating permit.

67-03025: Bickel's Snack Foods, Inc. (1000 West College Avenue, York, PA 17404-3537) on December 10, 2007, for a natural minor operating permit to operate four snack product fryers at Plants 1 and 2, College Avenue, West Manchester Township, **York County**.

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

17-00023: Mill Creek Mining Co.—Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824) on November 29, 2007, to operate a coal preparation facility (Bigler Preparation Plant) in Bradford Township, **Clearfield County**.

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

10-00270: Lectromat, Inc. (P. O. Box 608, 108 Fey Lane, Mars, PA 16046) on December 4, 2007, to re-issue a Natural Minor Operating Permit to operate a process that coats or laminates fabric substrates with resins in Adams Township, **Butler County**. The primary emission sources include two combustion space heaters, two horizontal laminator/coater units and two vertical coating towers.

43-00040: John Maneely Co.—Wheatland Tube—Sharon Plant (200 Clark Street, Sharon, PA 16146) On

December 4, 2007, to re-issue the State-only Operating Permit to operate their facility's air contamination sources in the City of Sharon, **Mercer County**. The contamination sources consist of one natural gas-fired boilers, natural gas heating units, one conduit zinc coating line, cold solvent cleaners and three small VOC storage tanks. Emission Reduction Credits from the shutdown of source 101 (CW Furnace) and source 104 (pipe coating operation) were also administratively amended into the operating permit during renewal.

43-00339: Supreme Manufacturing, Inc. (327 Billy Boyd Road, Stoneboro, PA 16153) on December 4, 2007, to issue a Natural Minor Operating Permit to operate their facility that manufactures bulk material handling dredges and floating conveyors in New Vernon Township, **Mercer County**. The facility's primary emission sources include a sandblasting bay and a paint bay.

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, 2 East Main Street, Norristown, PA 19401, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00029: Glasgow, Inc. (Route 309 and Hartman Road, Springhouse, PA) on December 7, 2007, to incorporate PA-46-0029A, to replace a of cyclone/baghouse, increase the annual production of asphalt, and install additional ductwork for capture of any emissions that would occur when recycled asphalt is added to the pug mill, into SMOP-46-00029 in Montgomery Township, **Montgomery County**. Administrative Amendment of Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Operating Permit will contain recordkeeping requirements, monitoring requirements and operating conditions designed to keep the facility operating within the allowable emission limits and all applicable air quality requirements.

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

45-00017: Hanson Aggregates Pennsylvania, Inc. (1900 Sullivan Trail, Easton, PA 18040) on December 6, 2006, to administratively amend the operating permit to include the requirements of operating permit 45-310-023 for a portable crusher at their Stroudsburg Quarry in Hamilton Township, **Monroe County**.

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

18-00006: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) on December 10, 2007, in accordance with the minor operating permit modification requirements of 25 Pa. Code § 127.462, to add two 182.5 horsepower diesel fuel-fired water pump engines to the permit for the Leidy Compressor Station in Leidy Township, **Clinton County**.

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

04-00059: IPSCO Koppel Tubulars Corp. (P. O. Box 750 Beaver Falls, PA 15010) on December 7, 2007, for a minor modification to the existing Title V Operating

Permit for this site to incorporate language to confirm approval of an application for Emission Reduction Credits and to clarify language in the existing Title V Operating Permit that does not have an effect on emission rates for their Koppel Plant in Koppel Borough, **Beaver County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

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

Permit Number 26961601 and NPDES Permit No. PA021779, Matt Canestrone Contracting, Inc., (P. O. Box 234, Belle Vernon, PA 15012-0234), to renew the permit for the LaBelle Site in Luzerne Township, **Fayette County** and East Bethlehem Township, **Washington County** and related NPDES permit. No additional discharges. Application received December 26, 2006. Permit issued December 3, 2007.

Permit Number 32841601 and NPDES Permit No. PA0214159, Robindale Energy Services, Inc., (224 Grange Hall Road, Armagh, PA 15920), to renew the permit the Dilltown Facility in Brush Valley Township, **Indiana County** and related NPDES permit for reclamation only. No additional discharges. Application received July 31, 2006. Permit issued December 3, 2007.

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

11850102 and NPDES No. PA0608483. Cooney Brothers Coal Company, P. O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface mine in Gallitzin and Logan Townships, **Cambria and Blair Counties**, affecting 225.0 acres. Receiving streams: UNTs to Little Laurel Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 15, 2007. Permit issued December 6, 2007.

56070101 and NPDES No. PA0262277. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541 commencement, operation and restoration of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 223.3 acres. The application includes a request for a variance to conduct mining activities within 100 feet of a UNT "A" to Shade Creek. The stream encroachment activities consist of a haul road crossing and construction of erosion and sedimentation

facilities. The application also includes a request to conduct auger mining and overburden blasting activities. The application also includes a request to conduct surface mining activities within 100 feet of SR 1029. The SR variance request area begins at a point 1,720 feet east of the intersection with SR 1025 and continues along the east side of SR 1029 for a distance of 1,650 feet. Receiving streams Shade Creek and UNT to Shade Creek classified for the following use CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 5, 2007. Permit issued: December 4, 2007.

32980101. M. B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717-7961, permit renewal for reclamation only of a bituminous surface mine in Brushvalley Township, **Indiana County**, affecting 140 acres. Receiving streams: UNT Brush Creek and UNT to Yellow Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 26, 2007. Permit issued: December 6, 2007.

56980102 and NPDES Permit No. PA0234681. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface auger mine in Shade Township, **Somerset County**, affecting 92.7 acres. Receiving streams: UNT to Oven Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 8, 2007. Permit issued: December 6, 2007.

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

26910108 and NPDES Permit No. PA0592366. Dunkard Disposal Corporation (P. O. Box 229, Mt. Braddock, PA 15465) Renewal permit for reclamation only to an existing bituminous surface mine, located in Georges Township, **Fayette County**, affecting 76.4 acres. Receiving stream UNT to North Branch of Browns Run. Renewal application received October 18, 2007. Renewal permit issued: November 29, 2007.

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

24990101 and NPDES Permit No. PA0241491. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824) Renewal of an existing bituminous strip and auger operation in Horton Township, **Elk County** affecting 588.0 acres. Receiving streams: UNT to Mead Run and Mead Run, and UNT to Little Toby Creek. Application received July 26, 2007. Permit issued December 4, 2007.

33030110 and NPDES Permit No. PA0242454. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838) Renewal of an existing bituminous strip operation in Snyder Township, **Jefferson County** affecting 122.5 acres. Receiving streams: UNT to Little Toby Creek. Application received October 15, 2007. Permit issued December 4, 2007.

24980104 and NPDES Permit No. PA0227854. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853) Renewal of an existing bituminous strip and auger operation in Horton Township, **Elk County** affecting 29.5 acres. This renewal is issued for reclamation only. Receiving streams: UNTs to Johnson Run and two UNTs to Brandy Camp Creek. Application received: October 15, 2007. Permit Issued: December 4, 2007.

33070104 and NPDES Permit No. PA0258351. 3M Resources Company (733 Jackson Run Road,

Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous strip operation in Young and McCalmont Townships, **Jefferson County** affecting 19.7 acres. Receiving streams: UNTs to Elk Run. Application received June 12, 2007. Permit Issued December 4, 2007.

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

49950202R2. Gilberton Coal Company (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 142.0 acres, receiving stream: none. Application received March 8, 2007. Renewal issued December 3, 2007.

40930102C9. Mammoth Anthracite, LLC (P. O. Box Q, Milnesville, PA 18239), correction to an existing anthracite surface mine, coal refuse reprocessing and preparation plant operation in Hazle Township, **Luzerne County** affecting 492.2 acres, receiving stream: none. Application received August 22, 2007. Correction issued December 4, 2007.

Noncoal Applications Returned

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

16062805 and NPDES Permit No. PA0258164. WDK Enterprises, Inc. (P. O. Box 5, Corsica, PA 15829) Commencement, operation and restoration of a small noncoal clay operation in Monroe Township, **Clarion County** affecting 11.7 acres. Receiving streams: Two UNTs to Reids Run. Application received June 20, 2006. Application Returned December 3, 2007.

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

58060301 and NPDES Permit No. PA0224553. BS Quarries, Inc. (R. R. 3, Box 324A-1, Montrose, PA 18801), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Lanesboro Borough and Harmony Township, **Susquehanna County** affecting 465.6 acres, receiving stream: intermittent tributary to Starucca Creek. Application received June 26, 2006. Application withdrawn December 6, 2007.

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

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

28074158. David H. Martin Excavating, Inc., 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for commercial development in Chambersburg Borough, **Franklin County**. Blasting activity permit end date is May 20, 2009. Permit issued November 28, 2007.

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

18074003. HRI, Inc. (1750 West College Avenue, State College, PA 16801), construction blasting for Lamar Town-

ship, Business Park, Phase 2, located in Lamar Township, **Clinton County**. Permit issued December 5, 2007. Permit expires March 30, 2008.

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

360741124. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting for Falls at Olde Mill in East Lampeter Township, **Lancaster County** with an expiration date of November 22, 2008. Permit issued December 3, 2007.

45074162. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for a single dwelling at Great Bear in Middle Smithfield Township, **Monroe County** with an expiration date of November 29, 2008. Permit issued December 3, 2007.

67074151. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting for The Seasons Development in Dover Township, **York County** with an expiration date of November 30, 2008. Permit issued December 3, 2007.

360741125. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Brethern Village Expansion in Manheim Township, **Lancaster County** with an expiration date of December 30, 2008. Permit issued December 6, 2007.

360741126. Warren's Excavating & Drilling, Inc. (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Florin Hill in Mt. Joy Borough, **Lancaster County** with an expiration date of November 15, 2008. Permit issued: December 6, 2007.

360741127. Warren's Excavating & Drilling, Inc. (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for a single dwelling on Forry Road in East Lampeter Township, **Lancaster County** with an expiration date of December 1, 2008. Permit issued December 6, 2007.

38074129. Warren's Excavating & Drilling, Inc. (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Fox Ridge in South Lebanon Township, **Lebanon County** with an expiration date of December 15, 2008. Permit issued December 6, 2007.

67074152. Fitz & Smith, Inc. (P. O. Box 178, Dalastown, PA 17313), construction blasting for Hepplewhite Estates Phase V in Manchester Township, **York County** with an expiration date of December 10, 2008. Permit issued December 7, 2007.

06074132. Horst Drilling & Blasting, Inc. (141 Ranck's Church Road, New Holland, PA 17557), construction blasting for Titanium Hearth Tech, Inc. in Caernarvon Township, **Berks County** with an expiration date of December 1, 2008. Permit issued December 7, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of

the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1018. Borough of Conshohocken, 720 Lafayette Street, Conshohocken, PA 19482, Conshohocken Borough, Montgomery County, ACOE Philadelphia District.

To perform minor grading and construction of a surface parking facility within the 100-year floodway of the Schuylkill River (WWF-MF) associated with a proposed residential development. This project is associated with the Millennium Institute for Corporate Excellence Project, a mixed-use residential/commercial development and waterfront open space development, which previously received Encroachment Permit No. E46-633. This site is located approximately 1,900 feet downstream of the Fayette Street Bridge and is bound by Ash, Washington and Cherry Streets (Norristown, PA, USGS Quadrangle N: 13.0 inches; W: 7.25 inches). The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E46-1019. Washington Street Associates, IV, LP, 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406, Conshohocken Borough, Montgomery County, ACOE Philadelphia District.

To perform minor grading and construction of a surface parking facility within the 100-year floodway of the Schuylkill River (WWF-MF) associated with a proposed residential development. This project is associated with the Millennium Institute for Corporate Excellence Project, a mixed-use residential/commercial development and waterfront open space development, which previously received Encroachment Permit No. E46-663. This site is located approximately 1,900 feet downstream of the Fayette Street Bridge and is bound by Ash, Washington and Cherry Streets (Norristown, PA USGS Quadrangle N: 13.0 inches; W: 7.25 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E09-921. Newtown Grant Homeowners Associates, 6 Gladiola Circle, Newtown, PA 18940-9224, Newtown Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain an approximately 19-foot, 8-inch long by 3-foot wide pedestrian bridge across Newtown Creek (WWF) and associated wetlands which will connect an existing walking path within the common grounds of the Newtown Grant Subdivision. The site is located in the vicinity of 360 Eagle Road (Langhorne, PA, USGS Quadrangle, N: 5.5 inches; W: 2.5 inches). The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

E21-380: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103, Upper Allen Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain a concrete bridge with a clear span of 80.5 feet, a width of 30.5 feet, and a minimum underclearance of 1.5 feet across Trout Run (CWF) and associated improvements on Cockleys Drive to provide emergency access to Cockleys Drive at a location approximately 600 feet downstream of the US 15 crossing of Trout Run (Mechanicsburg, PA Quadrangle N: 5.65 inches; W: 0.7 inch, Latitude: 40° 9' 23"; Longitude: 77° 0' 17") in Upper Allen Township, Cumberland County. The project will also impact 0.12 acre of exceptional value PEM wetland. The applicant is required to replace a minimum of 0.12 acre of wetland, and has agreed to provide 0.23 acre of wetland replacement.

E06-621: City of Reading, Charles Jones 503 North 6th Street, Reading, PA 19601, Reading City, **Berks County**, ACOE Baltimore District

To construct and maintain an extension to an existing storm sewer system including: (1) a 50.0-foot long by 15.0-foot bottom-width trapezoidal Reno mattress channel in the floodway of the Schuylkill River (CWF); (2) a 47.0-foot long by 15-foot bottom width concrete channel; (3) a 60.0-foot long by 15.0-foot bottom width trapezoidal Reno Mattress channel; (4) 50.0-feet of 36-inch SLCPP pipe; (5) 171.0-feet of 36-inch SLCPP pipe to replace existing CMP; (6) a 302.0-foot long gravel access drive, and some associated grading all in the floodplain of the Schuylkill River (CWF) (Reading, PA Quadrangle N: 2.75 inches W: 3.75 inches, Latitude: 40° 18' 44"; Longitude 75° 54' 44") in the City of Reading, Berks County.

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

E22-514: Mount Calvary Christian School, 629 North Holley Street, P. O. Box 508, Elizabethtown, PA 17033, Conewago Township, **York County**, Baltimore ACOE District.

To perform excavation and filling in the floodway of both Brills Run (TSF) and Conewago Creek (TSF) in order to construct athletic fields for the Mount Calvary Christian School. The project is located near the intersection of South Hertzler and Hoffer Roads in Elizabethtown, PA (Middleton, PA Quadrangle N: 10.6 inches, W: 1.0 inch; Latitude: 40° 10' 49"; Longitude: 76° 37' 98") in Conewago Township, Dauphin County.

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

E02-1083-A3 Alvin and Lois Lampenfeld, 1024 Windermere Drive, Pittsburgh, PA 15218. To construct an expansion of a small boat marina in the Borough of Sharpsburg, **Allegheny County**, Pittsburgh ACOE District. (Pittsburgh East, PA Quadrangle N: 21.3 inches; W: 6.0 inches and Latitude: 40° 29' 30"—Longitude: 79° 55' 10.3"). To amend permit No. E02-1083-A2 which authorized the operation and maintenance of an existing small boat marina in the channel of and along the right bank of the Allegheny River (WWF). This amendment is to construct and maintain an expansion of 460 feet to the upstream end of the existing facility.

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

E20-557, Cambridge Area Joint Authority, 161 Car-ringer Street, Cambridge Springs, PA 16403. Sewage Treatment Plant Upgrade, in Cambridge Springs Borough and Cambridge Township, **Crawford County**, ACOE Pittsburgh District (Cambridge Springs, PA Quadrangle N: 41° 48' 23"; W: 80° 03' 45").

The applicant proposes to construct and maintain an upgrade of the existing wastewater treatment plant in the Borough of Cambridge Springs and Cambridge Springs Township (Cambridge Springs, PA Quadrangle N: 41° 48' 23"; W: 80° 03' 45") involving to construct and maintain: 1) a plant infrastructure upgrade at the existing treatment plant within the 100-year floodway and FEMA floodplain at the Grant Street site; 2) plant infrastructure within the 100-year FEMA floodplain at the proposed Bollard Avenue site; 3) 1.5-foot diameter, 0.8-foot diameter and 0.33-foot diameter ductile iron sewage pipeline crossings and a 0.5-foot diameter ductile iron waterline crossing of Jackson Run; 4) 1.5-foot diameter, 0.8-foot diameter and 0.33-foot diameter ductile iron sewage pipeline crossings and a 0.5-foot diameter ductile iron waterline crossing of PSS wetlands having a length of 185 linear feet and a temporary impact of 0.08 acre; 5) an outfall consisting of a 2-foot diameter ductile iron pipe and a concrete headwall in French Creek; and 6) a sewage pump station in the floodway of French Creek. Project includes removal of some existing plant infrastructure within the floodway and FEMA floodplain of French Creek. French Creek and Jackson Run are perennial streams classified as WWF. The project proposes to temporarily impact 0.08 acre of PSS wetlands.

E42-335, Allegheny Bradford Corporation, 1522 South Avenue, Lewis Run, PA 16738. Top Line Develop-

ment, in Lewis Run Borough, **McKean County**, ACOE Pittsburgh District (Lewis Run, PA Quadrangle N: 41° 52' 14"; W: 78° 39' 46").

To fill a total of 0.29 acre of wetland for expansion of the existing Top Line Process Equipment Company manufacturing facility between Lincoln and Valley Hunt Drives. Project includes onsite creation of 0.3 acre of replacement wetland.

[Pa.B. Doc. No. 07-2361. Filed for public inspection December 21, 2007, 9:00 a.m.]

Bid Opportunity

BOGM 07-10, Cleaning Out and Plugging six Abandoned Oil Wells, (Cheryl A. Thomas, Sarah L. Mattocks and Jonele Kinkade Properties), Wayne and Randolph Townships, Crawford County, PA. The principal items of work include cleaning out and plugging six abandoned oil wells, estimated to be 1,000 feet each in depth, to Department of Environmental Protection specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on December 21, 2007, and bids will be opened on January 24, 2008 at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-2362. Filed for public inspection December 21, 2007, 9:00 a.m.]

Board and Committee Meeting Schedules for 2008

The following is a list of 2008 meetings of advisory and other boards and committees associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate). Prior to each meeting, the Department encourages individuals to visit its website to confirm meeting date, time and location.

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

Agricultural Advisory Board

The Agricultural Advisory Board will hold bimonthly meetings on the following dates. The meetings will begin at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted.

February 20, 2008
April 16, 2008

PPL Montour Preserve, 700
Preserve Road, Danville, PA 17821

June 18, 2008
August 27, 2008
October 15, 2008
December 17, 2008

Contact: Frank X. Schneider, Bureau of Watershed Management, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5972, fschneider@state.pa.us.

Air Quality Technical Advisory Committee

The Air Quality Technical Advisory Committee will meet at 9 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 18, 2008
March 27, 2008
May 23, 2008
July 24, 2008
September 18, 2008
October 30, 2008
December 11, 2008

Contact: James Stoner, Bureau of Air Quality, Division of Air Resources Management, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-3921, jastoner@state.pa.us.

Certification Program Advisory Committee (For Water and Wastewater System Operators)

The 2008 meetings of the Certification Program Advisory Committee will begin at 10 a.m. in Conference Room 105, First Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The meeting dates are as follows:

February 25, 2008
March 10, 2008

Contact: Cheri Sansoni, Bureau of Water Standards and Facility Regulation, Certification and Licensing, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 772-5158, csansoni@state.pa.us.

Chesapeake Bay Advisory Committee

The Chesapeake Bay Advisory Committee will hold quarterly meetings on the dates as follows. Meetings will be held from 9 a.m. until 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

March 13, 2008
June 5, 2008
September 11, 2008
December 4, 2008

Contact: Dave Reed, Bureau of Watershed Management, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5649, davreed@state.pa.us.

Citizens Advisory Council

Meetings of the Citizens Advisory Council meetings are held the third Tuesday of the month in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, except where noted. The meetings typically begin at 11 a.m. Prior to the meeting, it is recommended individuals check the meeting information on the CAC's website at www.depweb.state.pa.us/cac/ under "Meeting Information" to confirm meeting date, time and location.

January 15, 2008
 February 19, 2008
 March 18, 2008
 April 15, 2008
 May 20, 2008
 June 17, 2008
 July 15, 2008
 September 16, 2008
 October 21, 2008
 November 18, 2008

Contact: Patricia Davenport, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, (717) 787-4527, padavenport@state.pa.us.

Cleanup Standards Scientific Advisory Board

The Cleanup Standards Scientific Advisory Board will hold its 2008 meetings as indicated. The meetings are expected to begin at 9:30 a.m. and will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

March 25, 2008
 July 16, 2008
 November 14, 2008

Contact: Marilyn Wooding, Land Recycling Program, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 783-7816, mwooding@state.pa.us.

Coal and Clay Mine Subsidence Insurance Fund Board

The Coal and Clay Mine Subsidence Insurance Fund Board will hold meetings in 2008 as follows. The meetings will begin at 10 a.m. and will be held in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

March 12, 2008
 December 10, 2008

Contact: Lawrence Ruane, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 783-9590, lruane@state.pa.us.

Coastal Zone Advisory Committee

Meetings of the Coastal Zone Advisory Committee will be held as indicated. The meetings will begin at 9:30 a.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Prior to each meeting, it is recommended that individuals visit the Department's website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate) to confirm meeting date, time and location.

January 16, 2008
 June 11, 2008

Contact: Jeff Dewey, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, jdewey@state.pa.us.

Environmental Justice Advisory Board

The Environmental Justice Advisory Board will hold its 2008 meetings as indicated. The meetings are expected to begin at 8:30 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 12, 2008
 May 6, 2008
 August 5, 2008
 November 11, 2008

Contact: Doan D. Barefield, Office of Environmental Advocate, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-5630, dbarefield@state.pa.us.

Environmental Quality Board

Meetings of the Environmental Quality Board will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 9 a.m. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

January 15, 2008
 February 19, 2008
 March 18, 2008
 April 15, 2008
 May 20, 2008
 June 17, 2008
 July 15, 2008
 August 19, 2008
 September 16, 2008
 October 21, 2008
 November 18, 2008
 December 16, 2008

Contact: Michele Tate, Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 783-8727, mtate@state.pa.us.

Laboratory Accreditation Advisory Committee

The Laboratory Accreditation Advisory Committee will hold meetings in 2008 as indicated. The meetings will be held from 10 a.m. until 3 p.m. in Room 206 of the Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17110. Prior to the meeting, it is recommended individuals check the meeting information on the Department's website at www.depweb.state.pa.us (choose "Calendar of Events") to confirm meeting date, time and location.

March 13, 2008
 June 12, 2008
 September 11, 2008
 December 11, 2008

Contact: Aaren Shaffer Alger, Bureau of Laboratories, P. O. Box 1467, Harrisburg, PA 17105-1467, (717) 346-7200, aaalger@state.pa.us.

Low-Level Waste Advisory Committee

The Low-Level Waste Advisory Committee will meet on September 25, 2008, from 10 a.m. to 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Contact: Rich Janati, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-2147, rjanati@state.pa.us.

Mining and Reclamation Advisory Board

The Mining and Reclamation Advisory Board will hold quarterly meetings in 2008 as indicated. Meetings will begin at 10 a.m. and will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. The meeting dates are as follows:

January 10, 2008	Rachel Carson State Office Building, 16th Floor, Delaware Room, 400 Market Street, Harrisburg, PA
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April 24, 2008

July 24, 2008

Meeting details will be announced at a later date in the *Pennsylvania Bulletin*.

October 23, 2008

Contact: James Charowsky, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-7007, jcharowsky@state.pa.us.

Nonpoint Source Liaison Workgroup

The Nonpoint Source Liaison Workgroup meetings for 2008 will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meetings will be held from 10 a.m. to 2:30 p.m. on the following dates:

June 19, 2008

October 30, 2008

Contact: Stephen Lathrop, Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 772-5618, slathrop@state.pa.us.

Oil and Gas Technical Advisory Board

The Oil and Gas Management Technical Advisory Board will hold two meetings as indicated. The meetings will be held from 10 a.m. to 1 p.m. in the 6th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

May 29, 2008

October 9, 2008

Contact: Carol Daniels, Bureau of Oil and Gas Management, P. O. Box 8765, Harrisburg, PA 17105-8765, (717) 772-2100, cardaniels@state.pa.us.

Radiation Protection Advisory Committee

The Radiation Protection Advisory Committee will hold two meetings in 2008 as indicated. The meetings will be held from 9 a.m. to 3 p.m. in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

March 6, 2008

14th Floor Conference Room,
Rachel Carson State Office
Building

May 15, 2008

12th Floor Conference Room,
Rachel Carson State Office
Building

Contact: Louis Ray Urciuolo, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-3720, lurciuolo@state.pa.us.

Recycling Fund Advisory Committee

The Recycling Fund Advisory Committee will meet on the date listed. The meeting is expected to begin at 10 a.m. and will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

July 10, 2008

Contact: Patricia Stape, Bureau of Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9871; pstape@state.pa.us.

Regional Water Resources Committees (For the State Water Plan)

Details concerning the 2008 meetings of the six Water Resources Regional Committees, created under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a new State Water Plan, will be announced in a future issue of the *Pennsylvania Bulletin*. These Regional Committees include: the Delaware Water

Resources Regional Committee, the Great Lakes Water Resources Regional Committee, the Lower Susquehanna Water Resources Regional Committee, the Ohio Water Resources Regional Committee, the Potomac Water Resources Regional Committee and the Upper/Middle Susquehanna Water Resources Regional Committee.

Contact: Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Sewage Advisory Committee

The Sewage Advisory Committee will meet on the dates listed. All meetings will begin at 10:30 a.m. and will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 12, 2008

June 11, 2008

September 17, 2008

November 12, 2008

Contact: John McHale, Bureau of Water Standards and Facility Regulation, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 783-2290, jomchale@state.pa.us.

Small Business Compliance Advisory Committee

The Small Business Compliance Advisory Committee will hold quarterly meetings as indicated. The meetings will begin at 10 a.m. in the 12th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Prior to the meeting, it is recommended individuals visit the Department's website at www.depweb.state.pa.us (DEP Keywords: Small Business, Small Business Help), to confirm meeting date, time and location.

January 23, 2008

April 23, 2008

July 23, 2008

October 22, 2008

Contact: Susan Foster, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-7019, sufoster@state.pa.us.

Small Water Systems Technical Assistance Center Advisory Board

The Small Water Systems Technical Assistance Center Advisory Board meetings for 2008 will be held at 10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, except for the February 14, 2008, meeting, which will be held in the 10th Floor Conference Room of the Rachel Carson State Office Building. The meeting dates are as follows:

February 14, 2008

May 7, 2008

August 21, 2008

November 20, 2008

Contact: Dave Mittner, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 772-4058, dmittner@state.pa.us.

Solid Waste Advisory Committee

The Solid Waste Advisory Committee will meet on the following dates. All meetings are expected to begin at 10 a.m. and will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

January 16, 2008
 April 10, 2008
 July 10, 2008

(joint meeting with the Recycling
 Fund Advisory Committee)

October 9, 2008

Contact: Patricia Stape, Bureau of Waste Management,
 P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-
 9871, pstape@state.pa.us.

State Board for Certification of Sewage Enforcement Officers

The 2008 meetings of the State Board for Certification of Sewage Enforcement Officers have not been scheduled. Notices for upcoming meetings will be published in future editions of the *Pennsylvania Bulletin*.

Contact: Cheri Sansoni, Bureau of Water Standards and Facility Regulation, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 772-5158, csansoni@state.pa.us.

State Board for Certification of Water and Wastewater Systems Operators

The 2008 meetings of the State Board for Certification of Water and Wastewater Systems Operators will begin at 9:30 a.m. Conference Call Board meetings will begin at 10 a.m. in the 11th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates and locations are as follows:

January 11, 2008	Conference Call
February 29, 2008	Board Meeting will be held in the Department of Environmental Protection Southcentral Regional Office, Susquehanna Room, 909 Elmerton Avenue, Harrisburg, PA 17110
March 14, 2008	Board Meeting will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105
May 9, 2008	Conference Call
July 11, 2008	Conference Call
September 11, 2008	Conference Call
November 13, 2008	Conference Call

Contact: Cheri Sansoni, Bureau of Water Standards and Facility Regulation, Certification and Licensing, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 772-5158, csansoni@state.pa.us.

Statewide Water Resources Committee

2008 meetings of the Statewide Water Resources Committee will begin at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 17, 2008
 February 21, 2008
 March 20, 2008
 June 19, 2008
 September 10, 2008
 December 18, 2008

Contact: Susan K. Weaver, Chief, Division of Water Use Planning, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 783-8055, suweaver@state.pa.us.

Storage Tank Advisory Committee

Meetings of the Storage Tank Advisory Committee will be held in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 10 a.m. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

March 11, 2008
 June 10, 2008
 September 9, 2008
 December 9, 2008

Contact: Dyran Altenburg, Division of Storage Tanks, Bureau of Waste Management, P. O. Box 8762, Harrisburg, PA 17105-8762, (717) 772-5551, (800) 42-TANKS (within the Commonwealth), RA-STAC@state.pa.us.

Technical Advisory Committee on Diesel-Powered Equipment

The Technical Advisory Committee on Diesel-Powered Equipment announces its schedule of 2008 meetings. Meetings will be held at 10 a.m. in the Fayette County Health Center in Uniontown, PA. The meeting dates are as follows:

January 9, 2008
 April 9, 2008
 July 9, 2008
 October 8, 2008

Contact: Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469, agaida@state.pa.us.

Water Resources Advisory Committee

The Water Resources Advisory Committee meetings for 2008 will be held at 9:30 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 9, 2008
 April 9, 2008
 July 9, 2008
 October 8, 2008

Contact: Phil Consonery, Bureau of Water Standards and Facility Regulation, P. O. Box 8466, Harrisburg, PA 17105-8467, (717) 772-2184, pconsonery@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-2363. Filed for public inspection December 21, 2007, 9:00 a.m.]

State Board for Certification of Sewage Enforcement Officers; 2008 Precertification Academy and Examination Schedule

The State Board for Certification of Sewage Enforcement Officers (Board) and the Department of Environmental Protection (Department) have scheduled dates for the 2008 Sewage Enforcement Officers (SEO) Precertification Academy and examinations. To qualify to sit for the certification examination, all SEO candidates must complete the Precertification Academy, which consists of 6 days of training over 2 weeks. SEO Certification examinations will be administered the Friday following completion of the Precertification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct by close of business on the deadlines

indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The 2008 Precertification Academy and examination schedules are as follows:

April 22-24 and
April 29-May 1, 2008
State College
Examination Date: May 1, 2008
(8:30 a.m. to 12:30 p.m.)
Examination Application
Deadline: April 4, 2008

June 10-12 and
June 17-19, 2008
Enola
Examination Date: June 20, 2008
(8:30 a.m. to 12:30 p.m.)
Examination Application
Deadline: May 23, 2008

For information on SEO training, contact the Pennsylvania State Association of Township Supervisors, 4855 Woodland Drive, Enola, PA 17025, (717) 763-0930. SEO certification information is available on the Department's website at www.depweb.state.pa.us (DEP Keyword: Sewage).

The SEO written examination contains 80 multiple-choice questions covering planning requirements, administration and enforcement of the permit program and technical criteria for soils and disposal systems with a 3.5-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination, however, SEO candidates are not permitted to bring their own materials. All necessary reference materials will be provided at the test site. Approximately 2 weeks prior to an examination, applicants will receive an admittance letter from the Board.

To receive an SEO examination application, contact the Department of Environmental Protection, Certification and Licensing Section, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 787-6045.

Persons with a disability who require accommodation to participate in the SEO Precertification Academy or to take the SEO examination should contact the Board at (717) 787-6045 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-2364. Filed for public inspection December 21, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Health Policy Board Annual Meeting Schedule for 2008

The Health Policy Board has set its calendar for the year 2008. The meeting dates are scheduled as follows:

March 12, 2008
June 11, 2008
September 10, 2008
December 10, 2008

Meetings will begin at 10 a.m. in Room 812, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

These meetings are subject to cancellation without notice.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Marina Matthew at (717) 772-5298, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-2365. Filed for public inspection December 21, 2007, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.21(a), 205.24(a), 205.25(b), 205.27, 205.31, 205.32(a), 205.33(a), 205.36(h) and 205.66(a).

Sacred Heart Hospital—Transitional Care Facility
421 Chew Street
Allentown, PA 18102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape, Braille), should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-2366. Filed for public inspection December 21, 2007, 9:00 a.m.]

Trans Fat Task Force Meeting

The Trans Fat Task Force will hold a meeting on Tuesday, January 8, 2008, from 1 p.m. to 3 p.m. The meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Caroline Zepp, Bureau of Health Promotion and Risk Reduction, Room 1008, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA 17120, (717)

787-5900 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-2367. Filed for public inspection December 21, 2007, 9:00 a.m.]

Updating the List of Citations to ACIP Recommendations Prescribing Child Immunization Practices and Immunizing Agents and Doses

In accordance with 31 Pa. Code §§ 89.806(a) and 89.807(b) (relating to coverage of child immunizations; and immunizing agents, doses and AWP), the Department of Health, Bureau of Communicable Diseases, Division of Immunization (Department) is updating 31 Pa. Code Chapter 89, Appendices G and H (relating to ACIP recommendations prescribing child immunization practices; and immunizing agents and doses). The Department has primary responsibility for the interpretation and the implementation of 31 Pa. Code §§ 89.806 and 89.807. See 31 Pa. Code § 89.801(b) (relating to authority and purpose; implementation).

Health insurance policies are required by the Childhood Immunization Insurance Act (40 P.S. §§ 3501—3508) (act) and regulations promulgated thereunder, 31 Pa. Code 809, Subchapter L (relating to childhood immunization insurance) to include coverage for certain childhood immunizations, unless the policies are exempted by the act and 31 Pa. Code § 89.809 (relating to exempt policies). The childhood immunizations covered are those that meet ACIP standards in effect on May 21, 1992. See 31 Pa. Code § 89.806(a). A list of the MMWR publications containing ACIP recommendations issued under the ACIP standards in effect on May 21, 1992, appears in 31 Pa. Code §§ 89.801—89.809, Appendix G.

The Department is required to update the list of these MMWR publications appearing in 31 Pa. Code §§ 89.801—89.809, Appendix G. See 31 Pa. Code § 89.806(a). The additions to the list are as follows, the remainder of the list at Appendix G remains in full force and effect:

November 23, 2007/Vol. 56/No. 46

Notice to Readers: Expansion of Use of Live Attenuated Influenza Vaccine (FluMist®) to Children Aged 2—4 Years and Other FluMist Changes for the 2007-2008 Influenza Season

On October 24, 2007, ACIP recommended that either LAIV or TIV can be used to vaccinate healthy non-pregnant persons aged 2—49 years. For the purposes of this recommendation, healthy persons were defined as persons who do not have an underlying medical condition that predisposes them to influenza complications. ACIP also approved use of FluMist for healthy persons aged 2—18 years under the Federal Vaccines for Children (VFC) program.

October 19, 2007/Vol. 56/No. 41

Update: Prevention of Hepatitis A After Exposure to Hepatitis A Virus and in International Travelers. Updated Recommendations of the Advisory Committee on Immunization Practices (ACIP)

These recommendations replace previous ACIP recommendations for postexposure prophylaxis with immune globulin (IG) incorporating new recommendations for use of single-antigen hepatitis A vaccine and updated recommendations for use of IG postexposure. These recommendations also incorporate and consolidate existing recommendations regarding recommended settings for which postexposure prophylaxis is indicated, including close personal contact with a person with hepatitis A and selected circumstances in which hepatitis A is recognized in a food handler or in a child care center. Also, the updated recommendations leave unchanged the recommendation that postexposure prophylaxis (using vaccine or IG) should be administered as soon as possible. No information exists regarding the efficacy of IG or vaccine if administered > 2 weeks after exposure. The updated recommendations for use of hepatitis A vaccine alone for postexposure prophylaxis do not apply to the combination hepatitis A/hepatitis B vaccine because no data exist regarding the performance of the combination vaccine for prophylaxis after exposure to hepatitis A virus (HAV). The concentration of HAV antigen in the currently available combination vaccine formulation is half that included in the single-antigen vaccine available from the same manufacturer.

October 12, 2007/Vol. 56/No. 40

Notice to Readers: FDA Approval of an Alternate Dosing Schedule for a Combined Hepatitis A and B Vaccine (Twinrix®)

In April 2007, GlaxoSmithKline Vaccine Division (GlaxoSmithKline Biologicals, King of Prussia, Pennsylvania) received approval from the Food and Drug Administration (FDA) for an alternate schedule for Twinrix®, a combined hepatitis A and hepatitis B vaccine. Twinrix was first licensed by FDA in 2001 on a 3-dose schedule (0, 1, and 6 months) for vaccination of persons aged ≥ 18 years (1). Using the newly licensed, alternate 4-dose schedule, Twinrix doses can be administered at 0, 7, and 21—30 days, followed by a dose at 12 months. Thus, the alternate 4-dose schedule can be useful if vaccination with Twinrix has been initiated and travel or other potential exposure is anticipated before the second dose of Twinrix (or monovalent hepatitis B vaccine) is due, according to the standard 3-dose schedule (that is, 1 month after the first dose). Additional information is available from the manufacturer's package insert (4) and GlaxoSmithKline Vaccines, (800) 366-8900.

September 21, 2007/Vol. 56/No. 37

Influenza Vaccination Coverage Among Children Aged 6—23 Months—United States, 2005-2006 Influenza Season

To assess influenza vaccination coverage among children aged 6—23 months during the 2005-2006 influenza season, data from the 2006 National Immunization Survey (NIS) were analyzed. This report describes the results of that analysis, which indicated that 31.9% of children in this age group received at least 1 dose of influenza vaccine and 20.6% were fully vaccinated according to ACIP recommendations; however, results varied substantially among states. The results underscore the need to continue to monitor influenza vaccination coverage among young children, develop systems to provide childhood influenza vaccination services more efficiently, and increase awareness among health-care providers and caregivers about the effectiveness of influenza vaccination among young children.

Influenza Vaccination Coverage Among Children Aged 6–59 Months—Six Immunization Information System Sentinel Sites, United States, 2006–2007 Influenza Season

In June 2006, the Advisory Committee on Immunization Practices (ACIP) expanded its 2004 recommendation for routine influenza vaccination of children aged 6 through 23 months to include children aged 24–59 months. The 2006 ACIP recommendations also reemphasized that previously unvaccinated children aged < 9 years should receive 2 doses of influenza vaccine administered at least 1 month apart to be fully vaccinated. In 2007, using data from six immunization information system (IIS)* sentinel sites, CDC conducted the first assessment of influenza vaccination coverage among children aged 6–59 months during the 2006–2007 influenza season. The findings demonstrated that, at all six sites, < 30% of children aged 6–23 months and < 20% of children aged 24–59 months were fully vaccinated. Vaccination coverage data from National and State surveys for an influenza season generally are not available until the next influenza season. Rapid assessment of influenza vaccination coverage can help direct activities of state and local public health agencies aimed at increasing the number of children fully vaccinated against influenza.

August 31, 2007/Vol. 56/No. 34

National, State, and Local Area Vaccination Coverage Among Children Aged 19–35 Months—United States, 2006

The National Immunization Survey (NIS) provides vaccination coverage estimates among children aged 19–35 months for each of the 50 states and selected urban and county areas. This report describes the findings of the 2006 NIS, which indicated increases in national coverage with pneumococcal conjugate vaccine (PCV) and varicella vaccine, (VAR) and a stable coverage level for the 4:3:1:3:3:1 vaccine series (that is, ≥ 4 doses of diphtheria, tetanus toxoid, and any acellular pertussis vaccine [DTaP][†]; ≥ 3 doses of poliovirus vaccine; ≥ 1 dose of measles, mumps, and rubella vaccine [MMR]; ≥ 3 doses of *Haemophilus influenzae* type b [Hib] vaccine; ≥ 3 doses of hepatitis B vaccine [HepB]; and ≥ 1 dose of VAR).

National Vaccination Coverage Among Adolescents Aged 13–17 Years—United States, 2006

This is the first report of national adolescent vaccination-coverage estimates based on provider-reported vaccination histories. The results indicate that in 2006, the *Healthy People 2010* target for adolescents aged 13–15 years had not been met for any of the vaccines. Before development of NIS-Teen, national estimates of adolescent vaccination coverage were determined primarily from data collected from the National Health Interview Survey (NHIS), which is based on parental recall rather than provider records.

August 10, 2007/Vol. 56/No. 31

Notice to Readers: Revised Recommendations of the Advisory Committee on Immunization Practices to Vaccinate All Persons Aged 11–18 Years with Meningococcal Conjugate Vaccine

In June 2007, ACIP revised its recommendation to include routine vaccination of all persons aged 11–18 years with 1 dose of MCV4 at the earliest opportunity. Persons aged 11 to 12 years should be routinely vaccinated at the 11 to 12 years health-care visit as recommended by ACIP. ACIP continues to recommend routine vaccination for persons aged 19–55 years who are at increased risk for meningococcal disease: college freshmen living in dormitories, microbiologists routinely exposed to isolates of *Neisseria meningitidis*, military recruits, travelers to or residents of countries in which *N. meningitidis* meningitis is hyperendemic or epidemic, persons with terminal complement component deficiencies, and persons with anatomic or functional asplenia.

July 13, 2007 / Vol. 56 / No. 27

Hepatitis A Vaccination Coverage Among Children Aged 24–35 Months—United States, 2004–2005

The National Immunization Survey (NIS) provides vaccination coverage estimates among noninstitutionalized children aged 19–35 months for the 50 states and selected cities and counties. To obtain vaccination data, NIS conducts a random-digit-dialed telephone survey of households and a mail survey of the children's vaccination providers.

2008 List of Immunizing Agents and Average Wholesale Prices

Product Name, Company	Brand/Product Name	NDC Number	Unit	Dose	AWP/ Dose*
<i>Diphtheria Tetanus acellular Pertussis Vaccine (DTaP):</i>					
sanofi pasteur	Tripedia	49281-0298-10	10 × 1	0.5 ml	\$26.18
sanofi pasteur	Daptacel	49281-0286-10	10 × 1	0.5 ml	\$26.00
GlaxoSmithKline	Infanrix	58160-0810-46	5 × 1	0.5 ml	\$25.28
GlaxoSmithKline	Infanrix	58160-0810-11	10 × 1	0.5 ml	\$24.70
<i>Tetanus Diphtheria acellular Pertussis Vaccine (Tdap):</i>					
sanofi pasteur	Adacel	49281-0400-10	10 × 1	0.5 ml	\$44.46
GlaxoSmithKline	Boostrix	58160-0842-11	10 × 1	0.5 ml	\$43.05
GlaxoSmithKline	Boostrix	58160-0842-46	5 × 1	0.5 ml	\$43.05
<i>Diphtheria Tetanus pediatric Vaccine (DT pediatric):</i>					
sanofi pasteur	DT Pediatric (prefilled)	49281-0278-10	0.5 ml	0.5 ml	\$27.96
<i>Diphtheria Tetanus acellular Pertussis/Haemophilus Influenzae B (DTaP-HIB):</i>					
sanofi pasteur	TriHIBit	49281-0597-05	5 × 1	0.5 ml	\$50.86
<i>Tetanus Diphtheria adult Vaccine (Td adult):</i>					

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/ Dose*</i>
sanofi pasteur	Decavac	49281-0291-83	10 × 1	0.5 ml	\$22.67
sanofi pasteur	Decavac	49281-0291-10	10 × 1	0.5 ml	\$22.67
<i>Diphtheria, Tetanus, acellular Pertussis, Hepatitis B, Polio (DTaP, Hep B, OPV):</i>					
GlaxoSmithKline	Pediarix	58160-0811-11	10 × 1	0.5 ml	\$84.12
GlaxoSmithKline	Pediarix	58160-0811-46	5 × 1	0.5 ml	\$84.12
<i>Tetanus Toxoid:</i>					
sanofi pasteur	Tetanus toxoid	49281-0820-10	10 × 1	0.5 ml	\$25.49
sanofi pasteur	Tetanus toxoid	49281-0812-84	15 × 1	0.5 ml	\$23.24
<i>Haemophilus Influenzae Type B Vaccine (HIB):</i>					
Wyeth Pharmaceuticals	HibTiter	00005-0201-10	10 × 1	10 mcg	\$25.68
sanofi pasteur	ActHIB	49281-0545-05	5 × 1	10 mcg	\$27.04
Merck & Co.	Pedvax HIB	00006-4897-00	10 × 1	7.5 mcg	\$27.32
<i>Injectable Polio Vaccine Inactivated (Salk Enhanced IPV):</i>					
sanofi pasteur	IPOL	49281-0860-10	5.0 ml	0.5 ml	\$27.36
sanofi pasteur	IPOL	49281-0860-55	5.0 ml	0.5 ml	\$31.46
<i>Measles Mumps Rubella Vaccine (MMR):</i>					
Merck & Co.	MMR II	00006-4681-00	10 × 0.5	0.5 ml	\$53.36
<i>Measles Vaccine (Rubeola):</i>					
Merck & Co.	Attenuvax	0006-4589-00	10 × 0.5	0.5 ml	\$19.72
<i>Meningococcal Conjugate Vaccine (MCV4):</i>					
sanofi pasteur	Menactra	49281-0589-05	5 × 1	0.5 ml	\$107.17
sanofi pasteur	Menactra	49281-0598-15	5 × 1	0.5 ml	\$107.17
<i>Meningococcal Polysaccharide Vaccine:</i>					
sanofi pasteur	Menomune-A/C/Y/W-135	49281-0489-01	each	0.05 mg	\$109.24
sanofi pasteur	Menomune-A/C/Y/W-135	49281-0489-91	10 × 1	0.5 ml	\$107.17
<i>Mumps Vaccine:</i>					
Merck & Co.	Mumpsvax	00006-4584-00	10 × 0.5	0.5 ml	\$25.55
<i>Rubella Vaccine:</i>					
Merck & Co.	Meruvax II	00006-4673-00	10 × 0.5	0.5 ml	\$21.98
<i>Hepatitis A Vaccine (HEP-A):</i>					
Merck & Co.	VAQTA	00006-4096-31	1.0 ml	1.0 ml	\$77.89
Merck & Co.	VAQTA	00006-4096-06	6 × 1	1.0 ml	\$77.87
Merck & Co.	VAQTA	00006-4841-00	1.0 ml	1.0 ml	\$76.21
Merck & Co.	VAQTA	00006-4841-41	10 × 1	1.0 ml	\$71.99
Merck & Co.	VAQTA Pediatric	00006-4831-00	0.5 ml	0.5 ml	\$38.56
Merck & Co.	VAQTA Pediatric	00006-4831-41	10 × 0.5	0.5 ml	\$36.44
GlaxoSmithKline	Havrix Pediatric	58160-0825-46	5 × 1	0.5 ml	\$34.34
GlaxoSmithKline	Havrix Pediatric	58160-0825-11	10 × 1	0.5 ml	\$34.34
GlaxoSmithKline	Havrix	58160-0826-46	5 × 1	1 ml	\$69.80
GlaxoSmithKline	Havrix	58160-0826-11	10 × 1	1 ml	\$69.79
<i>Varicella Virus Vaccine:</i>					
Merck & Co.	Varivax	00006-4826-00	each	1350 pfu	\$93.73
Merck & Co.	Varivax	00006-4827-00	10 × 1	1350 pfu	\$89.32
Merck & Co.	Zostavax	00006-4963-00	each	19400 pfu	\$183.00
Merck & Co.	Zostavax	00006-4963-41	10 × 1	19400 pfu	\$174.42
<i>Human Papilloma Virus Vaccine:</i>					
Merck & Co.	Gardasil	00006-4109-31	each	0.5 ml	\$144.75

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/ Dose*</i>
Merck & Co.	Gardasil	00006-4045-00	each	0.5 ml	\$144.75
Merck & Co.	Gardasil	00006-4109-06	6 × 1	0.5 ml	\$144.75
Merck & Co.	Gardasil	00006-4045-41	10 × 1	0.5 ml	\$144.45
<i>Rotavirus Vaccine:</i>					
Merck & Co.	Rotateq	00006-4047-31	2 ml	2 ml	\$85.25
Merck & Co.	Rotateq	00006-4047-41	10 × 1	2 ml	\$80.18
<i>Influenza Virus Vaccine:</i>					
Novartis	Fluvirin	66521-0109-01	10 × 1	0.5 ml	\$18.24
Novartis	Fluvirin	66521-0109-10	10 × 1	0.5 ml	\$14.81
Sanofi pasteur	Fluzone	49281-0006-10	10 × 1	0.5 ml	\$17.45
Sanofi pasteur	Fluzone	49281-0006-50	10 × 1	0.5 ml	\$17.45
Sanofi pasteur	Fluzone	49281-0378-15	10 × 1	0.5 ml	\$13.29
Sanofi pasteur	Fluzone Pediatric	49281-0006-25	10 × 1	0.25 ml	\$16.19
GlaxoSmithKline	Fluarix	58160-0873-46	5 × 1	0.5 ml	\$15.75
MedImmune	Flumist	66019-0104-01	10 × 1	2 ml	\$17.70
CSL Biotherapies	Afluria	33332-0107-10	Multidose	0.5 ml	\$13.05
CSL Biotherapies	Afluria	33332-0007-01	10 × 1	0.5 ml	\$17.25
<i>Hepatitis B Vaccine (HEP-B):</i>					
Merck & Co.	Recombivax HB	00006-4980-00	0.5 ml	0.5 ml	\$30.29
Merck & Co.	Recombivax HB	00006-4981-00	10 × 0.5 ml	0.5 ml	\$28.82
Merck & Co.	Recombivax HB	00006-4995-00	1.0 ml	1.0 ml	\$74.44
Merck & Co.	Recombivax HB	00006-4995-41	10 × 1.0 ml	1.0 ml	\$73.68
Merck & Co.	Recombivax HB syringe	00006-4094-31	1.0 ml	1.0 ml	\$73.31
Merck & Co.	Recombivax HB syringe	00006-4094-06	6 × 1.0 ml	1.0 ml	\$73.31
Merck & Co.	Recombivax HB	00006-4992-00	1.0 ml	1.0 ml	\$207.36
GlaxoSmithKline	Engerix-B Pediatric	58160-0820-11	10 × 1	0.5 ml	\$25.49
GlaxoSmithKline	Engerix-B Pediatric	58160-0820-46	5 × 1	0.5 ml	\$25.49
GlaxoSmithKline	Engerix-B Pediatric	58160-0856-35	5 × 1	0.5 ml	\$25.64
GlaxoSmithKline	Engerix-B	58160-0821-46	5 × 1	1.0 ml	\$60.27
GlaxoSmithKline	Engerix-B syringe	58160-0821-11	10 × 1	1.0 ml	\$60.27
<i>Hepatitis B / Hib:</i>					
Merck & Co.	COMVAX	00006-4898-00	10 × 0.5 ml	0.5 ml	\$54.07
<i>Hepatitis A & Hepatitis B Vaccine:</i>					
GlaxoSmithKline	Twinrix	58160-0815-11	10 × 1.0	1.0 ml	\$99.10
GlaxoSmithKline	Twinrix	58160-0815-46	5 × 1.0	1.0 ml	\$99.43
<i>Pneumococcal Vaccine:</i>					
Wyeth Pharmaceuticals	Prevnar	00005-1970-50	10 × 1	0.5 ml	\$94.88
Merck & Co.	Pneumovax 23	00006-4739-00	2.5 ml	2.5 ml	\$156.47
Merck & Co.	Pneumovax 23	00006-4739-50	10 × 5	2.5 ml	\$159.65
Merck & Co.	Pneumovax 23	00006-4943-00	10 × 1	0.5 ml	\$35.12
<i>Measles, Mumps, Rubella, and Varicella Vaccine</i>					
Merck & Co.	ProQuad	00006-4999-00	10 × 0.5	0.5 ml	\$148.64
Merck & Co.	ProQuad	00006-4984-00	each	0.5 ml	\$155.81

* Indicates the Estimated Acquisition Cost as stated in the Department of Public Welfare, Office of Medical Assistance Programs, Medical Assistance Regulations at 55 Pa. Code § 1121.55 (relating to method of payment).

Persons with disability who require an alternative format of this notice (for example, large print, audiotape, Braille), should contact Heather Stafford, Director, Division of Immunizations, Department of Health, Room 1026, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120-0001, (717) 787-5681 or for speech and/or hearing impaired persons, V/TT the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania American Idol™ Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania American Idol™.

2. *Price:* The price of a Pennsylvania American Idol™ instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania American Idol™ instant lottery game ticket will contain one play area featuring an "IDOL NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "IDOL NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), Microphone symbol (MCROPHN) and a TV Set symbol (TV SET).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$400, \$1,000, \$5,000 and \$50,000. A player can win up to 10 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a second-chance drawing for nonwinning Pennsylvania American Idol™ instant lottery tickets as provided for in section 11.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania American Idol™ instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$5,000 (FIV THO) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$1,000 (ONE THO) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TV Set symbol (TV SET), and a prize symbol of \$400 (FOR HUN) appears under the TV Set symbol (TV SET), on a single ticket, shall be entitled to a prize of \$800.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$400 (FOR HUN) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$400.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TV Set symbol (TV SET), and a prize symbol of \$100 (ONE HUN) appears under the TV Set symbol (TV SET), on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL

NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$100 (ONE HUN) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TV Set symbol (TV SET), and a prize symbol of \$40\$ (FORTY) appears under the TV Set symbol (TV SET), on a single ticket, shall be entitled to a prize of \$80.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$50\$ (FIFTY) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$40\$ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$40\$ (FORTY) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$40.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TV Set symbol (TV SET), and a prize symbol of \$20\$ (TWENTY) appears under the TV Set symbol (TV SET), on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$20\$

(TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$20\$ (TWENTY) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$20.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TV Set symbol (TV SET), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the TV Set symbol (TV SET), on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a TV Set symbol (TV SET), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the TV Set symbol (TV SET), on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "IDOL NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Microphone symbol (MCROPHN), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the Microphone symbol (MCROPHN), on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Of Your Numbers Match Any Of The Idol Numbers, Win With Prize(s) Of:

\$5 w/MICROPHONE
\$5
\$5 × 2
\$5 w/TV SET
\$10 w/MICROPHONE
\$10
\$5 × 4
\$10 × 2
\$10 w/TV SET
\$20 w/MICROPHONE
\$20
\$5 × 8
\$10 × 4
\$20 w/TV SET
\$40 w/MICROPHONE

Win:

\$5
\$5
\$10
\$10
\$10
\$20
\$20
\$20
\$20
\$40
\$40
\$40
\$40

Approximate Odds Are 1 In:

17.14
17.14
60
60
60
150
150
150
150
600
600
600
600

Approximate No. Of Winners Per 6,000,000 Tickets

350,000
350,000
100,000
100,000
100,000
40,000
40,000
40,000
40,000
10,000
10,000
10,000
10,000

When Any Of Your Numbers
Match Any Of The Idol
Numbers, Win With Prize(s)
Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets
\$40	\$40	600	10,000
\$5 × 10	\$50	600	10,000
\$10 × 5	\$50	600	10,000
(\$20 w/TV SET) + (\$5 × 2)	\$50	600	10,000
\$50 w/MICROPHONE	\$50	600	10,000
\$50	\$50	600	10,000
\$10 × 10	\$100	1,714	3,500
\$20 × 5	\$100	1,714	3,500
(\$40 w/TV SET) + (\$10 × 2)	\$100	1,714	3,500
\$100 w/MICROPHONE	\$100	1,714	3,500
\$100	\$100	1,558	3,850
\$40 × 10	\$400	12,000	500
\$50 × 8	\$400	12,000	500
\$100 × 4	\$400	12,000	500
(\$100 w/TV SET) + (\$50 × 4)	\$400	12,000	500
\$400 w/MICROPHONE	\$400	12,000	500
\$400	\$400	12,000	500
\$100 × 10	\$1,000	40,000	150
(\$400 × 2) + (\$100 × 2)	\$1,000	40,000	150
(\$400 w/TV SET) + (\$100 × 2)	\$1,000	40,000	150
\$1,000 w/MICROPHONE	\$1,000	40,000	150
\$1,000	\$1,000	40,000	150
\$5,000 w/MICROPHONE	\$5,000	600,000	10
\$5,000	\$5,000	600,000	10
\$50,000	\$50,000	600,000	10

MICROPHONE (MCROPHN) = Win prize shown under it automatically.
TV SET (TV SET) = Win double the prize shown under it.

American Idol™ Trip Prize Packages descriptions:

The Lottery will conduct a Second-Chance Drawing to award 10 American Idol™ Trip Prize Packages, each for two persons, to attend the American Idol™ Final Competition Show on Tuesday, May 20, 2008.

One of the Final Competition Show winners will be randomly selected to also attend Grand Finale Show on Wednesday, May 21, 2008.

American Idol™ show dates subject to change.

American Idol™ prize package winners may opt for the \$6,500 cash value, less required Federal withholding, in lieu of the trip. The odds of winning depend on the number of entries received.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Pennsylvania American Idol™ Second-Chance Drawing Requirements:*

(a) To be eligible for the Pennsylvania American Idol™ Second-Chance Drawing, players must mail exactly three nonwinning Pennsylvania American Idol™ instant lottery tickets in an envelope no larger than 4 1/8 inches by 9 1/2 inches addressed to Pennsylvania Lottery—AMERICAN IDOL™ Second-Chance Drawing, P. O. Box 888, Middletown, PA 17057-0888. The player shall affix proper postage to the entry.

(b) Envelopes containing less than or more than three nonwinning Pennsylvania American Idol™ instant lottery tickets shall be disqualified.

(c) Nonwinning Pennsylvania American Idol™ instant lottery tickets received in an envelope larger than 4 1/8 inches by 9 1/2 inches shall be disqualified. The only

exception is for nonwinning Pennsylvania American Idol™ instant lottery tickets received in a United States Post Office "damaged-in-mail-process" envelope.

(d) Winning Pennsylvania American Idol™ instant lottery tickets submitted to the Pennsylvania American Idol™ Second-Chance Drawing address will not be paid or honored. Pennsylvania American Idol™ Second-Chance Drawing entries containing winning Pennsylvania American Idol™ instant lottery tickets will be disqualified.

(e) The back of each nonwinning Pennsylvania American Idol™ instant lottery ticket entered in the Pennsylvania American Idol™ Second-Chance Drawing must be completed by the same player in a legible manner, including the player's name, street address, city, state, zip code, telephone number and signature. Only one claimant per ticket allowed. Claimant must be 18 years of age or older. Incomplete tickets shall be disqualified.

(f) To be eligible for the Pennsylvania American Idol™ Second-Chance Drawing, nonwinning Pennsylvania American Idol™ instant lottery tickets must be received by the Pennsylvania Lottery no later than April 11, 2008.

11. *Second-Chance Drawing Procedures:*

(a) The Pennsylvania American Idol™ Second-Chance Drawing will be held at Lottery headquarters the week of April 14, 2008. The odds of an entry being selected in the Pennsylvania American Idol™ Second-Chance Drawing depend upon the number of entries received.

(b) To be eligible for the Pennsylvania American Idol™ Second-Chance Drawing, a player must have complied with the requirements of section 10.

(1) The Lottery will make a reasonable effort to ensure that each Pennsylvania American Idol™ Second-Chance

Drawing entry is entered into the Pennsylvania American Idol™ Second-Chance Drawing. The Lottery assumes no responsibility for a lost or misplaced entry not entered into the Pennsylvania American Idol™ Second-Chance Drawing.

(2) If a Pennsylvania American Idol™ Second-Chance Drawing entry is rejected during or following the Pennsylvania American Idol™ Second-Chance Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(c) Manner of conducting the Second-Chance Drawings.

(1) All entries received at Lottery headquarters on or before April 11, 2008, will be placed in numbered containers, each containing approximately 500 envelopes.

(2) A computer-generated randomizer or mechanical device may be used to select the numbered containers from which the winners will be selected, one from each container. If used, the randomizer will not be programmed to eliminate the possibility of the same container being selected more than once.

(3) One envelope will be randomly drawn from each of the selected numbered containers. As each entry envelope is selected, its contents will be qualified according to the requirements of section 10. If the entry does not meet the requirements of section 10, another entry will be selected from that container; and so on, until a qualified entry has been chosen. Once a qualified entry has been selected, further validation will take place by verifying the status of the tickets contained in the entry envelope drawn by entering the ticket information into the computerized instant ticket database. The first qualified and validated entry from each of the designated containers will entitle its owner to the Pennsylvania American Idol™ Trip Prize Package.

(4) Once the ten winners of the Pennsylvania American Idol™ Trip Prize Package have been determined, the name of each will be assigned a number between one and ten. The number assigned will correspond to the order of their selection in the Pennsylvania American Idol™ Trip Prize Package drawing. The first winner selected will be assigned the number one, the second selected will be assigned the number two and so forth. With the aid of a mechanical device containing ten ping pong balls, numbered one through ten, the Lottery will select one ball. The Pennsylvania American Idol™ Trip Prize Package winner whose assigned number corresponds to the ball number randomly selected will attend the American Idol Grand Finale Show on Wednesday, May 21, 2008.

(5) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(d) The payment of a prize awarded in the Second-Chance Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code §§ 811.16 (relating to prizes payable after death of a prize winner).

12. *Pennsylvania American Idol™ Trip Prize Package Description:*

(a) Each Pennsylvania American Idol™ Trip Prize Package will have an average value of approximately \$6,500 including a \$1,625 Federal withholding credit. The Pennsylvania American Idol™ Trip Prize Package consists of the following:

(1) Round-trip coach airfare for two (2) persons to a major southern California airport. Departure cities include Harrisburg, Philadelphia, Pittsburgh, Pennsylvania and Baltimore, Maryland.

(2) One (1) double deluxe room for four (4) nights in a first class hotel.

(3) Ground transportation in California from and to airport/hotel and hotel/studio throughout duration of trip.

(4) Two (2) tickets to the American Idol™ Final Competition Show on Tuesday, May 20, 2008.

(5) \$1,000 cash.

(6) The winner of a Pennsylvania American Idol™ Trip Prize Package may opt for a cash prize of \$6,500, less required Federal withholding, in lieu of the trip.

(b) The Pennsylvania American Idol™ Trip Prize Package restrictions:

(1) The Pennsylvania American Idol™ Trip Prize Package winner must be at least 18 years of age.

(2) The Pennsylvania American Idol™ Trip Prize Package is transferable one time. Name changes are not permitted once the trip is booked.

(3) The Pennsylvania American Idol™ Trip Prize Package winner will be responsible for the following expenses: applicable travel expenses to and from the departure airport or any airport parking fees; entertainment including alcoholic beverages; fees (i.e., departure fees, excess baggage fees, etc.); additional gratuities; hotel incidentals (i.e., telephone calls, valet services, laundry, gift shop, etc.); additional transportation in addition to that described herein; travel accident, baggage and trip cancellation insurance and fees, and the like. The winner will be responsible for any additional costs incurred by the following changes to the trip package: change of travel companions; staying additional nights; adding additional travelers; upgrading transportation; upgrading hotel room; upgrading class of airline or any other applicable trip details.

(4) If the Pennsylvania American Idol™ Trip Prize Package winner cancels the trip, the trip package will be void. There will be no extensions and the winner will not receive any reimbursement for the unused trip package. Airline tickets are non-refundable and all airline rules and restrictions apply.

(5) The Pennsylvania American Idol™ Trip Prize Package is valid only for the 2008 American Idol™ Final Competition and Season Finale nights.

(6) Other restrictions may apply.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania American Idol™ instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania American Idol™, prize money from winning Pennsylvania American Idol™ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania American Idol™ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

15. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101–3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

16. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania American Idol™ or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-2369. Filed for public inspection December 21, 2007, 9:00 a.m.]

DEPARTMENT OF STATE

Request for Proposal

The Department of State issued IFB No. 6100002334 to obtain the services of a contractor to print, store and deliver license certificate paper with attached ID cards. The IFB is available on the Department of General Services website at www.dgs.state.pa.us. The deadline to submit bids to the Department of State Bureau of Finance and Operations is January 3, 2007 at 2 p.m.

PEDRO A. CORTÉS,
Secretary of the Commonwealth

[Pa.B. Doc. No. 07-2370. Filed for public inspection December 21, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Addendum and Revision of the Listing of Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

Addendum

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368 (relating to speed timing devices), published at 36 Pa.B. 8021 (December 30, 2006) a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

Addition

As an addendum to the list of approved Official Maintenance and Calibration Stations, the Department hereby gives notice of the addition, as a Stopwatch calibration inspection station, of the following station:

Cal Tec Labs, Inc., 501 Mansfield Avenue, Pittsburgh, Allegheny County, PA 15205. The station number will be W70.

Comments, suggestions or questions may be directed to Elizabeth Threnhauser, Manager, Admin/Tech Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-7016.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 36 Pa.B. 8021 (December 30, 2006).

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-2371. Filed for public inspection December 21, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, December 6, 2007, and announced the following:

Regulations Approved:

State Board of Education #6-302: Foreign Corporation Standards (amends 22 Pa. Code Chapter 36)

Pennsylvania Public Utility Commission #57-239: Regulation of Interexchange Carriers and Services (amends 52 Pa. Code Chapter 63)

Department of Revenue #15-429: Realty Transfer Tax Amendments (amends 61 Pa. Code Chapter 91) [Dissenting Statement of Commission John F. Mizner reads as follows.]

Approval Order

Public Meeting held
December 6, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson, by Phone; David J. DeVries, Esq.; John F. Mizner, Esq.

*State Board of Education—
Foreign Corporation Standards;
Regulation No. 6-302 (#2548)*

On June 19, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code Chapter 36. The proposed regulation was published in the July 1, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 31, 2007.

This final-form regulation amends standards that govern the operation and approval of postsecondary degree-granting institutions that are operated or owned by a foreign corporation.

We have determined this regulation is consistent with the statutory authority of the Board (24 P.S. § 26-2603-B) 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
December 6, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson, by Phone; David J. DeVries, Esq.; John F. Mizner, Esq.

*Pennsylvania Public Utility Commission—
Regulation of Interexchange Carriers and Services;
Regulation No. 57-239 (#2512)*

On December 7, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 63. The proposed regulation was published in the December 17, 2005 *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on October 18, 2007.

This final-form regulation implements the provisions of Act 183 of 2004 by deleting current regulations dealing with interexchange telecommunications carriers and replacing them with new provisions.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501 and 3018) 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 Commissioner:

This regulation is approved.

**Dissenting Statement of Commissioner
John F. Mizner**

*Department of Revenue—
Realty Transfer Tax Amendments;
Regulation #15-429 (IRRC #2503)*

This matter involves a rulemaking order designed to implement the Realty Transfer Tax Act. For the reasons set forth below, I respectfully dissent.

First, this regulation threatens the economic and fiscal health of the Commonwealth. 71 P. S. § 745.5b(b)(1). Implementation may result in significant costs to the Commonwealth, its political subdivisions and the private sector. I agree with commentators who contend that implementation of this regulation will result in a tax structure that puts Pennsylvania at a disadvantage in comparison to other states competing for investment dollars. Moreover, as evidenced by various interpretations submitted by the Department and commentators, this regulation is confusing and fails to supply sufficient guidance to the regulated community. The foreseeable result of such confusion is increased legal, consulting and accounting costs that will be incurred in the public and private sectors.

Second, this regulation fails to meet the standard of clarity, feasibility and reasonableness required by the Regulatory Review Act. 71 P. S. § 745.5b(b)(3). The definitions of "living trust" and "ordinary trust" conflict with definitions of the same terms in the Realty Transfer Tax Act, 72 P. S. § 8101-C. Additionally, I disagree with Sections 91.153 and 91.168 of the regulation to the extent they allow the Department the latitude to tax like-kind exchanges and sale-leaseback transactions multiple times.

Third, this regulation represents a policy decision of such a substantial nature that it requires legislative

review. 71 P. S. § 745.5b(b)(4). In the preamble to this regulation, the Department indicates it developed Section 91.132 "to address the court decision in *Allebach v. Commonwealth*, 546 Pa. 146, 683 A.2d 625 (1996)." Rather than heed the Pennsylvania Supreme Court's admonition in *Allebach*, the Department chose to violate the General Assembly's dictate that taxing statutes be strictly construed. If indeed there is a problem to be fixed, then that fix must come from the General Assembly because the current statutory framework does not provide the Department with the necessary statutory authority.

Therefore, I respectfully dissent.

John F. Mizner, Commissioner

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-2372. Filed for public inspection December 21, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority

Beechwood Commons Associates, Limited has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Beechwood Commons in New Wilmington, PA. The initial filing was received on December 6, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2373. Filed for public inspection December 21, 2007, 9:00 a.m.]

Application and Request for a Certificate of Authority

Fair Winds Manor, LP has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Fair Winds Manor, LP in Sarver, PA. The initial filing was received on December 11, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must in-

clude name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2374. Filed for public inspection December 21, 2007, 9:00 a.m.]

Application and Request for a Certificate of Authority

Overlook Leasing Partnership has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Evergreen Nursing Center in Harmony, PA. The initial filing was received on December 6, 2007, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2375. Filed for public inspection December 21, 2007, 9:00 a.m.]

Application and Request for a Certificate of Authority

Rolling Fields, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Rolling Fields, Inc. in Sarver, PA. The initial filing was received on December 5, 2007, and was made under requirements set forth in the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to

Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2376. Filed for public inspection December 21, 2007, 9:00 a.m.]

Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing; Rate Filing

On December 6, 2007, the Insurance Department (Department) received from the Coal Mine Compensation Rating Bureau (CMCRB) a filing for a loss cost level change for Workers' Compensation Insurance. This filing is made in accordance with section 705 of the act of July 2, 1993 (P. L. 190, No. 44). The CMCRB requests an overall 7.7% decrease in collectible loss costs, effective April 1, 2008, on a new and renewal basis. Also, the CMCRB has calculated the Employer Assessment Factor effective April 1, 2008 to be 2.23%, as compared to the currently approved provision of 2.22%.

The entire April 1, 2008, loss cost filing is available for review on the Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2377. Filed for public inspection December 21, 2007, 9:00 a.m.]

Valerie Connell; Prehearing

Appeal of Valerie Connell under 40 P. S. §§ 991.2101—991.2193; Health Assurance; Doc. No. HC07-11-020

Under 40 P. S. §§ 991.2101—991.2193, notice is hereby given that the appellant in this action has requested a hearing, in connection with the appellant's managed health care plan. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedures) and any other relevant procedure provisions of law.

A prehearing telephone conference initiated by the Administrative Hearings Office shall be conducted on January 23, 2008. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before January 18, 2008.

Motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed on or before January 9, 2008, with the

Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene shall be filed on or before January 16, 2008.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2378. Filed for public inspection December 21, 2007, 9:00 a.m.]

Golden Living Center—Stanton; Prehearing

Appeal of Golden Living Center—Stanton under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-11-017

On or before January 2, 2008, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's October 16, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for January 22, 2008. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before January 18, 2008. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before January 8, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before January 15, 2008.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2379. Filed for public inspection December 21, 2007, 9:00 a.m.]

Pennsylvania Compensation Rating Bureau; Workers' Compensation Loss Cost Filing; Rate Filing

On December 12, 2007, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (PCRB) a filing for a loss cost level change for Workers' Compensation Insurance. This filing is made in accordance with section 705 of the act of July 2, 1993 (P. L. 190, No. 44). The PCRB requests an overall 10.22% decrease in collectible loss costs, effective April 1, 2008, on a new and renewal basis. Also, the PCRB has calculated the Employer Assessment Factor effective April 1, 2008, to be 2.26%, as compared to the currently approved provision of 1.92%. Updates to a variety of other rating values to reflect the most recent available experience are also being submitted for approval. Finally, the filing includes proposed reductions and/or changes to other manual rules consistent with intended practice regarding workers' compensation insurance options, classification procedures and related matters.

The entire April 1, 2008, loss cost filing is available for review on the PCRB's website at www.pcrb.com in the "Filings" section.

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2380. Filed for public inspection December 21, 2007, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Robin Best; file no. 07-265-42501; State Farm Insurance Co.; Doc. No. PH07-11-019; January 10, 2008, 4 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing, contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-2381. Filed for public inspection December 21, 2007, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

Public Meeting

The meeting of the Lobbying Disclosure Regulation Committee (Committee) established under act of November 1, 2006 (P. L. 1213, No. 134) (Act 134) will be held on Thursday, December 27, 2007, at 9 a.m. in Hearing Room 2, North Office Building, Harrisburg, PA.

The purpose of the meeting will be for the Committee to consider regulations under Act 134 and to receive public comments. Visit www.attorneygeneral.gov for more information and to view a copy of the complete agenda.

THOMAS CORBETT,
Attorney General

[Pa.B. Doc. No. 07-2382. Filed for public inspection December 21, 2007, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Reporting Requirements for Health Care Facilities under the Medical Care Availability and Reduction of Error (MCARE) Act

Purpose

The purpose of this announcement is to give health care facilities notice of their reporting requirements to the Patient Safety Authority (Authority) under the Medical Care Availability and Reduction of Error (MCARE) Act, Chapter 4, Health Care-Associated Infections. The reporting requirements presented in this notice were developed in consultation with the Department of Health (Department) and the Patient Safety Authority's Health Care-Associated Infection (HAI) Advisory Panel.

Reporting Requirements for Hospitals

Hospitals are required to report HAIs to the Centers for Disease Control and Prevention (CDC) through its National Healthcare Safety Network (NHSN). The infections that are reportable include all CDC-defined event types and specific events. This is presented at the end of this notice as Exhibit A.

Serious Event Reporting

The occurrence of a CDC-defined HAI in a hospital is deemed to constitute a Serious Event as defined by the MCARE Act, § 302. If an infection meets the criteria for reporting to the NHSN, that infection shall be reported to the Authority as a Serious Event as required by Act 13 and Act 52, subject to the additional requirements as described in this notice.

Health care-associated infections reported through the NHSN are subject to the same patient notification requirements set forth by Act 13 for all Serious Events. For purposes of meeting the 24-hour reporting requirement for Serious Events set forth by Act 13, hospitals must submit reports of HAIs to the NHSN system and to the Authority within 24 hours of their confirmation. If confirmation of an HAI occurs over a weekend or recognized holiday, reports must be submitted by 5 p.m. on the next work day. In addition, Serious Event disclosure letters must be completed for all infections submitted through the NHSN, with the exception of asymptomatic bacteriuria.

Reporting Other Events Related to Infection Control and Prevention

Act 13 requires hospitals to submit not only reports of Serious Events but also Incidents and Infrastructure Failures. Under Act 13, reporting of Incidents and Infrastructure Failures is mandatory, and hospitals must continue reporting other events related to infection control and prevention that can be classified as Incidents or Infrastructure Failures through the Pennsylvania Patient Safety Reporting System (PA-PSRS).

Examples of Incidents might include, but would not be limited to:

- Failure to put an infected patient on the appropriate level of isolation precautions.
- Failure to use maximum barrier precautions when inserting a central line.
- Failure to periodically evaluate a catheterized patient's continued need for a catheter.
- Breach in sterile technique during surgery.

If the previous examples led to CDC-defined infections, they would be reportable in NHSN as Serious Events. If they did not lead to infections, they would be classified as Incidents and reported in PA-PSRS.

Examples of Infrastructure Failures might include, but would not be limited to:

- Contamination of sterile supplies due to a chemical leak that contaminates needed equipment.
- Unavailability of sterile supplies needed to implement isolation precautions on infected patients.
- Screening cultures on high risk patients are prevented due to failure of critical lab equipment.

If the previous examples led to CDC-defined infections, they would be reportable in NHSN as Serious Events. If they did not lead to infections, they would be classified as Infrastructure Failures and reported in PA-PSRS.

Reportable HAIs and Customization Requirements

The Authority would like to avoid duplicate reporting of HAIs as a Serious Event to both PA-PSRS and the NHSN system. HAIs reported through the NHSN will not need to be reported through PA-PSRS as long as a reporting facility customizes the NHSN Data Collection Forms for several types of infections. The required customization is defined as follows. Until a facility customizes NHSN as described herein and answers the additional questions required by the Authority, the facility must continue to report HAIs as Serious Events through PA-PSRS. Please note, not every infection type requires customized questions—only those indicated below. However, once this condition is met, all CDC-defined infections do not need to be entered into PA-PSRS if they are entered timely into NHSN.

Detailed instructions for how to create custom fields for CDC-defined events may be found in the NHSN Online Manual, which can be accessed by clicking “Help” while logged onto NHSN. Once the Online Manual is accessed, go to the table of contents on the left and refer to Patient Safety Component>How to>Custom Options.

For each CDC-defined infection event type, select the appropriate form and modify the custom fields as instructed. For each custom field to be modified, we provide the following information:

- The question to be answered.
- The custom field label before modification, which identifies which field to edit or customize.
- The customized field label, which is the short label that will display on the screen when completing an infection report.
- Response categories, in the format of (“1” [yes]) where the text in quotations (“1”) is the text to be typed when completing an infection report, and where the text in brackets ([yes]) is the meaning of the text to be typed.

Device Associated Module

Form 1: Central Line-Associated Bloodstream Infection (CLABSI) Event

Question 1: Were maximal barrier precautions utilized during insertion of the central line, including hand hygiene, wearing a cap, mask, sterile gown and gloves?

Field Label Before Modification: Alphanumeric, Label 7

Customized Field Label: maximal barrier

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 2: Was chlorhexidine skin asepsis with antiseptic/detergent chlorhexidine 2% in 70% isopropyl alcohol utilized during insertion of the central line?

Field Label Before Modification: Alphanumeric, Label 8

Customized Field Label: skin asepsis

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 3: Was central line necessity evaluated daily and documented during the patient’s hospitalization?

Field Label Before Modification: Alphanumeric, Label 9

Customized Field Label: line necessity

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 4: [Reserved]

Field Label Before Modification: Alphanumeric, Label 10

Customized Field Label: [Reserved—Customization not required at this time]

Response categories: [Reserved—Customization not required at this time]

Form 2: Ventilator-Associated Pneumonia (VAP) Event

Question 1: Was the head of the patient’s bed elevated to between 30° and 45° at all times while the patient was receiving mechanically assisted ventilation?

Field Label Before Modification: Alphanumeric, Label 6

Customized Field Label: hob elevated

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 2: Did the patient receive a daily sedation interruption while the patient was receiving mechanically assisted ventilation?

Field Label Before Modification: Alphanumeric, Label 7

Customized Field Label: sedation interr

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 2a: If the response to Question 2 is “no,” was a daily sedation interruption clinically contraindicated?

Field Label Before Modification: Alphanumeric, Label 8

Customized Field Label: sedation contra

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 3: Was a daily assessment of readiness to extubate performed and documented?

Field Label Before Modification: Alphanumeric, Label 9

Customized Field Label: assess extubate

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 4: [Reserved]

Field Label Before Modification: Alphanumeric, Label 10

Customized Field Label: [Reserved—Customization not required at this time]

Response categories: [Reserved—Customization not required at this time]

Form 3: Catheter-Associated Urinary Tract Infection (CAUTI) Event

Question 1: Was a daily assessment performed and documented of the necessity for continued catheterization?

Field Label Before Modification: Alphanumeric, Label 9

Customized Field Label: cath necessity

Response categories: “1” [yes]; “2” [no]; “3” [unknown]

Question 2: [Reserved]

Field Label Before Modification: Alphanumeric, Label 10

Customized Field Label: [Reserved—Customization not required at this time]

Response categories: [Reserved—Customization not required at this time]

Procedure-Associated Module

Form 4: Surgical Site Infection (SSI) Event

Question 1: Was a prophylactic antibiotic received within 1 hour prior to surgical incision (or within 2 hours of surgical incision if the patient received vancomycin or fluoroquinolone) for a patient who has undergone any of the following procedures:

- CBGB, CBGC, cardiac surgery
- hip arthroplasty
- knee arthroplasty
- abdominal hysterectomy
- colon surgery
- vascular surgery

Field Label Before Modification: Alphanumeric, Label 9

Customized Field Label: antibiotics rec

Response categories: "1" [yes]; "2" [no]; "3" [unknown]; "4" [not applicable because patient did not have one of the listed procedures]

Question 2: [Reserved]

Field Label Before Modification: Alphanumeric, Label 10

Customized Field Label: [Reserved—Customization not required at this time]

Response categories: [Reserved—Customization not required at this time]

Reporting Requirements for Nursing Homes

Nursing homes are required to electronically report patient-specific health care-associated infection data to the Patient Safety Authority and the Department of Health using Nationally recognized standards based on CDC definitions. The time and format is to be determined by the Authority and the Department. The Authority and the Department anticipate that uniform reporting requirements for Nursing Homes will be determined by the summer of 2008.

Public Comment Period

For 30 calendar days from the date of this publication, the Patient Safety Authority is accepting public comment about the uniform reporting requirements established jointly by the Patient Safety Authority and the Department of Health under Chapter 4—Health Care-Associated Infections of the Medical Care Availability and Reduction of Error Act, 40 P. S. § 1303.401, et. seq., (2007).

Submit comments electronically by means of e-mail to the Pennsylvania Patient Safety Authority at patientsafety@state.pa.us.

The Authority will review comments received and publish a Final Notice in the *Pennsylvania Bulletin*. This notice may include updates or changes, based on public comments, to the Authority's reporting requirements.

Persons with a disability who require an alternative format of this notice (for example large print, audio tape or Braille) should contact the PA-PSRS help desk at (866) 316-1070.

Exhibit A. Reportable HAIs (CDC Defined Event Types and Specific Events)

BSI—Bloodstream Infection

LCBI—Laboratory-confirmed bloodstream infection
CSEP—Clinical sepsis

DI—Dialysis Incident

PNEU—Pneumonia

PNU1—Clinically defined pneumonia
PNU2—Pneumonia with common bacterial or filamentous fungal pathogens and specific laboratory findings
PNU2—*Viral, Legionella*, and other bacterial pneumonias with definitive laboratory findings
PNU3—Pneumonia in immunocompromised patients

SSI—Surgical Site Infection

SIP—Superficial incisional primary
SIS—Superficial incisional secondary
DIP—Deep incisional primary
DIS—Deep incisional secondary

Organ/Space

UTI—Urinary Tract Infection

ASB—Asymptomatic bacteriuria
SUTI—Symptomatic urinary tract infection
OUTI—Other infections of the urinary tract

BJ—Bone and Joint Infection

BONE—Osteomyelitis
JNT—Joint or bursa
DISC—Disc space

CNS—Central Nervous System Infection

IC—Intracranial infection
MEN—Meningitis
SA—Spinal abscess without meningitis

CVS—Cardiovascular System Infection

VASC—Arterial or venous infection
ENDO—Endocarditis
CARD—Myocarditis or pericarditis
MED—Mediastinitis

EENT—Eye, Ear, Nose, Throat or Mouth Infection

CONJ—Conjunctivitis
EYE—Other than Conjunctivitis
EAR—Mastoid
ORAL—Cavity (mouth, tongue or gums)
SINU—Sinusitis
UR—Upper respiratory tract, pharyngitis, laryngitis, epiglottitis

GI—Gastrointestinal System Infection

GE—Gastroenteritis
GIT—GI tract
HEP—Hepatitis
IAB—Intraabdominal, not specified elsewhere
NEC—Necrotizing enterocolitis

LRI—Lower Respiratory Tract Infection, other than Pneumonia

BRON—Bronchitis, tracheobronchitis, tracheitis, without evidence of pneumonia
LUNG—Other infections of the lower respiratory tract

REPR—Reproductive Tract Infection

EMET—Endometritis
EPIS—Episiotomy
VCUF—Vaginal cuff
OREP—Other infections of the male or female reproductive tract

SST—Skin and Soft Tissue Infection

SKIN—Skin

ST—Soft tissue
DECU—Decubitus ulcer
BURN—Burn infection
BRST—Breast abscess or mastitis
UMB—Omphalitis
PUST—Infant pustulosis
CIRC—Newborn circumcision

SYS—Systemic Infection

DI—Disseminated infection (not to be confused with DI [Dialysis Incident])

MICHAEL E. DOERING,
Executive Director

[Pa.B. Doc. No. 07-2383. Filed for public inspection December 21, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Orders

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Barkeyville Gas Co. (2006.0295.00);
C-20077707; A-120010*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Barkeyville Gas Co. (the Respondent), a gas utility certificated at A-120010. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Barkeyville Gas Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff v. Berry Hollow Water Co.
(2006.0295.00); C-20077714; A-00100723*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Berry Hollow Water Co. (the Respondent), a water utility certificated at A-00100723. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Berry Hollow Water Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Lakeside Water Systems Inc.
(2006.0295.00); C-20077729; A-210069*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Lakeside Water Systems Inc. (the Respondent), a water utility certificated at A-210069. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 25, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. Lakeside Water Systems Inc. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.
3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Ligonier Mountain Land Co.
(2006.0295.00); C-20077731; A-230088*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Ligonier Mountain Land Co. (the Respondent), a wastewater utility certificated at A-230088. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 21, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. Ligonier Mountain Land Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.
3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Nittany Water Co. (2006.0295.00);
C-20077732; A-212090*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Nittany Water Co. (the Respondent), a water utility certificated at A-212090. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Nittany Water Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. North Heidelberg Sewer Co.
(2006.0295.00); C-20077733; A-230009*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against North Heidelberg Sewer Co. (the Respondent), a wastewater utility certificated at A-230009. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. North Heidelberg Sewer Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice-Chairperson; Tyrone J. Christy; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. North Heidelberg Water Co.
(2006.0295.00); C-20077734; A-212120*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against North Heidelberg Water Co. (the Respondent), a water utility certificated at A-212120. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 18, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. North Heidelberg Water Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.
3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice-Chairperson; Tyrone J. Christy; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Pine-Roe Natural Gas Inc.
(2006.0295.00); C-20077736; A-00102046*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Pine-Roe Natural Gas Inc. (the Respondent), a gas utility certificated at A-00102046. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 24, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. Pine-Roe Natural Gas Inc. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.
3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Orders

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Shady Lane Water Co. (2006.0295.00);
C-20077739; A-212710*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Shady Lane Water Co. (the Respondent), a water utility certificated at A-212710. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Shady Lane Water Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2384. Filed for public inspection December 21, 2007, 9:00 a.m.]

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Epixtar Communications Corp.
(2006.0295.00); C-20077665; A-311245*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Epixtar Communications Corp. (the Respondent), a reseller of toll services certificated at A-311245. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 15, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of Epixtar Communications Corp.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Epixtar Communications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Epixtar Communications Corp. at A-311245 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. R2C Communications, Inc.
(2006.0295.00); C-20077703; A-311290*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against R2C Communications, Inc. (the Respondent), a reseller of toll services certified at A-311290. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 18, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of R2C Communications, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and

also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. R2C Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by R2C Communications, Inc. at A-311290 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Via One Technologies, Inc.
(2006.0295.00); C-20077690; A-311237*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Via One Technologies, Inc. (the Respondent), a reseller of toll services certified at A-311237. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of Via One Technologies, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposi-

tion of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Via One Technologies, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Via One Technologies, Inc. at A-311237 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Business Discount Plan, Inc.
(2006.0295.00); C-20077684; A-310262*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Business Discount Plan, Inc. (the Respondent), a IXC reseller certificated at A-310262. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has

any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of Business Discount Plan, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Business Discount Plan, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Business Discount Plan, Inc. at A-310262 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Network Billing Services, LLC
(2006.0295.00); C-20077669; A-310728*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Network Billing Services, LLC (the Respondent), a reseller of toll services certificated at A-310728. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail

prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of Network Billing Services, LLC's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Network Billing Services, LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Network Billing Services, LLC at A-310728 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzigrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. MMG Holdings, Inc.
(2006.0295.00); C-20077755; A-311301*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against MMG Holdings, Inc. (the Respondent), a reseller of toll services certificated at A-311301. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on June 18, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of MMG Holdings, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. MMG Holdings, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by MMG Holdings, Inc. at A-311301 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

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Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Infonet Telecommunications Corp.
(2006.0295.00); C-20077753; A-311183*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Infonet Telecommunications Corp. (the Respondent), a reseller of toll services certificated at A-311183. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 22, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of Infonet Telecommunications Corp.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Infonet Telecommunications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Infonet Telecommunications Corp. at A-311183 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

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Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Motion Telecom, Inc.
(2006.0295.00); C-20077670; A-311270*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Motion Telecom, Inc. (the Respondent), a reseller of toll services certificated at A-311270. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 24, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other

remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of Motion Telecom, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Motion Telecom, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Motion Telecom, Inc. at A-311270 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. DigitGlobal Communications, Inc.
(2006.0295.00); C-20077666; C-20077666*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against DigitGlobal Communications, Inc. (the Respondent), a IXC toll reseller certificated at A-311344. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66

Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on May 17, 2007. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that revocation of DigitGlobal Communications, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. DigitGlobal Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by DigitGlobal Communications, Inc. at A-311344 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2385. Filed for public inspection December 21, 2007, 9:00 a.m.]

Default Orders

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzigrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. BAK Communications, LLC
(2006.0295.00); C-20077683; A-311141*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against BAK Communications, LLC (the Respondent), a reseller of toll services certificated at A-311141. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because the address was unknown. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of BAK Communications, LLC's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. BAK Communications, LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by BAK Communications, LLC at A-311141 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzigrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. United Communications Hub, Inc.
(2006.0295.00); C-20077688; A-310926*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against United Communications Hub, Inc. (the Respondent), a reseller of toll services certificated at A-310926. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because there was an insufficient address. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of United Communications Hub, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the

Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. United Communications Hub, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by United Communications Hub, Inc. at A-310926 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Teligent Services, Inc. (2006.0295.00);
C-20077687; A-310864*

Default order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Teligent Services, Inc. (the Respondent), a reseller of toll services certificated at A-310864. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because there was an insufficient address. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public

Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Teligent Services, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Teligent Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Teligent Services, Inc. at A-310864 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Teligent Services, Inc. (2006.0295.00);
C-20077685; A-310864F0003*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Teligent Services, Inc. (the Respondent), a competitive access provider certificated at A-310864F0003. In the Complaint, Prosecutory

Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because there was no such address. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Teligent Services, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Teligent Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Teligent Services, Inc. at A-310864F0003 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Telephone Co. of Central Florida
(2006.0295.00); C-20077708; A-310638*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Telephone Co. of Central Florida (the Respondent), a reseller of toll services certificated at A-310638. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because there was an insufficient address. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Telephone Co. of Central Florida's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Telephone Co. of Central Florida immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of

public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Telephone Co. of Central Florida at A-310638 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. STS Connect, Inc. (2006.0295.00);
C-20077698; A-311352*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against STS Connect, Inc. (the Respondent), a IXC toll reseller certificated at A-311352. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of STS Connect, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. STS Connect, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by STS Connect, Inc. at A-311352 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Red River Networks, LLC
(2006.0295.00); C-20077702; A-311349*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Red River Networks, LLC (the Respondent), a IXC toll reseller certificated at A-311349. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Red River Networks, LLC's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Red River Networks, LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Red River Networks, LLC at A-311349 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Preferred Carrier Services, Inc.
(2006.0295.00); C-20077696; A-310403*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Preferred Carrier Services, Inc. (the Respondent), a IXC reseller certificated at A-310403. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written

notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served and a reason was not given by the Post Office. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Preferred Carrier Services, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Preferred Carrier Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Preferred Carrier Services, Inc. at A-310403 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Line 1 Comm. LLC (2006.0295.00);
C-20077754; A-311182*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Line 1 Comm. LLC (the Respondent), a reseller of toll services certificated at A-311182. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because there was an insufficient address. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Line 1 Comm. LLC's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Line 1 Comm. LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Line 1 Comm. LLC at A-311182 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Intelcom, Inc. (2006.0295.00);
C-20077752; A-31082*

Default Order

By The Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Intelcom, Inc. (the Respondent), a IXC reseller certificated at A-310822. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because it was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Intelcom, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and

also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Intelcom, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Intelcom, Inc. at A-310822 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2386. Filed for public inspection December 21, 2007, 9:00 a.m.]

Default Orders

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice-Chairperson; Tyrone J. Christy; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Able Co. Inc. (2006.0295.00);
C-20077706; A-120025*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Able Co. Inc. (the Respondent), a gas utility certificated at A-120025. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in

the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Able Co. Inc. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice-Chairperson; Tyrone J. Christy; Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. All Seasons Water Co. (2006.0295.00);
C-20077706; A-210059*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against All Seasons Water Co. (the Respondent), a water utility certificated at A-210059. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. All Seasons Water Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Beaver Lake Sewer Co.
(2006.0295.00); C-20077713; A-230064*

Default Order*By the Commission:*

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Beaver Lake Sewer Co. (the Respondent), a wastewater utility certificated at A-230064. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was presumably not served because the Post Office did not return the green card. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Beaver Lake Sewer Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Finch Hill Water Co., Inc.
(2006.0295.00); C-20077718; A-210041*

Default Order*By the Commission:*

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Finch Hill Water Co., Inc. (the Respondent), a water utility certificated at A-210041. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was presumably not served because the Post Office did not return the green card. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Finch Hill Water Co., Inc. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Hopkins, Wm. & Reedy, Melvin
(2006.0295.00); C-20077728; A-211425*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Hopkins, Wm. & Reedy, Melvin (the Respondent), a water utility certificated at A-211425. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because it was refused. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Hopkins, Wm. & Reedy, Melvin is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Ligonier Mountain Land Co.
(2006.0295.00); C-20077730; A-210108*

Default Order

By The Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Ligonier Mountain Land Co. (the Respondent), a water utility certificated at A-210108. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report. The Complaint requested that the Commission issue an order imposing a civil penalty in the amount of \$1,000 for failure to file its 2005 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because it was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 Annual Report has not been filed.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 Annual Report, we conclude that a civil penalty in the amount of \$1,000 is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of further penalties under Section 3301, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. Ligonier Mountain Land Co. is hereby directed to file its 2005 Annual Report and pay a civil penalty in the amount of \$1,000 within 30 days of the entry date of this order.

3. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the

Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2387. Filed for public inspection December 21, 2007, 9:00 a.m.]

Default Orders

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Eastern Telephone Systems, Inc.
(2006.0295.00); C-20077722; A-310082F0002*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Eastern Telephone Systems, Inc. (the Respondent), a competitive local exchange carrier certificated at A-310082F0002. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Telecommunications Relay Service (TRS) Annual Access Line Summary Report and Annual Tracking Report (TRS Reports) were due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 TRS Reports. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 TRS Reports.

According to the U.S. Postal Service return receipt, the Complaint was served on May 21, 2007. To date, more than 30 days later, no answer has been filed to the Complaint and the 2005 TRS Reports have not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2005 TRS Reports, we conclude that revocation of Eastern Telephone Systems, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small

Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Eastern Telephone Systems, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Eastern Telephone Systems, Inc. at A-310082F0002 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the TRS Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. MilleniaNet Corporation
(2006.0295.00); C-20077748; A-311190F0002*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against MilleniaNet Corporation (the Respondent), a competitive local exchange carrier certificated at A-311190F0002. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Telecommunications Relay Service (TRS) Annual Access Line Summary Report and Annual Tracking Report (TRS Reports) were due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 TRS Reports. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 TRS Reports.

According to the U.S. Postal Service return receipt, the Complaint was served on May 18, 2007. To date, more than 30 days later, no answer has been filed to the Complaint and the 2005 TRS Reports have not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respon-

dent's failure to file an answer to the Complaint or file its 2005 TRS Reports, we conclude that revocation of MilleniaNet Corporation's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. MilleniaNet Corporation immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by MilleniaNet Corporation at A-311190F0002 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the TRS Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2388. Filed for public inspection December 21, 2007, 9:00 a.m.]

Default Orders

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Budget Phone, Inc. (2006.0295.00);
C-20077742; A-311159*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Budget Phone, Inc. (the Respondent), a competitive local exchange carrier certificated at A-311159. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66

Pa.C.S. § 504 its 2005 Telecommunications Relay Service (TRS) Annual Access Line Summary Report and Annual Tracking Report (TRS Reports) were due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 TRS Reports. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 TRS Reports.

According to the U.S. Postal Service return receipt, the Complaint was not served because it was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 TRS Reports have not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 TRS Reports and upon our inability to serve the Complaint, we conclude that revocation of Budget Phone, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Budget Phone, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Budget Phone, Inc. at A-311159 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the TRS Reports Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Esodus Communications, Inc.
(2006.0295.00); C-20077746; A-311333F0002*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Esodus Communications, Inc. (the Respondent), a competitive local exchange carrier certificated at A-311333F0002. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Telecommunications Relay Service (TRS) Annual Access Line Summary Report and Annual Tracking Report (TRS Reports) were due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 TRS Reports. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 TRS Reports.

According to the U.S. Postal Service return receipt, the Complaint was not served because it was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 TRS Reports have not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 TRS Reports and upon our inability to serve the Complaint, we conclude that revocation of Esodus Communications, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Esodus Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of

public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Esodus Communications, Inc. at A-311333F0002 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the TRS Reports Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Xchange Telecom Corporation
(2006.0295.00);
C-20077723; A-311386F0002*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Xchange Telecom Corporation (the Respondent), a competitive local exchange carrier certificated at A-311386F0002. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Telecommunications Relay Service (TRS) Annual Access Line Summary Report and Annual Tracking Report (TRS Reports) were due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 TRS Reports. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 TRS Reports.

According to the U.S. Postal Service return receipt, the Complaint was not served because it was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2005 TRS Reports have not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 TRS Reports and upon our inability to serve the Complaint, we conclude that revocation of Xchange Telecom Corporation's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Xchange Telecom Corporation immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate(s) of public convenience held by Xchange Telecom Corporation at A-311386F0002 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the TRS Reports Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2389. Filed for public inspection December 21, 2007, 9:00 a.m.]

Default Orders

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Line 1 Communications,
LLC (2006.0295.00);
C-20077726; A-311182F0002*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed a Formal Complaint against Line 1 Communications, LLC (the Respondent), a competitive local exchange carrier certificated at A-311182F0002. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report, Telecommunications Relay Service ("TRS") Annual Access Line Summary Report and Telecommunications Relay Service Annual Tracking Report (hereinafter collectively referred to as "Annual Report" and "TRS Reports") were due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report and TRS Reports. The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report and TRS Reports.

According to the U.S. Postal Service return receipt, the Complaint was not served because there was no such number. To date, more than 20 days later, no answer has

been filed to the Complaint and the 2005 Annual Report and TRS Reports have not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and TRS Reports and upon our inability to serve the Complaint, we conclude that revocation of Line 1 Communications, LLC's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Line 1 Communications, LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Line 1 Communications, LLC at A-311182F0002 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section and TRS Reports Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
November 29, 2007

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice-Chairperson; Tyrone J. Christy;
Kim Pizzingrilli

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Teligent Services, Inc. (2006.0295.00);
C-20077686; C-20077749; A-310864F0002*

Default Order

By the Commission:

On April 23, 2007, the Law Bureau Prosecutory Staff filed Formal Complaints against Teligent Services, Inc.

(the Respondent), a competitive local exchange carrier certificated at A-310864F0002. In the Complaints, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2005 Annual Report, Telecommunications Relay Service ("TRS") Annual Access Line Summary Report and Telecommunications Relay Service Annual Tracking Report (hereinafter collectively referred to as "Annual Report" and "TRS Reports") were due. The Complaints charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2005 Annual Report and TRS Reports. The Complaints requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 2005 Annual Report and TRS Reports.

According to the U.S. Postal Service return receipt the Complaints were not served because there was an insufficient address. To date, more than 20 days later, no answer has been filed to the Complaints and the 2005 Annual Report and TRS Reports have not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2005 Annual Report and TRS Reports and upon our inability to serve the Complaints, we conclude that revocation of Teligent Services, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaints are deemed admitted and the Complaints are thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Teligent Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Teligent Services, Inc. at A-310864F0002 shall be cancelled, and the company's name stricken from all active-utility lists maintained by

the Tariff and Annual Report Section and TRS Reports Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-2390. Filed for public inspection December 21, 2007, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bid

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 07-138.1, Refrigerated Container Bank and Concrete Pads at Pier 82 South until 2 p.m. on Thursday, January 24, 2008. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available January 2, 2008. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable EEO laws. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending, fax to (215) 426-6800, Attn: Procurement Department.

Mandatory prebid job site meeting will be held January 10, 2008, 10 a.m. at Columbus Boulevard and Entrance Gate North of Snyder, Philadelphia, PA.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 07-2391. Filed for public inspection December 21, 2007, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.
Janea Baker, t/d/b/a Music 2 Your Hair; Doc. No.
2145-45-2007**

On October 24, 2007, Janea Baker, t/d/b/a Music 2 Your Hair, of Philadelphia, Philadelphia County, had her license suspended, based on her failure to comply with a previously issued State Board of Cosmetology (Board) order.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must

serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 07-2392. Filed for public inspection December 21, 2007, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Jasmine Wint; Doc. No. 0708-45-2007**

On October 2, 2007, Jasmine Wint, of Philadelphia, Philadelphia County, was assessed a civil penalty of \$250 assessed in addition to a previous penalty of \$250 for a total of \$500, based on her failure to comply with a previously issued State Board of Cosmetology (Board) order.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously named Board counsel.

SUSAN E. RINEER,
Chairperson

[Pa.B. Doc. No. 07-2393. Filed for public inspection December 21, 2007, 9:00 a.m.]

**STATE BOARD VEHICLE
MANUFACTURERS,
DEALERS AND
SALESPERSONS**

**Bureau of Professional and Occupational Affairs v.
Nelson E. Hartley; Doc. No. 1500-60-2007**

On October 31, 2007, Nelson E. Hartley, of Lewistown, Mifflin County, was assessed a civil penalty of \$1,000 and had his vehicle license suspended for 3 years, with the first year to be served as an active suspension and the remaining 2 years stayed in favor of probation, based on his pleading of guilty to crimes of moral turpitude.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously named Board counsel.

GARY M. BARBERA,
Chairperson

[Pa.B. Doc. No. 07-2394. Filed for public inspection December 21, 2007, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
John J. Provost; Doc. No. 2215-60-2007**

On November 6, 2007, John J. Provost, license no. MV-166577, of Glenside, Montgomery County, was suspended under the Order of the Court of Common Pleas of Montgomery County dated October 23, 2007, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Gerald S. Smith, Senior Counsel in Charge, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

GARY M. BARBERA,
Chairperson

[Pa.B. Doc. No. 07-2395. Filed for public inspection December 21, 2007, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Robert F. Singer, Jr.; Doc. No. 2248-60-2007**

On November 6, 2007, Robert F. Singer, Jr., license no. MV-202548, of New London, Chester County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated October 29, 2007, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Gerald S. Smith, Senior Counsel in Charge, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

GARY M. BARBERA,
Chairperson

[Pa.B. Doc. No. 07-2396. Filed for public inspection December 21, 2007, 9:00 a.m.]