



---

Volume 33 (2003)

Pennsylvania Bulletin  
Repository

---

3-8-2003

March 8, 2003 (Pages 1213-1314)

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: [http://digitalcommons.law.villanova.edu/pabulletin\\_2003](http://digitalcommons.law.villanova.edu/pabulletin_2003)

---

### Recommended Citation

Pennsylvania Legislative Reference Bureau, "March 8, 2003 (Pages 1213-1314)" (2003). *Volume 33 (2003)*. 10.  
[http://digitalcommons.law.villanova.edu/pabulletin\\_2003/10](http://digitalcommons.law.villanova.edu/pabulletin_2003/10)

This March is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 33 (2003) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository. For more information, please contact [Benjamin.Carlson@law.villanova.edu](mailto:Benjamin.Carlson@law.villanova.edu).

# PENNSYLVANIA BULLETIN

Volume 33

Number 10

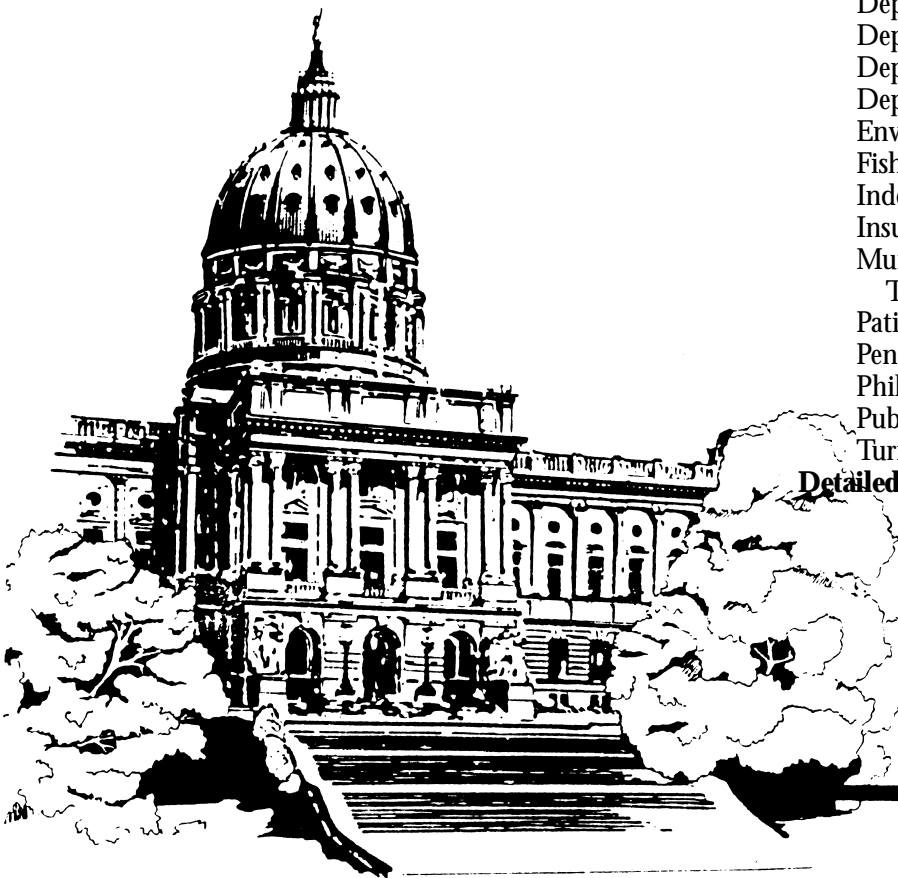
Saturday, March 8, 2003 • Harrisburg, Pa.

Pages 1213—1314

**Agencies in this issue:**

The Courts  
Department of Agriculture  
Department of Banking  
Department of Community and Economic  
Development  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Public Welfare  
Department of Transportation  
Environmental Quality Board  
Fish and Boat Commission  
Independent Regulatory Review Commission  
Insurance Department  
Municipal Police Officers' Education and  
Training Commission  
Patient Safety Authority  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
Public School Employees' Retirement Board  
Turnpike Commission

**Detailed list of contents appears inside.**



PRINTED ON 100% RECYCLED PAPER



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

**No. 340, March 2003**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE**

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

**FRY COMMUNICATIONS, INC.**

Attn: *Pennsylvania Bulletin*

**800 W. Church Rd.**

**Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City)

(State)

(Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

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

Postmaster send address changes to:

**FRY COMMUNICATIONS**

Attn: *Pennsylvania Bulletin*

800 W. Church Rd.

Mechanicsburg, Pennsylvania 17055-3198

(717) 766-0211 ext. 2340

(800) 334-1429 ext. 2340 (toll free, out-of-State)

(800) 524-3232 ext. 2340 (toll free, in State)

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

**Fry Communications, Inc.**

Attn: *Pennsylvania Bulletin*

800 W. Church Rd.

Mechanicsburg, PA 17055-3198

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

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

# CONTENTS

## THE COURTS

### LOCAL COURT RULES

#### Beaver County

Act 198 of 2002; criminal division; no. 31 misc.  
2003 ..... 1221

### SUPREME COURT

Reestablishment of magisterial districts:

5th judicial district; no. 192 magisterial doc.  
no. 1 ..... 1221  
15th judicial district; no. 154 magisterial doc.  
no. 1 ..... 1223  
45th judicial district; no. 193 magisterial doc.  
no. 1 ..... 1224  
50th judicial district; no. 149 magisterial doc.  
no. 1 ..... 1225

## EXECUTIVE AGENCIES

### DEPARTMENT OF AGRICULTURE

#### Notices

Temporary order designating West Nile Encephalitis  
a dangerous transmissible disease ..... 1249

### DEPARTMENT OF BANKING

#### Notices

Action on applications ..... 1249

### DEPARTMENT OF EDUCATION

#### Notices

Application of Alliance Theological Seminary of New  
York for approval to operate in this Common-  
wealth ..... 1251  
Application of Byzantine Catholic Seminary of  
Saints Cyril and Methodius for approval of  
degree-granting status and amendment of its  
articles of incorporation ..... 1251  
Availability of 2002-2003 to 2004-2005 teacher qual-  
ity enhancement grants—accelerated certification  
for teachers project ..... 1251

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

See *also* ENVIRONMENTAL QUALITY BOARD

#### Rules and Regulations

Corrective amendment to 25 Pa. Code § 93.9j ..... 1226  
Corrective amendment to 25 Pa. Code § 93.9r ..... 1227

#### Notices

Applications, actions and special notices ..... 1252  
Mining and Reclamation Advisory Board; Orphan  
Mine AMD Discharge Task Force meeting ..... 1294  
Plan approval and operating permit exemptions .... 1294  
Solid Waste Advisory Committee; meeting cancella-  
tion ..... 1295  
Solid Waste Advisory Committee; State Solid Waste  
Plan Subcommittee meeting ..... 1295

### DEPARTMENT OF GENERAL SERVICES

#### Notices

Special notice ..... 1314  
State contracts information ..... 1309

### DEPARTMENT OF HEALTH

#### Notices

Adoption of the 2000 edition of the life safety code .. 1295  
Applications for exception:  
Lancaster Regional Medical Center ..... 1296  
Main Line Health Center ..... 1296  
Health Research Advisory Committee public hearing  
and meeting ..... 1296  
Requests for exception; long-term care nursing facil-  
ities ..... 1297  
WIC public meetings ..... 1297

### DEPARTMENT OF PUBLIC WELFARE

#### Notices

Payments to nursing facilities; April 1, 2003 pro-  
posed rates ..... 1297

### DEPARTMENT OF TRANSPORTATION

#### Notices

Application for lease of right-of-way ..... 1298

### ENVIRONMENTAL QUALITY BOARD

#### Proposed Rulemaking

Safe drinking water; filter backwash recycling rule  
(FBRR) ..... 1234  
Safe drinking water; radionuclides rule ..... 1239

### FISH AND BOAT COMMISSION

#### Rules and Regulations

Boating ..... 1231  
Commission property ..... 1228  
Fishing ..... 1229  
Fishing in Lake Erie and boundary lakes ..... 1230

#### Notices

Designation of wilderness trout streams ..... 1298  
Draw down of Upper Hereford Manor Lake, Beaver  
County ..... 1298

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

Notice of filing of final rulemakings ..... 1299

### INSURANCE DEPARTMENT

#### Notices

Application for voluntary dissolution ..... 1299  
Conseco Senior Health Insurance Company; rate  
filing ..... 1299  
Notice to workers' compensation insurance carriers . 1299

---

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

---

**MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION**

**Proposed Rulemaking**

Administration of the training program ..... 1246

**PATIENT SAFETY AUTHORITY**

**Notices**

Public meeting cancellation..... 1300

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**

Railroad..... 1300

Service of notice of motor carrier applications..... 1300

Telecommunications (9 documents)..... 1300, 1301, 1302

**PHILADELPHIA REGIONAL PORT AUTHORITY**

**Notices**

Request for bids ..... 1303

**PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD**

**Notices**

Hearings scheduled ..... 1303

**TURNPIKE COMMISSION**

**Notices**

Retention of a systems integrator/engineering firm.. 1303

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

### Printing Format

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

### Fiscal Notes

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

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

### Reproduction, Dissemination or Publication of Information

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

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

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





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

**249 Pa. Code (Philadelphia Rules)**  
Unclassified ..... 532

**252 Pa. Code (Allegheny County Rules)**  
Unclassified ..... 757

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

# THE COURTS

## Title 255—LOCAL COURT RULES

### BEAVER COUNTY

Act 198 of 2002; Criminal Division; No. 31 Misc.  
2003

#### Order

*And Now*, this 10th day of February, 2003, it is hereby Ordered and Directed that the Clerk of Courts of Beaver County, in every applicable criminal case, make a determination to assess and collect the costs imposed under Title 18 ss 7508.1 (Substance Abuse Education and Demand Reduction Fund). The portion of the monies which is to remain in Beaver County shall be deposited into an account set up for the sole use of the Court of Common Pleas of Beaver County and is to be used exclusively for the Substance Abuse Treatment and/or Prevention Programs.

*By the Court*

ROBERT E. KUNSELMAN,  
*President Judge*

[Pa.B. Doc. No. 03-384. Filed for public inspection March 7, 2003, 9:00 a.m.]

## SUPREME COURT

Reestablishment of the Magisterial District Within  
the 5th Judicial District; No. 192 Magisterial Doc.  
No. 1

#### Amended Order

*Per Curiam:*

*And Now*, this 18<sup>th</sup> day of February, 2003, upon consideration of the Petition to Reestablish the Magisterial Districts of the 5<sup>th</sup> Judicial District (Allegheny County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the realignment of Magisterial Districts 05-2-21, 05-2-22, 05-2-25, 05-2-43, and 05-3-12 within Allegheny County, to be effective January 6, 2003, Magisterial Districts 05-2-08, 05-2-09, 05-2-11, 05-2-14, 05-2-27, 05-2-31, 05-2-35 and 05-3-09 to be effective January 5, 2004, Magisterial District 05-3-05 to be effective January 1, 2005, Magisterial Districts 05-2-06, 05-2-03, 05-3-03, 05-3-14 to be effective January 2, 2006, and Magisterial District 05-2-20 to be effective January 7, 2008 is granted. It is further *Ordered and Decreed* that the Petition, which provides for the elimination of Magisterial District 05-3-11 effective January 6, 2003, the elimination of Magisterial Districts 05-2-29, 05-2-37, and 05-3-07 effective January 5, 2004, the elimination of Magisterial Districts 05-3-15, 05-4-01, 05-4-02, and 05-3-15 to be effective January 2, 2006, and which provides for the elimination of Magisterial District 05-3-16, to be effective January 7, 2008 is granted; and that the Petition, which provides for the addition of Magisterial District 05-2-47 within Allegheny County, to be effective, January 5, 2004, is granted. It is *Further Ordered* that the Petition, which

also provides for the reestablishment of Magisterial Districts 05-2-01, 05-2-02, 05-2-04, 05-2-05, 05-2-07, 05-2-10, 05-2-12, 05-2-13, 05-2-15, 05-2-16, 05-2-17, 05-2-18, 05-2-19, 05-2-23, 05-2-26, 05-2-28, 05-2-32, 05-2-36, 05-2-38, 05-2-40, 05-2-42, 05-2-46, 05-3-02, 05-3-04, 05-3-06, 05-3-10, 05-3-13, and 05-3-17 within Allegheny County, as they currently exist, to be effective immediately, is granted. The newly created vacancy in Magisterial District 05-2-47 shall be filled in the municipal election of 2003.

Said Magisterial Districts shall be as follows:

Magisterial District 05-2-01 District Justice Donald H. Presutti	Ben Avon Borough Ben Avon Heights Borough Emsworth Borough Kilbuck Township Bellevue Borough Ohio Township Avalon Borough
Magisterial District 05-2-02 District Justice Mark B. Devlin	Ross Township West View Borough
Magisterial District 05-2-03 District Justice to be determined	Etna Borough Millvale Borough Reserve Township Shaler Township
Magisterial District 05-2-04 District Justice Elissa Lang	Aspinwall Borough Blawnox Borough Indiana Township Sharpsburg Borough Fox Chapel Borough O'Hara Township
Magisterial District 05-2-05 District Justice Carolyn S. Bengel	Brackenridge Borough Harrison Township Fawn Township Tarentum Borough
Magisterial District 05-2-06 District Justice Leonard J. Hromyak	Penn Hills Township Verona Borough
Magisterial District 05-2-07 District Justice Walter W. Luniewski	Monroeville Borough Pitcairn Borough
Magisterial District 05-2-08: District Justice Susan Evashavik	Churchill Borough Forest Hills Borough Wilkins Township Edgewood Borough
Magisterial District 05-2-09 District Justice Ross C. Cioppa	Braddock Hills Borough Braddock Borough Swissvale Borough Rankin Borough
Magisterial District 05-2-10 District Justice Alberta Thompson	Wilkinsburg Borough
Magisterial District 05-2-11 District Justice Robert Barner	East McKeesport Borough Wall Borough North Versailles Township Wilmerding Borough Trafford Borough

Magisterial District 05-2-12 District Justice William K. Wagner	Bradford Woods Borough Franklin Park Borough Marshall Township McCandless Township	Magisterial District 05-2-31 District Justice Ron Costa, Sr.	City of Pittsburgh Wards 8, 10 and 11
Magisterial District 05-2-13 District Justice Thomas S. Brletic	City of McKeesport	Magisterial District 05-2-32 District Justice Linda I. Zucco	Plum Borough
Magisterial District 05-2-14 District Justice Richard D Olasz, Jr.	Dravosburg Borough West Mifflin Borough Whitaker Borough	Magisterial District 05-2-35 District Justice Nathan N. Firestone	City of Pittsburgh Ward 7 and 14
Magisterial District 05-2-15 District Justice Thomas Torkowsky	Homestead Borough Munhall Borough West Homestead Borough	Magisterial District 05-2-36 District Justice James J. Hanely, Jr.	City of Pittsburgh Wards 15 and 31
Magisterial District 05-2-16 District Justice Mary Grace Boyle	Jefferson Hills Borough Pleasant Hills Borough South Park Township	Magisterial District 05-2-38 District Justice Charles A. McLaughlin	City of Pittsburgh Ward 19
Magisterial District 05-2-17 District Justice David J. Barton	Baldwin Township Castle Shannon Borough Whitehall Borough	Magisterial District 05-2-40 District Justice Cathleen Cawood Bubash	City of Pittsburgh Wards 21, 22, 23, 24 & 25
Magisterial District 05-2-18 District Justice John N. Bova	Baldwin Borough Brentwood Borough	Magisterial District 05-2-42 District Justice Robert P. Ravenstahl, Jr.	City of Pittsburgh Wards 26 and 27
Magisterial District 05-2-19 District Justice Vacant	Mt. Lebanon Township Dormont Borough	Magisterial District 05-2-43 District Justice Carla Swearingen	Neville Township City of Pittsburgh Ward 28 Robinson Township
Magisterial District 05-2-20 District Justice to be determined	Bethel Park Borough Upper St. Clair Township	Magisterial District 05-2-46 District Justice Regis C. Welsh, Jr.	Pine Township Hampton Township Richland Township
Magisterial District 05-2-21 District Justice Elaine M. McGraw	Bridgeville Borough Collier Township South Fayette Township	Magisterial District 05-2-47 District Justice To Be Determined	Chalfant Borough East Pittsburgh Borough North Braddock Borough Turtle Creek Borough City of Duquesne
Magisterial District 05-2-22: District Justice Gary M. Zyra	Greentree Borough Heidelberg Borough Scott Township	Magisterial District 05-3-02 District Justice James E. Russo	Aleppo Township Bell Acres Borough Edgeworth Borough Glenfield Borough Haysville Borough Leet Township, Leetsdale Borough Osborne Borough Sewickley Borough Sewickley Heights Borough Sewickley Hills Borough
Magisterial District 05-2-23 District Justice Dennis R. Joyce	Carnegie Borough Crafton Borough Ingram Borough Rosslyn Farms Borough Thornburg Borough Pennsbury Village Borough	Magisterial District 05-3-03: District Justice David Sosovicka	Cheswick Borough Harmar Township Oakmont Borough Springdale Borough Springdale Township
Magisterial District 05-2-25 District Justice Shirley Rowe Trkula	Coraopolis Borough Crescent Township Moon Township	Magisterial District 05-3-04 District Justice Suzanne Blaschak	East Deer Township Frazer Township West Deer Township
Magisterial District 05-2-26 District Justice Ernest L. Marraccini	Elizabeth Borough Elizabeth Township Forward Township West Elizabeth Borough		
Magisterial District 05-2-27 District Justice Eileen Conroy	City of Pittsburgh Wards 4, 16 and 17		
Magisterial District 05-2-28 District Justice Oscar J. Petite, Jr.	City of Pittsburgh Wards 1, 2, 3 and 5		

Magisterial District 05-3-05 District Justice Thomas G. Miller, Jr.	Lincoln Borough South Versailles Township Versailles Borough White Oak Borough
Magisterial District 05-3-06 District Justice Mary Ann Cercone	McKees Rocks Borough Stowe Township Kennedy Township
Magisterial District 05-3-09 District Justice Armand Martin	City of Clairton Glassport Borough Liberty Borough Port Vue Borough
Magisterial District 05-3-10 District Justice Gene Zielanski	City of Pittsburgh Wards 6 and 9
Magisterial District 05-3-12 District Justice Kevin E. Cooper	City of Pittsburgh Wards 12 and 13
Magisterial District 05-3-13 District Justice Daniel R. Diven	City of Pittsburgh Ward 20
Magisterial District 05-3-14 District Justice Richard King	City of Pittsburgh Wards 18, 29, 30 and 32 Mt. Oliver Borough
Magisterial District 05-3-17 District Justice Anthony W. Saveikis	Findlay Township McDonald Borough (Allegheny County portion) North Fayette Township Oakdale Borough

The portion of the Petition for Realignment filed by the President Judge of the Fifth Judicial District dated November 15, 2002 relating to the proposed Central Court and the evaluation of the current Pittsburgh Magistrates Court to gauge the feasibility of transitioning the Pittsburgh Magistrates Court into the statewide district justice system is hereby granted.

To maintain the effective administration of justice in the Pittsburgh Magistrates Court during the evaluation period, (1) Pittsburgh City Magistrates will continue to serve until the expiration of their current commissions; (2) all judicial appointments and reappointments to vacancies on the Pittsburgh Magistrates Court occurring on or after December 31st 2002 are hereby suspended effectively immediately; and, (3) the President Judge of the Fifth Judicial District of Pennsylvania will assign district justices to sit on the Pittsburgh Magistrates Court as necessary to maintain the ongoing operations of the Pittsburgh Magistrates Court during the evaluation period.

The suspension of appointments to the Pittsburgh Magistrates Court will continue until further order of this Court.

[Pa.B. Doc. No. 03-385. Filed for public inspection March 7, 2003, 9:00 a.m.]

**Reestablishment of the Magisterial Districts Within the 15th Judicial District; No. 154 Magisterial Doc. No. 1**

**Amended Order**

*Per Curiam:*

And Now, this 18<sup>th</sup> day of February, 2003, upon consideration of the Petition to Reestablish the Magisterial Districts of the 15<sup>th</sup> Judicial District (Chester County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the addition of Magisterial Districts 15-1-04 and 15-1-05, within Chester County, to be effective, January 5, 2004, is granted; and that the Petition, which provides for the realignment of Magisterial Districts 15-1-01, 15-1-03, 15-2-03, 15-2-05, 15-2-06, 15-3-07 and 15-4-03, within Chester County, to be effective January 5, 2004, is granted. The newly created vacancies in said new districts shall be filled in the 2003 municipal election. It is further *Ordered and Decreed* that the Petition, which also provides for the reestablishment of Magisterial Districts 15-1-02, 15-2-01, 15-2-07, 15-3-01, 15-3-04, 15-3-05, 15-3-06, 15-4-01, 15-4-02 and 15-4-04, within Chester County, as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 15-1-01 District Justice Mark Bruno	West Chester Borough (Wards 3, 5, 6 & 7)
Magisterial District 15-1-02 District Justice John F. Anthony	Easttown Township Tredyffrin Township (VTD East 01, 02, 03, 04, 05; VTD Middle 01, 05, 06; VTD West 03 & 04)
Magisterial District 15-1-03 District Justice Robert Davis	City of Coatesville (Wards 2, 4 & 5) South Coatesville Borough
Magisterial District 15-1-04 District Justice To Be Determined	West Chester Borough (Wards 1, 2 & 4)
Magisterial District 15-1-05 District Justice To Be Determined	City of Coatesville (Wards 1 & 3) Valley Township
Magisterial District 15-2-01 District Justice Theodore P. Michaels	Phoenixville Borough Charlestown Township East Pikeland Township Schuylkill Township
Magisterial District 15-2-03 District Justice J. Peter Winther	Thornbury Township West Goshen Township Westtown Township
Magisterial District 15-2-05 District Justice Chester Darlington	Malvern Borough East Goshen Township East Whiteland Township (Wards 3, 4, 5 & 6) Willistown Township
Magisterial District 15-2-06 District Justice Rita A. Arnold	Downington Borough Birmingham Township East Bradford Township East Caln Township West Bradford Township

Magisterial District 15-2-07 Upper Uwchlan Township  
District Justice Stanley Uwchlan Township  
Scott West Pikeland Township

Magisterial District 15-3-01 Spring City Borough  
District Justice James V. East Coventry Township  
DeAngelo East Nantmeal Township  
East Vincent Township  
North Coventry Township  
South Coventry Township  
Warwick Township  
West Vincent Township

Magisterial District 15-3-04 Kennett Square Borough  
District Justice Daniel J. East Marlborough Township  
Maisano Kennett Township  
Newlin Township  
Pennsbury Township  
Pocopson Township

Magisterial District 15-3-05 Oxford Borough  
District Justice Harry W. East Nottingham Township  
Farmer, Jr. Elk Township  
Lower Oxford Township  
New London Township  
Penn Township  
Upper Oxford Township  
West Nottingham Township

Magisterial District 15-3-06 Elverson Borough  
District Justice Michael Honey Brook Borough  
Cabry Honey Brook Township  
Wallace Township  
West Brandywine Township  
West Caln Township  
West Nantmeal Township

Magisterial District 15-3-07 Atglen Borough  
District Justice Robert E. Modena Borough  
Gill Parkesburg Borough  
East Fallowfield Township  
Highland Township  
Londonderry Township  
Sadsbury Township  
West Fallowfield Township  
West Sadsbury Township

Magisterial District 15-4-01 Treyffrin Township  
District Justice Jeremy (VTD Middle 02, 03,  
Blackburn 04 & 07; West 01, 02 & 05)

Magisterial District 15-4-02 Caln Township  
District Justice James East Brandywine Township  
Charley

Magisterial District 15-4-03 East Whiteland Township  
District Justice Larry E. (Wards 1 & 2)  
Smith West Whiteland Township

Magisterial District 15-4-04 Avondale Borough  
District Justice Thomas E. West Grove Borough  
Martin Franklin Township  
London Britain Township  
London Grove Township  
New Garden Township  
West Marlborough  
Township

### Reestablishment of the Magisterial Districts Within the 45th Judicial District; No. 193 Magisterial Doc. No. 1

#### Order

*Per Curiam:*

*And Now*, this 18th day of February, 2003, upon consideration of the Petition to Reestablish the Magisterial Districts of the 45th Judicial District (Lackawanna County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Lackawanna County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts shall be reestablished as they previously existed:

Magisterial District 45-1-01 District Justice Theodore Giglio	Moosic Borough Old Forge Borough Taylor Borough
Magisterial District 45-1-02 District Justice Alyce Farrell	City of Scranton (Wards 9, 10, 16, 17-Center City/East Scranton)
Magisterial District 45-1-03 District Justice Robert G. Russell	City of Scranton (Wards 11, 12, 19, 20, 24-South Scranton)
Magisterial District 45-1-05 District Justice Terrence V. Gallagher	City of Scranton (Wards 4, 5, 6, 14, 15, 18, 21, 22-West Scranton)
Magisterial District 45-1-06 District Justice James P. Kennedy	City of Scranton (Wards 1, 2, 3, 7, 13, 23-North Scranton/Greenridge)
Magisterial District 45-1-07 District Justice Thomas J. Golden	Dunmore Borough
Magisterial District 45-1-08 District Justice John P. Pesota	Dickson City Borough Olyphant Borough Throop Borough
Magisterial District 45-3-01 District Justice George E. Clark, Jr.	Clarks Green Borough Clarks Summit Borough Dalton Borough Benton Township Abington Township Glenburn Township LaPlume Township Newton Township North Abington Township Ransom Township South Abington Township West Abington Township
Magisterial District 45-3-02 District Justice John J. Mercuri	Moscow Borough Clifton Township Covington Township Elmhurst Township Jefferson Township Lehigh Township Madison Township Roaring Brook Township Spring Brook Township

Magisterial District 45-3-03 City of Carbondale  
 District Justice Sean P. Vandling Borough  
 McGraw Carbondale Township  
 Fell Township  
 Greenfield Township

Magisterial District 45-3-04 Archbald Borough  
 District Justice Joseph Balkely Borough  
 Toczydloski Jermyn Borough  
 Jessup Borough  
 Mayfield Borough  
 Scott Township

[Pa.B. Doc. No. 03-387. Filed for public inspection March 7, 2003, 9:00 a.m.]

Magisterial District 50-3-02 Bruin Borough  
 District Justice Joseph P. Cherry Valley Borough  
 O'Donnell Chicora Borough  
 East Butler Borough  
 Eau Claire Borough  
 Cherry Township  
 Fairview Borough  
 Karns City Borough  
 Petrolia Borough  
 West Sunbury Borough  
 Allegheny Township  
 Center Township  
 Clay Township  
 Clearfield Township  
 Concord Township  
 Donegal Township  
 Fairview Township  
 Marion Township  
 Oakland Township  
 Parker Township  
 Summit Township  
 Venango Township  
 Washington Township

**Reestablishment of the Magisterial Districts Within  
 the 50th Judicial District; No. 149 Magisterial  
 Doc. No. 1**

**Amended Order**

*Per Curiam:*

*And Now*, this 18<sup>th</sup> day of February, 2003, upon consideration of the petition to Reestablish the Magisterial Districts of the 50<sup>th</sup> Judicial District (Butler County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the addition of Magisterial Districts 50-3-05 and 50-3-06, within Butler County, to be effective January 5, 2004, is granted. The newly created vacancies are to be filled in the municipal election of 2003. It is further *Ordered and Decreed* that the Petition, which also provides for the realignment of Magisterial Districts 50-1-01, 50-3-01, 50-3-02, 50-3-02 and 50-3-04, within Butler County, to be effective January 5, 2004, is granted, and that the Petition, which also provides for the reestablishment of Magisterial District 50-3-03, as it currently exists, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 50-1-01 Butler Township  
 District Justice Kevin P  
 O'Donnell

Magisterial District 50-3-01 Harrisville Borough  
 District Justice Clifford J. Portersville Borough  
 Woessner Prospect Borough  
 Slippery Rock Borough  
 West Liberty Borough  
 Brady Township  
 Franklin Township  
 Mercer Township  
 Muddy Creek Township  
 Slippery Rock Township  
 Worth Township

Magisterial District 50-3-03 Saxonburg Borough  
 District Justice Sue Buffallo Township  
 Haggerty Clinton Township  
 Jefferson Township  
 Middlesex Township  
 Penn Township  
 Winfield Township

Magisterial District 50-3-04 Seven Fields Borough  
 District Justice Kelly D. Cranberry Township  
 Streib, Esq.

Magisterial District 50-3-05 City of Butler  
 District Justice To Be  
 Elected

Magisterial District 50-3-06 Callery Borough  
 District Justice To Be Connoquenessing Borough  
 Elected Evans City Borough  
 Harmony Borough  
 Mars Borough  
 Valencia Borough  
 Zelienople Borough  
 Adams Township  
 Connoquenessing Township  
 Forward Township  
 Jackson Township  
 Lancaster Township

[Pa.B. Doc. No. 03-388. Filed for public inspection March 7, 2003, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

DEPARTMENT OF ENVIRONMENTAL PROTECTION

[25 PA. CODE CH. 93]

Corrective Amendment to 25 Pa. Code § 93.9j

The Department of Environmental Protection (Department) has discovered a discrepancy between the agency text of 25 Pa. Code § 93.9j (relating to Drainage List J) as deposited with the Legislative Reference Bureau (Bureau) and published at 32 Pa.B. 4695, 4699 (September 28, 2002) and the official text as published in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 337, December 2002), and as currently appearing in the *Pennsylvania Code*. When the amendments made by the Department at 32 Pa.B. 4695 were codified, an entry for the Lackawanna River in Luzerne County and an unnamed tributary to it were never deleted as proposed.

Therefore, under 45 Pa.C.S. § 901: The Department has deposited with the Bureau a corrective amendment to 25 Pa. Code § 93.9j. The corrective amendment to 25 Pa. Code § 93.9j is effective as of December 7, 2002, the date the defective official text was announced in the *Pennsylvania Bulletin*.

The correct version of 25 Pa. Code § 93.9j appears in Annex A, with ellipses referring to the existing text of the regulation.

### Annex A

#### TITLE 25. ENVIRONMENTAL PROTECTION

#### PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Subpart C. PROTECTION OF NATURAL RESOURCES

#### ARTICLE II. WATER RESOURCES

#### CHAPTER 93. WATER QUALITY STANDARDS

#### § 93.9j. Drainage List J.

#### Susquehanna River Basin in Pennsylvania

#### *Lackawanna River*

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
1—Susquehanna River				
2—Lackawanna River				
3—West Branch Lackawanna River	Basin, Source to Confluence with East Branch	Susquehanna	CWF	None
3—East Branch Lackawanna River	Basin, Source to Confluence with West Branch	Susquehanna	HQ-CWF	None
2—Lackawanna River	Main Stem, Confluence East and West Branches to SR 0347 Bridge at Dickson City	Lackawanna	HQ-CWF	None
3—Unnamed Tributaries to Lackawanna River	Basins, Confluence of East and West Branches to SR 0347 Bridge at Dickson City	Susquehanna- Wayne- Lackawanna	CWF	None
3—Brace Brook	Basin	Susquehanna	CWF	None
3—Wilson Creek	Basin	Lackawanna	CWF	None
3—Coal Brook	Basin	Lackawanna	CWF	None

<b>Stream</b>	<b>Zone</b>	<b>County</b>	<b>Water Uses Protected</b>	<b>Exceptions To Specific Criteria</b>
3—Racket Brook	Basin	Lackawanna	CWF	None
3—Fall Brook	Basin	Lackawanna	CWF	None
3—Lees Creek	Basin	Lackawanna	CWF	None
3—Powderly Creek	Basin	Lackawanna	CWF	None
3—Rush Brook	Basin	Lackawanna	CWF	None
3—Aylesworth Creek	Basin	Lackawanna	CWF	None
3—White Oak Run	Basin	Lackawanna	CWF	None
3—Laurel Run	Basin	Lackawanna	CWF	None

\* \* \* \* \*

[Pa.B. Doc. No. 03-389. Filed for public inspection March 7, 2003, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**[25 PA. CODE CH. 93]**  
**Corrective Amendment to 25 Pa. Code § 93.9r**

The Department of Environmental Protection (Department) has discovered a discrepancy between the agency text of 25 Pa. Code § 93.9r (relating to Drainage List R) as deposited with the Legislative Reference Bureau (Bureau) and the official text published at 30 Pa.B. 6059, 6101 (November 18, 2000) and codified in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 315), and as currently appearing in the *Pennsylvania Code*. The entry for Elk Creek in Elk County was inadvertently omitted.

Therefore, under 45 Pa.C.S. § 901: The Department has deposited with the Bureau a corrective amendment to 25 Pa. Code § 93.9r. The corrective amendment to 25 Pa. Code § 93.9r is effective as of November 18, 2000, the date the defective official text was printed in the *Pennsylvania Bulletin*.

The correct version of 25 Pa. Code § 93.9r appears in Annex A, with ellipses referring to the existing text of the regulation.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION**  
**PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Subpart C. PROTECTION OF NATURAL RESOURCES**  
**ARTICLE II. WATER RESOURCES**  
**CHAPTER 93. WATER QUALITY STANDARDS**

**§ 93.9r. Drainage List R.**

**Ohio River Basin in Pennsylvania**

*Clarion River*

<b>Stream</b>	<b>Zone</b>	<b>County</b>	<b>Water Uses Protected</b>	<b>Exceptions To Specific Criteria</b>
1—Ohio River				
2—Allegheny River				
3—Clarion River				
		* * * * *		
4—Riley Run	Basin	Elk	WWF	None
4—Little Mill Creek	Basin	Elk	HQ-CWF	None



<b>Stream</b>	<b>Zone</b>	<b>County</b>	<b>Water Uses Protected</b>	<b>Exceptions To Specific Criteria</b>
4—Mason Creek	Basin	Elk	CWF	None
4—Elk Creek	Basin	Elk	CWF	None
4—Island Run	Basin	Elk	CWF	None
4—Big Mill Creek	Basin	Elk	HQ-CWF	None
4—Connerville Run	Basin	Elk	CWF	None
4—Dog Hollow Run	Basin	Elk	CWF	None
4—Gillis Run	Basin	Elk	CWF	None
4—Little Toby Creek	Main Stem	Elk	CWF	None
		* * * * *		

[Pa.B. Doc. No. 03-390. Filed for public inspection March 7, 2003, 9:00 a.m.]

## Title 58—RECREATION

### FISH AND BOAT COMMISSION

#### [58 PA. CODE CH. 53]

#### Commission Property

The Fish and Boat Commission (Commission) amends Chapter 53 (relating to Commission property). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

#### A. Effective Date

The final-form rulemaking will go into effect upon publication of this order adopting the amendment in the *Pennsylvania Bulletin*.

#### B. Contact Person

For further information on the final-form rulemaking, contact Laurie E. Shepler, Assistant Counsel, P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7815. This final-form rulemaking is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

#### C. Statutory Authority

The amendment to § 53.8 (relating to boats) is published under the statutory authority of section 741 of the code (relating to control of property).

#### D. Purpose and Background

The final-form rulemaking is designed to update, modify and improve the Commission's regulations pertaining to its property. The specific purpose of the final-form rulemaking is described in more detail under the summary of changes.

#### E. Summary of Changes

A Commission waterways conservation officer recently cited an individual for retrieving an unregistered and unpermitted canoe from the Commission's Upper Black Eddy access on the Delaware River. At the hearing before the district justice, the individual argued that he was not in violation of the Commission's regulations because the registration requirement of § 53.8(h) does not apply to noncommercial users of all accesses on the Delaware River. The district justice ruled in his favor. Accordingly, the Commission amended this section as proposed to avoid further misinterpretation.

#### F. Paperwork

The final-form rulemaking will not increase paperwork and will create no new paperwork requirements.

#### G. Fiscal Impact

The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will impose no new costs on the private sector or the general public.

#### H. Public Involvement

A notice of proposed rulemaking was published at 32 Pa.B. 6261 (December 21, 2002). The Commission did not receive public comments regarding the proposal.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

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

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

#### Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 53, are amended by amending § 53.8 to read as set forth at 32 Pa.B. 6261.

(b) The Executive Director will submit this order and 32 Pa.B. 6261 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 32 Pa.B. 6261 and deposit them with the Legislative Reference Bureau as required by law.

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

PETER A. COLANGELO,  
Executive Director

**Fiscal Note:** Fiscal Note 48A-138 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 03-391. Filed for public inspection March 7, 2003, 9:00 a.m.]

—

**FISH AND BOAT COMMISSION**  
**[58 PA. CODE CHS. 61 AND 65]**  
**Fishing**

The Fish and Boat Commission (Commission) amends Chapters 61 and 65 (relating to seasons, sizes and creel limits; and special fishing regulations). The Commission is publishing final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The amendments pertain to fishing.

*A. Effective Date*

The amendments will go into effect upon publication of this order adopting the final-form rulemaking in the *Pennsylvania Bulletin*.

*B. Contact Person*

For further information on this final-form rulemaking, contact Laurie E. Shepler, Assistant Counsel, P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7815. This final-form rulemaking is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

*C. Statutory Authority*

The amendment to § 61.2 (relating to Delaware River and River Estuary) is published under the statutory authority of section 2102 of the code (relating to rules and regulations). The amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

*D. Purpose and Background*

This final-form rulemaking is designed to update, modify and improve the Commission's regulations pertaining to fishing. The specific purpose of this final-form rulemaking is described in more detail under the summary of changes.

*E. Summary of Changes*

(1) *Section 61.2.* Management (including regulations) of Delaware River and Delaware Estuary fish stocks is somewhat complicated given that four state jurisdictions and Federal interests are involved. Over the years, major efforts have been made to promulgate consistent regulations across the four jurisdictions or at least those having the subject species. This was done not only for ease of enforcement but also to simplify matters for the angling public. As the status of fish populations changes so does the need to address regulations, which has been the case with striped bass in the past 20 years or so.

Currently, the harvest of river herring, which include alewife (*alosa pseudoharengus*) and blueback herring (*alosa aestivalis*), in the Delaware River is unregulated in this Commonwealth. There are no restrictions because quite simply there was little angling activity on these fish due to low abundance, other more sought after species, and the like. Efforts are presently underway to restore herring runs in select tributaries in Chester County. In addition, with the recent expansion of the striped bass

population and sport fishery on the New Jersey coast and in the Delaware River and Estuary, river herring have become a very popular live bait. The market for individual live herring has been reported as high as \$5 per fish. Even though New Jersey has a 50 herring daily limit, anglers are coming into this Commonwealth, purchasing a fishing license, catching herring and then returning to New Jersey to sell their catch. Biological and Law Enforcement staff in New Jersey and this Commonwealth believe that uniform regulations would be in the best interest of the angling public and management of herring stocks.

New Jersey is proposing to reclassify river herring as a bait fish, which would limit daily harvest to 35. The Commonwealth has been requested to consider imposing a similar daily creel limit. The Commonwealth and New Jersey historically have worked together to insure that harvest regulations accomplish common management goals and are consistent between states on our common border water.

Accordingly, the Commission amended § 61.2 to establish a daily limit of 35 for river herring (alewife and blueback herring) in the Delaware River, Delaware Estuary and Delaware River/Estuary tributaries from the mouths upstream to the limit of tidal influence and the Lehigh River from its mouth upstream to the first dam in Easton, PA. The Commission adopted the amendment as proposed.

(2) *Section 65.24.* Lake Winola (formerly Breeches Pond) is a natural lake in Overfield Township, Wyoming County. Years ago, a concrete and earth filled dam 13 feet high was constructed across the outlet resulting in the current 198 acre pool. Lake Winola has a maximum depth of 66 feet, a mean depth of 30 feet and a surface total alkalinity of 38 parts per million. The Commission manages the lake as a warm water/cool water fishery with seasonal trout fishing opportunities provided by the stocking of adult size trout. An important sportfish, largemouth bass, have received attention from the Commission's Area Fisheries Manager with regard to attempts to improve growth rates and overall size structure in the population. Previous efforts centered on efforts to establish other forage species, but those efforts had little impact on bass growth.

Based on three electrofishing samples (1991, 1995 and 2000), the Lake Winola largemouth bass population can be characterized as high density and slow growing. The growth rate, particularly for bass 2 years of age and older, was well below the State average. Anglers have reported high catch rates of bass with very few legal size individuals. Low relative weights of bass greater than 8 inches in length suggest that these fish are very vulnerable to angling. In addition, length frequency distribution indicates that the population size structure has been impacted by angler harvest.

Largemouth bass populations are typically managed using minimum length limits. As the minimum length limit increases, there is a tendency to stockpile increasing numbers of sublegal bass. Stockpiling is not a problem in a fast growing population, but is undesirable in a slow growing high-density situation. For this reason, big bass special regulations as well as the current Statewide regulation are inappropriate for Lake Winola. Slot lengthlimits are an option to improve the size structure of

high density, slowing growing largemouth bass populations. The success of a slot limit depends on anglers willing to harvest subslot fish. The Commission adopted a protected slot limit of 12 to 18 inches at Lake Winola. Harvest of smaller more numerous bass should improve growth of older bass once they enter the 12 to 18 inch window. Also, opportunity will exist to harvest the occasional trophy size bass. The Commission adopted the amendment to this section as proposed.

#### F. Paperwork

The final-form rulemaking will not increase paperwork and will create no new paperwork requirements.

#### G. Fiscal Impact

The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will impose no new costs on the private sector or the general public.

#### H. Public Involvement

A notice of proposed rulemaking was published at 32 Pa. B. 4869 (October 5, 2002). The Commission did not receive any public comments regarding the proposals during the public comment period. Prior to the formal comment period, the Commission received one public comment opposing the imposition of a protected slot limit for bass on Lake Winola. Copies of the public comment were provided to the Commissioners.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendments 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided, and no comments were received during that period.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

#### Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapters 61 and 65, are amended by amending §§ 61.2 and 65.24 to read as set forth at 32 Pa.B. 4869.

(b) The Executive Director will submit this order and 32 Pa.B. 4869 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 32 Pa.B. 4869 and deposit the same with the Legislative Reference Bureau as required by law.

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

PETER A. COLANGELO,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-133 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 03-392. Filed for public inspection March 7, 2003, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### [58 PA. CODE CH. 69]

#### Fishing in Lake Erie and Boundary Lakes

The Fish and Boat Commission (Commission) amends Chapter 69 (relating to fishing in Lake Erie and boundary lakes). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The amendments concern fishing.

#### A. Effective Date

The final-form rulemaking will go into effect upon publication of this order adopting the amendments in the *Pennsylvania Bulletin*.

#### B. Contact Person

For further information on this final-form rulemaking, contact Laurie E. Shepler, Assistant Counsel, P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7815. This final-form rulemaking is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

#### C. Statutory Authority

The amendments to §§ 69.12—69.15 are published under the statutory authority of section 2102 of the code (relating to rules and regulations).

#### D. Purpose and Background

The final-form rulemaking is designed to update, modify and improve the Commission's regulations pertaining to fishing in Lake Erie and its tributaries. The specific purpose of the final-form rulemaking is described in more detail under the summary of changes.

#### E. Summary of Changes

Commission staff recently identified the need to update and improve the current regulations applicable to recreational fishing in Lake Erie and its tributaries. The immediate impetus for the changes was the need to clarify the prohibition on fishing in the Lake Erie tributaries during a brief period before the opening day of trout season in April. Section 69.13 prohibited fishing for trout and salmon in tributary streams during a 32-hour period before opening day of trout or salmon. The wording of this prohibition differs to some degree from the general prohibition on fishing in approved trout waters during the closed season, and this difference has caused staff to identify the need for clarification. Under this final-form rulemaking, the provisions will clearly provide that fishing (for all species) is prohibited during this 32-hour period on Lake Erie tributaries and a portion of Presque Isle State Park. In addition, possession of trout or salmon will be prohibited on these streams during the same period.

The review by the Commission's staff of the Lake Erie and tributary regulations showed that it should be possible to simplify and consolidate these regulations. Currently, these regulations are spread across several sections of the fishing regulations. The Commission's staff believes that § 69.12 (relating to seasons, sizes and creel limits—Lake Erie and Lake Erie tributaries) and § 69.13 can be consolidated into a single provision. The main substantive change from this consolidation relates to the creel limit for trout and salmon during the period from opening day in April until Labor Day in September. Currently, both Lake Erie and the tributaries have an eight trout per day creel limit. On the lake and the bay, only five of these fish may exceed 15 inches in length, while on the tributaries, only three of these fish may

exceed 15 inches in length. From an enforcement perspective, having different limits for the same species on waters in close proximity raises issues. The Commission's fisheries managers also report that there would be no negative consequences from simplifying the trout/salmon creel limit. Accordingly, as part of the consolidation of these provisions, the Commission proposed that during the period from opening day until Labor Day, a creel limit of five trout/salmon (only two of which may be lake trout) should apply to the lake, the bay and the tributaries. This would bring the trout/salmon creel limit on these waters into line with the Statewide limits, and it would eliminate the sometimes confusing limitations on taking trout in excess of 15 inches in length.

Commission staff also identified an opportunity to simplify the special regulations that apply to particular tributaries during the steelhead season and the miscellaneous special regulations. The Commission proposed elimination of the somewhat confusing table of special prohibitions applicable to specific streams during steelhead season (Labor Day to opening day in the following year) and clarification of the miscellaneous special regulation provisions. The Commission has deleted §§ 69.14 and 69.15.

The Commission believes that the simplification and consolidation of these regulations will improve their enforceability and make them easier to understand. The only major substantive change relates to the clarification of the fishing prohibition during the 32-hour period before opening day of trout season and the proposed change to the creel limit on trout/salmon during the regular season. The Commission adopted the amendments as proposed. A typographical error in § 69.12a (relating to special regulations applicable to Lake Erie tributary streams) has been corrected.

*F. Paperwork*

The final-form rulemaking will not increase paperwork and will create no new paperwork requirements.

*G. Fiscal Impact*

The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will impose no new costs on the private sector or the general public.

*H. Public Involvement*

A notice of proposed rulemaking was published at 32 Pa.B. 4724 (September 28, 2002). The Commission did not receive any public comments regarding the proposal.

*Findings*

The Commission finds that:

- (1) Public notice of intention to adopt the amendments 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided, and no comments were received.
- (3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

*Order*

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 69, are amended by amending § 69.12; by deleting §§ 69.13–69.15; and by adding § 69.12a to read as set forth at 32 Pa. B. 4724.

(b) The Executive Director will submit this order and 32 Pa. B. 4724 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 32 Pa. B. 4724 and deposit them with the Legislative Reference Bureau as required by law.

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

PETER A. COLANGELO,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-134 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 03-393. Filed for public inspection March 7, 2003, 9:00 a.m.]

**FISH AND BOAT COMMISSION**

**[58 PA. CODE CH. 111]**

**Boating**

The Fish and Boat Commission (Commission) amends Chapter 111 (relating to special regulations counties). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

*A. Effective Date*

The final-form rulemaking will go into effect upon publication of this order adopting the amendments in the *Pennsylvania Bulletin*.

*B. Contact Person*

For further information on the final-form rulemaking, contact Laurie E. Shepler, Assistant Counsel, P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7815. This final-form rulemaking is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

*C. Statutory Authority*

The final-form amendments to §§ 111.32, 111.59 and 111.65 (relating to Indiana County; Tioga County; and Westmoreland County) are published under the statutory authority of section 5124 of the code (relating to particular areas of water).

*D. Purpose and Background*

The final-form rulemaking is designed to update, modify and improve the Commission's regulations pertaining to boating. The specific purpose of the final-form rulemaking is described in more detail under the summary of changes. The Commission's Boating Advisory Board considered the proposed rulemaking and recommended that the Commission adopt them on final-form rulemaking.

*E. Summary of Changes*

(1) *Sections 111.32 and 111.65.* The Commission received a letter from the U.S. Army Corps of Engineers (Corps), Pittsburgh District, dated April 22, 2002, requesting that the Conemaugh River Lake be restricted to electric and manual powered boats. The Conemaugh River Lake was created in 1953 as a part of the flood

control system for the Allegheny and Ohio Rivers. The project purposes include flood control, water quality, hydropower generation and recreation. Of these purposes, only flood control has storage allocated for its operation. Other purposes are accommodated to the extent feasible. The summer pool is approximately 800 acres.

Due to historic acid mine drainage pollution, the quality of the water has been highly degraded and water recreational facilities have not been developed. During the past 10 years, agencies have observed a significant improvement in water quality to the point where water recreation is becoming a possibility and demand for shoreline fishing and hand carried boat launching is increasing.

In 1995, the Corps initiated an analysis of various proposed boating alternatives. An interagency meeting was convened to gather input from State and Federal agencies and a consensus electric/manual boat policy was reached. Because there was no significant access at that time, no action was taken to formalize this restriction beyond the Operations Management Plan. However, access is improving with two hand-carry boat launch sites having been developed by local municipalities and two more in the planning stage for development in the next 2 years. Current Corps' policy for boating limits on this lake should be formalized in the Commission's regulations. Accordingly, the Commission amended these sections as proposed.

(2) *Section 111.59.* The Commission received a letter from the Corps, Baltimore District, dated August 6, 2002, requesting changes to the boating regulations on Tioga, Hammond and Cowanesque Lakes. These lakes were built in the late 1970s as a part of the flood control system for the Susquehanna River. As the lakes were opened, the Commission and the Corps developed a management plan for boating. This plan was modified in 1991 when the level of the water at Cowanesque Lake was raised. Since that time, the lakes have increased in popularity, becoming a destination for many people from the northern tiers of this Commonwealth and southern New York. After evaluating the current use of the facilities, the Corps is proposing loosening the restrictions on certain activities in order to expand boating opportunities.

The Corps proposes to:

- Remove the "slow no wake" regulation at Cooks Creek Cove—the area is no more than 200 feet across and is therefore regulated by the general no wake regulations.
- Remove the restriction from boating at the dam—no trespassing signs keep people off the dam structure and there is no need to restrict boats in this area.
- Eliminate the "boats keep out" restriction above the Route 49 Bridge—the original purpose of this restriction was to keep boaters away from Nelson Falls. The Route 49 Bridge provided an easy place to mark this restriction. The Corps has since been able to mark this area by other means and would like to open this area to boats.
- Eliminate the two water skier rules—The original restriction was intended to restrict conventional skiers. The more common use today is inflatable tubes and similar devices many of which are designed for more than two people. Eliminating this rule will allow families greater freedom to use and enjoy the sport.

- Eliminate the over the transom exhaust restriction—the Corps believe there is no further need for this rule. The original concern was for noise, and the Commission has other regulations to control the production of excessive noise by boats of this type.

- Add a new "slow no wake" zone in the vicinity of two heavily used launch ramps—this area is on a narrow part of the lake and is very congested because of the launch ramp use.

The Commission has reviewed the proposed rulemaking and agrees that the changes will be beneficial to the overall use of the three lakes. Accordingly, the Commission amended this section as proposed.

#### F. Paperwork

The final-form rulemaking will not increase paperwork and will create no new paperwork requirements.

#### G. Fiscal Impact

The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will impose no new costs on the private sector or the general public.

#### H. Public Involvement

A notice of proposed rulemaking was published at 32 Pa.B. 6132 (December 14, 2002). Prior to the formal public comment period, the Commission received a letter on behalf of the Conemaugh Valley Conservancy and the Kiski-Conemaugh River Basin Alliance supporting the change on the Conemaugh River Lake. The Commission did not receive public comments regarding the proposed rulemaking during the formal comment period.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendments 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

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

(3) The adoption of the rulemaking of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

#### Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 111, are amended by amending §§ 111.32, 111.59 and 111.65 to read as set forth at 32 Pa.B. 6132.

(b) The Executive Director will submit this order and 32 Pa.B. 6132 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 32 Pa.B. 6132 and deposit them with the Legislative Reference Bureau as required by law.

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

PETER A. COLANGELO,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-137 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 03-394. Filed for public inspection March 7, 2003, 9:00 a.m.]

---

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 109]

### Safe Drinking Water; Filter Backwash Recycling Rule (FBRR)

The Environmental Quality Board (Board) proposes to amend Chapter 109 (relating to safe drinking water). The proposed rulemaking in general pertains to public water systems using surface water or groundwater under direct influence of surface water (GUDI); utilizing direct or conventional filtration processes; and recycling backwash water, sludge thickener supernatant or liquid from dewatering processes.

This proposed rulemaking is intended to further protect public health by requiring public water systems (PWS), where needed, to institute changes to the return of recycle flows to a plant's treatment process that may otherwise compromise microbial control. The FBRR requires that recycled filter backwash water, sludge thickener supernatant and liquids from dewatering processes must be returned to a location so that all processes of a system's conventional or direct filtration including coagulation, flocculation, sedimentation (conventional filtration only) and filtration are employed. Systems may apply to the Department of Environmental Protection (Department) for approval to recycle at an alternate location.

The proposal was adopted by the Board at its meeting of December 17, 2002.

#### A. Effective Date

These proposed amendments will go into effect upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.

#### B. Contact Persons

For further information, contact Jeffrey A. Gordon, Chief, Division of Drinking Water Management, P. O. Box 8467, Rachel Carson State Office Building, Harrisburg, PA 17105-8467, (717) 772-4018; or Marylou Barton, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposal appears in Section H of this preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposal is available electronically through the Department's website (<http://www.dep.state.pa.us>).

#### C. Statutory Authority

This proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (act) (35 P. S. § 721.4), which grants the Board the authority to adopt rules and regulations governing the provision of drinking water to the public and sections 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-7 and 510-20).

#### D. Background and Purpose

The Department promulgated the Filtration Rule in March 1989 to address the rising number of waterborne disease outbreaks in this Commonwealth. The rule required public water systems with surface water sources to

filter and disinfect the water before use by the public, cover finished water reservoirs, perform treatment performance and water quality compliance monitoring and provide public notification of violations. The rule also established design and performance standards for the filtration and disinfection treatment techniques intended to protect against the adverse health effects of exposure to *Giardia lamblia*, viruses and legionella, as well as many other pathogenic organisms.

The Department also promulgated the Interim Enhanced Surface Water Treatment Rule (IESWTR) on July 21, 2001. This rule is intended to improve the control of microbial pathogens, specifically including the protozoan *Cryptosporidium parvum*, in drinking water. The IESWTR applies to PWSs serving 10,000 or more people and which use surface water GUDI. Key provisions include 99% *Cryptosporidium* removal requirements for systems that filter; strengthened combined and individual filter effluent turbidity performance standards; disinfection benchmark provisions to assure continued levels of microbial protection while facilities take the necessary steps to comply with new disinfection byproduct standards; inclusion of *Cryptosporidium* in the definition of GUDI; and sanitary surveys for all surface water systems, regardless of size.

Water treatment plants generate various waste streams during the water production process as well as during subsequent waste handling procedures. Waste streams can be a large volume, such as spent filter backwash water, which can make up more than 3% of plant production, or very small, like streams of filtrate from a filter press, which may represent less than 0.1% of plant production. The waste streams can be handled in a variety of ways. Some treatment plants recycle the wastewater to the beginning of the treatment cycle, where the water will be treated again. Other plants waste it by sending it into the local wastewater treatment plant. Still other plants obtain a discharge permit and release the water to a river or stream after some additional treatment. Increasingly stringent discharge requirements, expensive chemicals and conservation efforts have forced many plants to consider or implement recycling. Recycling of water treatment plant waste streams is an acceptable practice of good water conservation management. This proposed rulemaking does not mandate recycling nor does it intend to discourage the recycling of waste streams.

When a facility recycles filter backwash water, it reintroduces contaminants into the treatment processes. Poor recycle practices can degrade influent water quality and impair treatment process performance. The 1996 amendments to the Federal act required the Environmental Protection Agency (EPA) to promulgate a regulation governing the recycling of filter backwash water. The EPA promulgated the Federal FBRR on June 8, 2001. The Federal FBRR addresses filter backwash water and two additional recycle streams of concern, sludge thickener supernatant and liquids from dewatering processes. The EPA believes that establishing a regulation will improve performance at filtration plants by reducing the opportunity for recycle practices to adversely affect plant performance in a way that would allow microbes such as *Cryptosporidium* to pass through into finished water. While the Commonwealth's Filtration Rule and the IESWTR contained treatment technique requirements designed to address microbial pathogens such as *Giardia*

and *Cryptosporidium*, neither the Commonwealth's Filtration Rule nor the IESWTR addressed filter backwash recycling practices. About 120 surface water treatment plants using conventional or direct filtration practice some form of waste stream recycling in this Commonwealth.

The Department is proposing to incorporate the provisions of the Federal FBRR into the Commonwealth Safe Drinking Water Regulations to retain primacy for enforcement responsibility of safe drinking water. The proposed rulemaking will provide additional protection against disease-causing organisms (pathogens) in drinking water. This action would address risks associated with certain recycle practices in the least burdensome, most effective and simplest means possible. The proposed amendments will allow recycle practices to be conducted in a manner that does not upset the chemical treatment and coagulation process vital to the performance and contaminant removal capability of a filtration plant. The proposed amendments will also assure that *Cryptosporidium* oocysts in recycled water, as well as source water, receive the full benefit of well-operated treatment processes to achieve at least 99% *Cryptosporidium* removal.

The proposal will improve public health by increasing the level of protection from exposure to *Cryptosporidium* and other pathogens in drinking water supplies through improvements in recycling processes at water treatment plants. This will decrease the likelihood of endemic illness from *Cryptosporidium* by several thousand cases annually, thus reducing health care costs. Implementation of these provisions is expected to reduce the potential for oocysts getting into the finished water and causing cases of *Cryptosporidiosis*. Exposure to other pathogenic protozoa, such as *Giardia*, or other emerging microbial pathogens is likely to be reduced by this proposed rulemaking as well.

In terms of occurrence, *Cryptosporidium* is common in the environment. Most surface water sources contain, or are vulnerable to, *Cryptosporidium* oocyst contamination at one time or another. Since some people are carriers, oocysts may enter the water through treated and untreated sewage outfall. Other sources of *Cryptosporidium* contamination are those animals that live in or near the water who are likely to deposit oocysts directly into the drinking water supplies. Livestock are notorious carriers of *Cryptosporidium*. Runoff from watersheds allows transport of this pathogen into water bodies used as sources for drinking water treatment plants. Complicating this matter is *Cryptosporidium*'s resistance to standard disinfection practices.

In humans, *Cryptosporidium* may cause a severe infection that can last several weeks. It may cause the death of individuals who have a weaker immune system due to age, cancer treatment, AIDS and antirejection organ replacement drugs. In 1993, *Cryptosporidium* caused over 400,000 people in Milwaukee to experience serious intestinal illness. More than 4,000 were hospitalized and at least 50 deaths were attributed to the *Cryptosporidium* outbreak. There have also been *Cryptosporidiosis* outbreaks in Nevada, Oregon and Georgia over the past several years.

The draft proposed rulemaking was submitted for comments to the Water Resources Advisory Committee (WRAC) on September 11, 2002. The WRAC approved the regulations with the condition that the Department consider the WRAC comments. The draft proposed rule was submitted for comments to the Technical Assistance Cen-

ter (TAC) Advisory Board on August 13, 2002. TAC provided comments at the meeting, which have been addressed.

#### *Advisory Committee Recommendations*

1. TAC wanted to know the breakdown of the 120 affected PWSs.

The Department conducted a survey of PWSs in this Commonwealth using conventional filtration or direct filtration to determine recycling practices in this Commonwealth. A survey of 243 filtration systems shows that about 120 of the systems practice some form of recycling. The estimated breakdown of this group is as follows:

- Less than 3,300 = 43 systems
- 3,300 to 10,000 = 29 systems
- Greater than 10,000 = 48 systems.

2. TAC wanted to know the average cost of repairs for systems making capital improvements.

According to the EPA's National estimates as published in the Preamble of the FBRR (Federal Register, Vol. 66, No. 111), 371 systems Nationwide will have a total annualized cost of \$5.8 million for capital improvements to recycle return location. According to the recycle survey conducted by the Department for this Commonwealth's filtration systems, it is estimated that about 30 systems will need capital improvements to recycle return location.

The ratio of Commonwealth to Nationwide is 30/371 systems = 0.08.

The Federal estimate is multiplied by the ratio to get the Commonwealth's estimate, such as:

Estimated annualized Nationwide cost for capital improvements to recycle location = \$5.8 million

Estimated annualized cost for capital improvements to recycle location to Commonwealth systems = \$5.8 × 0.08 = \$464,000

3. TAC wanted to know if the December 8, 2003, implementation date is correct.

The January 4, 2003, date in § 109.701(h) was a typographical error. The correct date should be December 8, 2003.

PWSs using conventional filtration or direct filtration treatment and that recycle spent filter backwash water, thickener supernatant or liquids from dewatering processes, shall notify the Department in writing by December 8, 2003.

4. WRAC wanted definitions for "recycle" and "capital improvement" included in the regulation.

The definitions have been added to the proposed rulemaking. A definition for "recycle flows" was also added.

5. WRAC wanted the Department to include in the preamble that recycling is a good practice. They noted that the practice of recycling is good management conservation and should not be discouraged.

A statement has been added to the third paragraph of this section.

6. WRAC wanted the Department to send the proposed rulemaking to "stakeholder groups" in this Commonwealth for review.

The EPA involved a National stakeholder group during development of the FBRR. The proposed rulemaking is not more stringent than the Federal rule. The stakeholder groups have the opportunity to review and com-



ment on the proposed rulemaking. Therefore, there is no need to have a separate Commonwealth stakeholder group review the proposed rulemaking.

7. WRAC wanted the Department to exempt systems that provide membrane filtration of the filter backwash wastes, and the like, and use the filtrate as finished water (that is, send filtrate to the chlorine contact tank, rather than to the head of the plant, from the provisions of the backwash recycling rule.)

The Federal FBRR requires regulated recycle streams to be returned through all the processes of a system's existing conventional or direct filtration plant or at an alternate recycle location approved by the state. Compared to the source water, the waste streams have significantly higher levels of contaminants including *Cryptosporidium* oocysts and *Giardia* cysts. Separate treatment of the wastewater reduces the number of microbial and pathogenic organisms prior to recycle and, therefore, significantly reduces the risk associated with passing these organisms through the conventional or direct filtration plant in the event of a hydraulic surge, for example. Even with failure of the wastewater treatment, the barriers provided by conventional and direct filtration will help to reduce the risk of passing cysts and oocysts. If the treated recycle water was discharged or recycled directly to the finished water, any failure of the membrane filtration treatment would allow the discharge of significant amounts of cysts and oocysts which would result in a significant health risk to the consumer. Therefore, the Department does not consider the finished water as an acceptable alternative recycle return location.

The Federal Safe Drinking Water Act (42 U.S.C.A. § 300g-2(a)) requires that primary enforcement responsibility states, such as the Commonwealth, adopt EPA regulations no later than 2 years after EPA promulgation. The EPA may approve an extension of up to 2 years for states that: 1) lack legislative or regulatory authority to enforce the new requirements; 2) lack program capability to implement the new regulations; or 3) are adopting two or more regulations at the same time.

The final Federal FBRR was published at 63 FR 31086 (June 8, 2001). The Department is submitting a primacy extension request to the EPA to adopt regulations implementing the FBRR by June 8, 2004. It is expected that the EPA will grant the extension because the State is adopting two or more EPA regulations at the same time. If the EPA grants the June 8, 2004, extension, then failure to adopt the FBRR by this extension date may result in the Commonwealth losing its primary enforcement responsibility.

#### E. Summary of Regulatory Requirements

The proposed amendments reflect the new Federal requirements. The amendments are being proposed because there is no language currently in Chapter 109 that addresses the new Federal requirements.

The Safe Drinking Water Program plans to involve and inform the public of the proposed amendments through publication in the *Pennsylvania Bulletin*. The Department will also post notice and information about the proposed amendments on the Department's website at [www.dep.state.pa.us](http://www.dep.state.pa.us). In addition, safe drinking water program staff is prepared to attend public meetings if invited to do so.

Major components of the proposed amendments include the following provisions:

#### § 109.202(h) (relating to State MCLs, MRDLs and treatment technique requirements)

This subsection requires all PWSs affected by this proposed rulemaking to return affected recycle flows through the processes of the system's existing conventional or direct filtration system as defined in § 109.1 (relating to definitions) or at an alternate location approved by the Department by June 8, 2004. If capital improvements are required to modify the recycle location to meet this requirement, all capital improvements shall be completed by June 8, 2006.

#### § 109.701(h)(i) (relating to reporting and recordkeeping)

This subsection requires all PWSs affected by this proposed rulemaking to notify the Department in writing by December 8, 2003, if the system recycles spent filter backwash water, thickener supernatant or liquids from dewatering processes.

Submitted information shall include a plant schematic showing the origin of all flows, which are recycled (including, but not limited to, spent filter backwash water, thickener supernatant and liquids from dewatering processes), the hydraulic conveyance used to transport them and the location where they are reintroduced into the treatment plant.

The PWSs shall also submit to the Department the typical recycle flow in gallons per minute (gpm), the highest observed plant flow experienced in the previous year (gpm), design flow for the treatment plant (gpm) and Department approved operating capacity for the plant where the Department has made the determinations.

#### § 109.701(h)(2)

This paragraph requires affected PWSs to collect and retain on file by June 8, 2004, the following recycle flow information for Department review and evaluation: copy of the recycle notification and information submitted to the Department; list of all recycle flows and the frequency with which they are returned; average and maximum backwash flow rate through the filters; and average and maximum duration of the filter backwash process in minutes.

Also, to be retained for Department review are typical filter run length and a written summary of how filter run length is determined; the type of treatment provided for the recycle flow; data on the physical dimensions of the equalization or treatment units, or both, typical and maximum hydraulic loading rates, type of treatment chemicals used and average dose and frequency of use, and frequency at which solids are removed, if applicable.

#### F. Benefits, Costs and Compliance

##### Benefits

The proposed amendments will benefit customers of PWSs, which utilize direct or conventional filtration, use surface water or GUDI sources, and practice recycling. Currently, there are about 120 systems in this Commonwealth serving water to about 5,178,300 people that meet these criteria.

The economic benefits of the FBRR derive from the increased level of protection to public health. The primary benefits of the proposed rulemaking come from reductions in the risk of illness from microbial pathogens in drinking water. In particular, FBRR focuses on reducing the risk associated with disinfection resistant pathogens, such as *Cryptosporidium*.

Available literature research demonstrates that increased hydraulic loading or disruptive hydraulic currents

such as may be experienced when plants exceed operating capacity or when recycle is returned directly into the sedimentation basin can disrupt filter and sedimentation performance. The goal of the proposed amendments is to improve public health by increasing the level of protection from exposure to *Cryptosporidium* and other pathogens (that is, *Giardia* or other waterborne bacterial or viral pathogens) in drinking water supplies through improvements in the recycling process at water systems. Implementation of these provisions is expected to reduce the potential for oocysts getting into the finished water and causing cases of *Cryptosporidiosis*. Exposure to other pathogenic protozoa, such as *Giardia*, or other emerging microbial pathogens is likely to be reduced by this proposed rulemaking as well.

In addition to preventing illnesses, the proposed rulemaking is expected to have other nonhealth related benefits. These benefits result from avoiding nonhealth related costs associated with waterborne disease outbreaks. During an outbreak, local governments and water systems shall issue warnings and alerts and may need to provide an alternative source of water. Systems also face negative publicity and possible legal costs. The monetary costs associated with an outbreak can be difficult to quantify and will vary with a host of criteria. However, one study of a *Giardia* outbreak in Luzerne County estimated these nonhealth related costs to be quite significant. This study estimated losses to individuals due to actions taken to avoid the contaminated water at between \$19 million and \$49 million, in 1984 dollars (\$31 million—\$81 million in 2000 dollars). Losses due to averting actions for restaurants and bars totaled \$1 million and \$0.6 million for schools and other businesses, in 1984 dollars. The burden for government agencies was \$230,000 and the outbreak cost the water utility an estimated \$1.8 million, again in 1984 dollars.

*Compliance Costs*

Increased costs will be borne by the regulated community for systems making capital improvements to modify recycle location. Additional training, permitting, surveillance and compliance assistance costs will also be borne by the Department.

The consumers of water supplied by about 120 affected PWSs using surface water or GUDI; utilizing direct or conventional filtration processes; and recycling backwash water, sludge thickener supernatant or liquid from dewatering processes may experience higher water use rates associated with costs for capital improvements to modify recycle locations. The actual increase in water use rates will depend on a number of factors, including population served and type of improvements done.

*Compliance Assistance Plan*

The Safe Drinking Water Program utilizes the Pennsylvania Infrastructure Investment Authority Program to offer financial assistance to eligible public water systems. This assistance is in the form of a low-interest loan, with some augmenting grant funds for hardship cases. Eligibility is based upon factors such as public health impact, compliance necessity and project/operational affordability.

*Paperwork Requirements*

The Department's current data forms will facilitate any additional monitoring and reporting or paperwork.

*F. Sunset Review*

These regulations will be reviewed in accordance with the sunset review schedule published by the Department

to determine whether the regulations effectively fulfil the goals for which they were intended.

*G. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of the proposed rulemaking on February 21, 2003, to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review of these issues by the Department, the General Assembly and the Governor prior to final-form publication of the regulations.

*H. Public Comments*

*Written Comments*—Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. The Board must receive comments, suggestions or objections by April 7, 2003. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by April 7, 2003. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final-form rulemaking will be considered.

*Electronic Comments*—Comments may be submitted electronically to the Board at RegComments@state.pa.us and must also be received by the Board by March 31, 2003. A subject heading of the proposal and a return name and address must be included in each transmission. If the sender does not receive an acknowledgement of electronic comments within 2 working days, the comments should be retransmitted to ensure receipt.

KATHLEEN A. MCGINTY,  
*Acting Chairperson*

**Fiscal Note:** 7-382. (1) General Fund;

		<i>Environmental Protection Operations</i>	<i>Environmental Program Management</i>
(2) Implementing	Year 2002-03 is	\$ 4,592	\$ 1,008
(3) 1st Succeeding	Year 2003-04 is	\$ 4,592	\$ 1,008
	2nd Succeeding	Year 2004-05 is	\$ 4,592
	3rd Succeeding	Year 2005-06 is	\$ 4,592
	4th Succeeding	Year 2006-07 is	\$ 4,592
	5th Succeeding	Year 2007-08 is	\$ 4,592

	<i>Environmental Protection Operations</i>	<i>Environmental Program Management</i>
(4) 2001-02 Program—	\$75,074,000	\$43,354,000
2000-01 Program—	\$76,018,000	\$41,471,000
1999-00 Program—	\$71,402,000	\$40,200,000
(8) recommends adoption.		

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 109. SAFE DRINKING WATER

Subchapter A. GENERAL PROVISIONS

§ 109.1. Definitions.

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

\* \* \* \* \*

**Liquid from dewatering processes**—A stream containing liquids generated from a unit used to concentrate solids for disposal.

\* \* \* \* \*

**Recycle**—The act of returning recycle streams to a conventional or direct filtration plant's treatment process.

**Recycle flows**—

(i) Any water, solid or semisolid generated by a conventional or direct filtration plant's treatment process and residual treatment processes that is returned to the plant's treatment process.

(ii) The term is also referred to as recycle streams.

\* \* \* \* \*

**Spent filter backwash water**—A stream containing particles dislodged from filter media when the filter is backwashed to clean the filter.

\* \* \* \* \*

**Thickener supernatant**—A stream containing the decant from a clarifier, sedimentation basin, or other unit used to treat water, solids or semisolids from the primary treatment process.

\* \* \* \* \*

Subchapter B. MCLs, MRDLs OR TREATMENT TECHNIQUE REQUIREMENTS

§ 109.202. State MCLs, MRDLs and treatment technique requirements.

\* \* \* \* \*

(h) **Recycling of waste stream.**

(1) If no capital improvements are required, a public water supply system that uses a surface water source or GUDI and provides conventional filtration or direct filtration treatment and recycles spent filter backwash water, thickener supernatant, or liquids from dewatering processes shall return

these flows through the processes of the system's existing conventional or direct filtration system as defined in § 109. 1 (relating to definitions) or at an alternate location approved by the Department by June 8, 2004.

(2) If capital improvements are required to modify the recycle location to meet the requirement, in paragraph the capital improvements shall be completed by June 8, 2006.

(3) Capital improvement means a nonrecurring, significant modification or expenditure for nonroutine, long-term physical improvements to any part of a public water system to include, but not be limited to, construction activities, renovation activities, demolition activities, source development, treatment process modifications, storage modifications, distribution system modifications, waste-processing modifications and the associated design costs.

Subchapter G. SYSTEM MANAGEMENT RESPONSIBILITIES

§ 109.701. Reporting and recordkeeping.

\* \* \* \* \*

(h) **Reporting and record maintenance requirements for systems recycling their waste streams.**

(1) Public water systems using surface water or GUDI sources and providing conventional filtration or direct filtration treatment and that recycle spent filter backwash water, thickener supernatant, or liquids from dewatering processes shall notify the Department in writing by December 8, 2003. This notification shall include the following information:

(i) A plant schematic showing the origin of all flows that are recycled (including, but not limited to, spent filter backwash water, thickener supernatant and liquids from dewatering processes), the hydraulic conveyance used to transport them and the location where they are reintroduced back into the treatment plant.

(ii) Typical recycle flow in gallons per minute (gpm), the highest observed plant flow experience in the previous year (gpm), design flow for the treatment plant (gpm) and Department-approved operating capacity for the plant.

(2) **Record maintenance.** Beginning June 8, 2004, public water systems using surface water or GUDI sources and providing conventional filtration or direct filtration and recycle spent filter backwash water, thickener supernatant or liquids from dewatering processes shall collect and retain on file recycle flow information specified in this paragraph. This information is for the previous year of recycling and shall be available to the Department for review and evaluation at the Department's request:

(i) A copy of the recycle notification and information submitted to the Department under subsection (h).

(ii) A list of all recycle flows and the frequency with which they are returned.

(iii) Average and maximum backwash flow rate through the filters and the average and maximum duration of the filter backwash process in minutes.

(iv) **Typical filter run length and a written summary of how filter run length is determined.**

(v) **The type of treatment provided for the recycle flow.**

(vi) **Data on the physical dimensions of the equalization or treatment units, or both, typical and maximum hydraulic loading rates, type of treatment chemicals used and average dose and frequency of use, and frequency at which solids are removed, if applicable.**

[Pa.B. Doc. No. 03-395. Filed for public inspection March 7, 2003, 9:00 a.m.]

## [25 PA. CODE CH. 109]

### Safe Drinking Water; Radionuclides Rule

The Environmental Quality Board (Board) proposes to amend Chapter 109 (relating to safe drinking water). The proposed amendments include requirements for uranium, which is not currently regulated, and revisions to the monitoring requirements for combined radium-226 and radium-228, gross alpha particle radioactivity, and beta particle and photon radioactivity. In addition, the amendments make the radionuclides regulations more consistent with other regulations, such as revisions to monitoring frequencies and the point of compliance.

This proposal was adopted by the Board at its meeting of December 17, 2002.

#### A. *Effective Date*

These proposed amendments will go into effect upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.

#### B. *Contact Persons*

For further information, contact Jeffrey A. Gordon, Chief, Division of Drinking Water Management, P. O. Box 8467, Rachel Carson State Office Building, Harrisburg, PA 17105-8467, (717) 772-4018; or Marylou Barton, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposal appears in Section I of this preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposal is available electronically through the Department of Environmental Protection's (Department) website (<http://www.dep.state.pa.us>).

#### C. *Statutory Authority*

The proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (35 P. S. § 721.4), which grants the Board the authority to adopt rules and regulations governing the provision of drinking water to the public and sections 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-7 and 510-20).

#### D. *Background and Purpose*

In 1976, National Interim Primary Drinking Water Regulations were promulgated for radium-226 and radium-228, gross alpha particle radioactivity and beta particle and photon radioactivity. The 1986 reauthorization of the Safe Drinking Water Act (SDWA) required the Environmental Protection Agency (EPA) to promulgate

maximum contaminant level (MCL) goals and National Primary Drinking Water Regulations for the previously listed radionuclides, radon and uranium.

In 1991, the EPA proposed new radionuclide regulations. These proposed regulations established MCLGs for all of the radionuclides, established MCLs for uranium (20 pCi/l or 30 µg/l) and radon (300 pCi/l) and revised the MCLs for radium-226 (20 pCi/l), radium-228 (20 pCi/l) and beta and photon radioactivity (4 mrem-effective dose equivalent). The proposal also established a standard monitoring framework and changed the monitoring requirements for beta and photon radioactivity from large systems using surface water and serving over 100,000 people to only those systems that are vulnerable to contamination by radionuclides. The proposed regulation proved controversial, especially the radon component, and the regulation was not finalized at the time.

On April 21, 2000, the EPA published a Notice of Data Availability (NODA) on radionuclides. The NODA included updated information on the health effects of the radionuclides. Based on the updated information, the EPA reestablished the combined radium MCL at 5 pCi/l, the beta and photon radioactivity at 4 mrem/year and requested comments on establishing a uranium MCL of 20, 40 or 80 µg/l or pCi/l. The EPA excluded radon from the proposed radionuclides rule as required by the 1996 SDWA amendments.

The EPA finalized the radionuclides rule on December 7, 2000. The final Federal regulation applies to all community water systems, retains the MCLs for combined radium-226 and radium-228, gross alpha particle activity, beta and photon radioactivity, and establishes the uranium MCL at 30 µg/l, based on kidney toxicity. The final rule also retains the standard monitoring framework proposed in 1991, as well as beta and photon radioactivity monitoring only for systems that are designated as vulnerable to radionuclide contamination or which utilize waters contaminated by effluents from nuclear facilities. The deadline for adoption of this regulation is 2 years after Federal promulgation, or December 7, 2002. An extension has been requested from the EPA to allow the Commonwealth to maintain primacy for the Safe Drinking Water Program.

To ensure that every customer's water meets the MCLs for radionuclides, the Department's Radionuclides Rule requires monitoring at each entry point to a community water system's distribution system. This requirement is consistent with the monitoring requirements for other, comparable drinking water contaminants. By contrast, the 1976 Rule protected only "the average customer" by requiring the collection of monitoring samples from a "free flowing tap."

The Water Resources Advisory Committee (WRAC) reviewed the Department's proposed rulemaking at its meetings on May 8, 2002, and July 10, 2002. The WRAC supported the Department's watershed approach, rather than the 15-mile radius approach recommended by the EPA. They also advised that clarification for several terms was needed. These terms included: "nuclear facility," "vulnerable," "contaminated" and "vicinity." The WRAC further recommended that the emphasis for this program should be on pathways of exposure. The WRAC suggested that the Department consider discussing these issues in the preamble rather than including them in the regulation, because there are no comparable definitions in the Federal rule.

The Department has considered the recommendations of the WRAC. It appreciates the WRAC's concurrence

with the watershed approach to vulnerability, agrees that the terms are vague and that clarification should be provided. The terms are clarified in Section E of this preamble. These clarifications were discussed with the WRAC at its July 10, 2002, meeting, and there was general agreement with the meanings of the terms. There was a concern that some leaking landfills could be sources of radionuclides. However, since the vast majority of leaking landfills are not sources of radionuclides, they are not considered nuclear facilities. If any leaking landfill is discovered to be a source of radionuclides, it will be considered on a case-by-case basis. The issue of pathways was discussed in the context of this drinking water regulation. In the case of a release from a nuclear facility, the release will be confined to the watershed if the release is to the ground surface or to surface water. Therefore, the determination of vulnerability as proposed is still valid. The only possibility of the release migrating from the watershed is the case of a release to the atmosphere. To cover this possibility, the Department has compiled a list of community water systems within a 15-mile radius. This list may be utilized to notify water systems in the event of an atmospheric release of radionuclides.

The members of the Technical Assistance Center (TAC) for Small Water Systems were sent the regulation on May 8, 2002. The TAC discussed the regulation at its August 13, 2002, meeting, and chose to submit no written comments.

#### E. Summary of Regulatory Requirements

The proposed amendments reflect, and are not more stringent than, new Federal requirements, unless otherwise specified. The amendments are being proposed because there is no language currently in Chapter 109 that addresses the new Federal requirements.

The Safe Drinking Water Program plans to involve and inform the public of the proposed amendments through publication in the *Pennsylvania Bulletin*. The Department will also post notice and information about the amendments on the Department's website at [www.dep.state.pa.us](http://www.dep.state.pa.us). The Safe Drinking Water Program staff is also prepared to attend public meetings if invited to do so.

The Federal Radionuclides Rule was promulgated on December 7, 2000. A new MCL for uranium has been established at 30 µg/l to protect drinking water customers from uranium levels that may cause toxic effects to the kidney and reduce cancer risk. This proposed rulemaking also establishes new monitoring requirements for uranium and revised monitoring requirements for the currently regulated radionuclides.

Changes include an analysis for both radium-226 and radium-228 and monitoring at the entry points to the distribution system rather than at a "free flowing tap" within the distribution system.

This proposed rulemaking also allows reduced monitoring frequencies in systems where the concentrations of radionuclides are low, resulting in decreased costs for compliance with the regulation.

This proposed rulemaking drops the requirement for large systems using surface water sources to monitor for beta and photon radioactivity and only requires beta and photon analyses for systems that are designated as vulnerable or using waters contaminated by effluents from nuclear facilities. The EPA recommends that states use all available resources to determine a system's vulnerability to beta particle and photon emitters including

the following: quality and completeness of any historical beta particle and photon emitter monitoring results and the proximity of the results to the MCL; the Nuclear Regulatory Commission's (NRC) list of licenses and location in the state and surrounding states; geology of the aquifer and/or hydrology of the watershed; and the location and proximity of the drinking water facility to nuclear facilities. The EPA recommends the use of a 15-mile radius from nuclear facilities as the designation for vulnerability. The Commonwealth feels this criterion to be excessive. Therefore, the Department is proposing to utilize a watershed-based approach to determining vulnerability to contamination from nuclear facilities. Systems lying in the same watershed as a nuclear facility will be designated as vulnerable to contamination. Additional systems may be designated as vulnerable if the watershed contains hazardous geologic conditions, including carbonate geology, highly fractured bedrock or gravel deposits. Vulnerable systems will be notified by the Department.

The EPA states that states should use any historical beta particle and photon emitter monitoring results to determine whether a system is utilizing waters contaminated by effluents from nuclear facilities. Systems with wide variations in the analytical results or analytical results close to the MCL should be considered a system contaminated by a radioactive source. Systems designated as utilizing waters contaminated by effluents from nuclear facilities will be notified by the Department.

Major components of the amendments include the following:

*§ 109.301(14) (relating to general monitoring requirements).*

This paragraph requires community water systems to monitor for compliance with the MCLs for radionuclides established by the EPA.

*§ 109.301(14)(i)*

This subparagraph establishes monitoring requirements for gross alpha particle activity, radium-226, radium-228 and uranium.

*§ 109.301(14)(i)(A)*

This clause establishes a time schedule for initial monitoring for community water systems, based on the number of customers served. The Department has established a phased-in monitoring schedule to allow the smaller systems more time to comply, while simultaneously avoiding the possibility of overloading the laboratories.

*§ 109.301(14)(i)(A)(I)—(IV)*

These subclauses specify monitoring periods for initial sampling, depending on the size of the community water system.

*§ 109.301(14)(i)(A)(V)—(VI)*

These subclauses specify initial sampling requirements for new entry points associated with new sources.

*§ 109.301(14)(i)(A)(VII)*

This subclause requires additional sampling for entry points where radionuclides have been detected in concentrations greater than the MCL.

*§ 109.301(14)(i)(B)*

This clause establishes a schedule for repeat monitoring, based on the results of the initial monitoring. The monitoring frequencies used in this clause are based on

the EPA's standardized monitoring schedule. The basis of the schedule is a 3-year period.

*§ 109.301(14)(i)(B)(I)—(IV)*

These subclauses provide for reduced or increased monitoring frequencies, depending on the results of the most recent sample.

*§ 109.301(14)(i)(B)(V)*

This subclause prohibits reduced monitoring for systems where treatment has been installed to comply with a radionuclide MCL. For these systems, quarterly performance monitoring and annual compliance monitoring are required. Performance monitoring samples be taken immediately following treatment for the radionuclide or at another location approved by the Department. The EPA would allow reduced monitoring where there is treatment for the radionuclide.

While this provision is more stringent than the Federal requirements, it is needed to protect the public. In addition, the prohibition of reduced monitoring for systems where treatment is required for compliance with the MCL is consistent with the regulations for synthetic organic chemicals, inorganic chemicals and volatile organic chemicals.

*§ 109.301(14)(i)(C)*

This clause allows the gross alpha particle activity measurement to substitute for the sampling for radium-226, if the alpha activity is less than 5 pCi/l, and for the sampling for uranium, if the alpha activity is less than 15 pCi/l, provided that the gross alpha measurement has a confidence level of 95%. To establish the required 95% confidence level, the measurement error must be added to the analytical result, and the combined result must be less than the level indicated (5 pCi/l for radium-226 and 15 pCi/l for uranium).

*§ 109.301(14)(i)(D)(I)—(III)*

These subclauses allow for the grandfathering of existing sample results instead of the initial monitoring requirements in certain specified situations.

*§ 109.301(14)(ii)*

This subparagraph establishes additional monitoring requirements for water systems designated vulnerable or contaminated by effluent from nuclear facilities. Nuclear facilities are defined as nuclear power and nonpower plants, United States Department of Energy facilities, military bases utilizing nuclear materials and radiation-contaminated sites listed on the EPA's National Priority List or the NRC's Site Decommissioning Management Plan.

*§ 109.301(14)(ii)(A)*

This clause requires sampling for beta emitters, tritium and strontium-90 for systems designated as vulnerable.

For beta particle and photon activity, quarterly samples are required. The system may analyze four separate quarterly samples and average the results or may composite the samples and do one analysis. The EPA recommends the former procedure.

One annual sample is required for tritium and strontium-90. No multiple samples or compositing of samples is required.

*§ 109.301(14)(ii)(A)(I)*

This subclause allows for reduced monitoring for systems that have a running annual average of gross beta particle activity less than or equal to a screening level of 50 pCi/l.

*§ 109.301(14)(ii)(A)(II)*

This subclause allows systems in the vicinity of a nuclear facility to utilize the environmental surveillance data collected by the facility instead of monitoring at the system's entry points, where the Department determines that data is applicable to the system.

*§ 109.301(14)(ii)(B)*

This clause identifies the required sampling for systems designated as utilizing waters contaminated by effluents from nuclear facilities.

*§ 109.301(14)(ii)(B)(I)—(V)*

These subclauses identify the specific monitoring requirements for gross beta particle activity, iodine-131, strontium-90 and tritium.

*§ 109.301(14)(ii)(C)*

This clause prohibits water systems required to monitor for beta particle and photon radioactivity from applying for a waiver from the established monitoring frequencies.

*§ 109.301(14)(ii)(D)*

This clause allows the same or equivalent sample used for the beta particle activity to be analyzed for potassium-40 and provides a method for determining the activity of potassium-40 based on its concentration.

*§ 109.301(14)(ii)(E)*

This clause requires the identification of radioactive compounds and the calculation of the dosages from the compounds if the gross beta particle activity minus the potassium-40 activity exceeds the established screening levels. The dosages from all constituents shall be summed to determine compliance with the MCL.

*§ 109.301(14)(ii)(F)*

This clause requires monthly monitoring for systems that exceed the MCL for gross beta particle activity. It also provides for the return to quarterly monitoring if the MCL has been met by a rolling average of 3 monthly samples.

*§ 109.301(14)(iii)*

This subparagraph establishes general monitoring and compliance requirements.

*§ 109.301(14)(iii)(A)*

This clause allows the Department to require more frequent monitoring than specified, or may require confirmation samples, if it believes these samples are needed.

*§ 109.301(14)(iii)(B)*

This clause provides that each system shall monitor at the time designated by the Department during each compliance period.

*§ 109.301(14)(iii)(C)*

This clause provides a mechanism whereby compliance with the MCLs is determined for each entry point. If one entry point is in violation of the MCL, the entire system is in violation of the MCL.

*§ 109.301(14)(iii)(D)*

This clause allows the Department to delete results of obvious sampling or analytical errors.

*§ 109.303(h)*

This subsection provides the requirements for the compositing of quarterly sampling for radium-226, radium-228 and uranium.

*§ 109.303(i)*

This subsection provides for the compositing of samples for beta particle and photon radioactivity.

*§ 109.303(j)*

This subsection provides acceptable locations for the performance sampling required under § 109.301(14)(i)(B)(V). Performance sampling has been prohibited at entry points, since the EPA has indicated that any sample taken at a compliance point (that is entry point) must be used as a compliance sample.

*F. Benefits, Costs and Compliance**Benefits*

The purpose of this radionuclide proposed rulemaking is to minimize the public risk of consuming drinking water containing unsafe levels of naturally occurring and manmade radionuclides.

The current regulations do not provide protection from kidney damage due to the presence of high levels of uranium in drinking water. The new uranium MCL will reduce the exposure of 620,000 persons to this contaminant, will protect CWS customers from exposure to uranium at levels that may cause kidney damage and will reduce the risk of cancer caused by exposure to uranium. An estimated 0.8 cancer cases are expected to be avoided annually due to the MCL, resulting in estimated benefits of \$3 million per year. (The monetary benefits from reduced kidney damage cannot be quantified because of limitation in existing health effects models at levels near the MCL.) Reducing the presence of uranium in drinking water will also remove other contaminants, providing additional benefits to CWS customers.

The current regulations do not require the analysis of radium-228 unless the gross alpha particle activity is greater than 5 pCi/l. However, since radium-228 is a beta emitter, linking the sampling to results of alpha particle activity is not protective of health. The new rule sets separate monitoring requirements for radium-228, which are expected to reduce the exposure of 420,000 persons and result in the avoidance of 0.4 cancer cases per year, with estimated monetized health effects benefits of \$2 million annually. Water mitigation for radium also tends to reduce iron and manganese levels and hardness, which also has significant associated benefits.

In addition to providing increased public protection, the proposed rulemaking allows for reduced monitoring frequencies in systems where the concentration of radionuclides is low. The reduced monitoring will result in lower costs for compliance with the proposed rulemaking.

*Compliance Costs*

The compliance cost depends on the number of entry points to the distribution system for a CWS and whether the MCL is exceeded. CWSs have been monitoring for gross alpha and radium since the late 1970s. Since 1986, Commonwealth CWSs have also been monitoring for both radium-226 and radium-228 when the gross alpha exceeds 5 pCi/L. Commonwealth CWSs that have exceeded the combined radium MCL have either provided treatment or abandoned the source. The Department will also use the option that allows the grandfathering of previous compliance monitoring results to reduce the initial compliance monitoring for gross alpha and combined radium, as well as uranium, if applicable. There should be minimal additional monitoring costs associated with the

combined radium MCL, except possibly for those CWSs which have more than a single entry point to the distribution system.

The only new MCL is for uranium. The EPA has estimated that the cost for the analysis of total uranium is approximately \$48 per sample (by laser phosphorimetry, 1999 dollars). The cost to individual CWSs will depend on the number of entry points. The larger systems will have more entry points than a smaller system. The cost estimate for uranium testing has been estimated to be \$37—\$512 per year per system.

EPA has not done a cost analysis for the uranium MCL of 30 µg/l. They have, however, done cost analyses for MCLs of 20 µg/l and 40 µg/l. Based on these, it is estimated that Nationwide, between 430 and 970 CWSs will require treatment to meet the uranium MCL with a total estimated annual cost of \$68 million to \$157 million.

*Compliance Assistance Plan*

The Safe Drinking Water Program utilizes the Commonwealth's Pennsylvania Infrastructure Investment Authority Program to offer financial assistance to eligible public water systems. This assistance is in the form of a low-interest loan, with some augmenting grant funds for hardship cases. Eligibility is based upon factors such as public health impact, compliance necessity and project/operational affordability.

The Safe Drinking Water Program has established a network of regional and central office training staff that is responsive to identifiable training needs. The target audience in need of training may be either the Safe Drinking Water Program staff or the regulated community. Training is anticipated for water systems in the fall of 2003.

In addition to this network of training staff, the Bureau of Water Supply and Wastewater Management has a division dedicated to providing both training and outreach support services to public water system operators. The Department's website also contains the Drinking Water and Wastewater Operator Information Center Internet site, which provides a bulletin board of timely, useful information for treatment plant operators.

*Paperwork Requirements*

Community water systems are already required to monitor for radionuclides. Systems may use existing forms for compliance with this proposed rulemaking. It is anticipated that the majority of systems will be able to monitor on 6-year and 9-year frequencies, rather than the 4-year frequency that is required under the existing regulations. This reduced monitoring frequency will reduce the paperwork and recordkeeping requirements.

*G. Sunset Review*

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

*H. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 21, 2003, the Department

submitted a copy of the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Department within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review of these issues by the Department, the General Assembly and the Governor prior to final publication of the regulations.

*I. Public Comments*

*Written Comments*—Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by April 7, 2003. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by April 7, 2003. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

*Electronic Comments*—Comments may be submitted electronically to the Board at regcomments@state.pa.us and must also be received by the Board by March 31, 2003. A subject heading of the proposal and a return name and address must be included in each transmission.

If an acknowledgement of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

KATHLEEN A. MCGINTY,  
*Acting Chairperson*

**Fiscal Note:** 7-381. (1) General Fund;

		<i>Environmental Protection Operations</i>	<i>Environmental Program Management</i>
(2) Implementing	Year 2002-03 is	\$ 0	\$ 0
(3) 1st Succeeding	Year 2003-04 is	\$ 8,364	\$ 1,836
2nd Succeeding	Year 2004-05 is	\$ 8,364	\$ 1,836
3rd Succeeding	Year 2005-06 is	\$ 8,364	\$ 1,836
4th Succeeding	Year 2006-07 is	\$ 1,968	\$ 432
5th Succeeding	Year 2007-08 is	\$ 1,968	\$ 432
		<i>Environmental Protection Operations</i>	<i>Environmental Program Management</i>
(4) 2001-02 Program—	\$75,074,000	\$43,354,000	
2000-01 Program—	\$76,018,000	\$41,471,000	
1999-00 Program—	\$71,402,000	\$40,200,000	
(8) recommends adoption.			

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 109. SAFE DRINKING WATER

Subchapter C. MONITORING REQUIREMENTS

§ 109.301. General monitoring requirements.

The monitoring requirements established by the EPA under the National Primary Drinking Water Regulations, 40 CFR Part 141 (relating to national primary drinking water regulations), as of December 8, 1984, are incorporated by reference. Public water suppliers shall monitor for compliance with MCLs and MRDLs in accordance with the requirements established in the National Primary Drinking Water Regulations, except as otherwise established by this chapter unless increased monitoring is required by the Department under § 109.302 (relating to special monitoring requirements). Alternative monitoring requirements may be established by the Department and may be implemented in lieu of monitoring requirements for a particular National Primary Drinking Water Regulation if the alternative monitoring requirements are in conformance with the Federal act and regulations. The monitoring requirements shall be applied as follows:

\* \* \* \* \*

**(14) Monitoring requirements for radionuclides.** Community water systems shall monitor for compliance with the MCLs for radionuclides established by the EPA under 40 CFR 141.66(b), (c), (d) and (e) (relating to MCLs for radionuclides). The monitoring shall be conducted according to the requirements established by EPA under 40 CFR 141.25 and 141.26 (relating to monitoring frequency; and compliance requirements) which are incorporated by reference, except as modified by this chapter. Initial or first-year monitoring mentioned in this paragraph refers to monitoring conducted on or after January 1, 2004.

**(i) Monitoring requirements for gross alpha particle activity, radium-226, radium-228 and uranium.**

**(A) Initial monitoring schedule.** The initial monitoring shall consist of four consecutive quarterly samples for each radionuclide at each entry point in accordance with the following monitoring schedule except for systems that are granted reduced initial monitoring in accordance with subclause (VI).

**(I) Systems serving more than 10,000 persons shall begin monitoring during the quarter beginning January 1, 2004.**

**(II) Systems serving more than 3,301 persons to 10,000 persons shall begin monitoring during the quarter beginning January 1, 2005.**

**(III) Systems serving 500 to 3,300 persons shall begin monitoring during the quarter beginning January 1, 2006.**

**(IV) Systems serving fewer than 500 persons shall begin monitoring during the quarter beginning January 1, 2007.**



(V) Systems that add new entry points associated with new sources shall begin initial quarterly monitoring during the first quarter the entry point begins serving the public. Quarterly monitoring shall continue until reduced monitoring is granted in accordance with clause (B) or subclause (VI).

(VI) If the first two quarterly samples for each radionuclide at each entry point have results below the detection limit, as defined in 40 CFR 141.25(c)(1), the final two quarterly samples for that radionuclide at that entry point are waived.

(VII) For entry points at which the monitoring result for an entry point is above the MCL, the system shall collect and analyze quarterly samples at that entry point until the system has results from 4 consecutive quarters at that entry point that are at or below the MCL.

(B) *Repeat monitoring.* Beginning on January 1, 2008, systems shall take one sample for each radionuclide at each entry point in each 3-year compliance period, unless the system qualifies for reduced monitoring as follows:

(I) For entry points where the average of the initial monitoring results for each radionuclide is at or above the detection limit as defined in 40 CFR 141.25(c)(1), but at or below one-half of the MCL for that radionuclide, the repeat monitoring is reduced to one sample for that radionuclide at that entry point every 6 years.

(II) For entry points where the average of the initial monitoring results for each radionuclide is below the detection limit as defined in 40 CFR 141.25(c)(1), the repeat monitoring is reduced to one sample for that radionuclide at each entry point every 9 years.

(III) If a system has a monitoring result that exceeds the MCL while on reduced monitoring, the system shall collect and analyze quarterly samples for that radionuclide at that entry point beginning the next calendar quarter following the exceedance until the system has results from 4 consecutive quarters for that radionuclide at that entry point that are below the MCL.

(IV) Systems shall use the results of the samples collected during the reduced monitoring period to determine the monitoring frequency for subsequent monitoring periods.

(V) Reduced monitoring does not apply to those systems where treatment has been installed for radionuclide removal to comply with an MCL listed under 40 CFR 141.66. Compliance monitoring for radionuclides where treatment has been installed to comply with an MCL shall be conducted at least annually, and performance monitoring for the specific radionuclides for which treatment is provided shall be conducted quarterly.

(C) *Gross alpha substitution.* A gross alpha particle activity measurement may be substituted for the required radium-226 measurement provided that the measured gross alpha particle activity does not exceed 5 pCi/l. A gross alpha particle activity measurement may be substituted for the required uranium measurement provided that the measured gross alpha particle activity does not exceed 15 pCi/l. The gross alpha measurement shall have a confidence interval of 95% ( $1.65\sigma$ , where  $\sigma$  is the

standard deviation of the net counting rate of the sample) for radium-226 and uranium. If the gross alpha particle activity result is less than detection as defined in 40 CFR 141.25(c)(1), one-half of the detection limit will be used to determine compliance and the future monitoring frequency.

(D) *Grandfathering.* The Department will allow historical monitoring data collected at an entry point to satisfy the initial monitoring requirements required under clause (A) for that entry point in the following situations:

(I) A system having only one entry point may use the monitoring data from the compliance monitoring period between June 2000 and December 8, 2003.

(II) A system with multiple entry points and having appropriate historical monitoring data for each entry point may use the monitoring data from the compliance monitoring period between June 2000 and December 8, 2003.

(III) A system with multiple entry points and having appropriate historical data for a representative point in the distribution system may use the monitoring data from the compliance monitoring period between June 2000 and December 8, 2003, provided that the Department finds that the historical data satisfactorily demonstrate that each entry point is expected to be in compliance based upon the historical data and reasonable assumptions about the variability of radionuclide levels between entry points. The system shall supply sufficient information to allow the Department to make a written finding indicating how the data conform to these requirements.

(ii) *Monitoring requirements for beta-particle and photon radioactivity.*

(A) Systems designated by the Department as vulnerable to beta-particle or photon radioactivity or both shall sample for beta particle and photon radioactivity. Systems shall collect quarterly samples for beta emitters and annual samples for tritium and strontium-90 at each entry point, beginning within 1 quarter after being notified by the Department.

(I) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity at an entry point has a running annual average (computed quarterly) less than or equal to 50 pCi/L (screening level), the frequency of monitoring at that entry point shall be repeated every 3 years. Systems shall collect all samples required in clause (A) during the reduced monitoring period.

(II) For systems in the vicinity of a nuclear facility, the system may utilize environmental surveillance data collected by the nuclear facility in lieu of monitoring at the system's entry points, when the Department determines that the data is applicable to the system. If there is a release from a nuclear facility, systems that are using surveillance data shall begin monitoring at the community water system's entry points in accordance with clause (A).

(B) Systems designated by the Department as utilizing waters contaminated by effluents from nuclear facilities shall sample for beta particle and photon radioactivity. Systems shall monitor quar-

terly for beta emitters and iodine-131, and annually for tritium and strontium-90 at each entry point, beginning within 1 quarter after being notified by the Department. Monitoring shall be conducted as follows:

(I) Monitoring for gross beta particle activity shall be based on the average of an analysis of 3 monthly samples.

(II) For iodine-131, a composite of 5 consecutive daily samples shall be analyzed once each quarter. More frequent monitoring, as determined by the Department, shall be conducted when iodine-131 is identified in the finished water.

(III) Monitoring for strontium-90 and tritium shall be conducted by means of the analysis of four quarterly samples.

(IV) If the gross beta particle activity beta minus the naturally occurring potassium-40 beta particle activity at an entry point has a running annual average (computed quarterly) less than or equal to 15 pCi/L (screening level), the frequency of monitoring at that entry point shall be reduced to four consecutive quarterly samples taken once every 3 years. Systems shall collect all samples required in clause (B) during the reduced monitoring period.

(V) For systems in the vicinity of a nuclear facility, the system may utilize environmental surveillance data collected by the nuclear facility in lieu of monitoring at the system's entry points, when the Department determines that the data is applicable to the system. If there is a release from a nuclear facility, systems that are using surveillance data shall begin monitoring at the system's entry points in accordance with clause (B).

(C) Systems designated by the Department to monitor for beta particle and photon radioactivity may not apply to the State for a waiver from the monitoring frequencies specified in clause (A) or (B).

(D) Systems may analyze for naturally occurring potassium-40 beta particle activity from the same or equivalent sample used for the gross beta particle activity analysis. The potassium-40 beta particle activity shall be calculated by multiplying elemental potassium concentrations (in mg/L) by a factor of 0.82.

(E) If the gross beta particle activity minus the naturally occurring potassium-40 beta particle activity exceeds the screening level, an analysis of the sample shall be performed to identify the major radioactive constituents present in the sample. The results of the individual constituent analysis shall be reported in pCi/l, and the appropriate doses shall be calculated and summed to determine compliance with the MCL, using the formula in 40 CFR 141.66(d)(2). Doses shall also be calculated and combined for measured levels of tritium and strontium to determine compliance.

(F) Systems shall monitor monthly at the entry points that exceed the MCL beginning the month after the exceedance occurs. Systems shall continue monthly monitoring until the system has established, by a rolling average of three monthly samples, that the MCL is being met. Systems that establish that the MCL is being met shall return to

quarterly monitoring until they meet the requirements in subclause (A)(I) or (B)(IV).

(iii) *General monitoring and compliance requirements.*

(A) The Department may require more frequent monitoring than specified in subparagraphs (i) and (ii), or may require confirmation samples. The results of the initial and confirmation samples will be averaged for use in compliance determinations.

(B) Each system shall monitor at the time designated by the Department during each compliance period.

(C) Compliance with the MCLs will be determined based on the analytical results obtained at each entry point. If one entry point is in violation of an MCL, the system is in violation of the MCL.

(I) For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average at each entry point. If the running annual average at an entry point is greater than the MCL, the system is in violation of the MCL. If a sample result will cause the running annual average to exceed the MCL at an entry point, the system is in violation of the MCL immediately.

(II) Systems shall include all samples taken and analyzed under this section in determining compliance, even if that number is greater than the minimum required.

(III) If a system does not collect all required samples when compliance is based on a running annual average of quarterly samples, compliance will be based on the running average of the samples collected.

(IV) If a sample result is less than the detection limit, zero will be used to calculate the annual average, unless a gross alpha particle activity is being used in lieu of radium-226 or uranium, or both. If the gross alpha particle activity result is less than detection, one-half of the detection limit will be used to calculate the annual average.

(D) The Department may delete results of obvious sampling or analytic errors.

§ 109.303. Sampling requirements.

\* \* \* \* \*

(h) Samples taken to determine compliance with combined radium-226 and radium-228, gross alpha particle activity, or uranium under 40 CFR 141.66(b), (c) and (e) (relating to MCLs for radionuclides) may be composited from a single entry point if the analysis is done within a year of the date of the collection of the first sample. The Department will treat analytical results from the composited sample as the average analytical result to determine compliance with the MCLs and the future monitoring frequency.

(1) If the analytical result from the composited sample is greater than one-half the MCL, the Department may direct the system to take additional quarterly samples before allowing the system to sample under a reduced monitoring schedule.

(2) Samples obtained from an entry point that contains water treated to specifically meet an MCL

for a radionuclide contaminant listed under 40 CFR 141.66(b), (c) or (e) may not be composited.

(i) Samples taken to determine compliance with beta particle and photon radioactivity under 40 CFR 141.66(d) may be composited as follows:

(1) Monitoring for gross beta-particle activity may be based on the analysis of a composite of three monthly samples.

(2) Monitoring for strontium-90 and tritium may be based on the analysis of a composite of four consecutive quarterly samples.

(j) Performance samples required under § 109.301 (14)(i)(B)(V) (relating to general monitoring requirements) shall be taken immediately following treatment for the radionuclide, or at another location approved by the Department. Systems may not take performance samples at an entry point.

[Pa.B. Doc. No. 03-396. Filed for public inspection March 7, 2003, 9:00 a.m.]

## MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

[37 PA. CODE CH. 203]

### Administration of the Training Program

The Municipal Police Officers' Education and Training Commission (Commission) proposes to amend Chapter 203 (relating to administration of the program) to read as set forth in Annex A.

The Commission proposes to amend § 203.11(a)(5) and (8) (relating to qualifications) to include a ninth grade reading requirement and a physical fitness evaluation.

The Commission proposes to amend § 203.12(4) (relating to waiver of training) to limit a waiver candidate to three attempts at passing the Commission's certification examination. After the third failure, the candidate shall retake and pass the entire basic training course before being eligible for certification. This proposed amendment will ensure that a waiver candidate has current training by limiting the amount of times that the certification examination can be taken.

The Commission proposes to amend § 203.33(a)(14) (relating to minimum school standards and requirements) to allow certified schools to use indoor ranges and to insure that the ranges be able to handle the required training.

The Commission also proposes to amend § 203.54 (relating to Commission cheating policy) to define and clarify the acts that will constitute cheating and to make clear that anyone found guilty of cheating will be ineligible for certification.

The purpose of the proposed rulemaking is to clarify and correct various aspects of the existing regulations.

### *Statutory Authority*

The rulemaking is proposed under 53 Pa.C.S. § 2164 (1), (8) and (14) (relating to duties and powers of commission).

### *Effect*

The proposed rulemaking will primarily affect recruits. Recruits will have to pass a physical fitness assessment and pass a ninth grade reading test before they can become eligible for training.

The proposed rulemaking will impact those persons seeking waivers of training, since they will have only three opportunities to successfully pass the certification examination. After the third failure, the waiver candidate shall retake and pass the basic training course to become eligible for certification.

Both recruits and veteran police officers will be affected by the new cheating policy. The impact of the new cheating policy is to put individuals and schools on notice as to what will be considered cheating on an official Commission sponsored examination. This proposed rulemaking will allow the schools and the students to more readily detect and curb cheating and it establishes a more uniform policy.

Allowing certified schools to use indoor ranges will offer more flexibility to the schools. However, the indoor and outdoor ranges must be able to safely accommodate all of the required training.

### *Effective Date/Sunset Date*

The proposed rulemaking will be effective immediately upon final-form adoption. The regulations are continually monitored and updated as needed. Therefore, no sunset date has been set.

### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 24, 2003, the Commission submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Judiciary Committee and the Senate Law and Justice Committee. In addition to submitting the proposed rulemaking, the Commission has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Commission. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed rulemaking, it will notify the Commission within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria that have not been met by the portion of the proposed rulemaking to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the State Police, the General Assembly and the Governor of objections raised.

### *Contact Person/Public Comment*

Interested persons wishing to comment are invited to submit written comments within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Written comments must include the name, address and telephone number of the interested party and a concise statement with sufficient detail on the subject. Written statements may be directed to Major Richard C. Mooney, Executive Director, Municipal Police Officers' Education and Training Commission, 75 East Derry Road, Hershey, PA 17033, (717) 533-5987, Ext. 205. Persons

with a disability who require an alternative format of this document (for example, large print, audio tape or Braille), should contact Major Mooney to make the necessary arrangements.

COLONEL PAUL J. EVANKO,  
*Chairperson*

**Fiscal Note:** 17-63. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 37. LAW**

**PART IV. MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION**

**Subpart A. MUNICIPAL POLICE OFFICERS' TRAINING PROGRAM**

**CHAPTER 203. ADMINISTRATION OF THE PROGRAM**

**Subchapter B. POLICE OFFICER CERTIFICATION REQUIREMENTS**

**§ 203.11. Qualifications.**

(a) Except as provided in subsection (b), persons who are to be employed as police officers by police departments within this Commonwealth from December 21, 1996, shall:

\* \* \* \* \*

(5) Be able to read at no less than the ninth grade level, as established through the administration of the Nelson-Denny Reading Test.

(6) \* \* \*

\* \* \* \* \*

[ (6) ] (7) \* \* \*

\* \* \* \* \*

(8) Be evaluated to determine physical fitness using the standards developed by the Cooper Institute for Aerobics Research in Dallas, Texas. Each applicant shall score no lower than the 30th percentile of the Cooper standards, which coincides with the 30th percentile of the general population, in each of the five required evaluations to be eligible for employment. A person will not be enrolled in a recruit training program at a police academy certified by the Commission unless the person has obtained a score in the 30th percentile or higher for the person's age and gender as specified in the Cooper standards for each of the five evaluations. The five required evaluations are as follows:

- (i) 1.5 mile run.
- (ii) 300 meter run.
- (iii) One repetition bench press.
- (iv) One minute sit ups.
- (v) Sit and reach.

[ (7) ] (9) \* \* \*

[ (8) ] (10) \* \* \*

\* \* \* \* \*

[ (9) ] (11) \* \* \*

\* \* \* \* \*

**§ 203.12. Waiver of training.**

Applications for certification for which waivers of training are requested shall be submitted by the applicant's employing police department. An applicant for a waiver of training shall:

\* \* \* \* \*

(4) Take a certification examination administered by the Commission at a location and time designated by the Commission. The schedule for the examinations may be obtained by writing the Commission office.

(i) [ The examination will be comprised of sections which shall coincide with each major topic in the basic training curriculum, but shall exclude those topics which can be proficiency tested only. See paragraph (3).

(ii) [ The minimum passing score [ for each tested section ] will be established by the Commission. The Commission will publish a notice in the *Pennsylvania Bulletin* and in the Commission newsletter whenever the minimum passing score [ for each tested section ] changes.

[ (A) ] (ii) An applicant for a waiver of training [ who does not achieve a passing score in a tested area shall take the basic police training course corresponding to the failed examination section at a school certified by the Commission, in order to be permitted to retake the certification examination ] shall be permitted to take the certification examination a maximum of three times and only once in any day.

[ (B) ] (iii) Applicants will not be certified without obtaining a passing score on the certification examination. Failure to pass the certification examination after three attempts shall result in the applicant being required to take and pass the entire basic training course to qualify for certification.

[ (iii) ] (iv) \* \* \*

**Subchapter C. SCHOOL REQUIREMENTS**

**§ 203.33. Minimum school standards and requirements.**

(a) Schools shall initially meet and subsequently maintain the following standards:

\* \* \* \* \*

(14) An approved [ type of outdoor ] firing range shall be available to the school and used for firearms training. The range does not have to be part of the school facilities [ ; however, it shall have at least ten firing points with a minimum firing distance of 50 yards. The range ] but shall be within a reasonable traveling distance from the school. The range shall be able to accommodate the requirements of the firearms training curriculum. The range shall present no apparent danger to the public as determined by the Commission inspector.

\* \* \* \* \*

**Subchapter D. COURSE REQUIREMENTS**

**§ 203.54. Commission cheating policy.**

(a) The contents of all examinations are confidential. An individual [ observed cheating ] may not cheat or tamper in any manner with an official

**examination either conducted or sponsored by the Commission by obtaining, furnishing, accepting, or attempting to obtain, furnish or accept answers or questions to examinations, or portions thereof. Individuals may not copy, photograph or otherwise remove examination contents; nor may they use any misrepresentation or dishonest method while preparing, administering or participating in examinations. Unauthorized possession of a test, examination, quiz or a questions, answers or answer keys relating to a test, examination or quiz shall constitute cheating. An individual violating this section shall be barred from further participation in any Commission-required training and ineligible for certification.** Individuals will receive notice and have an opportunity to be heard under Subchapter G (relating to notice and hearings).

\* \* \* \* \*

[Pa.B. Doc. No. 03-397. Filed for public inspection March 7, 2003, 9:00 a.m.]

\_\_\_\_\_

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Temporary Order Designating West Nile Encephalitis a Dangerous Transmissible Disease

The Department of Agriculture (Department) reissues its previous temporary order designating West Nile Encephalitis a "dangerous transmissible disease," under authority of 3 Pa.C.S. § 2322(d) (relating to neoplastic diseases, metabolic diseases and heritable diseases). The original temporary order making this designation was published at 30 Pa.B. 1381 (March 11, 2000). This temporary order was reissued and published at 31 Pa.B. 1381 (March 10, 2001). The designation has facilitated the Department's efforts to detect and contain West Nile Encephalitis and to assist the Department of Health and other public health agencies in monitoring and treatment efforts.

West Nile Encephalitis is a disease of public health significance. It also poses a threat to domestic animal health and to the economic well being of domestic animal industries—particularly the equine industry. Section 2322(c) of 3 Pa.C.S. requires the Department to proceed with the agreement of the Department of Health when it adds a disease of public health significance to the list of designated dangerous transmissible diseases. Both the Department and the Department of Health agreed upon adding West Nile Encephalitis to the list of dangerous transmissible diseases and to the reissuance of this temporary order.

West Nile Encephalitis is an infection of the brain caused by the West Nile Virus. Although West Nile Virus has, in the past, been found most typically in Africa, Eastern Europe and West Asia, it was detected in the New York City area and in parts of New Jersey in 1999. It has spread across the United States since then. In mild

cases of human disease, infection can cause fever, headache and body aches, skin rash and swollen lymph glands. In more severe cases, it can cause headache, high fever, neck stiffness, stupor, disorientation, coma, tremors, paralysis and occasional convulsions. In animals, horses and birds appear to be most susceptible to illness following infection, although reports of illness in other species are increasing.

Humans and animals can acquire West Nile Virus through a bite from a mosquito that has bitten an infected bird. The Department has authority under the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389) to regularly monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases. The designation of West Nile Encephalitis as a "dangerous transmissible disease" will facilitate this Department's surveillance of birds and other animals for the presence of the West Nile Virus or West Nile Encephalitis.

This order is a temporary order, as required under 3 Pa.C.S. § 2322(d). This order shall take effect as of February 22, 2003, and shall remain in effect until no later than February 22, 2004. The Department may: (1) reissue this temporary order to extend the designation beyond February 22, 2004; (2) allow this temporary order to expire February 22, 2004; (3) supplant this temporary order with a formal regulation designating West Nile Encephalitis a "dangerous transmissible disease"; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to John Enck, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 783-6677.

DENNIS C. WOLFF,  
*Acting Secretary*

[Pa.B. Doc. No. 03-398. Filed for public inspection March 7, 2003, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending February 25, 2003.

#### BANKING INSTITUTIONS

##### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
2-24-03	Ambler Savings and Loan Association Ambler Montgomery County <i>To:</i> Ambler Savings Bank Ambler Montgomery County	Ambler	Approved

Application represents the conversion of a State-chartered mutual savings association to a State-chartered mutual savings bank.

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-21-03	Firsttrust Savings Bank Conshohocken Montgomery County	The Pavilion #207 261 Old York Road Jenkintown Montgomery County	Approved
2-21-03	Fulton Bank Lancaster Lancaster County	1649 Broadway Penn Township York County	Filed
2-24-03	Wayne Bank Honesdale Wayne County	Meadow Lake Plaza Milford Road (State Route 209) Middle Smithfield Twp. Monroe County	Approved
2-24-03	Community Bank and Trust Company Clarks Summit Lackawanna County	Route 611 Tannersville Pocono Township Monroe County	Filed
2-24-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Eagle/Upper Uwchlan Acme 400 Simpson Drive Chester Springs Chester County	Filed
2-24-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Roxborough ShopRite 6901 Ridge Avenue Philadelphia Philadelphia County	Filed
2-24-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Chadds Ford Giant 1393 Wilmington Pike West Chester Chester County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-24-03	Farmers and Merchants Trust Company of Chambersburg Chambersburg Franklin County	<i>To:</i> 1712 Lincoln Way East Chambersburg Franklin County  <i>From:</i> 1805 Lincoln Way East Chambersburg Franklin County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-24-03	Bank of Hanover and Trust Company Hanover York County	951 York Street Hanover York County	Approved

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
2-21-03	Leesport Bank Leesport Berks County	Amendment to Article Second of the Articles of Incorporation provide for a change in the principle place of business from 133 North Centre Street, Leesport, Berks County, PA 19533; to 1240 Broadcasting Road, Wyomissing, PA 19610. Former Main Office will be discontinued.	Approved and Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

A. WILLIAM SCHENCK, III,  
*Acting Secretary*

[Pa.B. Doc. No. 03-399. Filed for public inspection March 7, 2003, 9:00 a.m.]

**DEPARTMENT OF  
EDUCATION****Application of Alliance Theological Seminary of  
New York for Approval to Operate in this Com-  
monwealth****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 Alliance Theological Seminary of New York for approval of a Certificate of Authority to offer a program in Christian Ministry leading to a Master of Professional Studies degree in Butler, PA.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application 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 protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing should be filed with Carol Gisselquist, Higher Education Specialist, (717) 787-4448 or Paula Fleck, Chief, Division of Program Services, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623 by 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the previously mentioned 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, (717) 787-4448 to discuss how the Department may best accommodate their needs.

VICKI L. PHILLIPS, Ed.D.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-400. Filed for public inspection March 7, 2003, 9:00 a.m.]

**Application of Byzantine Catholic Seminary of  
Saints Cyril and Methodius for Approval of  
Degree-Granting Status and Amendment of Its  
Articles of Incorporation****Opportunity for Hearing and Invitation to Protest**

Under 24 Pa.C.S. § 6504(a) (relating to fundamental changes), the Department of Education (Department) will

consider the application of Byzantine Catholic Seminary of Saints Cyril and Methodius for a Certificate of Authority approving the change to degree-granting status and the amendment and restating of its Articles of Incorporation in their entirety.

In accordance with 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department will act upon the application 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 protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing should be filed with Carol Gisselquist, Higher Education Specialist, (717) 787-4448 or Paula Fleck, Chief, Division of Program Services, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623 by 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the previously mentioned office to schedule a time for an in-office review. Duplicate copies 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, (717) 787-4448 or Paula Fleck, (717) 772-3623 to discuss how the Department may best accommodate their needs.

VICKI L. PHILLIPS, Ed.D.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-401. Filed for public inspection March 7, 2003, 9:00 a.m.]

**Availability of 2002-2003 to 2004-2005 Teacher  
Quality Enhancement Grants—Accelerated Cer-  
tification for Teachers Project**

Applications for a Teacher Quality Enhancement Grant—Accelerated Certification for Teachers demonstration project are invited. The project period is from March 25, 2003, until September 2005.

**1. Eligibility Requirements**

Funding is available on a competitive basis to Commonwealth colleges and universities with Department of Education teacher intern program approval. Two demonstration projects will be offered. The first project will provide aid to the following school districts: Allentown, Harrisburg, Lancaster, Reading and York. The second project will provide aid to the following school districts: Philadelphia, Pittsburgh and Harrisburg.



### 2. Applications Deadline

Applications are due by 4 p.m. on April 18, 2003. Electronic or faxed copies of the application will not be accepted.

### 3. How to Apply

To receive a copy of either application, call (717) 787-3470 or e-mail mbargo@state.pa.us. Applications must be submitted in the provided format to Melinda Bargo, Bureau of Teacher Certification and Preparation, Third Floor, Department of Education, 333 Market Street, Harrisburg, PA 17126. A copy of the format will be mailed to applicants.

### 4. Questions Concerning the Grant Application

Questions concerning the grant application should be addressed to Marjorie Blaze, Chief, Division of Teacher Education, Bureau of Teacher Certification and Preparation, 333 Market Street, Third Floor, Harrisburg, PA 17126-0333, (717) 787-3470, mblaze@state.pa.us.

VICKI L. PHILLIPS, Ed.D.,  
Acting Secretary

[Pa.B. Doc. No. 03-402. Filed for public inspection March 7, 2003, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

---

### APPLICATIONS

---

### NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

### NPDES APPLICATIONS

### PART I PERMITS

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

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

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

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

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

#### I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name and Address	County and Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0057452	Dennis K. Dunlap 419 Twinbrook Road Perkasie, PA 18944	Bucks County Hilltown Township	Dry Swale to Pleasant Spring Creek	Y
PA0051730	Philadelphia Country Club 1601 Spring Mill Road Gladwyne, PA 19035	Montgomery County Lower Merion Township	Pond on Sawmill Run	Y

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0057428	Molly's Run Country Kennels Inc. 2205 Wentz Church Road Lansdale, PA 19446	Montgomery County Worcester Township	UNT to Towamencin Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0061662 Sewage Nonmunicipal	Arrowhead Sewer Company, Inc. HC88, Box 305 Pocono Lake, PA 18347	Monroe County Coolbaugh Township	Lehigh River 2A	Y

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone No: (717) 705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0055328	New Morgan Landfill Co., Inc. Conestoga Landfill 420 Quarry Road Morgantown, PA 19543-0128	Berks County New Morgan Borough	Conestoga River 7J	Y
PA0082341	Hopewell Borough P. O. Box 160 Hopewell, PA 16650	Bedford County Hopewell Borough	Raystown Branch Juniata River 11D	Y
PA0085090	Berks Products Corporation 11th Street Fuel Oil Terminal P. O. Box 421 Reading, PA 19603	Berks County Muhlenberg Township	Bernharts Creek 3C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0112372 Sewerage Nonpublic	Mayfair Village Mobile Home Park 612 North Shamokin Street Shamokin, PA 17872	Northumberland County Shamokin Township	UNT to Shamokin Creek SWP 6B	Y
PA0112551 Sewerage	Randall B. Moyer 230 Madisonburg Pike Madisonburg, PA 16852	Miles Township Centre County	UNT Elk Creek SWP 6A	Y
PA0115282 Sewerage	Michael Segalla Pine Valley Court 21 Ponderosa Drive Penfield, PA 15849	Huston Township Clearfield County	Bennet Branch SWP 8A	Y
PA0112534 Sewerage	Start Properties II, Inc. P. O. Box 622 Lemoyne, PA 17043-0622	Delaware Township Northumberland County	Delaware Run SWP 10D	Y

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

**PA0040878**, Sewerage, **Gentile Enterprises**, Keystone Adolescent Center, Rt. 18 South, 270 Sharon Road, Greenville, PA 16125. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Activity: Renewal of a treated minor discharge from a privately owned sewage treatment works.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, sulfates, chlorides and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Shenango River and the Sharpsville Municipal Water Authority located at River Mile 32.6, 17 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0043 MGD.

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		XX
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.2
Dissolved Oxygen		Minimum of 3 mg/l at all times.	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

**PA0220965**, Sewage, **Jeffrey P. Leri**, 21160 Phelps Road, Meadville, PA 16335. This proposed facility is located in West Mead Township, **Crawford County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Franklin General Authority and French Creek in Franklin, approximately 24 miles below point of discharge.

The receiving stream, unnamed tributary to Tamarack Lake, is in watershed 16-D and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000500 MGD.

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

XX—Monitor and Report

The EPA Waiver is in effect.

**PA0101176**, Sewage, **Harvey J. Wolfe**, 1547 Rosely Road, St. Marys, PA 15857. This proposed facility is located in the City of St. Marys, **Elk County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Emporium Water Company on West Creek near Emporium, approximately 17.6 miles below point of discharge.

The receiving stream, unnamed tributary to the South Fork of West Creek classified for HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000350 MGD.

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

The EPA Waiver is in effect.

**PA0239101**, Sewage, **Norbert S. Garbisch III, Vic Nor Farms**, P. O. Box 227, Connoquenessing, PA 16027-0227. This proposed facility is located in Forward Township, **Butler County**.

Description of Proposed Activity: A new discharge of treated sewage from a privately owned treatment works serving a farm complex.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Connoquenessing Creek and Zelienople Municipal Waterworks at River Mile 22.47, 10.6 miles below point of discharge.

The receiving stream, unnamed tributary to Connoquenessing Creek, is in watershed 20-C and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 400 MGD.

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

The EPA Waiver is in effect.

## 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.*

**PA0009911**, Industrial, **Papetti's Hygrade Egg Products, Inc. d/b/a Michael Foods Egg Products Company**, R. R. 1, Box 176, Klingerstown, PA 17941. This proposed facility is located in Upper Mahantanga Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES permit at a reduced discharge flow.

The receiving stream, Pine Creek, is in the State Water Plan watershed no. 6C and is classified for CWF. The nearest downstream public water supply intake for the Dauphin Consolidated Water Company is located on the Susquehanna River, over 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.295 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
CBOD <sub>5</sub>	61.5	123.0	25.0	50.0
Total Suspended Solids	73.8	147.6	30.0	60.0
NH <sub>3</sub> -N (5-1 to 9-30)	36.9	73.8	15.0	30.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	2,000/100 ml as a geometric average			
pH	6.0 to 9.0 Standard Units at all times			
Total Residual Chlorine			1.0	2.0
Oil and Grease	36.9	73.8	15.0	30.0

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701; (570) 327 3666.*

**PA0228681**, Sewerage, SIC 4952, **Penn Township**, P. O. Box 125, Coburn, PA 16832-0125. This proposed facility is located in Penn Township, **Centre County**.

Description of Proposed Activity: Issuance of an NPDES permit for a proposed discharge of treated sewage wastewater.

The receiving stream, Penns Creek, is in the State Water Plan watershed 6A and classified for CWF. The nearest downstream public water supply intake for United Pennsylvania Water is on the Susquehanna River, 89 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.025 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Daily Maximum (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	40		50
TSS	30	45		60
Total Cl <sub>2</sub> Residual	1.0			2.3

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30)		200 col/100 ml as a geometric mean		
(10-1 to 4-30)		2,000 col/100 ml as a geometric mean		
pH		6.0 to 9.0 at all times		

**PA0026310**, Sewage, **Clearfield Municipal Authority**, 107 East Market St., Clearfield, PA 16830. This existing facility is located in Lawrence Township, **Clearfield County**.

Description of Proposed Activity: NPDES permit amendment.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 8B and is classified for WWF. The nearest downstream public water supply intake for the Pennsylvania American Water Company is on West Branch Susquehanna River at Milton.

The application proposes to cover an existing additional combined sewer overflow (CSO) point under the conditions of the NPDES permit and also proposes to permanently discontinue the use of two other existing CSOs. Also proposed is the temporary closing of three other existing CSOs. These activities are to be conducted by the permittee as part of the nine minimum control measures, as required in the permit.

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

**PA0024589**, Sewage, **The Municipal Authority of the Borough of Leetsdale**, 10 Sixth Street, Leetsdale, PA 15056. This application is for renewal of an NPDES permit to discharge treated sewage from the Leetsdale Sewage Treatment Plant in Leetsdale Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Ohio River, 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 Midland Borough Water Authority.

*Outfall 001: existing discharge, design flow of 0.775 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 <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/1000 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 003 and 005—008, which discharge to the Ohio River, serve as CSOs necessitated by stormwater entering the sewer system. These overflows are only permitted when the hydraulic capacity of the sewers and/or the treatment plant are exceeded. There are at this time no specific effluent limitations for these outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

The EPA waiver is in effect.

**PA0094315**, Sewage, **Thomas I. Wiles**, 110 Sandy Creek Road, Verona, PA 15147-1728. This application is for renewal of an NPDES permit to discharge treated sewage from Thomas Wiles Sewage Treatment Plant in Municipality of Penn Hills, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Sandy 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 Wilkesburg Penn Joint Water Authority.

*Outfall 001: existing discharge, design flow of 0.0004 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 <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

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

The EPA waiver is in effect.

**PA0205915**, Sewage, **Borough of Dayton**, P. O. Box 396, Dayton, PA 16222. This application is for renewal of an NPDES permit to discharge treated sewage from Dayton Borough STP in Borough of Dayton, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Glad Run, 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 Armstrong Power Station.

*Outfall 001*: existing discharge, design flow of 0.1 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 <sub>5</sub>				
(5-1 to 10-31)	15	22.5		30
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0	4.5		6.0
(11-1 to 4-30)	9.0	13.5		18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.3			0.7
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.

**PA0218375**, Sewage, **Arensberg Estates Homeowners Association**, 660 Mercer Road, Greenville, PA 16125. This application is for amendment of an NPDES permit to discharge treated sewage from Arensberg Estates STP in Cecil Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Millers 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 West View Borough Water Authority.

*Outfall 001*: existing discharge, new design flow of 0.0185 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 <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.4			4.8
(11-1 to 4-30)	7.0			14.0
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	.17			.40
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.

**WATER QUALITY MANAGEMENT  
PERMITS  
CONTROLLED INDUSTRIAL WASTE AND SEWAGE  
WASTEWATER  
APPLICATIONS UNDER THE CLEAN STREAMS  
LAW  
PART II PERMITS**

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

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

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

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

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

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

**WQM Permit No. 0903402**, Sewerage, **Elwood D'Ginto**, 272 Lexington Road, Schwenksville, PA 19473. This proposed facility is located in East Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operations of a small flow residential sewage treatment facility.

**WQM Permit No. 1503404**, Sewerage, **Valley Township**, 890 W. Lincoln Highway, P. O. Box 467, Coatesville, PA 19320. This proposed facility is located in Valley Township, **Chester County**.

Description of Proposed Action/Activity: The construction and operation of a sewer system to serve the Hill Farm residential development.

**WQM Permit No. 1503405**, Sewerage, **Borough of West Chester**, 401 East Gay Street, West Chester, PA 19380. This proposed facility is located in West Chester Borough, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of the New Street Wastewater Pumping Station.

**WQM Permit No. 0903403**, Sewerage, **Hilltown Township Water and Sewer Authority**, 316 Highland Park Road, Sellersville, PA 18960. This proposed facility is located in Hilltown Township, **Bucks County**.

Description of Proposed Action/Activity: Residential single-family subdivision to serve by individual sewage grinder pumps discharging into the WWTP.

**WQM Permit No. 2303402**, Sewerage, **Suburban Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposed facility is located in Upper Providence, **Delaware County**.

Description of Proposed Action/Activity: Replacing existing manually cleaned screens with a mechanical screen.

**WQM Permit No. 1503406**, Sewerage, **Nadine R. Kill**, 7 Beck Road, Coatesville, PA 19320. This proposed facility is located in East Fallowfield, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of single residential sewage treatment plant.

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

**WQM Permit No. 4803403**, **Nazareth Borough Municipal Authority**, 872 Tatamy Road, P. O. Box A, Nazareth, PA 18064. This proposed facility is located in Lower Nazareth Township, **Northampton County**.

Description of Proposed Action/Activity: This project consists of rerating the Nazareth Borough Municipal Authority's wastewater treatment plant from 1.3 mgd to 1.6 mgd. The rerate will provide for existing and future sewage needs of the sewer service area.

**WQM Permit No. 4502405**, **Silver Lake Township Municipal Authority**, Box 1975, Brackney, PA 18812. This proposed facility is located in Silver Lake Township, **Susquehanna County**.

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

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

**WQM Permit No. 3691410, Amendment 03-1**, Industrial Waste, **Turkey Hill Dairy, Inc.**, 2601 River Road, Conestoga, PA 17516-9630. This proposed facility is located in Manor Township, **Lancaster County**.

Description of Proposed Action/Activity: Addition of a clarifier at their treatment plant.

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

**WQM Permit No. 4103401**, Sewerage, SIC 4952, **Borough of South Williamsport**, 329-331 West Southern Avenue, South Williamsport, PA 17702. This proposed facility is located in Borough of South Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: Permit application to construct and operate a new screening facility at a sewage pump station.

**WQM Permit No. 5303401**, Sewerage 4952, **Department of Conservation and Natural Resources, Bureau of State Parks**, 400 Market Street, Harrisburg, PA 17105. This proposed facility will be located at the Denton Hill State Park in Ulysses Township, **Potter County**.

Description of Proposed Action/Activity: The proposed new sewage treatment system is a sequencing batch reactor, which will discharge treated wastewater to Nine Mile Run (HQ-CWF) at a maximum of 0.0025 mgd. The proposed system will serve as a replacement for the existing system.

**WQM Permit No. 1403201**, Industrial Waste 0921, **Fish and Boat Commission, Bellefonte Fish Culture Station**, 1150 Spring Creek Road, Bellefonte, PA 16823-8458. This proposed facility will be located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: The Bellefonte Fish Culture Station is proposing to add an off-line aerated sludge storage tank to their hatchery wastewater treatment system. The sludge storage tank will be used to store sludge pumped from the clarifiers during times when it cannot be applied to agricultural fields.

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

**WQM Permit No. 1003403**, Sewerage, **Michael J. Blank**, 555 Watters Station Road, Evans City, PA 16033. This proposed facility is located in Forward Township, **Butler County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

#### **NPDES Stormwater Individual Permit**

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

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

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

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

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI023903002	Trexler Mall Shopping Center Venture, LP 810 Seventh Ave., 28th Floor New York, NY 10017	Lehigh County Lower and Upper Macungie Townships	Little Lehigh Creek HQ-CWF
PAI023903001	Albert L. Granger 8568 Mohr Lane Fogelsville, PA 18051	Lehigh County Weisenberg Township	Hassen Creek HQ-CWF, MF

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

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

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

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

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

**NPDES Permit PAI2011503008**, Stormwater, **Design System Associates**, 77 Dilworthtown Road, Thornton, PA 19373, has applied to discharge stormwater associated with a construction activity located in East Fallowfield Township, **Chester County** to unnamed tributary to West Branch Brandywine Creek (EV).

**NPDES Permit PAS10 PAI2011503009**, Stormwater, **Bruneau/Dever**, 6 Stags Leap Center, Tabernacle, NJ 08088, has applied to discharge stormwater associated with a construction activity located in East Nantmeal Township, **Chester County** to unnamed tributary to French Creek South and Beaver Run (HQ-TSF).



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

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI024803003	Patriot Bank High and Hanover Sts. P. O. Box 1090 Pottstown, PA 19464	Northampton County Hanover Township	Monocacy Creek HQ-CWF
PAI024803004	Arcangelo DiOdoardo Salvatore Tornabene 231 Moorestown Rd. Bath, PA 18014	Northampton County Moore Township	Monocacy Creek HQ-CWF
PAI024803005	Triple Net Investments, XIII, LP 171 Route 173, Suite 201 Asbury, NJ 08802	Northampton County Forks Township	Bushkill Creek HQ-CWF

*Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.*

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI024503001	Best Burger, Inc. 17 Stratton Rd. Matawan, NJ 07747	Monroe County Hamilton and Stroud Townships	Pocono Creek HQ-CWF

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

*Lancaster County Conservation District, 1383 Arcadia Road, Room 6, Lancaster, PA 17601; (717) 299-5361.*

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI2033603001	Harry Zeckman Stoner Inc. P. O. Box 65 Quarryville, PA 17566	East Drumore Township Lancaster County	Stewart Run HQ

*Cumberland County Conservation District, 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013; (717) 240-7812.*

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI2032103002	Rockfield LLC c/o Daily Express P. O. Box 39 Carlisle, PA 17013	Carlisle Borough Cumberland County	Letort Spring Run EV

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

*Centre County Conservation District: 414 Holmes Ave., Suite 4, Bellefonte, PA 16723; (814) 355-6817.*

<i>NPDES No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Water/Use</i>
PAI2041403004	Echo Hills Subdivision 101 Norma Mae Circle Port Matilda, PA 16870	Patton Township Centre County	Waddle Run/Susquehanna River CWF

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

*Fayette County Conservation District: 10 Nickman Plaza, Lemont Furnace, PA 15456.*

**NPDES Permit PAI2051003001**, Stormwater, **Department of Interior, Fort Necessity National Battlefield**, 1 Washington Parkway, Farmington, PA 15437, has applied to discharge stormwater associated with a construction activity located in Wharton Township, **Fayette County** to Meadow Run (HQ-CWF).

*Washington County Conservation District: 10 Nickman Plaza, Lemont Furnace, PA 15456.*

**NPDES Permit PAI2056303002**, Stormwater, **South Strabane Township**, 550 Washington Road, Washington, PA 15301, has applied to discharge stormwater associated with a construction activity located in South Strabane Township, **Washington County** to Little Chartiers Creek (HQ-WWF).

## PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

### SAFE DRINKING WATER

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

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

**Permit No. 5203501**, Public Water Supply.

Applicant	<b>Hemlock Farms Community Association</b>
Township or Borough	Blooming Grove Township
Responsible Official	Mike Sibio Hemlock Farms Community Association 1007 Hemlock Farms Hawley, PA 18428
Type of Facility	PWS
Consulting Engineer	Douglas Berg, P. E. Entech Engineering, Inc. P. O. Box 32 Reading, PA 19603
Application Received Date	February 12, 2003

Description of Action	This application requests approval to modify existing Well No. 1 including the installation of a new submersible turbine pump, discharge piping, chlorine contact tank, general corrosion control treatment facilities and interconnecting Well No. 1 into the existing distribution system.
-----------------------	--

### MINOR AMENDMENT

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

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

**Application No. 4603501**, Minor Amendment.

Applicant	<b>Ambler Borough Water Department</b>
Township	Upper Dublin
Responsible Official	James J. Dillon 122 E. Butler Avenue Ambler, PA 19002
Type of Facility	PWS
Consulting Engineer	William T. Weir Engineer 314 Mattison Avenue Ambler, PA 19002
Application Received Date	February 6, 2003

Description of Action	Construction of a 750,000 gallon storage tank at Lock Alsh Reservoir
-----------------------	--

**Application No. 1503501**, Minor Amendment.

Applicant	<b>Pennsylvania Suburban Water Company</b>
Township	Schuylkill
Responsible Official	Morris Coulter 762 W. Lancaster Avenue Bryn Mawr, PA 19101
Type of Facility	PWS
Consulting Engineer	CET Engineering Services 1240 N. Mountain Road Harrisburg, PA 17112
Application Received Date	February 24, 2003
Description of Action	Installation of two lime silos with construction of a small control building at the Pickering West Water Treatment Plant.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 1

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

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

Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department Regional Office after which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**New Jersey Transit—Morrisville Railyard**, Falls Township, **Bucks County**. Michael Gonshor, P. G., Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, on behalf of Consolidated Rail Corp., Neil Ferrone, 1000 Howard Blvd., Suite 400, Mt. Laurel, NJ 08054, has submitted a Notice of Intent to Remediate groundwater contaminated with chlorinated solvents, diesel fuel, Fuel Oil No. 2, inorganics, lead other organics and PAH. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the

Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times*, on December 27, 2002.

**Glen Mills Leak Site (Duns No. 9000—0060)**, Edgmont Township, **Delaware County**. Lisa M. Holderbach, Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Sunoco, Inc., Bradford Fish, P. G., P. O. Box 1135, Post Rd. and Blueball Ave., Marcus Hook, PA 19061, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with Fuel Oil No. 2 and unleaded gasoline. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News*, on November 8, 2002, November 19, 2002, and February 5, 2003.

**Tosco Refinery (former Marcus Hook Refinery), Lube Plant Area**, Trainer Borough, **Delaware County**. Colleen Costello, Langan Engineering & Environmental Services, Inc., 500 Hyde Park, Doylestown, PA 18901-1699, on behalf of Tosco Corp., 4101 Post Rd., Trainer, PA 19061, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with metals and organics. The applicant proposes to remediate the site to meet Statewide Health, Background and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily and Sunday Times*, in March 2001.

**Bryn Hill Industries**, Ridley Township, **Delaware County**. Samuel J. Kucia, Environmental Consulting, Inc., 500 East Washington St., Suite 375, Norristown, PA 19401, on behalf of Morris Realty & Investment, Greg Morris, 515 Shoemaker Rd., King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate soil contaminated with chlorinated solvents. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Times*, on February 7, 2003.

**Penn Beer Distributors Site**, City of Philadelphia, **Philadelphia County**. Rodd W. Bender, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Matthew J. Funchion, Penn Beer Distributors, Inc., 401 Domino La., Philadelphia, PA 19128, has submitted a Notice of Intent to Remediate soil contaminated with chlorinated solvents, lead, MTBE, other organics, inorganics, PAH and PCB; and groundwater contaminated with chlorinated solvents, inorganics, lead, MTBE and other organics. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News*, on February 13, 2003.

**Rite Aid-Castor and Erie Site**, City of Philadelphia, **Philadelphia County**. Kenneth M. Yoder, P. G., BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Rite Aid Corp., 30 Hunter Lane, Camp Hill, PA 17011, has submitted a revised Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals and solvents. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *News Gleaner*, on February 5, 2003.

**Former Hygrade Foods Site**, City of Philadelphia, **Philadelphia County**. Stephen A. Batiste, Brown &

Caldwell, 501 Great Circle Rd., Suite 150, Nashville, TN 37228, on behalf of City of Philadelphia (International Airport), Stacey Robinson, Property Management & Business Development Unit, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with diesel fuel and Fuel Oil No. 6. The applicant proposes to remediate the site to meet the Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on January 23, 2002,

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

**John Root Property, formerly Eby's Service Station**, East Petersburg Borough, **Lancaster County**. Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Connie Long, POA for the Root Family, 11025 Rosemont Drive, Rockville, MD 20852, submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated with diesel fuel, fuel oil no. 2, leaded gasoline, MTBE, unleaded gasoline and used motor oil. The applicant proposes to remediate the site to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal* on December 2, 2002.

**Allfirst Bank**, Shillington Borough, **Berks County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Allfirst Bank, 2055 South Queen Street, MC 182-00-01, York, PA 17402, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents and fuel oil no. 2. The applicant proposes to remediate the site to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle* on January 27, 2003.

#### RESIDUAL WASTE GENERAL PERMITS

**Applications Received under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit Application No. WMGR092. Metal Management Northeast, Inc.**, P. O. Box 5158, Newark, NJ 07105. General Permit Numbered WMGR092 is for the beneficial use of processed dredge material removed from the New York harbor complex as construction material. The Central Office received the application on December 17, 2002, and it was determined administratively complete on February 7, 2003. The notice of administrative completeness for this application was incorrectly published under the General Permit Application No. WMGR023 (33 Pa.B. 986 (February 22, 2003)). This notice is being published to correct that error.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division

at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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

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

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

**Permit Application No. 101600. Waste Reduction & Recycling Center, Inc.**, 2100 Sans Souci Parkway, Wilkes-Barre, PA 18702. A Major Permit Modification for a Radiation Protection Action Plan at this municipal waste transfer station located in Hanover Township, **Luzerne County**. The application was received in the Regional Office on December 23, 2002, and was deemed administratively complete as of February 20, 2003.

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

**McConway & Torley Corporation**, 109 48th Street, Pittsburgh, PA 15201, Kutztown Borough, **Berks County**. The application received is for an unpermitted facility closure plan for a site in Kutztown Borough.

**Permit Application No. 101671. Parks Transfer & Recycling Facility**, P. O. Box 218, Mount Union, PA 17066, Shirley Township, **Huntingdon County**. The application is for the Increase in Average Daily Volume and Additional Modification for Parks Transfer & Recycling Center Inc. The application was determined to be administratively complete by the Southcentral Regional Office on February 19, 2003.

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

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all

the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

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

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

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

#### PLAN APPROVALS

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

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

**36-03069A: Nissin Foods (USA) Co., Inc.** (2901 Hempfield Road, Lancaster, PA 17601) for construction of three natural gas fired boilers in East Hempfield Township, **Lancaster County**. The boilers are subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

**38-03035A: V and S Lebanon Galvanizing, LLC** (1000 Buckeye Park Road, Columbus, OH 43207-2509) for construction of a shot blast booth controlled by two cartridge collectors and a surface coating operation controlled by dry panel filters in Union Township, **Lebanon County**.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**09-0159: Colorcon** (171 New Britain Boulevard, New Britain Business Park, New Britain, PA 18914) for installation of the nontoxic (No-Tox) inks and coatings production facility in New Britain Township, **Bucks County**. The facility is a non-Title V facility for any of air pollutant. This installation will result in 10.1 tons of VOC emissions and 1.45 tons of HAPs from the facility per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**46-0027: Ortho-McNeil Pharmaceutical, Inc.** (Welsh and McKean Roads, Springhouse, PA 19477) for the installation of 1.5 mW emergency generator and 25.1 mmBtu/hr boiler at their facility in Lower Gwynedd Township, **Montgomery County**. The installation of the emergency generator and boiler will result in the emissions of: 10.13 tons per year of NOx; 5.12 tons per year of CO; 2.03 tons per year of VOCs; 4.52 tons per year of sulfur oxides; and 1.33 tons per year of PM. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**39-399-055: Stanley Vidmar Storage Technologies, Inc.** (11 Grammes Road, Allentown, PA 18105) for modification of the existing clean-up solvent operation in Allentown, **Lehigh County**. The modification to the clean-up solvent operation consists of an increase in VOC emissions from 120 pounds per day (7.75 tons per year) to 240 pounds per day (14.5 tons per year). There will be no increase to the total facility VOC emissions of 275 tons per year on a 12-month rolling sum as listed in the issued Title V Operating Permit No. 39-00018. The Plan Approval and Operating Permit will contain additional work practices, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements. In addition, the clean-up solvent operation shall continue to comply with all applicable conditions of the issued Title V Operating Permit No. 39-00018.

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

**06-05092A: Reading Materials, Inc.** (P. O. Box 1467, Skippack, PA 19474) for modification of a drum/batch mix asphalt plant by adding waste derived liquid fuel (WDLF) to the plant controlled by a fabric collector in Cumru Township, **Berks County**. The plant is a non-Title V (State-only) facility. This modification will result in the potential emissions of 8.4 tons per year of particulate, 18 tons per year of sulfur dioxide, 80 tons per year of CO, 24 tons per year of NOx and 3.3 tons per year of VOCs. The

approval will limit the annual production and emissions. Limits will be placed on various contaminants in the WDLF. The applicant will be required to record the production and fuel usages. The approval will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

**36-03121A: Cadmus Journal Services—Lancaster** (1991 Northampton Street, Easton, PA 18042) for installation of one web press to be connected to the existing pollution control equipment at their Lancaster Press facility in West Hempfield Township, **Lancaster County**. The facility's VOC emissions shall increase by less than 1 ton per year. The plan approval and operating permit will contain emission restrictions, work practice standards and monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**41-0001B: Stroehmann Bakeries, LC** (3375 Lycoming Creek Road, Williamsport, PA 17701) for installation of an air cleaning device, a catalytic oxidizer, on two existing bread baking ovens at their facility in Old Lycoming Township, **Lycoming County**. The catalytic oxidizer will replace an existing catalytic oxidizer currently controlling the VOC emissions from the respective bread ovens. There will be no change in the emission of VOCs or any other air contaminant as a result of the installation of the new catalytic oxidizer.

The Department has determined that the bread baking ovens will continue to comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants following the installation of the new catalytic oxidizer, including the reasonably available control technology requirements of 25 Pa. Code §§ 129.91—129.95. The Department consequently intends to approve the application and issue plan approval for the installation of the respective catalytic oxidizer.

The following is a summary of the conditions the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable regulatory requirements:

1. The catalyst bed outlet temperature shall be maintained at a minimum of 600°F at all times.
2. The catalytic oxidizer shall achieve a VOC destruction efficiency of at least 95% at all times.
3. The VOC emissions from the exhaust of the catalytic oxidizer shall not exceed 1.65 pounds per hour.
4. The catalytic oxidizer shall be equipped with instrumentation to continuously monitor and record the catalyst bed inlet and outlet temperatures as well as with an alarm system which shall signal an alarm if the outlet temperature drops below 600°F. All records shall be retained for at least 5 years and shall be shown to the Department upon request.
5. Within 120 days of the completion of installation of the catalytic oxidizer, stack testing shall be performed to determine the VOC destruction efficiency of the catalytic oxidizer and the VOC emission rate from the oxidizer exhaust while both bread ovens are operating and also while only one bread oven is operating.

---

**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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**15-00079: Reilly and Sons** (601 East Lincoln Highway, Exton, PA 19341) for operation of their facility in West Whiteland Township, **Chester County**. The permit is for a non-Title V (State-only) facility. The facility's sources are three underground storage tanks and three aboveground storage tanks. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**66-301-010: RH Jones Crematory** (2 Twin Drive, Tunkhannock, PA 18657) for operation of a human crematory and associated air cleaning device at their facility in Tunkhannock Township, **Wyoming County**.

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

**22-03053: ConAgra Flour Milling Co.** (99 Second Street, Highspire, PA 17034) for operation of a flourmill in Highspire Borough, **Dauphin County**. The facility has the potential to emit 97.5 tons per year of PM10 and less than 1 ton per year of NOx, SOx, CO, VOCs and HAPs. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**31-03008: Interforest Lumber Corp.** (P. O. Box 111, US Rt. 522, Shade Gap, PA 17255) for operation of a wood fired boiler and a No. 2 oil fired boiler at the lumber mill in Dublin Township, **Huntingdon County**. Both boilers are subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The facility's emission source includes a wood fired boiler, which primarily emits particulate matter having a potential emission rate of 50 tons per year. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restriction and work practice standards designed to keep the facility operating within all applicable requirements.

**36-05007: Pfizer, Inc.** (400 West Lincoln Avenue, Lititz, PA 17543) for operation of its pharmaceutical manufacturing facility in Lititz Borough, **Lancaster County**. The facility has the potential to emit 151.4 tons per year of NOx, 101.6 tons per year of VOCs, 67.3 tons per year of CO, 16.2 tons per year of PM, 13 tons per year of sulfur oxides and less than 2 tons per year of HAPs. The State-only operating permit will limit NOx emissions to less than 100 tons per year and VOC emissions to less than 50 tons per year. The operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**37-00318: International Specialty Alloys, Inc. Aerospace** (Northgate Industrial Park, Building A, New Castle, PA 16105) for a Natural Minor Operating Permit to operate three thermite reduction bunkers, vacuum induction melting furnace, crushers, sizing operations and other manufacturing operations for the production of aluminum alloys and metals.

**COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections, or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or

within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition to the previous, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

*Coal Applications Received*

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

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

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l is 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.

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

**54030201. Devil's Hole, Inc.** (P. O. Box 559, Schuylkill Haven, PA 17972), commencement, operation and restoration of a coal refuse reprocessing operation in Frailey

Township, **Schuylkill County** affecting 12.5 acres, receiving stream: none. Application received February 10, 2003.

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

**03030101 and NPDES Permit No. PA0250341. Amfire Mining Co., LLC** (One Energy Place, Suite 7500, Latrobe, PA 15650). Application for commencement, operation and reclamation of a bituminous surface mine located in Wayne Township, **Armstrong County**, affecting 186 acres. Receiving streams: unnamed tributaries of South Fork Pine Creek to Pine Creek (CWF). There is no potable water supply intake within 10 miles downstream

from the point of discharge. Application received February 21, 2003.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.*

**33930104 and NPDES Permit No. PA0211591. Dunamis Resources, Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650). Renewal of an existing bituminous strip and auger operation in Winslow Township, **Jefferson County** affecting 336.0 acres. Receiving streams: unnamed tributary to Trout Run and unnamed tributary to Front Run (CWF). There are no potable surface water intakes within 10 miles downstream. This renewal is for reclamation only. Application received February 14, 2003.

**10870106 and NPDES Permit No. PA0108081. Quality Aggregates, Inc.** (200 Neville Road, Pittsburgh, PA 15225). Renewal of an existing bituminous strip and limestone removal operation in Marion Township, **Butler County** affecting 107.5 acres. Receiving streams: unnamed tributaries to Blacks Creek and Slippery Rock Creek (CWF). There are no potable surface water intakes within 10 miles downstream. This renewal is for reclamation only. Application received February 14, 2003.

**37030101 and NPDES Permit No. PA0242314. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip operation in Wayne Township, **Lawrence County** affecting 132.0 acres. Receiving streams: unnamed tributary to Slippery Rock Creek (CWF); unnamed tributary to Squaw Run (WWF). There is a public water supply intake located on Slippery Rock Creek approximately 2.5 miles downstream. Application received February 10, 2003.

**1475-37030101-E-1. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to conduct support activities within 100 feet of the unnamed tributary to Slippery Rock Creek in Wayne Township, **Lawrence County** affecting 132.0 acres. Receiving streams: unnamed tributary to Slippery

Rock Creek (CWF); unnamed tributary to Squaw Run (WWF). There is a public water supply intake located on Slippery Rock Creek approximately 2.5 miles downstream. Application received February 10, 2003.

**24030102 and NPDES Permit No. PA0242322. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Commencement, operation and restoration of a bituminous surface strip operation in Fox Township, **Elk County** affecting 172.5 acres. Receiving streams: Mill Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received February 11, 2003.

**24880101 and NPDES Permit No. PA0104728. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous strip, auger and tippel refuse disposal operation in Horton Township, **Elk County** affecting 361.0 acres. Receiving streams: unnamed tributaries to Mead Run and unnamed tributaries to West Branch Walburn Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received February 18, 2003.

**33820143 and NPDES Permit No. PA0605301. P. and N. Coal Co., Inc.** (240 West Mahoning Street, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip, auger and coal refuse disposal operation in Gaskill Township, **Jefferson County** affecting 222.7 acres. Receiving streams: unnamed streams to Ugly Run and Ugly Run, tributary to Canoe Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received February 20, 2003.

#### *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
pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**7973SM5C5. Eureka Stone Quarry, Inc.** (P. O. Box 249, Chalfont, PA 18914), depth correction for an existing quarry operation in Wrightstown Township, **Bucks County** affecting 121.0 acres, receiving stream: Neshaminy Creek. Application received February 11, 2003.

**09030301. Eureka Stone Quarry, Inc.** (P. O. Box 249, Chalfont, PA 18914), commencement, operation and restoration of a quarry operation in Wrightstown Township, **Bucks County** affecting 38.6 acres, receiving stream: Neshaminy Creek (TSF; MF). Application received February 11, 2003.

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

**32030301 and NPDES Permit No. PA0249408. Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701, commencement, operation and restoration of a noncoal-sandstone mine in Center Township, **Indiana County**, affecting 226.9 acres. Receiving streams: Tearing Run and unnamed tributaries to Yellow Creek to Two Lick to Blacklick Creek to Conemaugh River (CWF (all)). There are no potable water supply intakes within 10



miles downstream. Application received February 13, 2003.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.*

**10960304. North Washington Limestone, Inc.** (P. O. Box 304, West Sunbury, PA 16061). Renewal of NPDES Permit No. PA0227218 in Washington Township, **Butler County**. Receiving streams: unnamed tributary to South Branch Slippery Rock Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received February 18, 2003.

**3076SM8. Conneaut Lake Sand & Gravel, Inc.** (P. O. Box 233, West Middlesex, PA 16159). Transfer of an existing sand and gravel operation in Sadsbury Township, **Crawford County** affecting 18.8 acres. Receiving streams: unnamed Run to Conneaut Lake; unnamed tributary to Mud Run; and unnamed tributary to Watson Run (WWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from Jack R. and Robert L. Foust. Application received February 19, 2003.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the state to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant state requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-849. Warrington Township**, 852 Easton Road, Warrington Township, **Bucks County**, Philadelphia ACOE District.

To perform the following water obstruction and encroachment activities along an unnamed tributary of Little Neshaminy Creek (WWF-MF): (1) to modify, repair and maintain 1,900 linear feet of existing gabion retaining wall along both sides of a channelized reach; and (2) to remove gravel deposits at several locations, within the channelized reach impacting a total of approximately 200 linear feet of stream channel.

The project proposes to directly affect a total of 1,900 linear feet of stream channel (Ambler, PA Quadrangle N: 20.4 inches; W: 4 inches).

**E51-206. Penn's Landing Corporation**, 121 Columbus Boulevard, Philadelphia, PA 19106, **Philadelphia County**, ACOE Philadelphia District.

To construct and maintain five docking facilities for the proposed ShoreLink Shuttle Project, a water taxi serving tourists along the Delaware River Waterfront (WWF-MF) in the City and County of Philadelphia. The facilities will involve floating docks attached to existing piers or bulkheads located in the following areas:

1. Landing Site No. 1, located at the southwest corner of Pier 27 North (also known as Festival Pier). Work will involve the construction of a new floating dock and gangway (Philadelphia USGS Quadrangle N: 15.08 inches; W: 1.75 inches).

2. Landing Site No. 2, located at the southwest corner of the Philadelphia Marine Center (Permit No. E51-061T-1) in the vicinity of Pier 15 North, between Piers 12 North and 19 North. Work will involve minor modification of existing docking facilities (Philadelphia USGS Quadrangle N: 14.42 inches; W: 1.99 inches).

3. Landing Site No. 3, located along the Penn's Landing seawall at Chestnut Street and just north of the landing for the RiverLink Ferry. Work will involve the construction of a new floating dock, platform and gangway. This landing is situated on a facility covered by Permit No. E51-185 (Philadelphia USGS Quadrangle N: 13.09 inches; W: 2.05 inches).

4. Landing Site No. 4, located within the Penn's Landing Marine Basin, adjacent to the Philadelphia Hyatt Regency Hotel. Work will involve the construction of a new floating dock and gangway. This landing is situated on a facility to be covered by Permit No. E51-185 (Philadelphia USGS Quadrangle N: 12.56 inches; W: 2.28 inches).

5. Landing Site No. 5, located at the northwest corner of Pier 30 South, the site of the Dockside Apartments authorized by Permit No. E51-183. Work will involve the construction of a new floating dock, platform and gangway (Philadelphia USGS Quadrangle N: 11.66 inches; W: 2.41 inches).

**E15-701. Cold Springs Run, Inc.**, 21 South Church Street, West Chester, PA 19382, West Goshen Township, **Chester County**, ACOE Philadelphia District.

The applicant proposes to construct a 16 lot residential subdivision on Tax Parcels 178 and 179.1, with the following water obstructions:

1. To construct and maintain a 50-foot long triple arch bridge across West Town Road Run, a tributary of Chester Creek (TSF). The center arch will have a 32-foot span and 7-foot maximum underclearance. The side arches will both have a 20-foot span and 5-foot maximum underclearance.

2. To place and maintain fill within 0.13 acre of wetland (PEM) for the approach to the previously noted bridge.

3. To place and maintain utility line stream crossings, 8-inch water main and a 14-inch SRD sewer line, across West Town Road Run and an adjacent wetland.

The project proposes to directly affect a total of 75 linear feet of stream channel and 0.13 acre of wetland. The application did not include a plan for wetland of replacement (West Chester, PA Quadrangle N: 13.5 inches; W: 10.0 inches).

**E46-933. Upper Hanover Authority**, P. O. Box 205, East Greenville, PA 18041, Upper Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a sewage treatment Facility located in the 100-year floodplain of the Perkiomen Creek (WWF, MF). Work will also include four stream crossings including a gravity sewer main and sanitary sewer force main in accordance with the conditions of General Permit No. 5 which will be constructed across unnamed tributary to Perkiomen Creek. The site is located approximately 150 feet southwest of the intersection of Gravel Pike (SR 0029) and Palm Hill Road (East Greenville, PA USGS Quadrangle N: 9.1 inches; W: 4.6 inches).

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

**E06-367: R & K Creekside Farm**, R. D. 2, Box 120A,

Williamsburg, PA 16693 in Huston Township, **Blair County**, ACOE Baltimore District.

To relocate and maintain 645 feet of stream channel averaging 7 1/2 feet in width and to construct and maintain a 51-inch by 66-inch arch culvert in the channel of an intermittent stream which is an unnamed tributary to Piney Creek (HQ-CWF) at a point along Route 866 (Franktown, PA Quadrangle N: 4.8 inches; W: 3.8 inches) for the purpose of providing access to an existing farm in Huston Township, Blair County. The project proposes to directly affect through relocation 645 linear feet of stream and 1.72 acres of floodway.

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

**E18-350. Scott E. Lafrome**, 732 Rockey Road, Loganton, PA. Laforme Pond, in Green Township, **Centre County**, ACOE Baltimore District (Loganton, PA Quadrangle N: 10.6 inches; W: 4.5 inches).

To construct and maintain a 100-foot by 200-foot by 12-foot deep on stream pond directly downstream of an existing spring house at the headwaters of an unnamed tributary to Mill Creek located on the south side of Rockey Road 1.5 miles east of SR 477. This project proposes to directly impact an unnamed tributary to Mill Creek that is classified as a HQ-CWF.

**E53-384. Coudersport Borough Authority**, 201 South Main Street, Coudersport, PA 16915. Coudersport Borough Authority North Water Supply, Treatment and Distribution in Coudersport Borough, **Potter County**, ACOE Pittsburgh District (Coudersport, PA Quadrangle N: 5.3 inches; W: 2.8 inches).

To construct, operate and maintain public water supplies, treatment facilities and distribution systems in and along the Allegheny River (CWF), Mill Creek (HQ-CWF) and unnamed tributaries to the Allegheny River for the production, treatment and distribution of public drinking water supplies. Construction of the 18,140 linear feet of distribution system will require three wetland crossings and four stream crossings that are as follows:

<i>Stream Name</i>	<i>Total Length of Crossings</i>	<i>Latitude</i>	<i>Longitude</i>
Allegheny Wetland Crossing	280 feet	41-47-37	78-00-53
Allegheny Wetland Crossing	400 feet	41-47-39	78-00-50
Unnamed tributary—Allegheny Crossing	30 feet	41-47-30	78-01-02
Allegheny River Crossing—Chestnut Street	170 feet	41-46-10	78-01-30
Allegheny River Crossing—Second Street	50 feet	41-46-27	78-01-55
Mill Creek Crossing—Route 0872	90 feet	41-46-18	77-59-07
Mill Creek Wetland Crossing	150 feet	41-45-54	78-01-36

Water line crossings beneath a waterway or wetland shall be constructed with a minimum of 3 feet of cover with concrete encasement. Trench plugs or clay dikes shall be used at every sewer line crossing a waterway to ensure the hydrology of the stream or wetland is not altered. Construction of the water distribution system will require earthmoving activities within the 100-year floodway and floodplain of the Allegheny River, Mill Creek and their tributaries. Areas of disturbance in and along waterways and wetlands for the distribution line shall be restored to original elevations with all areas of disturbance receiving applications of temporary and permanent stabilization immediately upon final grading. The project will temporarily impact 0.57 acre of wetland while

impacting 340-feet of waterway. The project is located along the western right-of-way of SR 0044 and southern right-of-way of SR 0006 in Coudersport Borough.

**E60-158. Department of Transportation**, 315 Jordan Avenue, Montoursville, PA 17754. SR 0192/018 Bridge Replacement, in Buffalo Township, **Union County**, ACOE Baltimore District (Mifflinburg, PA Quadrangle N: 14.9 inches; W: 1.7 inches).

To: (1) remove an existing bridge; and (2) construct and maintain an 86.9-foot clear span prestressed concrete adjacent box beam bridge with R-8 riprap abutment protection and a maximum underclearance of 10.56 feet across Buffalo Creek located 6.5 miles west of Lewisburg

on SR 192 in the Village of Cowan. This project proposes to permanently impact 45 linear feet of Buffalo Creek (CWF).

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

**E63-195 A2. John and Linda Jones**, 896 Rocky Run Road, West Finley, PA 15377-2127. East Finley Township, **Washington County**, ACOE Pittsburgh District.

To amend Permit No. E63-195 which authorized the construction and maintenance of a bridge having a span of 38 feet and an underclearance of 8 feet or to construct and maintain six 24 inch diameter culverts in Rocky Run (WWF), to provide access to the applicants property located on the northwest side of Rocky Run Road approximately 6,300 feet southeast of its intersection with Rt. 231. This amendment will authorize the operation and maintenance of an existing single span pedestrian bridge across the same stream (Claysville, PA Quadrangle N: 2.5 inches; W: 3.7 inches).

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

**E10-372, Butler County Commissioners**, P. O. Box 1208, Butler, PA 16003-1208. Butler County Bridge No. 80 (Humes Bridge), in Clearfield Township, **Butler County**, ACOE Pittsburgh District (Saxonburg, PA Quadrangle N: 17.2 inches; W: 1.5 inches).

The applicant proposes to remove the existing structure and: (1) to construct and maintain a steel stringer bridge having a concrete deck and a clear span of 24.41 feet and an underclearance of 6.33 feet on a 90 degree skew; and (2) construct a temporary stream crossing having four 20-foot long, 18-inch culverts across Little Buffalo Run (HQ-TSF), which is a perennial stream classified as a HQ-TSF. The project is located on T-691 (McShane Road) approximately 250 feet east of the intersection of T-691 (McShane Road) and T-570 (Old 422). The project proposes to directly affect approximately 35 linear feet of stream channel.

**E24-230, John T. Rogers**, 214 West Fourth Street, Emporium, PA 15834. Whitman Hollow Pond, in City of Saint Marys, **Elk County**, ACOE Pittsburgh District (Wildwood Fire Tower, PA Quadrangle N: 0.5 inch; W: 13.1 inches).

To construct and maintain water intake sump structure with a 4-inch diameter intake pipe excavated into the channel of Whitman Hollow, a tributary to North Fork West Creek (HQ-CWF) approximately 500 feet upstream of the mouth and a 12-inch diameter outfall pipe with rock outlet protection along the left bank approximately 325 feet upstream of the mouth to draw water into and discharge from an excavated pond measuring approximately 130 feet long by 50 feet wide adjacent to the left (south) assumed 50-foot floodway of the stream.

**E25-665, Milton E. Ganger and Jean H. Ganger**, 12996 Old Lake Road, North Springfield, PA 16430-0068. Lake Groins, in Springfield Township, **Erie County**, ACOE Pittsburgh District (East Springfield, PA Quadrangle N: 22.7 inches; W: 10.4 inches).

The applicant proposes to construct and maintain five concrete block groins affixed to the existing retaining wall and extending a maximum of 30 feet beyond the ordinary high water mark of Lake Erie (WWF) and spaced along a total reach of approximately 260 feet of shoreline in Springfield Township, Erie County approximately 1.4 miles northwest of the intersection of SR 5 and SR 215.

---

## ACTIONS

---

### FINAL ACTIONS TAKEN UNDER THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT NPDES AND WQM PART II PERMITS INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

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

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

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

---

#### I. Municipal and Industrial Permit Actions under The Clean Streams Law (35 P. S. §§ 691.1— 691.1001).

---

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

**NPDES Permit No. PA0058475**, Sewage, **Plumstead Township**, 5186 Stump Road, P. O. Box 387, Plumsteadville, PA 18949. This proposed facility is located in Plumstead Township, **Bucks County**.

Description of Proposed Action/Activity: Approval to discharge into the Wetlands to Geddes Run.

**NPDES Permit No. PA0058564**, Sewage, **Girl Scouts of Freedom Valley**, 100 Julliette Low Way, Valley Forge, PA 19482-0814. This proposed facility is located in Haycock and East Rockhill Townships, **Bucks County**.

Description of Proposed Action/Activity: Approval to discharge into an unnamed tributary of Tohickon Creek.

**WQM Permit No. 4602403**, Sewerage, **Worcester Township**, 1721 Valley Forge Road, P. O. Box 767, Worcester, PA 19490. This proposed facility is located in Worcester Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of sewage pump station and force main to provide public sanitary sewer to existing single-family dwelling.

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

**NPDES Permit No. PA0011177**, Industrial Waste, **Bethlehem Steel Corporation**, 1170 Eighth Avenue, Bethlehem, PA 18016-7699. This proposed facility is located in Bethlehem City, **Northampton County**.

Description of Proposed Action/Activity: Renewal of permit to discharge treated industrial waste to Lehigh River.

**NPDES Permit No. PA0013501**, Industrial Waste, **Honeywell International, Inc.**, 98 Westwood Road, Pottsville, PA 17901-1814. This proposed facility is located in Norwegian Township, **Schuylkill County** and discharges to an unnamed tributary to West Branch Schuylkill River.

Description of Proposed Action/Activity: Renewal of NPDES permit.

**NPDES Permit No. PA0051896**, Industrial Waste, **Fort James Operating Company**, 605 Kuebler Road, Easton, PA 18042. This proposed facility is located in Forks Township, **Northampton County** and discharges to an unnamed tributary to Bushkill Creek.

Description of Proposed Action/Activity: Renewal of NPDES Permit.

**NPDES Permit No. PA0060437**, Sewage, **Pine Grove Estates Sewer Company**, R. R. 2, Box 2658, Beach Lake, PA 18405. This proposed facility is located in Damascus Township, **Wayne County** and discharges to unnamed tributary to Delaware River.

Description of Proposed Action/Activity: Renewal of NPDES permit.

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

**NPDES Permit No. PA0082228**, Sewage, **Herbert Hess, Hill Top Acres Mobile Home Park**, 1546 Newport Road, Manheim, PA 17545. This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Chickies Creek in Watershed 7-G.

**NPDES Permit No. PA0034363**, Sewage, **Stuart Hess, Pine View Acres Mobile Home Park**, 116-B Blantz Road, Lititz, PA 17543. This proposed facility is located in Penn Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Chickies Creek in Watershed 7-G.

**NPDES Permit No. PA0087513**, Sewage, **Mapleton Area Joint Municipal Authority**, P. O. Box 415, Mapleton Depot, PA 17052-0415. This proposed facility is located in Union Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to Hares Valley Creek in Watershed 12-C.

**NPDES Permit No. PA0029823**, Sewerage, **Tussey Mountain School District, Defiance Elementary School**, 199 Front Street, Saxton, PA 16678-8610. This proposed facility is located in Broad Top Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to Six Mile Run in Watershed 11-D.

**WQM Permit No. 5071402, Amendment 02-1**, Sewerage, **Borough of Marysville**, 200 Overcrest Road, Marysville, PA 17053. This proposed facility is located in Marysville Borough, **Perry County**.

Description of Proposed Action/Activity: Rerate the monthly maximum organic loading to 2,085 pounds BOD per day.

**NPDES Permit No. PA0083003**, Industrial Waste, **Dudley-Carbon-Coalmont Joint Municipal Authority**, P. O. Box 276, Dudley, PA 16634. This proposed facility is located in Carbon Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to Shoup Run in Watershed 11-D.

**NPDES Permit No. PAG123545**, CAFO, **Brent Hershey, Hershey Ag.**, 138 Airport Road, Box 68, Marietta, PA 17547-0068. This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 812.3 AEUs swine CAFO in Watershed 7-G

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

**WQM Permit No. 5302402**, Sewerage, **Galeton Borough Authority**, 4 Sherman Street, Galeton, PA 16922. These proposed facilities will be located in Galeton Borough, **Potter County**.

Description of Proposed Action/Activity: Issuance of a WQM permit authorizing the construction/operation of: a mechanically cleaned bar screen system, a new chlorine contact tank (replacing the two existing tanks), a flow meter at the chlorine contact tank, a new automatic chlorine rate control valve, an automatic chlorination/dechlorination controller and a separate dechlorination contact tank.

**WQM Permit No. 4902201**, Industrial Waste, SIC 2833, **Merck & Company Inc.**, P. O. Box 600, Danville, PA 17821-0600. This proposed facility is located in Riverside Borough, **Northumberland County**.

Description of Proposed Action/Activity: Issuance of a water quality management permit for chlorination and dechlorination facilities.

**WQM Permit No. 1498408-T1**, Sewerage, SIC 4952, **Paul Jamie Frye**, 629 West Fowler Hollow Lane, Port Matilda, PA 16870. This facility is located in Taylor Township, **Centre County**.

Description of Proposed Action/Activity: Transfer of water quality management permit for single residence.

**NPDES Permit No. PA0113697**, Sewage, SIC 4952, **David and Teresa Spiwak**, 603 East Fourth Street, Bloomsburg, PA 17815. The existing discharge is located in Mount Pleasant Township, **Columbia County**.

Description of Proposed Activity: Renewal of an NPDES permit for country manor wastewater treatment plant.

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

**NPDES Permit No. PA0032069**, Sewage, **Saint Francis University**, P. O. Box 600, Loretto, PA 15940-0600 is authorized to discharge from a facility located at

Saint Francis University STP, Loretto Borough, **Cambria County** to receiving waters named unnamed tributary of Clearfield Creek.

**NPDES Permit No. PA0091138**, Sewage, **Cecil Township Municipal Authority**, Cecil Township Municipal Building, 3599 Millers Run Road, Cecil, PA 15321 is authorized to discharge from a facility located at Teodori Sewage Treatment Plant, Cecil Township, **Washington County** to receiving waters named Chartiers Creek.

**NPDES Permit No. PA0217743**, Sewage, **Summit Hospitality Group Services, Inc., Days Inn at Donegal**, Route 31, Donegal, PA 15628 is authorized to discharge from a facility located at Days Inn at Donegal Sewage Treatment Plant, Donegal Township, **Westmoreland County** to receiving waters named unnamed tributary of Minnow Run.

**NPDES Permit No. PA0217808**, Sewage, **David A. Harchuck**, 705 Route 66, Building II, Suite 222, Apollo, PA 15613 is authorized to discharge from a facility located at Harchuck office building STP, Washington Township, **Westmoreland County** to receiving waters named tributary of Beaver Run.

**NPDES Permit No. PA0219371**, Sewage, **Frank and Leona Van Scoyoc**, 7480 Prim Rose Drive, Mentor on the Lake, OH 44060 is authorized to discharge from a facility located at Van Scoyoc single residence sewage treatment facility, Dean Township, **Cambria County** to receiving waters named drainage swale tributary of Clearfield Creek.

**Permit No. 1102403**, Sewerage, **Frank and Leona Van Scoyoc**, 7480 Prim Rose Drive, Mentor on the Lake, OH 44060. Construction of single residence sewage treatment facility located in Dean Township, **Cambria County** to serve the Van Scoyoc single residence sewage treatment facility.

**Permit No. 6302405**, Sewerage, **Peters Township Sanitary Authority**, 3244 Washington Road, McMurray, PA 15317. Construction of sanitary sewers located in Peters Township, **Washington County** to serve Ivy Lane.

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

**WQM Permit No. 4303402**, Sewerage, **Deborah L. Smith**, 18 Tanner Road, Greenville, PA 16125. This proposed facility is located in Greene Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

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

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

For individuals who wish to challenge an action, 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.

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

*Fulton County Conservation District, 216 N Second Street, Suite 215, McConnellsburg, PA 17233, (717) 485-3547.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS102808	James W. Kint 6995 South Valley Road Crystal Springs, PA 15636	Fulton County	Brush Creek Township	Little Brush Creek HQ-CWF

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

<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10X105	Dominion Peoples Gas Company 423 Hyde Park Road Leechburg, PA 15656	Westmoreland County Washington Township	Poke Run HQ-CWF Little Pucketa Creek TSF

**APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS**

The following parties have submitted a Notice of Intent and have received coverage under each applicable general permit listed.

The approval for coverage under these general permits is subject to effluent or pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices, monitor-

ing, reporting requirements and other conditions set forth in the general permit. This and other project specific information are on file and are open for public review. Arrangements for reviewing this information can be made by contacting the identified office listed with each action.

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 Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

*General Permit Type—PAG-2*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
East Nottingham Township Chester County	PAG2001503010	Lojasn Three, LP 129 Round Hill Road Kennett Square, PA 19348	Tweed Run TSF-MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lehigh County N. Whitehall Township	PAR10Q177	David P. Sell Reen Development Co. 5303 Cider Press Rd. Schnecksville, PA 18078	Coplay Creek CWF	Lehigh County Conservation District (610) 391-9583
Northampton County Allen Township Northampton Borough	PAG2004803001	Frank Horwith c/o Horwith Leasing Co., LLC 1449 Nor-Bath Blvd. P. O. Box 7 Northampton, PA 18067	Hokendauqua Creek CWF	Northampton County Conservation District (610) 746-1971
Schuylkill County Schuylkill Haven Borough	PAG2005403004	Columbia Heights Subdiv. James L. Miller P. O. Box 472 Schuylkill Haven, PA 17972	Long Run to Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Schuylkill County North Manheim Township	PAG2005403006	Sunnyside Development Continental Construction & Development Co. One Field of Dreams Dr. Pottsville, PA 17901	Unnamed tributary to Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Schuylkill County City of Pottsville	PAG2005403007	City of Pottsville 401 N. Centre St. Pottsville, PA 17901	Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Northampton County Allen Township	PAG2004802001	David Jaindl, President Sunny Slope Farms, Inc. 3150 Coffeetown Road Orefield, PA 18069	Hokendauqua Creek CWF	Northampton County Conservation District (610) 746-1971
Colebrookdale Township Berks County	PAR10C134RR	Donald Specht Boyertown Industrial Park Partnership 1800 E. High St. Pottstown, PA 19464	Unnamed tributary/Swamp Creek CWF MF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Spring Township Berks County	PAR10C200R	John G. Smith, V. P. Forino Dev. Inc. 555 Mt. Home Rd. Sinking Spring, PA 19608	Cacoosing Creek/Schuylkill River Watershed CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Greene Township	PAG2002803005	Freedom In Christ Church Donald L. Engle 4240 Sycamore Grove Rd. Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District (717) 264-8074
Greene Township	PAG2002803006	Jere D. Stouffer 1570 Walker Road Chambersburg, PA 17201	Rowe Run CWF	Franklin County Conservation District (717) 264-8074
Springettsbury Township York County	PAR10Y617	Central York School District Dr. Linda Estep 775 Marion Road York, PA 17402	Codorus Creek Mainstem Oil Creek to Mouth WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Peach Bottom Township York County	PAR10Y293R	Bronwyn Estates David Stewart 719 Slateville Road Delta, PA 17314	Michael Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Spring Garden Township York County	PAR10Y655	York College of Pennsylvania Raymond Melato 439 Country Club Road York, PA 17405	UNT to W. B. to Oil Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Lycoming County Loyalsock Township	PAG2004103002	Ruby Tuesday Inc. 150 W. Church St. Marysville, TN 37801	Tributary to Susquehanna/Bull Run WWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Northumberland County Coal and Ralpho Townships	PAG2004902004	Department of Transportation Engineering District 3-0 P. O. Box 218 Montoursville, PA 17754	Shamokin Creek WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Snyder County Penn Township	PAG200550302	Henry Chinakas R. R. 2, Box 223 Middleburg, PA 17840	UNT Middle Creek CWF	Snyder County Conservation District 403 West Market St. Middleburg, PA 17842 (570) 837-0007, Ext. 112

## NOTICES

1275

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Butler County Cherry and Marion Townships	PAG2001003002	Department of Environmental Protection Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Slippery Rock Creek CWF	Butler Conservation District (724) 284-5270
Erie County Summit and Greene Townships	PAG2002503005	Waste Management of PA 851 Robison Road East Erie, PA 16509	Unnamed tributary to Walnut Creek CWF; MF	Erie Conservation District (814) 825-6403
Forest County Howe Township	PAG2082702001	Synd Enterprises, Inc. R. D. 2, Box 132 Sugar Grove, PA 16350	Unnamed tributaries to Tionesta Creek CWF	Northwest Region Oil and Gas Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6860
<i>General Permit Type—PAG-3</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Susquehanna County Harford Township	PAR212224	Herb Kilmer & Sons, Inc. R. R. 1, Box 331 Kingsley, PA 18826	Tower Branch Tunkhannock Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Lock Haven Clinton County	PAR404808	American Color & Chemical, LLC Mount Vernan Street P. O. Box 88 Lock Haven, PA 17745	Bald Eagle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Mahoning Township Lawrence County	PAR238304	SealMaster Manufacturing of PA, Inc. P. O. Box 282, SR 224 Hillsville, PA 16132	Unnamed tributaries to Mahoning River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Delmar Township Tioga County	PAG045023	Benjamin L. and Karen T. Hall R. R. 5 Box 11 Wellsboro, PA 16901	Unnamed tributary to East Branch Stony Fork Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666



<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Taylor Township Centre County	PAG045017	Paul Jamie Frye 629 West Fowler Lane Port Matilda, PA 16870	Unnamed tributary to Fowler Hollow CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
McKees Rocks Borough Allegheny County	PAG046132	Douglas E. Foster 1016 McCoy Road McKees Rocks, PA 15136	Boggs Run Tributary	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Greene Township Mercer County	PAG048879	Deborah L. Smith 18 Tanner Road Greenville, PA 16125	Unnamed tributary to the Shenango River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Fairfield Township Crawford County	PAG048525	Kathleen A. and Ronald A. Suich 2311 Reash Church Road Cochranon, PA 16314	Unnamed tributary of Rock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-7*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Ephrata Township Lancaster County	PAG073508	Borough of Ephrata Ephrata Area Wastewater Treatment Facility No. 2 43 Springhouse Road Ephrata, PA 17522	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-8*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name and Location</i>	<i>Contact Office and Telephone No.</i>
East Pennsboro Township Cumberland County	PAG083515	East Pennsboro Township Wastewater Treatment Plant 21 East Dulles Drive Camp Hill, PA 17011-1108		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
East Donegal Township Lancaster County	PAG083530	Columbia Municipal Authority P. O. Box 509 Columbia, PA 17512	Joe Hess Junior Farm East Donegal Township Lancaster County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
East Donegal Township Lancaster County	PAG083530	Columbia Municipal Authority P. O. Box 509 Columbia, PA 17512	Joe Hess Senior Farm East Donegal Township Lancaster County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-9*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>
South Woodbury Township Bedford County	PAG093512

<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Clarence Reasy 924 King Road New Enterprises, PA 16664	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

**PUBLIC WATER SUPPLY PERMITS**

The Department of Environmental Protection has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

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

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

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

**SAFE DRINKING WATER****Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

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

**Operations Permit** issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033 (PWS ID 2520062) Lehman Township, **Pike County** on February 11, 2003, for the operation of facilities approved under Construction Permit 6602502.

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

**Permit No. 5602502**, Public Water Supply.

Applicant	<b>Shaffer's Countryside Personal Care Boarding Home, Inc.</b> 1841 Stoystown Road Friedens, PA 15541
-----------	---

Borough or Township	Somerset Township
County	<b>Somerset</b>
Type of Facility	Shaffer's Countryside Personal Care Home Water System
Consulting Engineer	Crouse & Company 332 South Lynn Avenue Somerset, PA 15501
Permit to Construct Issued	February 24, 2003

**Operations Permit** issued to **DLM Foods, LLC**, One Market at the Landmark, San Francisco, CA 94105 (Formerly HJ Heinz Company, L. P.), City of Pittsburgh, **Allegheny County** on February 24, 2003, for the operation of facilities approved under Construction Permit 8821-W.

**Operations Permit** issued to **DLM Foods, LLC**, One Market at the Landmark, San Francisco, CA 94105 (Formerly HJ Heinz Company, L. P.), City of Pittsburgh, **Allegheny County** on February 24, 2003, for the operation of facilities approved under Construction Permit 8382-W.

**Operations Permit** issued to **DLM Foods, LLC**, One Market at the Landmark, San Francisco, CA 94105 (Formerly HJ Heinz Company, L. P.), City of Pittsburgh, **Allegheny County** on February 24, 2003, for the operation of facilities approved under Construction Permit 8821-W-A1.

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

**Operations Permit** issued to **Erie City Water Authority**, 340 West Bayfront Parkway, Erie, PA 16507, PWS ID 6250028, Sommerheim WTP, City of Erie, **Erie County** on February 21, 2003, for the operation of facilities approved under Construction Permit 2502503.

**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.*

**WA56-12A**, Water Allocation Withdrawal, **Municipal Authority of the Borough of Somerset**, P. O. Box 71, 340 West Union Street, Somerset, PA 15501, Somerset,

**Somerset County.** Withdrawal by applicant of their water allocation application submitted on September 4, 2002.

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

##### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Nazareth Township	100 Newport Avenue Nazareth, PA 18064	Northampton
Lower Nazareth Township	306 Butztown Road Bethlehem, PA 18020	Northampton
Bushkill Township	1114 Bushkill Center Road Nazareth, PA 18064	Northampton
Nazareth Borough	454 Georgetown Road Nazareth, PA 18064	Northampton

**Plan Description:** An Update Revision has been approved by the Department that provides for the rerating of the Nazareth Borough Municipal Authority sewage treatment plant to a hydraulic capacity of 1.6 million gallons per day. The existing service area of the plant is unchanged and includes Nazareth Borough, Bushkill Township, Lower Nazareth Township and Upper Nazareth Township, Northampton County.

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

##### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Cumberland-Franklin Joint Municipal Authority	725 Municipal Drive Shippensburg, PA 17257	Cumberland Franklin

**Plan Description:** The approved plan provides for the extension of public sewers to the San Jo Acres and the South Mountain Estates areas (Southampton Township, Cumberland County) within 5 years. The plan also provides for sewage management programs meeting the requirement of 25 Pa. Code § 71.73 and the completion of preliminary hydrogeologic studies for new land development proposing onlot sewage disposal in Southampton Township, Cumberland County and Southampton Township, Franklin County. This 537 Plan was prepared by the Cumberland-Franklin Joint Municipal Authority on behalf of Southampton Township and Shippensburg Township, Cumberland County and Southampton Township and Orrstown Borough, Franklin County. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department Regional Office after which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**New Jersey Transit-Morrisville Railyard, Falls Township, Bucks County.** Michael Gonshor, P. G., Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, on behalf of Consolidated Rail Corp., Neil Ferrone, 1000 Howard Blvd., Suite 400, Mt. Laurel, NJ 08054, has submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents, diesel fuel, Fuel Oil No. 2, inorganics, lead, other organics and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Glen Mills Leak Site (Duns No. 9000-0060), Edgemont Township, Delaware County.** Lisa M. Holderbach, Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Sunoco, Inc., Bradford Fish, P. G., P. O. Box 1135, Post Rd. and Blueball Ave., Marcus Hook, PA 19061, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with Fuel Oil No. 2 and unleaded gasoline. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

**Springfield Elementary School**, Springfield Township, **Bucks County**. Marc Chartier, Pennoni Associates, Inc., 515 Grove St., Suite 2A, Haddon Heights, NJ 08035, on behalf of Palisades School District, Attn: David Keppel, 39 Thomas Free Dr., Kintnersville, PA 18930, has submitted a Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Eddystone Industrial Park**, Eddystone Borough, **Delaware County**. Douglas B. Schott, Satterthwaite Associates, Inc., 720 Old Fern Hill Rd., West Chester, PA 19380, on behalf of John Jardine, E.I.P. Limited Partnership, c/o Re-Steel Supply Co., Inc., 2000 Eddystone Industrial Park, Eddystone, PA 19022-1588, has submitted a Remedial Investigation/Final Report concerning remediation of site groundwater contaminated with inorganics, MTBE, other organics and PAH. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

**Elwyn Institute Property**, Middletown Township, **Delaware County**. Marco Droese, P. G., Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pk., Suite 3, Glenmoore, PA 19343, on behalf of Eileen McLaughlin, Elwyn Institute, 111 Elwyn Institute, Media, PA 19063, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with Fuel Oil No. 2. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Martin Weinberger Property**, Hatboro Borough, **Montgomery County**. David J. Arber, American Resource Consultants, Inc., P. O. Box 1809, Doylestown, PA 18901, on behalf of Martin Weinberger, 469 Jacksonville Rd., Hatboro, PA, has submitted a Final Report concerning remediation of site soil contaminated with Fuel Oil No. 2. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standard.

**Laramie Tire Site**, Norristown Borough, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of GHR & Assoc./MAACO, 1050 Bethlehem Pk., Montgomeryville, PA, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**C & D Technologies, Inc. Facility**, Conshohocken Borough/Whitemarsh Township, **Montgomery County**. Michael Gonshor, P.G., Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, on behalf of C & D Technologies, Inc., Linda Hansen, 1400 Union Meeting Rd., Blue Bell, PA 19422, has submitted a combined Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil contaminated with inorganics, lead and PAH and groundwater contaminated with inorganics and PAH.

**Former Schuylkill Valley Oil Company Property**, Pottstown Borough, **Montgomery County**. Brian McAleese, React Environmental Services, Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142, on behalf of Estate of Benjamin Longaker, 275 Willowbrook Dr., Portola Valley, CA 94028, has submitted a Final Report addendum concerning remediation of site soil contami-

nated with naphthalene and groundwater contaminated with naphthalene, BTEX, ethylene dibromide and MTBE. The report addendum is intended to document remediation of the site to meet the Statewide Health Standard.

**Former Hygrade Foods Site**, City of Philadelphia, **Philadelphia County**. Stephen A. Batiste, Brown & Caldwell, 501 Great Circle Rd., Suite 150, Nashville, TN 37228, on behalf of City of Philadelphia (International Airport), Stacey Robinson, Property Management & Business Development Unit, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with diesel fuel and Fuel Oil No. 6. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Broad and Washington Property**, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Philadelphia, PA 19104-2897, on behalf of Broad & Washington Corp., Michael Fluehr, 101 S. King St., Gloucester City, NJ 08030, has submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil contaminated with inorganics and PAH; and groundwater contaminated with chlorinated solvents.

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

**Pulsar Petroleum of Reading, Inc.**, Muhlenberg Township, **Berks County**. Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090-2511, on behalf of Pulsar Petroleum of Reading, Inc., Shippers Road, P. O. Box 159, Macungie, PA 18062, has resubmitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX. The report is intended to document remediation of the site to the Site-Specific Standard.

**John Root Property, formerly Eby's Service Station**, East Petersburg Borough, **Lancaster County**. Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Connie Long, POA for the Root Family, 11025 Rosemont Drive, Rockville, MD 20852, submitted a combined remedial investigation and final report concerning remediation of site soils and groundwater contaminated with diesel fuel, fuel oil no. 2, leaded gasoline, MTBE, unleaded gasoline and used motor oil. The combined report is intended to document remediation of the site to a combination of the Statewide Health and Site-Specific Standard.

**Kenneth St. Arnauld Property**, West Lampeter Township, **Lancaster County**. Earth Data Northeast, Inc., 924 Springdale Drive, Exton, PA 19341, on behalf of Kenneth St. Arnauld, 2016A Rockvale Road, Lancaster, PA 17602-1406, submitted a final report concerning remediation of site soil contaminated with kerosene. The report was submitted within 90 days of a contaminant release and is intended to document remediation of the site to the Statewide Health Standard.

**Fresh Express, Inc.**, Greencastle Borough, **Franklin County**. Clayton Group Services, 160 Fieldcrest Avenue, Edison, NJ 08837, on behalf of Fresh Express, Inc., 104 Commerce Avenue, Greencastle, PA 17225, submitted a Final Report concerning remediation of site soils contaminated with PHCs. The report is intended to document remediation of the site to the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Former Sunoco Station 0363-1140**, Upper Southampton Township, **Bucks County**. Edward

Dziedzic, P. G., GES, 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Summit Bank, 301 Carnegie Center, P. O. Box 2066, Princeton, NJ 08543-2066, has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with lead, BTEX, PHC and PAH; and groundwater contaminated with lead, BTEX, PHC and PAH. The report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on December 17, 2002.

**East Orthodox Street Site**, City of Philadelphia, **Philadelphia County**. Keith A. Latham, Sempra Energy Resources, 101 Ash St., San Diego, CA 92101-3017, on behalf of Philadelphia Authority for Industrial Development, Attn: Ed Duffy, c/o Philadelphia Industrial Development Corp., 1500 Market St., Philadelphia, PA 19102 and Atlantic Metals Corp., Hyman Sall, Pres., 3100 E. Orthodox St., Philadelphia, PA 19137, has submitted a Baseline Remedial Investigation Work Plan concerning the remediation of site soil contaminated with chlorinated solvents, inorganics, lead, other organics, PAH, PCB and pesticides; and groundwater contaminated with chlorinated solvents, inorganics, lead, other organics and PAH. The Work Plan was approved by the Department on October 30, 2002.

**General Econopak Facility**, City of Philadelphia, **Philadelphia County**. James M. Connor, URS Corp., 2325 Maryland Rd., Willow Grove, PA 19090, on behalf of Jeff Markowitz, General Econopak, 1725 N. 6th St., Philadelphia, PA 19122, has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents, Fuel Oil No. 2, inorganics, lead, other organics and PAH; and groundwater contaminated with chlorinated solvents, inorganics, lead, MTBE and other organics. The report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on January 16, 2002.

**Former Transit America, Inc., Island Green County Club**, City of Philadelphia, **Philadelphia County**. Scott R. Campbell, P. G., EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947, has submitted a revised Cleanup Plan concerning the remediation of site groundwater contaminated with solvents. The revised Cleanup Plan was approved by the Department on January 16, 2003.

*Northeast Region: Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**Raub and Romond Properties**, Gibson Township, **Susquehanna County**. Kevin Van Kuren, P. G., Hydrocon Services, Inc., 16 East Minor Street, Emmaus, PA 18049 submitted a Final Report (on behalf of Helen Raub and Lee Romond, R. R. 1, Susquehanna, PA) concerning the remediation of soils and groundwater contaminated with no. 2 fuel oil as the result of an accidental release. The report documented attainment of the residential Statewide Health Standard and was approved on February 18, 2003.

**PPL—Nazareth Switching Yard**, Bushkill Township, **Northampton County**. PPL Electric Utilities, 2 North Ninth Street, Allentown, PA, 18101 has submitted a Final Report concerning the remediation of site soils found or suspected to be contaminated with PCBs. The report documented attainment of the residential Statewide Health Standard and was approved on February 18, 2003.

**Jones Property (former Serafin's Service Station)**, City of Wilkes-Barre, **Luzerne County**. James V.

Strickland, P. G., Geological and Environmental Associates, Inc., West Mountain Road, Plymouth, PA 18651 resubmitted a Baseline Environmental Report (on behalf of Donald Jones, P. O. Box 197, Guilderland, NY 12084) concerning the identification of existing environmental conditions related to site soils and groundwater found or suspected to have been contaminated with gasoline constituents. The report was submitted in partial fulfillment of the Special Industrial Area standard and was approved on February 19, 2003.

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

**Eric and Holly Stokes Residence, Myerstown Borough, Lebanon County.** ARM Group, Inc., 1120 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797, on behalf of Eric and Holly Stokes, 242 East Main Street, Myerstown, PA 17067 submitted a Final Report concerning the remediation of site soils contaminated with fuel oil No. 2. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on February 5, 2003.

**R. R. Donnelley & Sons Company, Lancaster Financial Printing Division, City of Lancaster, Lancaster County.** URS Corporation, 2325 Maryland Road, 2nd Floor, Willow Grove, PA 19090, on behalf of R. R. Donnelley & Sons Company, 391 Steel Way, Lancaster, PA 17601, submitted a Final Report concerning the remediation of site soils contaminated with no. 2 Fuel Oil. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 18, 2003.

**RESIDUAL WASTE GENERAL PERMITS**

**Permit Amended under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit Numbers WMGR029 and WMGR040. Safety Kleen Systems, Inc.,** One Brinckman Way, Elgin, IL 60123. On October 24, 2002, a request was received from Safety Kleen Systems, Inc. for modification to the permits to allow acceptance of fuels mixed with waste oil in accordance with 25 Pa. Code § 298.10(d)(1) and commercial fuel products exempt from regulation as hazardous waste under 40 CFR 261.2 as incorporated by reference under 25 Pa. Code § 261a.1 as modified at 25 Pa. Code § 261a.2. The fuels included in the request are petroleum fuels with a flashpoint equal to or greater than 100°F. The permits were amended by Central Office on February 14, 2003.

The following facilities are affected by these amendments:

<i>Company Name</i>	<i>Location</i>	<i>Permit Number</i>
Safety Kleen Systems Inc.	Allentown	WMGR029A
Safety Kleen Systems Inc.	Athens Township	WMGR029B

<i>Company Name</i>	<i>Location</i>	<i>Permit Number</i>
Safety Kleen Systems Inc.	Millcreek Township	WMGR029C
Safety Kleen Systems Inc.	Falls Township	WMGR029D
Safety Kleen Systems Inc.	Silver Spring Township	WMGR029E
Safety Kleen Systems Inc.	West Goshen Township	WMGR029F
Safety Kleen Systems Inc.	West Mifflin Township	WMGR029G
Safety Kleen Systems Inc.	Hanover Township	WMGR029H
International Petroleum Corp.	Bedford	WMGR029D001A
International Petroleum Corp.	Chambersburg	WMGR029D001B
Ernies Waste Oil Service	Aliquippa	WMGR029D002
Safety Kleen Systems Inc.	Johnstown	WMGR040

Persons interested in reviewing the general permit may contact Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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

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

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

**Permit No. 603308. Columbia Municipal Authority,** P. O. Box 509, Columbia, PA 17512, East Donegal Township, **Lancaster County.** This permit has been revoked at the request of the permittee for the Milton Mower Farm in East Donegal Township. The permit was revoked by the Southcentral Regional Office on February 21, 2003.

**Permit No. 603308. Columbia Municipal Authority,** P. O. Box 509, Columbia, PA 17512, East Donegal Township, **Lancaster County.** This permit has been revoked at the request of the permittee for the Wayne Stauffer Farm in East Donegal Township. The permit was revoked by the Southcentral Regional Office on February 21, 2003.

**Permit modifications deemed complete 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.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 101217. Casella Waste Management Inc.,** 16 State Street, Montpelier, VT 05602, for the

Wellsboro Area Transfer Station located in Delmar Township, **Tioga County**. A major permit modification was received for permit renewal. The permit modification was deemed complete by the Williamsport Regional Office on February 21, 2003.

Persons interested in reviewing the permit may contact David Garg, P. E., Acting Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, 800-654-5984.

## **MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION**

**Issued applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act (27 Pa.C.S. §§ 6201–6209) and regulations to transport municipal or residual waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.*

**David J. Martinez Co. Inc.**, 109-113 Jacobus Ave., Kearny, NJ 07072-4512. Authorization No. WH1743. Effective February 13, 2003.

**Robert Wayne Wells**, Oklahoma Salem Road, R. R. 2 Box 474, DuBois, PA 15801. Authorization No. WH1753. Effective February 13, 2003.

**Leslie Transport Corp.**, 6603 Bergenline Ave., West New York, NJ 07093. Authorization No. WH1829. Effective February 13, 2003.

**Romberger Trucking Inc.**, P. O. Box 40, Tower City, PA 17980. Authorization No. WH1836. Effective February 13, 2003.

**Glen A. Landon Trucking**, 241 Sousley Road, Lenhartsville, PA 19534. Authorization No. WH1837. Effective February 13, 2003.

**Luisivi Corp.**, 823 22nd Street, Union City, NJ 07087-2154. Authorization No. WH1929. Effective February 13, 2003.

**Marinos Segundo**, Apt. 1, 822 22nd St., Union City, NJ 07087. Authorization No. WH2585. Effective February 13, 2003.

**Luis Marinos**, Apt. 2c, 823 22nd St., Union City, NJ 07087. Authorization No. WH2599. Effective February 13, 2003.

**Florencio Coronel**, Apt. 2, 249 6th St., Newark, NJ 07107. Authorization No. WH2710. Effective February 13, 2003.

**ONYX Environmental Services LLC**, 1 Eden Lane, Flanders, NJ 07836. Authorization No. WH1990. Effective February 10, 2003.

**Kaned Trucking Corporation**, 686 Lafayette Avenue, 2nd Floor, Hawthorne, NJ 07506. Authorization No. WH1993. Effective February 10, 2003.

**Raza Enterprises Inc.**, M-4B Stedwick Drive, Budd Lake, NJ 07828. Authorization No. WH2006. Effective February 10, 2003.

**JMT Trucking Inc.**, 61 Lincoln Highway, South Kearny, NJ 07032. Authorization No. WH2211. Effective February 10, 2003.

**A. J. Jurich Inc.**, 568A Concord Road, Aston, PA 19014. Authorization No. WH2213. Effective February 10, 2003.

**Bethlehem City, Northampton County**, 10 East Church Street, Bethlehem, PA 18018-6028. Authorization No. WH2216. Effective February 10, 2003.

**Harris Hauling**, 925 West 18th Street, Erie, PA 16502. Authorization No. WH2219. Effective February 10, 2003.

**C. Joseph Deller & Sons Inc.**, 30 South Park Street, P. O. Box 69, Dallastown, PA 17313-0069. Authorization No. WH2222. Effective February 10, 2003.

**T H Hauling**, 1430 High Street, Bethlehem, PA 18018. Authorization No. WH2224. Effective February 10, 2003.

**Mivard Knupfer**, 385 Lynn Street, New Bedford, MA 02745. Authorization No. WH2226. Effective February 10, 2003.

**Philadelphia Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3420. Authorization No. WH2227. Effective February 10, 2003.

**Jack Treier Inc.**, 1457 Manheim Pike, Lancaster, PA 17601. Authorization No. WH2228. Effective Date February 10, 2003.

**Charles C. White, Jr.**, 520 New Dauphin Street, Lancaster, PA 17602. Authorization No. WH2229. Effective February 10, 2003.

**A P B Transport Inc.**, 226 Brydon Road, Wynnewood, PA 19096. Authorization No. WH2230. Effective February 10, 2003.

**Pennsylvania Perlite Corporation**, 1428 Mauch Chunk Road, Bethlehem, PA 18018-2338. Authorization No. WH0994. Effective February 12, 2003.

**Arvon Painting and Contracting Company Inc.**, 2723 Federal Street, Camden, NJ 08105. Authorization No. WH2221. Effective February 12, 2003.

**Roberto E. Vargas**, 3534 Bronx Boulevard, 6A, Bronx, NY 10467. Authorization No. WH2220. Effective February 13, 2003.

**Rusty Palmer, Inc.**, R. R. 6 Box 6020, Honesdale, PA 18431. Authorization No. WH2281. Effective February 7, 2003.

**River Valley Disposal, Inc.**, 29 North Ninth Street, Columbia, PA 17512-1307. Authorization No. WH2282. Effective February 7, 2003.

**Kens Trucking and Excavating, Inc.**, 14937 Hyson School Road, Stewartstown, PA 17363. Authorization No. WH2283. Effective February 7, 2003.

**MS and Sons Express**, 107-64 123rd Street, Richmond Hill, NY 11419. Authorization No. WH2284. Effective February 7, 2003.

**HG Trucking**, Apt. 5, 67 East 236th Street, Bronx, NY 10470. Authorization No. WH2285. Effective February 7, 2003.

**John J. Weiss**, 1771 Cold Springs Road, Pottstown, PA 19465. Authorization No. WH2352. Effective February 12, 2003.

**Quality Millwork, Inc.**, 6307 Route 88, Finleyville, PA 15332. Authorization No. WH2353. Effective February 12, 2003.

**Crispin, Inc.**, Box 113 Calcon Hook Road, Folcroft, PA 19032. Authorization No. WH2355. Effective February 12, 2003.

**Klapec Trucking Company**, P. O. Box 1278, Oil City, PA 16301. Authorization No. WH2356. Effective February 12, 2003.

**Ryder Truck Rental**, 404 H Irl Lane, Fruitland, MD 21826. Authorization No. WH2350. Effective February 12, 2003.

**Liberty Iron & Metal Co. Inc.**, P. O. Box 1391, Erie, PA 16512-1391. Authorization No. WH2058. Effective February 14, 2003.

**Advantage Tank Lines, Inc.**, 4895 Dressler Road, NW, P. O. Box 35519, Canton, OH 44718. Authorization No. WH2264. Effective February 14, 2003.

**All States Wrecking Co.**, P. O. Box 39, Saltsburg, PA 15681-0039. Authorization No. WH2308. Effective February 14, 2003.

**Frank J. Pollins**, 4775 North Sherman Street, Ext. Unit 117, Mt. Wolf, PA 17347-9717. Authorization No. WH2330. Effective February 14, 2003.

**William Haggerty & Son**, 427 Montana Road, Washington, NJ 07882. Authorization No. WH2329. Effective February 14, 2003.

**Marcor Remediation, Inc.**, 1607 Northwood Drive, Salisbury, MD 21801-7864. Authorization No. WH2328. Effective February 14, 2003.

**Miller Salt Brine & Septic Services**, R. D. 1, Box 69, Columbus, PA 16405. Authorization No. WH2327. Effective February 14, 2003.

**Michael A. Shipman, Sr.**, 7 Highland Circle, Downingtown, PA 19335. Authorization No. WH2326. Effective February 14, 2003.

**Glenns Trucking, LLC**, 4 Saxon Road, Norwalk, CT 06855-1433. Authorization No. WH2325. Effective February 14, 2003.

**Mercury Truck Leasing Corp.**, 2014 Hering Avenue, Bronx, NY 10461. Authorization No. WH2324. Effective February 14, 2003.

**Alliance Hauling, Inc.**, 301 Randolph Avenue, Ambler, PA 19002. Authorization No. WH2322. Effective February 14, 2003.

**Tom Sipes Demolition**, 114 Bauer Road, Monaca, PA 15061. Authorization No. WH2321. Effective February 14, 2003.

**Hanoy Reyes**, 811 15th Street No. 1, Union City, NJ 07087. Authorization No. WH2320. Effective February 14, 2003.

**Hudson Sanitation**, R. D. 2, Box 179, Clearfield, PA 16830-9162. Authorization No. WH2319. Effective February 14, 2003.

**Anthony & Joseph Bianco General Contractor**, 261 Shadeland Avenue, Lansdowne, PA 19050. Authorization No. WH2317. Effective February 14, 2003.

**H & J Trucking**, 26 Broadway, Hackensack, NJ 07601-5319. Authorization No. WH2316. Effective February 14, 2003.

**Sunrise Disposal**, 520 Hyson Road, Jackson, NJ 08327. Authorization No. WH2313. Effective February 14, 2003.

**PECC Trucking, LLC**, 84 Somme Street, Newark, NJ 07105. Authorization No. WH2311. Effective February 14, 2003.

**Borough of Wellsboro, Tioga County**, 28 Crafton Street, Wellsboro, PA 16901-1520. Authorization No. WH2310. Effective February 14, 2003.

**Z B Trucking, Inc.**, 265 Kipp Street, Hackensack, NJ 07601. Authorization No. WH2309. Effective February 14, 2003.

**Richard Ruiz**, 623 North 7th Street, Newark, NJ 07107. Authorization No. WH2307. Effective February 14, 2003.

**Affordable Roofing**, R. D. 1, Box 417B, Huntingdon, PA 16652. Authorization No. WH2306. Effective February 14, 2003.

**Abid Hayat**, 43 Sycamore Avenue, North Plainfield, NJ 07060. Authorization No. WH2304. Effective February 14, 2003.

**B & I Corp.**, 84 Somme Street, Newark, NJ 07105. Authorization No. WH2302. Effective February 14, 2003.

**Darwin Keiper Excavating**, HC 87 Box 3, Pocono Lake, PA 18347. Authorization No. WH2301. Effective February 14, 2003.

**Long Island Cesspool Co. Inc.**, One Watkins Terrace, North Amityville, NY 11701-1200. Authorization No. WH2299. Effective February 14, 2003.

**Glenn O. Hawbaker, Inc.**, 1952 Waddle Street, P. O. Box 135, State College, PA 16804-0135. Authorization No. WH2298. Effective February 14, 2003.

**Henry Clay Township, Somerset County**, 156 Martin Road, Markleysburg, PA 15459. Authorization No. WH2295. Effective February 14, 2003.

**J C Trucking, Inc.**, 23-31 31st Drive, Long Island, NY 11106. Authorization No. WH2294. Effective February 14, 2003.

**Naval Support Activity—Public Work Dept.**, CODE 09M22, Building 305, 5450 Carlisle Pike, Mechanicsburg, PA 17055-0788. Authorization No. WH2293. Effective February 14, 2003.

**MAC Healthcare Services, LLC**, 21 Jacobs Lane, Scotch Plains, NJ 07076. Authorization No. WH2291. Effective February 14, 2003.

**Reinsfelder, Inc.**, 1023 North Avenue, Pittsburgh, PA 15209-2294. Authorization No. WH2290. Effective February 14, 2003.

**Minneci Disposal**, P. O. Box 2176, Hazleton, PA 18201-1054. Authorization No. WH2289. Effective February 14, 2003.

**R. A. Jones & Sons Trucking**, 1600 Sterling Street, Coal Township, PA 17866. Authorization No. WH2288. Effective February 14, 2003.

**Willis Ritchey**, 108 Forge Bottom Road, Hopewell, PA 16650. Authorization No. WH2286. Effective February 14, 2003.

**Thomas G. Cumpston**, 104 Colvin Road, Greensboro, PA 15338-8201. Authorization No. WH2255. Effective February 14, 2003.

**Allegheny County Sanitary Authority**, 3300 Preble Avenue, Pittsburgh, PA 15233-1092. Authorization No. WH2411. Effective February 14, 2003.

**Yusuf Kahyaoglu**, 24 B Clemens Boulevard, Mt. Holly, NJ 08060. Authorization No. WH2414. Effective February 14, 2003.



**Nagle Roll-offs**, 602 North 7th Street, Bellwood, PA 16617. Authorization No. WH2416. Effective February 14, 2003.

**Sun Building Systems, Inc.**, 9 Stauffer Industrial Park, Taylor, PA 18517. Authorization No. WH2422. Effective February 14, 2003.

**Timothy P. Jones**, P. O. Box 537, Douglassville, PA 19518. Authorization No. WH2424. Effective February 14, 2003.

**John Hennigan**, 820 Browns Lane, Linden, PA 17744. Authorization No. WH2425. Effective February 14, 2003.

**Paul F. Tobin**, 50 Mulberry Lane, Media, PA 19063. Authorization No. WH2427. Effective February 14, 2003.

**Thomas Rasko**, 1633 Cottage Lane, Windber, PA 15963-7510. Authorization No. WH2428. Effective February 14, 2003.

**Joe's Hauling Service**, 2500 Washington Avenue, Altoona, PA 16601. Authorization No. WH2426. Effective February 11, 2003.

**T & T Construction, Inc.**, 216 Liberty Road, Saint Marys, PA 15857. Authorization No. WH2314. Effective February 11, 2003.

**Charles White Disposal Service**, 610 South Market Street, Newmanstown, PA 17073-9228. Authorization No. WH2331. Effective February 11, 2003.

**Franklin Calle-Cardenas**, 49 Peck Avenue, Apt. 1, Newark, NJ 07107. Authorization No. WH2332. Effective February 11, 2003.

**Juan L. Masache**, 61 Madison Street, Newark, NJ 07105. Authorization No. WH2333. Effective February 11, 2003.

**City of Chester**, 36 East Fifth Street, Chester, PA 19013-4401. Authorization No. WH2337. Effective February 11, 2003.

**Road King Transport Co.**, 89 Chestnut Street, Kearny, NJ 07032. Authorization No. WH2338. Effective February 11, 2003.

**Golden Crest Transport, Inc.**, 445 Main Street, Apt. 1, Fort Lee, NJ 07024. Authorization No. WH2340. Effective February 11, 2003.

**Dallas Contracting Co., Inc.**, 1260 New Market Avenue, South Plainfield, NJ 07080. Authorization No. WH2341. Effective February 11, 2003.

**Edward J. Siegfried Construction**, 700 Deimler Lane, Harrisburg, PA 17111-4013. Authorization No. WH2342. Effective February 11, 2003.

**City of Toronto**, P. O. Box 189, 308 North Sixth Street, Toronto, OH 43964. Authorization No. WH2343. Effective February 11, 2003.

**Oxford Environmental, LLC**, 3121 Route 22 East, Branchburg, NJ 08876. Authorization No. WH1338. Effective February 7, 2003.

**Darryl M. Koch Trucking, Inc.**, 56 Majestic Lane, Sinking Spring, PA 19608. Authorization No. WH2266. Effective February 7, 2003.

**Narberth Borough, Montgomery County**, 100 Conway Avenue, Narberth, PA 19072-0385. Authorization No. WH2267. Effective February 7, 2003.

**Fair Weigh Sanitation, Inc.**, 4080 Woodbury Pike, P. O. Box 310, Woodbury, PA 16695-0310. Authorization No. WH2268. Effective February 7, 2003.

**BJF Trucking**, 1449 Little Britain Road, Rock Tavern, NY 12575. Authorization No. WH2269. Effective February 7, 2003.

**Salvatore Ricci**, 2nd Floor, 357 Main Street, Nelsonville, NY 10516. Authorization No. WH2270. Effective February 7, 2003.

**T. W. Scott Enterprises, Inc.**, 235 Sylvan Drive, P. O. Box 705, Belle Vernon, PA 15012. Authorization No. WH2271. Effective February 7, 2003.

**TLJ Recycling & Container Services, LLC**, 821 Market Avenue, Deptford, NJ 08096. Authorization No. WH2272. Effective February 7, 2003.

**GLM Trucking, Inc.**, 10 Engle Street, Tenafly, NJ 07670. Authorization No. WH2274. Effective February 7, 2003.

**Driveway Dumpsters**, Fennelton Road, R. D. 2, Box 384, New Alexandria, PA 15670. Authorization No. WH2275. Effective February 7, 2003.

**Hems Brothers Trash Removal**, 327 Wood Street, Bristol, PA 19007-4916. Authorization No. WH1007. Effective February 10, 2003.

**B & E Oil Services, LLC**, 11 Graces Drive, Coatesville, PA 19320-1205. Authorization No. WH1783. Effective February 12, 2003.

**Woodring Hauling Service**, 127 East Green Street, West Hazleton, PA 18202-3905. Authorization No. WH2358. Effective February 12, 2003.

**Master Roofers, Inc.**, 2120 Alpha Drive, York, PA 17404-8738. Authorization No. WH2360. Effective February 12, 2003.

**William Roell Contracting**, 1513 Obey Street, Pittsburgh, PA 15205. Authorization No. WH2363. Effective February 12, 2003.

**Compleat Restorations**, 702 Pointview Avenue, Ephrata, PA 17522-2362. Authorization No. WH2364. Effective February 12, 2003.

**W & J Contractors, Inc.**, 10 Meadow View Court, Pittsburgh, PA 15239-2351. Authorization No. WH2365. Effective February 12, 2003.

**Hines Trucking Co., Inc.**, 17 Whitney Street, Holliston, MA 01746-2010. Authorization No. WH2366. Effective February 12, 2003.

**Department of Transportation**, 2140 Herr Street, Harrisburg, PA 17103-1699. Authorization No. WH2367. Effective February 12, 2003.

**Department of Transportation**, 2140 Herr Street, Harrisburg, PA 17103-1699. Authorization No. WH2368. Effective February 12, 2003.

**John E. Martin Contractor**, 780 N. Hanover Street, Elizabethtown, PA 17022-1301. Authorization No. WH2369. Effective February 12, 2003.

**B & B Recycling**, Broadway Street, P. O. Box 188, Reynoldsville, PA 15851-0188. Authorization No. WH2370. Effective February 12, 2003.

**Little Pine State Park**, 4205 Little Pine Creek Road, Waterville, PA 17776-9705. Authorization No. WH2371. Effective February 12, 2003.

**Bureau of Forestry**, P. O. Box 8451, Harrisburg, PA 17105-8451. Authorization No. WH2372. Effective February 12, 2003.

**Ysidro C. Reyes**, 1615 Summit Avenue, Hillside, NJ 07205. Authorization No. WH2440. Effective February 13, 2003.

**Empire Trucking Co., Inc.**, Creek Road, R. R. 1, Box 198, Shamokin, PA 17872. Authorization No. WH2441. Effective February 13, 2003.

**J. C. Sanitation**, 157 Mary Hall Road, McClellandtown, PA 15458. Authorization No. WH2442. Effective February 13, 2003.

**John H. Riegel**, 1350 North Route 934, Annville, PA 17003. Authorization No. WH2443. Effective February 13, 2003.

**Parkesburg Borough**, 329 West First Avenue, Parkesburg, PA 19356. Authorization No. WH2444. Effective February 13, 2003.

**Silvertip Inc.**, 600 Saint Mary Street, P. O. Box 50, Lewisburg, PA 17837-0050. Authorization No. WH2448. Effective February 13, 2003.

**Petes Auto Parts, Inc.**, 2704 New Rodgers Road, Bristol, PA 19007. Authorization No. WH2449. Effective February 13, 2003.

**Whipples Brothers, Inc.**, 901 SR 6 West, Tunkhannock, PA 18657-6148. Authorization No. WH2450. Effective February 13, 2003.

**D & R Trucking**, 912 Conemaugh Avenue, Portage, PA 15946. Authorization No. WH2452. Effective February 13, 2003.

**Eugene Pullins**, 2511 West Huntingdon Street, Philadelphia, PA 19132. Authorization No. WH2454. Effective February 13, 2003.

**Cider Mill Services, Inc.**, 998 Shavertown Road, Boothwyn, PA 19061. Authorization No. WH2455. Effective February 13, 2003.

**E. Reid Powell Refuse LLC**, 510 Bryan Avenue, P. O. Box 165, Baden, PA 15005-0165. Authorization No. WH2458. Effective February 13, 2003.

**Apple Construction, Inc.**, 107 Lark Drive, Holland, PA 18966. Authorization No. WH2459. Effective February 13, 2003.

**Independence Woodwork Co. Inc.**, 6835 Greenway Ave., P. O. Box 5374, Philadelphia, PA 19142. Authorization No. WH2600. Effective February 20, 2003.

**Robert Dandrea**, Frankstown Road, P. O. Box 119, Portage, PA 15946. Authorization No. WH2601. Effective February 20, 2003.

**Abe N. Solomon Inc.**, P. O. Box 1305, 701 South Main St., Wilkes-Barre, PA 18730-1305. Authorization No. WH2602. Effective February 20, 2003.

**Plants & Goodwin Inc.**, 1034 Rte. 44, Shinglehouse, PA 16748-9326. Authorization No. WH2604. Effective February 20, 2003.

**Luis A. Vasquez**, 111 Ashford St., Brooklyn, NY 11207. Authorization No. WH2605. Effective February 20, 2003.

**Gessner's Excavating**, 660 Plum St., New Berlin, PA 17855. Authorization No. WH2606. Effective February 20, 2003.

**Stevens Hauling Inc. d/b/a Alonzo Stevens**, 35 Windsor Court, Lansdale, PA 19446. Authorization No. WH2608. Effective February 20, 2003.

**Wilber Munoz**, 58 Peck Ave., Newark, NJ 07107. Authorization No. WH2609. Effective February 20, 2003.

**Hahner Bros. Inc.**, 12 N. 22nd St., Pottsville, PA 17901. Authorization No. WH2610. Effective February 20, 2003.

**DPMS Inc.**, 195 Schoolhouse Road, Kirkwood, PA 17536. Authorization No. WH2611. Effective February 20, 2003.

**Hughey Trucking Inc.**, P. O. Box 796, R. R. 4, Tunkhannock, PA 18657-9804. Authorization No. WH2614. Effective February 20, 2003.

**Jersey Shore Steel Co.**, 70 Maryland Ave., P. O. Box 5055, Jersey Shore, PA 17740-5055. Authorization No. WH2615. Effective February 20, 2003.

**United Site Cleaning Inc.**, P. O. Box 222, Cedar Brook, NJ 08018. Authorization No. WH2616. Effective February 20, 2003.

**Heinze Construction d/b/a Ronald Heinze**, 2605 Turkey Hill Ct., Stroudsburg, PA 18360-9492. Authorization No. WH2618. Effective February 20, 2003.

**DJS Sanitation**, P. O. Box 95, 4550 Prosperity Pike, Prosperity, PA 15329. Authorization No. WH2620. Effective February 20, 2003.

**Butlers Disposal**, 461 Cortez Road, Lake Ariel, PA 18436. Authorization No. WH2621. Effective February 20, 2003.

**Hontz Sanitation**, R. R. 1 Box 217, Wapwallopen, PA 18660-9753. Authorization No. WH2624. Effective February 20, 2003.

**Melset Transport Inc.**, P. O. Box 254, Delaware Water Gap, PA 18377. Authorization No. WH2625. Effective February 20, 2003.

**Jeff K. Davis**, 1193 Holtwood Road, Holtwood, PA 17532. Authorization No. WH2626. Effective February 20, 2003.

**Moser Brothers Sanitation**, 325 S. Locust St., Mt. Carmel, PA 17851-2445. Authorization No. WH2627. Effective February 20, 2003.

**Russell Reid Waste Hauling & Disposal Service Co., Inc.**, 200 Smith St., Keasbey, NJ 08832-0130. Authorization No. WH2628. Effective February 20, 2003.

**Bernard P. Vandenberg Inc.**, 1164 Kings Highway, Coatesville, PA 19320. Authorization No. WH2630. Effective February 20, 2003.

**Blairsville Municipal Authority**, 203 E. Market St., Blairsville, PA 15717-1120. Authorization No. WH2631. Effective February 20, 2003.

**Michael R. Rhile Carpentry Inc.**, 401 E. State St., Media, PA 19063. Authorization No. WH2632. Effective February 20, 2003.

**CCI Waste & Recycling Service Inc.**, 1141 Clay Ave., Dunmore, PA 18510. Authorization No. WH2633. Effective February 20, 2003.

**Troutman Sanitation**, P. O. Box 39, 115 W. Main St., Mt. Jewett, PA 16740. Authorization No. WH2636. Effective February 20, 2003.

**Northwestern Roofing Co., Inc.**, P. O. Box 62, 1344 S. Park Ave., Meadville, PA 16335. Authorization No. WH2637. Effective February 20, 2003.

**Steven Paskaitis**, R. R. 2 Box 269G, Meshoppen, PA 18630. Authorization No. WH2638. Effective February 20, 2003.

**Carpenter Co.**, P. O. Box 129, Fogelsville, PA 18051-0129. Authorization No. WH2639. Effective February 20, 2003.

**R K Trucking d/b/a Raymond K. Martin**, 428 Royers Road, Myerstown, PA 17167. Authorization No. WH2643. Effective February 20, 2003.

**Steen Outdoor Advertising**, 3201 S. 26th St., Philadelphia, PA 19145. Authorization No. WH2645. Effective February 20, 2003.

**Typhoon Transport**, 413 River Place, Manasquan, NJ 08736-3822. Authorization No. WH2646. Effective February 20, 2003.

**DCK Construction & Ironworks Inc.**, 2726 E. Lehigh Ave., Philadelphia, PA 19125. Authorization No. WH2647. Effective February 20, 2003.

**Duryea Borough**, 315 Main St., Duryea, PA 18642-1026. Authorization No. WH2648. Effective February 20, 2003.

**West Grove Borough Authority**, P. O. Box 61, 101 Walnut St., West Grove, PA 19390-0061. Authorization No. WH2649. Effective February 20, 2003.

**Slates David Jr./Slates Salvage**, R. R. 1 Box 2046, Three Springs, PA 17264. Authorization No. WH2650. Effective February 20, 2003.

**Five County Carting, Inc.**, P. O. Box 273, Blackwood, NJ 08012. Authorization No. WH2374. Effective February 19, 2003.

**Black Transport**, P. O. Box 66, Shanksville, PA 15560. Authorization No. WH2375. Effective February 19, 2003.

**Township of Ridley**, 100 East MacDade Boulevard, Folsom, PA 19033. Authorization No. WH2376. Effective February 19, 2003.

**Newtown Township, Bucks County**, 100 Municipal Drive, Newtown, PA 18940-3900. Authorization No. WH2377. Effective February 19, 2003.

**Dickson Bulk Services, Inc.**, P. O. Box 326, Latrobe, PA 15650. Authorization No. WH2378. Effective February 19, 2003.

**Triple C Trucking, Inc.**, 8433 Cemetery Avenue, Portland, NY 14769-9664. Authorization No. WH2379. Effective February 19, 2003.

**KZ Twinz, Inc.**, 814 South Front Street, Philadelphia, PA 19147. Authorization No. WH2380. Effective February 19, 2003.

**William Pecarsky, Inc.**, 814 South Front Street, Philadelphia, PA 19147. Authorization No. WH2381. Effective February 19, 2003.

**Jon R. Oberle**, 59 Creek Side Drive, P. O. Box 284, Jersey Shore, PA 17740. Authorization No. WH2382. Effective February 19, 2003.

**Alfonso M. Barrios**, 9 Highway Terrace, Edison, NJ 08817. Authorization No. WH2383. Effective February 19, 2003.

**Robert T. Winzinger Inc.**, P. O. Box 537, 1704 Marne Highway, Hainesport, NJ 08036. Authorization No. WH2674. Effective February 21, 2003.

**Mazzocchi Wrecking Inc.**, P. O. Box 331, 32 Williams Parkway, East Hanover, NJ 07936. Authorization No. WH2926. Effective February 21, 2003.

**D & S Abatement Inc.**, 11 Rosengren Ave., Totowa, NJ 07512. Authorization No. WH1818. Effective February 21, 2003.

**Grinnell Haulers Inc.**, 482 Houses Corner Road, Sparta, NJ 07871. Authorization No. WH2185. Effective February 21, 2003.

**US Bulk Transport Inc.**, 205 Pennbriar Dr., Erie, PA 16509. Authorization No. WH2131. Effective February 21, 2003.

**Theodore Hanes**, 11540 Clemens Road, Waterford, PA 16441. Authorization No. WH1653. Effective February 21, 2003.

**Michael T. Fehr**, 9770 Route 215, Albion, PA 16401. Authorization No. WH1797. Effective February 21, 2003.

**Dennis B. Mosher**, 7269 Raxon St., Lima, OH 14485. Authorization No. WH1849. Effective February 21, 2003.

**Clarence Tate**, 2432 W. Irwin St., Aliquippa, PA 15001. Authorization No. WH1850. Effective February 21, 2003.

**Shawn T. Harmon**, Route 322, P. O. Box 31, Cranberry, PA 16319. Authorization No. WH1858. Effective February 21, 2003.

**Shawn T. Williams Jerry**, 166 West Main St., Sherman, NY 14781. Authorization No. WH1907. Effective February 21, 2003.

**Frank Tucci Inc.**, 25000 Route 99, Cambridge Springs, PA 16403-9802. Authorization No. WH2019. Effective February 21, 2003.

**J L & S Enterprises**, 530 Wood Ave., Bath, PA 18014. Authorization No. WH2190. Effective February 21, 2003.

**Richard L. Dunham**, 1767 Perry Highway, Fredonia, PA 16124. Authorization No. WH2202. Effective February 21, 2003.

**Dennis J. Capela**, Apt. B, 61 Market St., Union City, PA 16438. Authorization No. WH2287. Effective February 21, 2003.

**GOKO Inc.**, Suite D, 1644 W. Edgewood Ave., Indianapolis, IN 46217. Authorization No. WH2292. Effective February 21, 2003.

**Ted Mesmer Jr.**, 452 SR 165, East Palestine, OH 44413. Authorization No. WH2318. Effective February 21, 2003.

**Thomas R. Blinkiewicz**, 4024 Darlington Road, Darlington, PA 16115. Authorization No. WH2354. Effective February 21, 2003.

**Randy R. Eppinger**, R. R. 3 Box 268, Slippery Rock, PA 16057. Authorization No. WH2418. Effective February 21, 2003.

**James C. Dickey**, 139 Conroy Lane, Slippery Rock, PA 16057. Authorization No. WH2471. Effective February 21, 2003.

**Eric Harn**, 163 Eastwood Drive, Industry, PA 15052. Authorization No. WH2475. Effective February 21, 2003.

**Robert P. Troupe**, 190 Sherman Heights South, Fairmount City, PA 16224. Authorization No. WH2483. Effective February 21, 2003.

**Zallo Trucking Inc.**, 1207 Harmony Heights Drive, Harmony, PA 16037. Authorization No. WH2502. Effective February 21, 2003.

**Arthur K. Dingwall**, Apt. 2, 9865 Memphis Ave., Brooklyn, OH 44144. Authorization No. WH2507. Effective February 21, 2003.

**Gregory C. Gibbs**, 9010 Penniman Road, Orwell, OH 44076. Authorization No. WH2523. Effective February 21, 2003.

**Christopher E. and Melissa D. Drayer**, SR 60 North, Beverly, OH 45715. Authorization No. WH2526. Effective February 21, 2003.

**James D. Moore**, 892 High St., Bedford, OH 44146. Authorization No. WH2541. Effective February 21, 2003.

**Gregory P. Yarnell**, 846 Kauffman Road, Alum Bank, PA 15521. Authorization No. WH2552. Effective February 21, 2003.

**Francis J. McCarroll**, Reese Jones St., Box 7, Quakake, PA 18245. Authorization No. WH2570. Effective February 21, 2003.

**Patrick Krokono**, 129 S. Long Road, Aliquippa, PA 15001. Authorization No. WH2579. Effective February 21, 2003.

**Everton DeOliveira**, 84 Somme Street, Newark, NJ 07105. Authorization No. WH2212. Effective February 19, 2003.

**Tri County Industries Inc.**, 5135 Frolich Lane, Hyattsville, MD 20781. Authorization No. WH2385. Effective February 19, 2003.

**Department of Transportation, Engineering District 3**, 715 Jordan Avenue, P. O. Box 218, Montoursville, PA 17754-0218. Authorization No. WH2388. Effective February 19, 2003.

**C. G. E. Environmental Services**, P. O. Box 75, Montrose, PA 18801. Authorization No. WH2389. Effective February 19, 2003.

**J. D. Mushrooms Inc.**, 1703 Baltimore Pike, Avondale, PA 19311. Authorization No. WH2390. Effective February 19, 2003.

**Allegheny Recovery Corporation**, Box 2, One Library Place, Duquesne, PA 15110. Authorization No. WH2391. Effective February 19, 2003.

**American Disposal Service of Connecticut**, 770 Derby Avenue, Seymour, CT 06483-2412. Authorization No. WH2393. Effective February 19, 2003.

**Luis S. Ojeda**, Floor 3, 6452 Landsdowne Avenue, Philadelphia, PA 19151. Authorization No. WH2395. Effective February 19, 2003.

**Meadows Waste Systems Inc.**, 8335 Easton Road, P. O. Box 187, Ottsville, PA 18942-0187. Authorization No. WH2399. Effective February 19, 2003.

**Conshohocken Borough, Montgomery County**, 720 Fayette Street, Conshohocken, PA 19428. Authorization No. WH2400. Effective February 19, 2003.

## AIR QUALITY

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

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

**GP7-36-03027: Acorn Press, Inc.** (500 East Oregon Road, P. O. Box 5319, Lancaster, PA 17606-5319) on February 21, 2003, was authorized to operate seven sheetfed offset lithographic printing presses under GP7 in Manheim Township, **Lancaster County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**62-155: Belden and Blake Corp.—Lamoree Station** (SR 27, Grand Valley, PA 16354) on February 28, 2003, for operation of a natural gas production facility in Eldred Township, **Warren County**.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**46-0026C: Global Packaging, Inc.** (Brower and Montgomery Avenues, Oaks, PA 19456) on February 24, 2003, for operation of two flexographic printing presses in Upper Providence Township, **Montgomery County**.

**09-0158: Allied Cremation, Inc.** (864 Bristol Pike, Bensalem, PA 19020) on February 24, 2003, for operation of a crematory in Bensalem Township, **Bucks County**.

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

**54-305-020: WPS Westwood Generation LLC** (1088 Springhurst Drive, Green Bay, WI 54304-5495) on February 19, 2003, for construction of a fuel crusher and associated air cleaning devices at their facility in Frailey and Porter Townships, **Schuylkill County**.

**40-320-019: Exopack LLC** (3 Maplewood Drive, Hazleton, PA 18202) on February 19, 2003, for modification of flexographic printing lines at their facility in Hazle Township, **Luzerne County**.

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

**06-03089A: Reading Materials, Inc.** (P. O. Box 1467, Skippack, PA 19474) on February 21, 2003, for construction of an architectural stone bagging operation in Douglass Township, **Berks County**. The source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for New Stationary Sources.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**15-0095B: Longwood Gardens, Inc.** (P. O. Box 501, Kennett Square, PA 19348) on February 20, 2003, for operation of two 800 kW emergency generators in East Marlborough Township, **Chester County**.

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

**08-322-001B: Northern Tier Solid Waste Authority** (P. O. Box 10, Burlington, PA 18814) on February 11, 2003, for construction of additional municipal solid waste landfill disposal area (cells 6—8) at the Northern Tier Solid Waste Authority Landfill in West Burlington Township, **Bradford County** to September 30, 2003. The plan approval was extended.

**41-0008A: Koppers Industries, Inc.** (P. O. Box 189, Montgomery, PA 17752) on February 21, 2003, to extend the authorization to operate a wood-fired boiler fuel feeding system and associated air cleaning device (a fabric collector) on a temporary basis until June 21, 2003, in Clinton Township, **Lycoming County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**42-197A: M and M Royalty, Ltd.—Irishtown Plant** (Route 307, Lewis Run, PA 16738) on January 31, 2003, for installation of a compressor engine in Lafayette Township, **McKean County**.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**23-00003: ConocoPhillips Co.** (4101 Post Road, Trainer, PA 19061) on February 24, 2003, for operation of a Facility Title V Operating Permit in Trainer Borough, **Delaware County**.

**46-00011: Bethlehem Steel Corp.—Conshohocken Plant** (Conshohocken Road, Conshohocken, PA 19428) this amendment is to address the appeal of the Title V Operating Permit for their facility in Plymouth Township, **Montgomery County**. The facility's major emission points include steel heating furnaces, annealing furnace, rolling mills, temper furnace, cutting and shot blasting. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

**06-05071: Sealed Air Corp.** (450 Riverfront Drive, Reading, PA 19602-2600) on February 21, 2003, for

operation of a paper manufacturing facility in the City of Reading, **Berks County**. This is a renewal of the operating permit.

**22-05014: Ames True Temper, Inc.** (1500 Cameron Street, Harrisburg, PA 17104) on February 21, 2003, for operation of a wheel barrow manufacturing facility in the City of Harrisburg, **Dauphin County**. This is a renewal of the operating permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.*

**17-00001: Reliant Energy Mid Atlantic Power Holding** (1001 Broad Street P. O. Box 1050 Johnstown, PA 15907-1050), on February 5, 2003, for issuance of a revised Title V Operating Permit to allow for incorporation of the renewal Phase II (acid rain) Title IV permit for their Shawville electricity generating facility in Bradford Township, **Clearfield County**. The acid rain permit is effective through December 31, 2007 This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.*

**63-00074: Eljer Plumbingware, Inc.** (1301 Eljer Way, Ford City, PA 16226) on February 18, 2003, for operation of their TV facility, for vitreous ceramic plumbing fixtures in Ford City, **Armstrong County**. The facility's major emission sources are 11 natural gas-fired kilns that emit quantities of NOx over the major source threshold. The facility will be limited to 469 tons per year of NOx emissions.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**43-00314: VEC Technology, Inc.** (639 Keystone Road, Greenville, PA 16125) on February 11, 2003, for a Title V Operating Permit to operate a boat manufacturing facility in Greenville Borough, **Mercer County**. The facility's major emission sources include closed and open gel-coat operations associated with the production of the fiberglass reinforced boats and accessories. The facility is a major facility due to its potential to emit styrene.

**16-00124: Dominion Peoples** (5093, Truittsburg Road, Fairmount City, PA 16224) on February 18, 2003, for the reissuance of a Title V Operating Permit to operate a natural gas compressor station in Redbank Township, **Clarion County**. The facility's major emission sources include natural gas-fueled compressor engines. The facility is a major facility due to its potential to emit VOCs and NOx.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**23-00058: Haverford College** (370 Lancaster Avenue, Haverford, PA 19041) on February 24, 2003, for operation of a Synthetic Minor Operating Permit in Haverford Township.

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

**36-03124: Crest Truck Equipment Co., Inc.** (1363 Bowmansville Road, Bowmansville, PA 17507) on February 20, 2003, for operation of a truck equipment manufacturing facility in Brecknock Township, **Lancaster County**.

**38-03034: Heart of My Heart Final Pet Arrangements** (49 Pleasant View Road, Grantville, PA 17028) on February 20, 2003, for operation of a pet cremation chamber in East Hanover Township, **Lebanon County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**25-00886: Cross Paving, Inc.** (11620 Lake Pleasant Road, Union City, PA 16438) for operation of their facility in Venango Township, **Erie County**. The facility's primary source of emissions is a hot mix asphalt batch plant and associated equipment.

**10-00281: II—VI, Inc.** (375 Saxonburg Boulevard, Saxonburg, PA 16056) Natural Minor Operating Permit was issued on February 19, 2003, for operation of their facility's air contamination sources consisting of several miscellaneous combustion sources, chemical vapor deposition units, hydrogen selenide gas production, thin film materials production and a batch vapor degreaser unit in Clinton Township, **Butler County**.

**42-00111: Ethan Allen Eldred Division** (Route 1, Eldred, PA 16731) Natural Minor Operating Permit was issued on February 19, 2003, for operation of the facility's air contamination sources consisting of two natural gas-fired boilers, several natural gas-fired space heaters, three spray booths, a natural gas-fired emergency generator, a parts washer and the woodworking area in Eldred Borough, **McKean County**.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

**44-05001: Standard Steel, LLC** (500 North Walnut Street, Burnham, PA 17009) for operation of its facility in Burnham Borough, **Mifflin County**. On February 19, 2003, the Title V Operating Permit was administratively amended to reflect a change of ownership from Standard Steel Division of Freedom Forge to Standard Steel, LLC. This is Revision No. 1 of the operating permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.*

**17-305-042: DTE River Hill, LLC** (414 South Main Street, Suite 600, Ann Arbor, MI 48104), owner and **Covol Fuels, a Division of Headwaters, Inc.** (11778 South Election Drive, Suite 210, Draper, UT 84020), operator, on February 13, 2003, to incorporate conditions for a coal fines agglomeration (synthetic fuel) facility in Karthaus Township, **Clearfield County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**33-00002: Owens-Brockway Glass Container, Inc.—Crenshaw Plant** (Route 219 North, Plant No. 19, Brockway, PA 15824) on February 18, 2003, for an administrative amendment to the Title V Operating Permit to incorporate the plan approval conditions for a new 1,000 kW booster addition to Glass Melting Furnace "C" at their facility in Snyder Township, **Jefferson County**.

**61-00012: OMG Americas, Inc.** (P. O. Box 111, Two Mile Run Road, Franklin, PA 16323) on February 20, 2003, for an administrative amendment to the Synthetic Minor Operating Permit to incorporate the name change and the plan approval conditions for light color process, cobalt carboxylate process at their industrial organic chemicals manufacturing facility in Sugar creek Borough, **Venango County**. The facility has accepted limitations on the emission of VOCs and HAPs.

**25-00029: Erie Coke Corp.** (End of East Avenue, Erie, PA 16512-6180) for operation of their facility in Erie City, **Erie County**. The modification is for changing conditions when the enclosed quench car is out of service for maintenance. Also, as part of this modification, the addition of a new source (Parts Cleaner: Source 101). This source was previously listed in the Miscellaneous Section of the permit because there were no applicable requirements. With the change in 25 Pa. Code § 129.63, the parts cleaner is now subject to the revised requirement. The changes to the permit are as follows.

- Section E (Coke Battery)
- Condition No. 004
- Added the following: "records and make available to Department personnel for inspection upon request" to the first line of the original condition.
- Condition No. 008
- Changed part (3) to read as follows: At least three days before putting the enclosed quench car back into service, the permittee shall notify the Department of the date and approximate time of the scheduled start up, by telephone and in writing, directed to Regional Air Program Manager, Department of Environmental Protection, Northwest Regional Office, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335; telephone (814) 332-6940.
- Condition No. 010
- Replaced part (b)(1) with the following:
  - When coking time is greater than or equal to 40 hours, a minimum average temperature of 1,920°F shall be maintained.
  - When coking time is greater than or equal to 36 hours and less than 40 hours, a minimum average temperature of 1,940°F shall be maintained.
  - When coking time is greater than or equal to 32 hours and less than 36 hours, a minimum average temperature of 1,960°F shall be maintained.
  - When coking time is greater than or equal to 30 hours and less than 32 hours, a minimum average temperature of 1,980°F shall be maintained.
  - When coking time is greater than or equal to 28 hours and less than 30 hours, a minimum average temperature of 2,000°F shall be maintained.
  - The permittee shall not operate with coking times less than 28 hours during the quench car control outage.
  - Renumbered (b)(2) as (b)(7) with no other changes to the condition.

- Source 101 (Parts Cleaner)
- Conditions
- Subject to 25 Pa. Code § 129.63(a)
  - The permittee shall not use any solvent containing methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride or chloroform, or any combination of these halogenated HAP solvents, in a total concentration greater than 5% by weight, as a cleaning and/or drying agent. This requirement exempts them from 40 CFR 63 Subpart T.
- General Notes
  - Also added a RACT condition for Boilers 1 and 2 that was inadvertently omitted from the original Title V permit. This condition placed a 49.82 tpy NOx limit on each boiler. This is under Section D, Sources 031 and 032, Condition 004(a)(3).

**10-00021: INDSPEC Chemical Corp.—Petrolia Plant** (113 Main Street, P. O. Box 307, Petrolia, PA 16050) for an administrative amendment to incorporate changes brought about through Plan Approval Number, PA-10-0021 I for their facility in Petrolia Borough, **Butler County**. EPA and public comment periods were addressed during the plan approval process.

Date	Source	PM10 (tons)	NOx (tons)	CO (tons)	SOx (tons)	VOC (tons)
1/21/2003	Anodizing Tanks—Source 112	0.016	0	0	0	0
Total Reported Increases		0.016	0	0	0	0
Allowable		0.6 ton/source 3 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); and The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

*Coal Permits Actions*

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

**32010109 and NPDES Permit No. PA0249025. Amerikohl Mining, Inc.,** 202 Sunset Drive, Butler, PA 16001, commencement, operation and restoration of a bituminous surface coal refuse reprocessing—auger mine in Rayne, Washington and White Townships, **Indiana**

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**10-00267: TRACO** (71 Progress Avenue, Cranberry Township, PA 16066) for operation of their facility in Cranberry Township, **Butler County**. The de minimis increase at this Title V facility is the result of the installation of a new anodizing tank to Source 112. The addition will increase the emission of PM10 by 0.016 ton per year. The Department will add the tank to the list of units comprising Source 112 at the next permit reopening or reissuance. Until that time, as required by 25 Pa. Code § 127.449(g), TRACO must include the emissions from the new tank in all monitoring, recordkeeping and reporting requirements included in the Title V Operating Permit for Source 112. The following chart is a list of the de minimis increases maintained for this facility by the Department, as required by 25 Pa. Code § 127.449(i).

**County**, affecting 28.5 acres. Receiving streams: McKee Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received August 17, 2001. Permit issued February 20, 2003.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.*

**32971302. NPDES Permit PA0215040, Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201), to renew the permit for the Parker Mine in Washington Township, **Indiana County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued February 12, 2003.

**32021301. NPDES Permit PA0235458, TJS Mining, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774), to operate the Rossmoyne No. 1 Mine in South Mahoning Township, **Indiana County**, to operate, Surface Acres Proposed 25.5, Underground Acres Proposed 1262.0, SCP Acres Proposed 1171.0, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, unnamed tributary to Ross Run (HQ-CWF). The first downstream potable water supply intake from the point of discharge is N/A. Permit issued February 13, 2003.

**11733701. NPDES Permit PA0213535, Consol Pennsylvania Coal Company** (172 Route 519, Eighty Four, PA 15330), to correct the permit to clarify the revision issued December 9, 2002, the Bailey Mine in Richhill



Township, **Greene County**, correction, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional charges. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued February 19, 2003.

#### *Noncoal Permits Actions*

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

**35020802. John J. Ayers** (129 Creek Road, Factoryville, PA 18419), commencement, operation and restoration of a quarry operation in Benton Township, **Lackawanna County** affecting 5.0 acres, receiving stream: none. Application received November 25, 2002. Permit issued February 19, 2003.

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

**56010301. New Enterprise Stone & Lime Company, Inc.**, Box 77, Church Street, New Enterprise, PA 16664, commencement and restoration of a bituminous noncoal surface mine and for discharge of treated mine drainage in Jefferson Township, **Somerset County**, affecting 151.5 acres. Receiving streams: unnamed tributaries to Kooser Run and Kooser Run to Laurel Hill Creek (HQ-CWF). There are no potable water supply intakes within 10 miles downstream. Application received October 30, 2001. Permit issued February 19, 2003.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151—161); and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**67034008. Brubacher Excavating, Inc.** (825 Reading Road, P. O. Box 528, Bowmansville, PA 17507), construction blasting in Fairview Township, **York County** with an expiration date of March 18, 2004. Permit issued February 20, 2003.

**45034007. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting in Stroud Township, **Monroe County** with an expiration date of January 23, 2004. Permit issued February 20, 2003.

**48034005. Allan A. Myers, LP** (P. O. Box 98, Worcester, PA 19490), construction blasting in Bethlehem Township, **Northampton County** with an expiration date of March 12, 2004. Permit issued February 20, 2003.

**210340140. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Silver Spring Township, **Cumberland County** with an expiration date of March 18, 2004. Permit issued February 20, 2003.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O.

Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

#### **FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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

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

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



**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

*Permits Issued and Actions on 401 Certifications*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E51-205. Penn's Landing Corporation**, 121 Columbus Boulevard, Philadelphia, PA 19106, City and **County of Philadelphia**, ACOE Philadelphia District.

To construct and maintain two pile-supported boat launching ramps along the Delaware River (WWF-MF) to facilitate the operation of the Ride the Duck amphibious boat tours at the Penn's Landing Waterfront in the City and County of Philadelphia. Open waters will be maintained beneath both boat ramps.

1. The ingress ramp will be situated between Pier 12N and Pier 11N, just south of the Ben Franklin Bridge (Philadelphia USGS Quadrangle N: 14.2 inches; W: 2.0 inches). The ramp dimensions will be approximately 234 feet long by 16 feet wide.

2. The egress ramp will be constructed within the Penn's Landing boat basin between the current location of the USS Olympia and the Moshulu (Philadelphia USGS Quadrangle N: 12.1 inches; W: 2.3 inches). The ramp dimensions will be approximately 110 feet long by 16 feet wide.

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

**E58-249. Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501. Harford Township, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of Nine Partners Creek, consisting of an open-bottomed precast reinforced concrete arch culvert having a minimum clear span of 30.0 feet and a minimum center underclearance of 18.0 feet. The project includes relocation of approximately 115 linear feet of a tributary to Nine Partners Creek and rock lining of approximately 333 linear feet of the tributary, including the relocated section. The project also includes placement of fill in a de minimis area of wetlands equal to 0.03 acre, associated with construction of the south westerly roadway approach. The project is located along SR 0547, Section 571, Segment 0120, Offset 2230, approximately 400 feet west of the intersection of SR 0081 and SR 0547 (Harford, PA Quadrangle N: 6.6 inches; W: 8.5 inches).

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

**E29-083. David Knepper**, 1236 Lincoln Way East, Chambersburg, PA 17201 in Taylor Township, **Fulton County**, ACOE Baltimore District.

To construct and maintain a 24-foot long, 48-inch diameter culvert in the channel of an unnamed tributary to Sideling Hill Creek (HQ-CWF), at a point approximately 5,000 feet upstream of its mouth (Hustontown, PA Quadrangle N: 20.7 inches; W: 9.4 inches), for the purpose of providing an agricultural access in Taylor Township, Fulton County. The culvert will be depressed at least 1 foot below the existing streambed elevation and parallel to the existing streambed slope.

**E36-710. Carol Marie Thompson**, 3264 Back Run Road, Manheim, PA 17545 in Rapho Township, **Lancaster County**, ACOE Baltimore District.

To remove the existing bridge consisting of three 6 foot by 8 foot squash pipes and to construct and maintain a single span (39 feet) steel girder bridge on stub abutments with 6 inch wood deck at a point across Back Run (TSF) along the north side of Back Run Road approximately 0.9 mile north of the intersection of Back Run Road and Milton Grove Road (Manheim, PA Quadrangle N: 3.15 inches; W: 15.46 inches).

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

**E41-518. Borough of Muncy**, 14 North Washington Street, Muncy, PA 17756. 4000 feet of Glade Run channel dredging, in Muncy Borough and Muncy Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Muncy, PA Quadrangle N: 14.9 inches; W: 4.8 inches).

To dredge 4,000 feet of Glade Run 2.5 feet deep in Muncy Borough, Lycoming County.

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

**E63-531. Dave and Cathy Johnson**, 126 Lampliter Drive, McMurray, PA 15317. Peters Township, **Washington County**, ACOE Pittsburgh District.

To place and maintain fill in 0.07 acre of wetlands (PEM-PSS) adjacent to a horse pasture within a depression to eliminate a potential safety hazard to horses and riders when passing from one end of the pasture to the other. The project is located in the northwest corner of the intersection of Thomas Road and Johnston Road within Little Chartiers Watershed (HQ-WWF). This project will also culvert approximately 133 feet of stream channel, this work qualifies for authorization under the Department's waiver 105.12(a)(2). To meet the wetland replacement requirements, the applicant has made a contribution to the Wetland Replacement Fund (Bridgeville, PA Quadrangle N: 2.5 inches; W: 13.3 inches).

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

**E10-360. Stoneworth Apartments, Inc.**, Worth Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 6.8 inches; W: 14.8 inches).

To construct and maintain an 8-inch diameter sewage treatment plant effluent pipeline with an 800-foot long, 20-foot wide temporary disturbance across a wetland greater than 10 acres in Worth Township, Butler County

for development of a 120 unit apartment complex. The pipeline outfall discharges to Slippery Rock Creek (CWF).

**DAM SAFETY**

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

**D54-023A. Blythe Township Municipal Authority**, 375 Valley Street, New Philadelphia, PA 17959. To modify, operate and maintain Silver Creek Reservoir Dam across Silver Creek (CWF), impacting a de minimis area of wetland (PEM) equal to 0.04 acre and approximately 60 feet of stream for the purpose of rehabilitating the dam by constructing a drain to control and monitor seepage and by buttressing the downstream slope by adding fill to improve the factor of safety against slope failure. The

dam is located in Blythe Township, **Schuylkill County** (Shenandoah, PA Quadrangle N: 0.75 inch; W: 0.50 inch).

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name and Address	County	Municipality	Tank Type	Tank Capacity
03-02-021	Nicholas J. Scheid Jr. Valspar Corporation 2000 Westhall Street Pittsburgh, PA 15233	Allegheny	Pittsburgh	One AST storing white epoxy coating (mixture containing highly hazardous substance)	13,279.00 gallons

**SPECIAL NOTICES**

**Public Hearing on an Individual CAFO NPDES Permit  
Perry Township, Berks County**

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

**PA0246875, Quail Ridge Farm, LLC (Quail Ridge Farm)**, 410 E. Lincoln Avenue, Myerstown, PA 17067. Quail Ridge Farm, LLC has submitted an application for an NPDES permit for a proposed CAFO known as Quail Ridge Farm, 1211 Moslem Springs Road, Perry Township, **Berks County**. The CAFO will be situated near an unnamed tributary of Maiden Creek, which is classified as a WWF. The CAFO will be designed to maintain an animal population of 1,379.8 AEU's consisting of 2,800 sows, 336 sows with litter, 688 gilt finishers and 4 boars.

Two new barns are proposed—a farrowing barn and a gestation barn. Both barns will have in-ground concrete manure storage facilities. Manure collected in the farrowing barn manure storage facility will flow into the gestation barn manure storage facility. The total storage capacity of the gestation barn manure storage facility will be 3.05 million gallons. The expected annual manure production is approximately 3 million gallons. Approximately 35% of the manure generated will be applied onsite from subsurface injection on approximately 167 acres and the remainder will be exported offsite to two farms in Perry Township and one farm in Richmond Township, Berks County. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has scheduled a public hearing to receive testimony and comments on the proposed CAFO NPDES permit. The hearing will be held on April 8, 2003, at 6:30 p.m. at the Virgenville Grange, 456 Main Street, Virgenville, PA 19564.

Persons intending to testify at the hearing should register by April 1, 2003, by calling Karen Sitler at (717) 705-4904. If no person registers to present oral comments by this deadline, the hearing will not be held. Persons wishing to submit testimony who cannot attend the hearing may do so in writing by April 8, 2003. Written comments should be sent to Sean Furjanic, Water Management Program, Permits Section, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, sefurjanic@state.pa.us.

Testimony should be to the point. Individuals will have between 5 and 10 minutes for a presentation, depending on the number of speakers. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the proceedings.

The permit application is on file at the Southcentral Regional Office. An appointment to review the file may be scheduled by calling Jacquelyn Tribby at (717) 705-4729 between 8 a.m. and 4 p.m., Monday through Friday.

Comments received will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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

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

[Pa.B. Doc. No. 03-403. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Mining and Reclamation Advisory Board; Orphan Mine AMD Discharge Task Force Meeting

A meeting of the Mining and Reclamation Advisory Board's (MRAB) new task force to examine orphan mine (AMD) discharges is scheduled for March 17, 2003, at 8 a.m. in the Second Floor Auditorium, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The purpose of the meeting is to continue to examine different methods of addressing the problems associated with abandoned and/or orphaned mine discharges throughout this Commonwealth.

Persons who have questions should contact Joe Schueck, (717) 783-5633, jschueck@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Joe Schueck at the telephone number or e-mail address listed previously or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TTD users) or (800) 654-5988 (voice users) to discuss how the Department of Environmental Protection may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Acting Secretary*

[Pa.B. Doc. No. 03-404. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Plan Approval and Operating Permit Exemptions

Under 25 Pa. Code § 127.14 (relating to exemptions), the Department of Environmental Protection (Department) may determine sources or classes of sources which may be exempt from the plan approval and permitting requirements of 25 Pa. Code Chapter 127 (relating to construction, modification, reactivation and operation of sources). In accordance with § 127.14(d), the listing of these determinations is being revised and a draft is now available. After a 30-day comment period, the listings will be revised, as appropriate, and published in final-form in the *Pennsylvania Bulletin*.

The following changes are proposed to the listing as last published at 31 Pa.B. 6346 (November 17, 2001).

1. Clarify that categories 6 and 7 of the plan approval exemptions are for internal combustion engines by replacing the word "generators" in items 6 and 7 with "internal combustion engines."

2. Add a plan approval exemption for: "Coal and non-metallic mineral handling activities directly associated with either deep or surface mines that consist only of conveyors and non-vibratory screens (aka. grizzlies). This exemption includes internal combustion engines meeting the criteria for plan approval exemption described in category 6 above."

3. Add a plan approval exemption for: "Portable crushers that are controlled with properly located water sprays or with fabric filters, have a rated capacity of less than 150 tons per hour, operated during daylight, and located on a site for less than 60 days; provided, however, that the crushers do not process materials containing asbestos. This exemption includes internal combustion engines meeting the criteria for plan approval exemption described in category 6 above."

4. Add to categories 3 and 10 the following provision: "This exemption includes internal combustion engines meeting the criteria for plan approval exemption described in category 6 above."

Bring these similar plan approval exemption categories 3 and 10 together in the list with the portable crusher (item 2) and coal and nonmetallic mineral handling activities (item 3) so that these exemptions can be read together to make the distinctions easier to understand. The plan approval exemption previously numbered 3 will become category 9 and the previous additions become categories 11 and 12.

5. Revise category 24 of the plan approval exemptions by the addition of the condition that the exempt processes be controlled by fabric collectors "designed to have emission rates that are less than 0.01 gr/dscf." This revision will give further definition to what are appropriately designed fabric collectors.

6. Clarification of category 41 to allow for exemption of facilities using a combination of organic and metal-containing lubricants if the specified furnace operating conditions and emission rates are met. This will be done by breaking the first paragraph into two paragraphs, the second paragraph beginning with the fifth sentence which will be revised as follows: "A sintering furnace using only metal containing lubricants may be exempted . . . ."

A fourth paragraph will be added as follows:

"Facilities that use both organic and metal-containing lubricants are exempted if the lubricants are less than 0.75% organic lubricant by weight; and, the furnace is designed and operated as described in the preceding paragraph and emits particulate matter at rates less than 0.15 lb./hr. (determined by mass balance or stack tests)."

7. Add a plan approval exemption for: "Remediation of gasoline or fuel oil contaminated soil, groundwater or surface water by equipment installed, maintained and operated as provided herein. All air exhaust points are controlled by dual, activated carbon beds operating in series or a thermal/catalytic oxidizer. For activated carbon beds, monitoring (e.g., intrinsically safe ionization detector) at an appropriate frequency (e.g., one-fourth the predicted time to breakthrough of the first bed) must be performed at the inlet, between the first and second beds and after the second bed. If breakthrough of the first bed is detected, the first bed is removed, the second bed is shifted to the first position and the new bed is placed in the second position. Monitoring, operating, and maintenance records are maintained and available to the Department upon request.

Equipment installed and operated as described above must be designed to achieve a minimum VOC control efficiency of 90%. As long as actual annual emissions after control are less than one TPY VOC or HAPs, the remediation project is determined to be of minor significance in accordance with § 127.14.(8), no Air Quality Plan Approval is required and no Request for a Determination (RFD) needs to be filed. Other remediation projects may be considered for exemption via a Request For Determination and may be required to obtain Plan Approval at the discretion of the Department on a case-by-case basis."

8. Revise categories 29 and 30 of the plan approval exemption list to exempt: "Degreasing operations using solvents containing no more than 5% VOC by weight, except those emitting more than 2.7 tons of VOCs or

those subject to the Federal NESHAP for halogenated solvent cleaners under 40 CFR Part 63.”

9. Add a further qualification regarding Plan Approval exempted sources as follows: “5. Any sources claiming an exemption based on emission thresholds must keep adequate records to clearly demonstrate to the Department that the applicable thresholds are not exceeded.”

10. Add the following clarifying language in the operating permit exemptions section: “When a RFD is issued for a source not included on the list of trivial activities, the source need not be brought onto the operating permit until the renewal of the operating permit. So long as all applicable requirements are met there is no need to revise an operating permit to include a source installed under an RFD or the de minimis provisions of an operating permit. Only in the case where a physical change of minor significance would violate the terms of an operating permit should a plan approval exemption and a minor permit modification under § 127.462 be processed contemporaneously. A facility that currently has or should have a plan approval or an operating permit is not exempted from the operating permit requirements. However, if the facility would now be eligible for exemption, the owner/operator may submit a RFD in accordance with § 127.14(c).”

The Department is requesting written comments on the proposed revisions to the permit exemption listings. Interested persons may submit written comments, suggestions or objections to Douglas L. Leshner, Chief, New Source Review/Title V Section, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-3375. Public comments must be submitted to the Department within 30 days of the date of this notice in the *Pennsylvania Bulletin*. Comments received by facsimile or e-mail will not be accepted.

Copies of the proposed revisions to the Plan Approval and Operating Permit Exemptions List may be obtained by contacting Douglas Leshner at the previous address or by e-mail to [dlesher@state.pa.us](mailto:dlesher@state.pa.us). TDD users may telephone the Department through the AT&T Relay Service, (800) 654-5984. Internet users can access a copy of the exemptions list at <http://www.dep.state.pa.us>. Choose Public Participation, Proposals Open for Comment, Draft—Other Proposals, Plan Approval and Operating Permit Exemptions.

KATHLEEN A. MCGINTY,  
*Acting Secretary*

[Pa.B. Doc. No. 03-405. Filed for public inspection March 7, 2003, 9:00 a.m.]

### **Solid Waste Advisory Committee; Meeting Cancellation**

The Solid Waste Advisory Committee meeting scheduled for Thursday, March 13, 2003, has been cancelled. The next meeting is scheduled for Thursday, May 8, 2003, at 10 a.m. in the First Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the May 8, 2003, meeting should be directed to Gayle Leader, (717) 787-9871, [gleader@state.pa.us](mailto:gleader@state.pa.us). The agenda and meeting materials for this meeting will be available through the Public

Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us>.

Persons with a disability who require accommodations to attend the meeting should contact the Department at (717) 787-9871 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Acting Secretary*

[Pa.B. Doc. No. 03-406. Filed for public inspection March 7, 2003, 9:00 a.m.]

### **Solid Waste Advisory Committee; State Solid Waste Plan Subcommittee Meeting**

The State Solid Waste Plan Subcommittee of the Solid Waste Advisory Committee will meet on March 13, 2003, from 10 a.m. to 3 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg. The purpose of the meeting is to discuss the development of a recycling program plan as required by act of December 9, 2002 (P.L. 1404, No. 175).

Questions concerning this meeting should be directed to Lawrence Holley, Chief, Division of Waste Minimization and Planning, Bureau of Land Recycling and Waste Management, (717) 787-7382, [lholley@state.pa.us](mailto:lholley@state.pa.us). The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us>.

Persons with a disability who require accommodations to attend this meeting should contact the Department at (717) 787-7382 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Acting Secretary*

[Pa.B. Doc. No. 03-407. Filed for public inspection March 7, 2003, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Adoption of the 2000 Edition of the Life Safety Code**

Under authority of the Health Care Facilities Act (35 P. S. §§ 448.101—448.9046) and the health care facility licensure regulations promulgated thereto, specifically 28 Pa. Code §§ 153.1(c), 203.1 and 569.2 (relating to minimum standards; application to the Life Safety Code; and fire safety standards), the Department of Health (Department) will adopt the 2000 edition of the National Fire Protection Association's Life Safety Code, NFPA #101, effective September 11, 2003. As of September 11, 2003, the Department will apply these new requirements to all plans for new construction or renovations of licensed health care facilities and for State licensure inspections of these facilities.

The Department has received inquiries regarding the implementation of the 2000 LSC and when the LSC would be enforced. The 2000 edition of the LSC can be

utilized immediately; however, to allow adequate lead-in time for larger or more complicated projects, the mandatory usage of this edition will not take effect until September 11, 2003.

Persons interested in purchasing a copy of the 2000 LSC may place an order to the National Fire Protection Association, (800) 344-3555 or online at [www.nfpcatalof.org](http://www.nfpcatalof.org).

Questions regarding this notice should be directed to Peter P. Petresky, Director, Division of Safety Inspection at (717) 787-1911.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape or Braille) should contact Peter Petresky at the number listed previously or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. MUSCALUS, D.O.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-408. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Application of Lancaster Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Lancaster Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 51.3(c) (relating to notification).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, [ra-paexcept@state.pa.us](mailto:ra-paexcept@state.pa.us).

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for Speech and/or Hearing Impaired Persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ROBERT S. MUSCALUS, D.O.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-409. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Application of Main Line Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Main Line Health Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and*

*Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.10.F2 (relating to patient toilets in procedure rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, [ra-paexcept@state.pa.us](mailto:ra-paexcept@state.pa.us).

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care, (717) 783-8980 or for Speech and/or Hearing Impaired Persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ROBERT S. MUSCALUS, D.O.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-410. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Health Research Advisory Committee Public Hearing and Meeting

The Health Research Advisory Committee (Committee) of the Department of Health (Department) will hold a public hearing and a public meeting on April 21, 2003, in Room 100 (First Floor), Labor and Industry Building, Forster and Seventh Streets, Harrisburg.

The primary purpose of the public hearing is to obtain suggestions for health research priorities under the Tobacco Settlement/Act 77, Commonwealth Universal Research Enhancement Program, for State fiscal year 2003-04.

The public hearing will be held from 9:30 a.m. to 12 p.m. Comments must be submitted in writing by 2:30 p.m. on April 1, 2003, to David Hooper, Department of Health, Bureau of Health Statistics, Health Research Program, 555 Walnut Street, 6th Floor, Harrisburg, PA 17101-1914, [dhooper@state.pa.us](mailto:dhooper@state.pa.us). Written comments must be limited to two typewritten pages. Persons wishing to present written statements orally at the public hearing must contact David Hooper at (717) 783-2548 by 2:30 p.m. on April 1, 2003, to make a reservation for testifying at the hearing. Oral testimony will be limited to 3 minutes. Persons will be scheduled on a first come, first served basis, as time permits.

After the public hearing, a public meeting of the Committee will be held from 1 p.m. to 4:30 p.m. The purpose of the meeting is to discuss the research priorities for State fiscal year 2003-04. This meeting is open to the public. No reservations are required to attend the public meeting.

Current 2002-03 State fiscal year priorities for both formula funded and nonformula funded health research are posted on the Department's website (<http://www.health.state.pa.us>) under the Tobacco Settlement/Act 77, Commonwealth Universal Research Enhancement Program.

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, contact Patricia W. Potrzebowski, (717) 783-2548 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 hearing and meeting are subject to cancellation without notice.

ROBERT S. MUSCALUS, D.O.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-411. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

The Cedars of Monroeville  
4363 Northern Pike  
Monroeville, PA 15146

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) (relating to electric requirements for existing and new construction):

The Lafayette-Redeemer  
8580 Verree Road  
Philadelphia, PA 19111

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.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers previously listed or for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ROBERT S. MUSCALUS, D.O.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-412. Filed for public inspection March 7, 2003, 9:00 a.m.]

### WIC Public Meetings

The Department of Health (Department), Supplemental Food Program for Women, Infants and Children (WIC Program), will hold public meetings on the following dates at the locations indicated:

April 23, 2003  
10 a.m.—3 p.m.  
Health and Welfare Building, Room 610  
Commonwealth and Forster Streets  
Harrisburg, PA 17120

April 29, 2003  
10 a.m.—3 p.m.  
Allegheny County Health Department  
Investment Building, 6th Floor  
239 Fourth Avenue  
Pittsburgh, PA 15222-1712

The Department invites comments on all aspects of the WIC Program's operations. General comments on other issues pertinent to the WIC Program are also requested.

Persons wishing to give testimony at the public meetings are requested to preregister with the WIC Program Office, (717) 783-1289. Persons unable to attend the meetings may submit written comments by May 31, 2003, to Department of Health, Division of WIC, Attention: Planning and Monitoring Section, P. O. Box 90, Harrisburg, PA 17108.

For additional information, or persons with a disability who wish to attend the meeting, preregister or provide comments and require an auxiliary aid, service or other accommodation to do so, contact the WIC Program Office at the previously listed number or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services, (800) 654-5984.

ROBERT S. MUSCALUS, D.O.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-413. Filed for public inspection March 7, 2003, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Payments to Nursing Facilities; April 1, 2003 Proposed Rates

The purpose of this notice is to announce the proposed changes in nursing facility per diem payment rates reflecting case-mix index (CMI) adjustments only, for nursing facility services provided on or after April 1, 2003, and to identify the methodology and justification for these proposed rates. Under 42 U.S.C.A. § 1396a(a)(13), as amended by section 4711 of the Balanced Budget Act of 1997 (Pub. L. No. 105-33), a state must use a public process when it proposes to make changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan.

The Department of Public Welfare (Department) is not proposing to amend its State Plan or to change its regulations, 55 Pa. Code Chapter 1187 (relating to nursing facility services), regarding the rate-setting methodology used to set nursing facility payment rates. Rather, the Department is proposing to make changes in its nursing facility payment rates because those rate changes are required by the rate-setting methodology contained in its approved State Plan and regulations.

#### Rates

The proposed April 1, 2003, rates are available through the local county assistance offices throughout this Commonwealth, on the Office of Medical Assistance Programs'

website at [www.dpw.state.pa.us/omap](http://www.dpw.state.pa.us/omap) or by contacting Tom Jayson, Policy Unit, Bureau of Long Term Care Programs, (717) 705-3705.

#### Methodology

The methodology the Department used to set the proposed rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's Title XIX approved State Plan.

#### Justification

The justification for the proposed rates is that they were set under the rate-setting methodology required by the Commonwealth's regulations and approved State Plan.

#### Fiscal Impact

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 2002-2003 is \$2.779 million (\$1.26 million in State funds).

Interested persons are invited to submit written comments only concerning CMI adjustments to the proposed rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to Department of Public Welfare, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105. Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-351. (1) General Fund; (2) Implementing Year 2002-03 is \$1,260,000; (3) 1st Succeeding Year 2003-04 is \$3,774,000; 2nd Succeeding Year 2004-05 is \$3,774,000; 3rd Succeeding Year 2005-06 is \$3,774,000; 4th Succeeding Year 2006-07 is \$3,774,000; 5th Succeeding Year 2007-08 is \$3,774,000; (4) 2001-02 Program—\$761,877,000; 2000-01 Program—\$722,565,000; 1999-00—\$693,625,000; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funding for these changes is included in the 2002-03 budget.

[Pa.B. Doc. No. 03-414. Filed for public inspection March 7, 2003, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation (Department) by Robert H. and Miriam J. Helper, 502 Burton Avenue, Youngwood, PA 15697, seeking to lease highway right-of-way for SR 0119. The area contains 0.5887 acre that includes the underlying fee simple interest for that portion of former LR 64171 that is affected by a highway easement, being part of the parcel or tract of land conveyed to the Department by Tony Priolette and Alberta Priolette, recorded in the Recorder of Deeds Office, Westmoreland County, PA in deed Book Volume 2220, page 992. The area will be used for the storage of materials and products in connection with the operation of Helper's Town and Country Enterprises.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Michael H. Dufalla, P. E., District Engineer, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Questions regarding this application may be directed to Patricia Swisher, Chief Negotiator, P. O. Box 459, Uniontown, PA 15401, (724) 439-7355, [pswisher@state.pa.us](mailto:pswisher@state.pa.us), fax (724) 425-3009.

ALLEN D. BIEHLER, P. E.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-415. Filed for public inspection March 7, 2003, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Designation of Wilderness Trout Streams

The Fish and Boat Commission (Commission) has added 9.38 miles of streams in the Fishing Creek Watershed, Lebanon and Schuylkill Counties, to its Wilderness Trout Streams Program. Under 58 Pa. Code § 57.4 (relating to wilderness trout streams), it is the Commission's policy to manage the wilderness trout streams program where the stream remoteness and populations of naturally reproducing trout combine to offer a sport fishing opportunity for the recreation of anglers in a wilderness setting away from roads or vehicular access. It is the Commission's intent to advocate proper watershed management to maintain the wilderness setting and to advance and seek the highest water quality standards through the Department of Environmental Protection.

The limits of the four streams that have been designated Wilderness Trout Streams are as follows:

(1) *Fishing Creek*—from the confluence of Fishing Creek, West Branch and Baird Run downstream to the mouth at Lebanon Reservoir (2.05 miles).

(2) *Baird Run*—from the headwaters downstream to the confluence with Fishing Creek, West Branch (1.37 miles).

(3) *Fishing Creek, Evening Branch*—from the headwaters downstream to the mouth at Lebanon Reservoir (3.6 miles).

(4) *Fishing Creek, West Branch*—from the headwaters downstream to the confluence with Baird Run (2.36 miles).

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 03-416. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Draw Down of Upper Hereford Manor Lake, Beaver County

The Fish and Boat Commission has applied under the provisions of 58 Pa. Code Chapter 51, Subchapter I (relating to permits to draw off impounded waters) to draw down Upper Hereford Manor Lake, Beaver County.

Draw down of this lake is required because of deficiencies in the dam and to provide storage capacity for Lower Hereford Manor Lake.

Interested persons are invited to submit written comments about the pending draw down permit application to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, by March 24, 2003, at 4 p.m. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to ra-pfbcregs@state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. In addition, electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 03-417. Filed for public inspection March 7, 2003, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

#### *Final-Omit*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
15-422	Department of Revenue Daily Number and Big Four Game	02/20/03

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 03-418. Filed for public inspection March 7, 2003, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Voluntary Dissolution

U.S. Insurors Company, a domestic stock property insurance company, has submitted an application for approval to voluntarily surrender its Certificate of Authority and dissolve its charter. The filing was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932. Persons wishing to comment on the grounds of public or private interest concerning the dissolution are invited to submit a written statement to the Insurance Department (Department) within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include

the name, address and telephone number of the writer, identification of the application to which the comment is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Room 1311, Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-419. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Conseco Senior Health Insurance Company; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 18% for the Long Term Care policy forms ATL-HHC-1, ATL-HHC-2, ATL-HHC-3, ATL-HHC-4, ATL-HHC-87 and the associated riders. These forms were originally issued by the American Travelers Life Insurance Company. The average premium will increase from \$740 to \$873 and will affect 3,861 Commonwealth policyholders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-420. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Notice to Workers' Compensation Insurance Carriers

Insurance companies that write workers' compensation are required to report workers' compensation premium, loss and claim count information using 2002 Special Schedule "W." This information is to be reported to the Insurance Department (Department) and to the Pennsylvania Compensation Rating Bureau (PCRB). Authority for this call is contained in section 655 of the Insurance Company Law of 1921 (40 P. S. § 815).

Information to be reported by April 15, 2003, to the Department and the PCRB includes the following:

For calendar year 2002:

- Premiums—Written, Unearned, Earned.
- Losses—Indemnity vs. Medical for Paid, Reserves (Case vs. Bulk & IBNR), Incurred.
- Amounts added to premium to yield PCRB Standard Earned Premium at Designated Statistical Reporting Level.
- Deductible adjustments to yield first dollar premiums and losses.



For evaluations as of December 31, 2001, and December 31, 2002, policy year information for large deductible (that is, deductible > \$100,000) policies vs. all other policies including small deductible policies on a first dollar basis:

- Premiums—Earned.
- Losses—Indemnity vs. Medical for Paid, Reserves (Case vs. Bulk & IBNR), Incurred.
- Claim counts—Indemnity vs. Medical for Incurred, Closed with and without payments.

Information regarding the submission of 2002 Special Schedule "W" has been sent to carriers and has also been posted at the Department's website address, <http://www.insurance.state.pa.us>.

Persons who have not received this information or have questions concerning information contained in this notice should contact Brenna Murphy, Actuarial Associate, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2114, [brmurphy@state.pa.us](mailto:brmurphy@state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-421. Filed for public inspection March 7, 2003, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting Cancellation

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), enacted on March 20, 2002, cancels a previously announced meeting of the Authority's 11 member board that was scheduled to be held at the Wildwood Conference Center, Harrisburg Area Community College, Harrisburg, PA at 9:30 a.m. on Monday, March 10, 2003.

ALAN B.K. RABINOWITZ,  
*Administrator*

[Pa.B. Doc. No. 03-422. Filed for public inspection March 7, 2003, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Railroad With Hearing

**A-00114730. Department of Transportation.** Application of the Department of Transportation for approval of the construction of at-grade crossings where SR 1030, Section B10 (Donora Industrial Park Access Road) crosses, at four locations, the tracks owned by Middle Monongahela Industrial Development Association, Inc. and operated on by Consolidated Rail Corporation, all in Donora Borough, Washington County, and the allocation of costs and expenses incident thereto.

An initial hearing on this matter will be held Tuesday, April 22, 2003, at 10 a.m. in the 11th Floor Hearing

Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-423. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest should indicate whether it applies to the temporary authority application, the permanent authority application, or both. All filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before March 31, 2003. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between of 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under the application.**

**A-00119599. Gary Polzot t/d/b/a G.P. Towncar Service** (155 Westbrooke Lane, Coraopolis, Allegheny County, PA 15108)—persons in limousine service, between points in Allegheny County.

**Application of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as *common carriers* for transportation of *persons* as described under the application.**

**A-00114310, Folder 1, AM-C. Beninati Transport Corporation** (108 Leslie Road, Monroeville, Allegheny County, PA 15108), a Pennsylvania corporation—persons in limousine service, between points in Pennsylvania: *So As To Permit* the transportation of persons in limousine service, between points in Allegheny County.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-424. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Telecommunications

**A-310824F7002. United Telephone Company of Pennsylvania d/b/a Sprint and DSL.net Communications, LLC.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and DSL.net Communications, LLC for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and DSL.net Communications, LLC, by its counsel, filed on December 9, 2002, at the Pennsylvania Public

Utility Commission (Commission), a joint petition for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and DSL.net Communications, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-425. Filed for public inspection March 7, 2003, 9:00 a.m.]

Utility Commission (Commission), a joint petition for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Empire Telecom Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-427. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Telecommunications

**A-311249F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Dialalot.com, Inc.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and Dialalot.com, Inc. for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and Dialalot.com, Inc., by its counsel, filed on December 9, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Dialalot.com, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-426. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Telecommunications

**A-311251F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Empire Telecom Services, Inc.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and Empire Telecom Services, Inc. for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and Empire Telecom Services, Inc., by its counsel, filed on December 9, 2002, at the Pennsylvania Public

### Telecommunications

**A-310918F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Maxcess, Inc.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and Maxcess, Inc. for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and Maxcess, Inc., by its counsel, filed on December 9, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Maxcess, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-428. Filed for public inspection March 7, 2003, 9:00 a.m.]

### Telecommunications

**A-311252F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Sierra Pacific Communications.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and Sierra Pacific Communications for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and Sierra Pacific Communications, by its counsel, filed on December 9, 2002, at the Pennsylvania Public

Utility Commission (Commission), a joint petition for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Sierra Pacific Communications joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-429. Filed for public inspection March 7, 2003, 9:00 a.m.]

---

### Telecommunications

**A-311248F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Trinity Valley Services, Inc.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and Trinity Valley Services, Inc. for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and Trinity Valley Services, Inc., by its counsel, filed on December 9, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Trinity Valley Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-430. Filed for public inspection March 7, 2003, 9:00 a.m.]

---

### Telecommunications

**A-310930F7002. United Telephone Company of Pennsylvania d/b/a Sprint and U.S. Telepacific Corp.** Joint petition of United Telephone Company of Pennsylvania d/b/a Sprint and U.S. Telepacific Corp. for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and U.S. Telepacific Corp., by its counsel, filed on December 9, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a Master Collocation License Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and U.S. Telepacific Corp. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-431. Filed for public inspection March 7, 2003, 9:00 a.m.]

---

### Telecommunications

**A-311133F7001. Verizon North Inc. and United Systems Access, Inc.** Joint petition of Verizon North Inc. and United Systems Access, Inc. for approval of adoption of an Interconnection Agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and United Systems Access, Inc., by its counsel, filed on February 18, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and United Systems Access, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-432. Filed for public inspection March 7, 2003, 9:00 a.m.]

---

### Telecommunications

**A-310751F7000. Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc.** Joint petition of Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. for approval of Amendment No. 4 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc., by its counsel, filed on February 18, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of Amendment

No. 4 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-433. Filed for public inspection March 7, 2003, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #03-029.2, HVAC Maintenance and Repairs, Tioga Adm. Bldg., until 2 p.m. on Thursday, March 27, 2003. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Flr., Philadelphia, PA 19134, (215) 426-2600 and will be available March 11, 2003. 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 equal opportunity laws and regulations.

A mandatory prebid job site meeting will be held on March 20, 2003, at 10 a.m. at the Tioga Adm. Bldg., 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.  
*Executive Director*

[Pa.B. Doc. No. 03-434. Filed for public inspection March 7, 2003, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

April 9, 2003	Beverly Tuck (Class T-D)	1 p.m.
	Richard J. Miller (Change of Option)	2:30 p.m.
April 17, 2003	Dinia D. Kollar (Flannery) (Class T-D)	1 p.m.
	Jacquelyn B. N'Jai (Disability Eligibility)	2:30 p.m.
April 23, 2003	Vivian A. Smith (D) (Death Benefit)	1 p.m.

Persons with a disability who wish to attend the previously listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DALE H. EVERHART,  
*Secretary*

[Pa.B. Doc. No. 03-435. Filed for public inspection March 7, 2003, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of a Systems Integrator/Engineering Firm

#### Open End Contract Intelligent Transportation Systems

#### Reference No. 3-155

The Turnpike Commission (Commission) will retain a systems integrator/engineering firm for an Open-End Contract for design and implementation of Intelligent Transportation Systems (ITS) along the Turnpike system. The types of ITS to be designed and integrated are defined in the Commission's document entitled Intelligent Transportation Systems (ITS) Long Range Plan dated January 2002. Architecture for system integration and deployment in support of ITS is defined in the Commission's document entitled Intelligent Transportation Systems (ITS) Architecture, dated January 2002. Both documents are available on CD-ROM from the Commission upon request.

The ITS projects proposed for design and integration will be initiated through work order assignments which are prioritized and implemented based on a number of factors, including customer service and operational requirement priorities. Commission approved capital funding allocations for ITS and obligated Federal funding appropriations. The majority of ITS projects being proposed will involve Federal funding participation and will

require detailed technical and cost proposals for each work order assignment in format acceptable to both the Department of Transportation (Department) and the Federal Highway Administration (FHWA).

The types of projects that may be assigned under this open-end agreement and to which specialized experience and technical competence of the development team (team), the prime consultant and subconsultants are required, are detailed in the Commission's long range plan (plan). The plan, however, shall not be considered as a limiting constraint to the total quantity and types of projects, which may be required. The plan shall also not be construed as limiting technologies to those stated in the plan. Technologies, which achieve desired results, with cost saving potential and proven functionality may be considered as viable for project implementation. In addition, construction management and inspection, software and hardware acceptance testing and system acceptance testing shall be considered as part of each task assignment, as applicable. The Commission currently holds consultant services agreements with other consulting engineering firms, as well as other public entities, for the development of software integration and design services. Furthermore, the Commission anticipates entering into additional agreements in the future. It is possible that the consultant will be working on the same tasks with another consultant or public entity. The consultant shall coordinate activities with other consulting engineering firms or public entities for their contracts and projects under this agreement.

A partial listing and brief description of the ITS plan projects, which may be initiated under this open end agreement, in order of current priority, follows:

*Computer Aided Dispatch System (CADS)*—Through detailed coordination and interviews with Commission and Pennsylvania State Police (PSP) staff, define the operations center concept of operations as it pertains to existing and future hardware and software requirements, integration with PSP IIMS CAD deployment and communications and information flow utilizing a CADS. A CADS is a data storage warehouse of all incident procedures, resources, preplanned traffic diversion routes and incident documentation providing history trails. The CADS enables the traffic management center to effectively dispatch the appropriate response equipment and personnel in a timely manner using GPS and GIS mapping. The PSP response vehicles will be tracked using automatic vehicle location and communicate from the vehicles mobile data terminal. The need for a complete CADS upgrade is required to prepare for the next phase of ITS. The integration/design team will be required to develop detailed functional requirements for the new CADS, recommend procurement of CADS hardware and software, design and integrate CADS, develop enhancements to hardware and software to operate and integrate, test and deploy a new CADS. The CADS is the primary application used in the Commission's operations center and provides emergency services to Turnpike customers through wireless and wire line communications with the PSP contracted fire, rescue and towing services integral to flow detection and incident response.

*Private Telecommunications Network*—Review current Turnpike system, bandwidth requirements and lease costs and initiate design to provide wire-line, wireless or a hybrid wire-line/wireless network to cost effectively disseminate video, audio and data information between ITS field devices/locations and the Commission's Central Administration Building, customers and stakeholders through wireless and wire-line technologies

Provide design to transport all ITS voice, data and video to a traffic management center for remote monitoring, command, control and redistribution. Provide this communication transport facility within the context of telecommunications industry standards of reliability and maintainability.

*Traffic Flow Detection System (TFDS)*—Using a combination of transponder based (short range RF technologies), radar and cell phone technologies, design a phased integrated TFDS to provide real-time traffic flow data to the Commission's Traffic Operations Center (TOC) and to inform Turnpike travelers of current travel conditions from a web speed map, which is currently in development. The information would be available to TOC personnel and to customers with internet or cellular subscription service. The web speed map would aide the operators to visually see and post messages on variable message signs (VMS) and messages on highway advisory radio (HAR), as well as allow Commission subscribing customers to view a web speed map and plan trips accordingly. The subsystem designed will also provide a tool to examine incident management results, response procedures and help develop future incident management plans. Finally, the TFDS will be utilized to identify lines and delays related to lines at all fare collection facilities as well as provide a tool for toll collection auditing. The TFDS will utilize a hybrid of vehicle detection technologies, including radar, toll tag detection and cellular to collect network system data.

*Traffic Conditions Map and Website*—Using the traffic conditions map (design and implementation in process), provide design enhancements and integration required to display real time data from existing and proposed new TFDS, roadway weather information systems (RWIS), closed circuit television (CCTV) traffic monitoring cameras and proposed future ITS devices. This project will enhance and integrate data, video and audio media with the website to display real-time conditions at Turnpike facilities from color-coded speed maps. The website will be enhanced to have interaction capabilities allowing users to enter their origins and destinations and obtain the expected travel time for their trips. Hot links will be provided to other traveler and roadway information websites including those maintained by public agencies, information service providers and yellow pages and reservation service providers, as these services become available in the region. Average travel times between origins and destinations, CCTV images, incident and construction information and detours along Turnpike facilities will be displayed.

*Coordinated Information Management*—This project requires the development of an institution/organizational framework to examine both Commission and PSP internal information and agency coordination requirements. The object of the study is to conduct a needs analysis and develop strategies for internal information management requirements. External agency implementation methodologies will be considered and addressed, as well as potential risks and mitigation strategies.

Emerging technologies such as automated server-to-server information exchange using extensible markup language will be investigated. Using this technology, an automated server provides information automatically on a screen read by a human. The ultimate condition is having a Turnpike coordinated information management system in conjunction with external agency integration. The Commission's Long Range ITS Plan (LRIP) Gap Closing Project will provide the real-time data necessary for

personnel to improve response times for highway emergencies, as well as to provide for better maintenance and improved traveler safety. Archived data will be available to provide the Commission the necessary support to improve the integrity, efficiency and effectiveness of all Commission business processes and operations from the continued use of the business process re-engineering efforts.

*ITS Asset Management System*—This project will consist of two primary phases. The first phase will require a comprehensive inventory update and maintenance plan for existing ITS components, subsystems and related infrastructure by maintenance divisions. The maintenance plan will identify preventive maintenance procedures and schedules, spare part inventories and manpower resources required to maintain ITS equipment and components. The maintenance plan will also provide for service level agreements for hardware and software associated with ITS systems. The second phase will be an open end phase that will require periodic use by all maintenance personnel to maintain current and accurate data in the database. The asset manager will be used to track existing field equipment, maintenance of field equipment and provide a control mechanism for determining existing and future ITS needs. The system will identify the location of each inventory item by mile-marker, GPS position, offset from mainline and side of roadway. The asset manager will maintain a comprehensive listing of field components including installation date, recommended maintenance schedule and log of maintenance events. The asset manager will also provide a global perspective to all ITS components as a system and provide automated system features such as maintenance tracking, data updates and performance analysis, and automatic message notification and forecasted expenditures.

*External Agency Integration*—This project will revisit previous studies to determine the Commission's current and long-term external agency integration and information management requirements. The study will periodically address the specific agencies that need to be linked, as well as an examination of the external data/information required to be exchanged. The data and communication sharing between the different agencies will be based on the information and architecture flows of the National ITS architecture based on the specific needs of the Turnpike and the region. To be noted, this study is a companion study to the LRIP Gap Closing Project entitled "Coordinated Information Management." That study focuses on internal data/information required to be exchanged.

*Digital Monitors and Variable Message Signs (VMS)*—The video monitor aspect of the VMS project is a project to develop a public private partnership to deploy video monitoring for safety information dissemination and revenue through advertising, if it is determined consistent with Federal regulations codified under 23 CFR for advertising in association with limited access interstate right-of-way. Initial work will focus on the research and preparation of a video billboard business plan to identify, calculate, manage and minimize risk in this new business area for the Commission and to develop a request for submission to the Department for evaluation and approval of the FHWA.

*System Wide Detour Plan*—This project will provide for periodic updates of detour plans to provide acceptable alternative routes, as approved by the Department, in cases where road closures are implemented in accordance

with Plan X. These plans will allow traffic to be directed to exits off the Turnpike at specified interchanges, follow a certain route and re-enter the Turnpike at the next appropriate interchanges. The plan will identify alternative diversion routes for each road closure location.

*Automatic Data Archiving/Data Analysis*—This project will design and implement a data warehousing/data mining system that will collect, process, store and allow the retrieval of data generated by the Commission ITS technologies and/or obtained from other internal or external stakeholder agencies in the region. The project will integrate the Commission data warehouse with other related data warehouses and transportation agencies for data sharing. In addition, the project will provide data mining capabilities to predict future trends and behaviors.

*Smart Work Zone*—The focus of this project will be to improve and expand existing construction operations safety and management, including the addition of field hardware, modifications to the TOC, as well as the development of a method of operations plan. The new methods and procedures plan (best practices) will work in concert with the requirements stated in the Turnpikes Strategic Plan. The ultimate condition of the Smart Work Zone project will establish mobile units for maintenance of traffic operations and management of work zone activities for all construction projects within the Turnpike network. A total of four work zone management units will ultimately be deployed and stationed throughout the Turnpike network. In implementing design and procurement documentation for smart work zones, the integrator/engineer shall consider the contents of what is included in HB 2410 and similar legislation currently enacted.

*Truck Rollover Warning System*—This project integrates weigh-in-motion, height detection, speed and classification detection and information dissemination technologies to establish a vehicle rollover warning system for truck traffic on exit ramps. The system configuration will warn vehicles entering interchange deceleration areas traveling at unsafe speeds. Roadway sensors will send vehicle classification and speed data to the system controller where it is analyzed by specific algorithms to determine if present vehicle speeds are approaching or surpassing rollover thresholds. If the threshold is met, illuminated warning signs are triggered to alert the driver of unsafe speeds prior to the entrance into critical curve areas.

The ultimate condition truck rollover warning system will implement an additional three sites for a total of four warning systems within the Turnpike network. Each site will provide standard warning system data including speed and classification, as well as send real time video, speed and classification data back to the TOC.

*511 Traveler Information System*—This project will integrate Turnpike information dissemination operations with the Statewide 511 traveler information system being developed. The system provides comprehensive regional traveler information, including travel times, weather and road conditions, as well as transit information from a voice and/or menu-driven route selection interface obtained through the three-digit phone code. The system will not only provide a powerful information dissemination tool for Turnpike related travel, weather and road conditions data, but will also provide travelers with extensive information concerning travel times and incident information for intersecting non-Turnpike routes, providing insight into conditions that may be encountered once the traveler has exited the Turnpike. The ultimate condition 511 system will collect, reduce and distribute

the traveler information from an automated system. The data will be supplied by vehicle detection components.

*Emergency Call Box Re-engineering*—This project will systematically re-engineer the Turnpike's emergency call box subsystem, implementing new technology and a more efficient method of operations. The primary focus of the project will be the implementation of new emergency call boxes and related system components, as well as the modification of existing methods of call box system operations at the traffic control center.

The ultimate condition of the new emergency call box system will streamline incoming call operations at the control center and provide Turnpike travelers with a system that will allow for detailed incident descriptions and added traveler comfort. As an added benefit, the new system will also establish wireless data ports along the entire Turnpike network. Because of the technology used for the new system, cellular communications will be available at each emergency call box location. The ultimate emergency call box system will utilize cellular communications to provide a more concise method of relaying information from the field to the operations center.

*Closed-Circuit Television (CCTV) System*—This project will provide additional camera sites to supplement the existing CCTV network currently in use by the Commission. Upon completion of the network's video surveillance system, the Commission will establish video coverage of all of the interchanges and all fare collection facilities. Camera sites will also be established at all tunnel entrances, midpoints and exits. Additional CCTV sites will be located at road weather information system locations for data verifications purposes. Camera sites will also be located at the major bridges and at intermediate location-critical points within the Turnpike network. Finally, slip locations will have CCTV surveillance.

*Electronic Toll Collection (ETC) and Toll Plaza Reconfiguration*—This project would enable the Commission to evaluate several methods of deploying additional ETC capability on the Turnpike system including:

**Expansion of the Existing System:** Assist Commission staff in implementation of expansion of the ETC system for the remaining toll plazas.

**Toll Plaza Lane Configuration:** Review and recommend standards for Commission current and future toll plaza lane configurations. Periodically evaluate lane configurations to ensure ETC customers are receiving the maximum throughput.

**Slip Ramps:** Provide periodic evaluations to determine feasibility for and locations of where additional slip ramps would provide a benefit to customers and result in increased revenue or ETC market penetration.

**Express Lanes:** Provide periodic evaluation of standard toll plazas to determine feasible locations where electronic toll collection can be segregated from the cash collection. Express lane plazas segregate the dedicated highway speed ETC lanes from the manual lanes well in advance of the toll collection points for safety reasons. Criteria necessary for consideration include the need for sufficient approach roadway to segregate traffic in advance of the plaza, sufficient real estate to construct the plaza and clear signage. These plazas do not have to be available at all collection points throughout the Turnpike, but can be considered for collection locations that experience significant congestion or have high levels of ETC market penetration. These plazas should be placed where con-

necting roads can handle the high-speed traffic coming from or approaching the turnpike plaza.

**Open Road Tolling:** Open road toll ETC eliminates the need for standard toll plazas by employing the use of gantries outfitted with ETC equipment.

**Nontoll Uses:** Develop a business plan for ETC transponders use for purposes other than toll collection to provide customers with value added benefit and potentially provide the Commission with increased revenue. These services could include drive through purchases of fast food, gasoline, car washes and parking. Where increased revenue is not possible, sharing of expenses related to the provision of the service could reduce the overall cost of the ETC program to the Commission. Additionally, current nonusers may be attracted by the multiple uses of the ETC transponder.

*Highway Advisory Radio (HAR)*—This project provides for the addition of portable and permanent HAR subsystems and system integration with the VMS subsystem to provide full information dissemination to Turnpike travelers.

The ultimate condition of the HAR subsystem will establish one-way radio communications to travelers in areas where weather or traffic congestion is an issue. HAR broadcast sites will be located at all interchanges, service plazas and location-critical points within the Turnpike network and will also integrate portable HAR systems for construction and maintenance of traffic related information dissemination.

Flash-beacon signs will identify all HAR broadcast sites. The signs will be required for notification of broadcast sites located on approach to interchanges, on roads approaching Turnpike interchanges, at sites located near the service plazas and other critical locations within the Turnpike network.

*Incident Response Vehicle*—This project will develop a dedicated vehicle best suited for responding to major incidents within the Turnpike network. The vehicle will centralize all onsite incident response and recovery operations and provide a real-time incident data source to the TOC during incident management procedures. The vehicle will establish an incident response command post, and will also be capable of providing incident recovery assistance with procedures such as vehicle relocation, incident video capture and dissemination, maintenance of traffic and preliminary roadway repairs. These capabilities will improve incident response times and times associated with incident management and restoration of normal traffic flow.

*Motorist Assistance Patrol (MAP)*—The MAP project will develop a Turnpike monitoring program aimed at providing minor assistance to Turnpike travelers. MAP is an incident management tool aimed at assisting disabled vehicles along urban areas of the Turnpike, relieving peak-period nonrecurring congestion as a result of minor incidents. MAP units primary objective is to help move disabled vehicles from the main lanes and ultimately restore vehicle operations or move the vehicle off the facility completely. Other duties of the patrol service will include providing tire-changing assistance, fuel, jump-starts, key lockouts, radiator fills and other minor assistance. The goal is to reduce incident related congestion as a result of minor vehicle breakdowns. The patrol will respond to all incidents not covered by an incident response team (which will cover large-scale incidents).

*Roadway Weather Information Systems (RWIS)*—This project will expand the number of RWIS on the Turnpike

system. Each new RWIS will supply atmospheric and pavement surface data to the operations center and maintenance facilities where data reduction will be conducted and response schemes designed and implemented.

The ultimate condition of the RWIS subsystem will establish RWIS stations at all weather sensitive points within the Turnpike network. The ultimate RWIS condition will allow for weather data sharing between local agencies, the Department, local media and other stakeholders to develop a comprehensive statewide weather forecasting and monitoring system, and augment the Turnpike's available weather data pool.

*TOC—Concept of Operations (ConOps)*—Utilizing the Commission's existing TOC ConOps (in process), revisit and update the TOC ConOps as new stakeholders and new technologies emerge. Utilize this information together with future Federal earmarks and appropriations, interview Commission departments and executive staff, and revise and update the Commission's LRIP. This project will analyze and determine the Turnpike's current and long-term traffic operations requirements utilizing current advanced travelers information system programmed equipment and systems to address specific operational information needs. The analysis will develop a ConOps work product and the following supporting areas: system integration, data fusion activities, and staffing issues.

The estimated amount and time for this open end is \$2 million and a period of 5 years.

The Commission will consider the following factors during the evaluation of the firms submitting statements of interest for this project:

a. Specialized experience and technical competence of the development team (team) consisting of the prime consultant and subconsultants. The team must clearly demonstrate the following:

The ability to develop business rules and functional requirements specification and system design for Commission software enhancements in compliance with ITS and United States Department of Transportation National Architecture, Commission ITS architecture and in compliance with the standards adopted by the International Standards Organization including, but not limited to, the National Transportation Communications ITS Protocol, where applicable.

The ability to document the development of these products in four major deliverables: system development plan, detailed requirements specification, acceptance test plan and detailed design document.

The ability to assist Commission staff in understanding the capabilities that will be provided through at least three formal reviews: preliminary design review, requirements walk-through and critical design review.

The ability to integrate all required system components and provide an operational system passing all required acceptance test procedures that is fully in conformance with the system design.

The expertise of the team in identifying current state-of-the-art equipment and systems to implement and integrate the programs described in the LRIP.

Software licenses, warranty, support and upgrades provided for software developed or modified by the integrator/engineering firm.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and

previous experience on similar projects. The members of each team should identify similar projects that have been completed by that firm as the prime or subconsultant, the magnitude of the project and the client.

c. The specific experience and number of individuals who constitute each firm on the team.

d. Workload of the prime consultant and subconsultants for all Department and Commission projects.

e. Other factors, if any, specific to the project.

Address these items and necessary further details in a brief yet comprehensive manner in the statement of interest. Questions and inquiries concerning this project should be directed to W. Keith Libengood, (717) 939-9551, Ext. 5720, [wlibengo@paturnpike.com](mailto:wlibengo@paturnpike.com). Direct contractual questions to George M. Hatalowich, (717) 986-8737, [ghatalow@paturnpike.com](mailto:ghatalow@paturnpike.com).

### General Requirements and Information

Firms interested in providing the previous work and services are invited to submit a statement of interest with the required information. The statements of interest must include the following:

1. One-page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. If the firm has multiple offices, the location of the office performing the work must be identified.

2. A 20-page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for each project and provide explanation of the technical approach.

The following topics must be addressed:

**Management and Experience (three pages maximum)**—The team shall present its experience and approach to the management of an incremental build process and experience with task order contracts. The development team certifications shall also be listed and discussed.

**Basic System Architecture (five pages maximum)**—The team shall demonstrate substantive experience in developing and implementing similar systems and shall describe a basic architecture including: hardware/software environment and database management system; graphical user interface functionality; and the integration of existing ITS subsystems.

**Development Process (five pages maximum)**—In this section, the team shall describe the development process, how it will be controlled, tracked and demonstrated. This must include: requirements tracking and configuration management; rapid prototyping; and development testing.

**Training, Operations and Maintenance (three pages maximum)**—The team shall demonstrate an understanding and an approach to performing the transition of the system to operations and maintenance. This should address: acceptance testing; training and documentation; and maintenance.

**Other Qualifications (four pages maximum)**—The firm may include additional qualifications materials demonstrating their experience and qualifications in this section.

3. An organization chart for the project, identifying key personnel and any subconsultants and their roles. Any



deviation from the subconsultant's listed in the statement of interest will require written approval from the Commission.

4. Tabulation or listing of workload for the prime consultant and all subconsultants for all Department and Commission projects. Do not graphically represent the firm's workload.

5. A Consultant Qualification Package similar to the one submitted to the Department for the current year or one that is best suited for this project. A copy of the Consultant Qualification Package printed directly from the Department's ECMS website is acceptable.

The Consultant Qualification Package should contain at a minimum the following information for the prime consultant and all subconsultants and attached to the back of the statement of interest (subs to follow primes):

- ECMS General Information and Project Experience Forms or Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, either not more than 1 year old as of the date of the advertisement.
- Resumes of key personnel expected to be involved in the project (limit to two 8 1/2" x 11" pages, per person). Only resumes of key personnel should be included.
- A copy of the Department's DBE/WBE certification, if applicable.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 12%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in these contracts, in their statement of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Department at the time of

the submission of the statement of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Contracts Administration Department, (717) 939-9551, Ext. 4241.

Firms interested in performing the previous services are invited to submit a statement of interest and required information to George M. Hatalowich, Engineering Contract Manager, Turnpike Commission Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057 (street address). The Commission mailing address is P. O. Box 67676, Harrisburg, PA 17106-7676.

The statement of interest and required information must be received by 12 p.m. on Friday, March 21, 2003. Statements of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable statements of interest received in response to these solicitations, a minimum of three firms will be shortlisted for this project. The shortlisted firms will be required to submit a technical proposal based on a more detailed scope of work, which is being prepared for this project.

Firms that submit technical proposals will be required to give an oral presentation of their proposal to the Proposal Evaluation Team. The selected firm will be required to provide a copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-state headquarters or corporations not incorporated in this Commonwealth.

The Commission reserves the right to reject all statements of interest, to cancel solicitation requested under this notice, and/or to readvertise solicitation for the work and services.

MITCHELL RUBIN,  
*Chairperson*

[Pa.B. Doc. No. 03-436. Filed for public inspection March 7, 2003, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

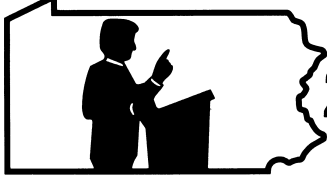
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



**Legal Services & Consultation**

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦ (For Commodities: Contact: Vendor Services Section  
 717-787-2199 or 717-787-4705)

#### REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

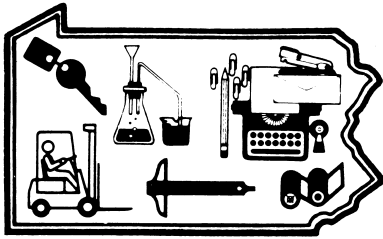
⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.  
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*



### Commodities

**Bid #074** IBM System/390 Server Systems with maintenance.

**Department:** State System of Higher Education  
**Location:** Slippery Rock University, Slippery Rock, PA  
**Contact:** Carl Miller/Francis Hensler, (724) 738-2156/2153

**30009172** 800,000 E-203 AD+ (11-99) - Return Window Envelope, size 7-1/2" x 3-7/8" with polyklear window patch. 24# white wove, recycled paper with diecut diagonal seam construction. Specifications and sample will be included in the Invitation to Bid packet.

**Department:** Revenue  
**Location:** Bureau of Administrative Services, 12th Floor Strawberry Square, 4th & Walnut Streets, Harrisburg, PA 17128-1200  
**Contact:** (Supply) Carol Kirkpatrick, (717) 772-0506

**EBG0303** Bulk Propane, 15,000 gallons, to be delivered on an as needed basis to the Brandy Camp AMD Treatment Plant, Elk County.

**Department:** Environmental Protection  
**Location:** Brandy Camp AMD Treatment Plant, Brandy Camp Road, Brandy Camp, PA 15822  
**Duration:** Expiration Date: June 30, 2006  
**Contact:** Phyllis Cocco, (814) 472-1811

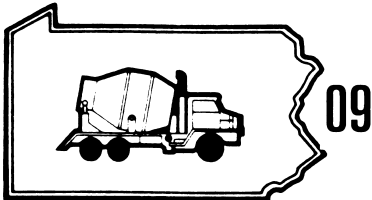
**EBG0301** Flocculant, Anionic (Powder Form) for use as flocculant aide in clarifiers and belt filter press at the Brandy Camp AMD Treatment Plant. Product to be delivered upon request in 50 or 55 pound lined bags. Estimated Quantity: 20,000 pounds. Product specifications must be obtained from the Bureau of Abandoned Mine Reclamation, Cambria Office, at (814) 472-1811.

**Department:** Environmental Protection  
**Location:** Brandy Camp AMD Treatment Plant, Brandy Camp Road, Horton Township, Brandy Camp, PA 15822  
**Duration:** Expiration Date: June 30, 2004.  
**Contact:** Phyllis Cocco, (814) 472-1811

**EBG0302** Six (6) inch perforated pipe, solid pipe, cross, 22 degree elbows, 45 degree elbows, caps, WYEs, tees; eight (8) inch 45 degree elbows, 22 degree elbows and caps; six (6) inch plastic to six (6) inch plastic couplings; six (6) inch plastic to six (6) inch clay couplings; six (6) inch plastic to four (4) inch plastic couplings; eight (8) inch plastic to eight (8) inch plastic couplings; and eight (8) inch plastic to eight (8) inch clay couplings for the Bureau of Abandoned Mine Reclamation, Cambria Office.

**Department:** Environmental Protection  
**Location:** Bureau of Abandoned Mine Reclamation, Cambria Office - Garage, 310 Industrial Park Road, Ebensburg, PA 15931  
**Duration:** 30 Days from Notice to Proceed  
**Contact:** Phyllis Cocco, (814) 472-1811

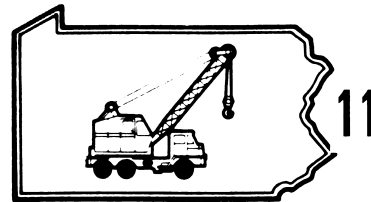
## SERVICES



### Construction & Construction Maintenance

**401-BL-669** Tri-level parking garage repair - Provide all labor, material and equipment necessary to completely remove the two 25,000 square feet elevated concrete decks from the existing waffle designed parking garage by hydro demolition and replace with new concrete, and apply water proofing sealant. There will be one prime contractor - General. To obtain a copy of the bid documents, submit a \$100.00 non-refundable deposit to Reilly Associates, 222 Wyoming Avenue, West Pittston, PA 18643-2822 - Phone: (570) 654-2473. Documents will be available late February or early March. All information on the project will be included in the package.

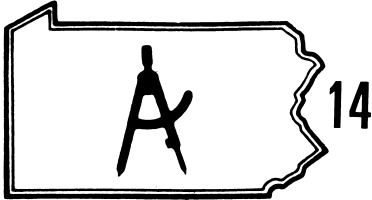
**Department:** State System of Higher Education  
**Location:** Bloomsburg, PA  
**Duration:** 120 Days  
**Contact:** Joseph Quinn, (570) 389-4311



### Demolition—Structural Only

**401-BL-695** Demolition of Monty's (Dining Facility): Provide all labor, material and equipment to demolish 3,200 gross square foot dining facility. To obtain a copy of the bid documents, submit a \$15.00 non-refundable deposit STV Architects, 205 West Welsh Drive, Douglassville, PA 19518. Phone: (610) 385-8200 - all info related to the prebid and bid requirements will be included in the package.

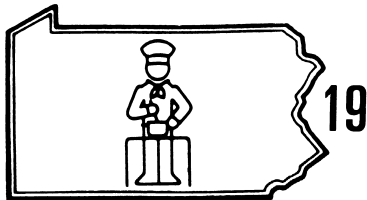
**Department:** State System of Higher Education  
**Location:** Bloomsburg University, Bloomsburg, PA  
**Duration:** 35 Days  
**Contact:** Diann Shamburg, (570) 389-4312



### Engineering Services

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



### Food

**M-889** Fresh/frozen/chilled meat and meat products; poultry and poultry products; fish and, cheeses, to be delivered only at request of facility.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center (FOB Shipping Platform), 727 Goucher Street, Johnstown, PA 15905  
**Duration:** April, May, June, 2003  
**Contact:** Christine A. Sloan, Purchasing Agent, (814) 255-8228

**Perishables** The New Castle Youth Development Center at New Castle is currently accepting bids for Perishable Food Requirements for the quarter April, May, June, 2003. Interested vendors should fax a sheet which is to include: Name of Company, Vendor Number (SAP), Contact Person's name, Bidding address, telephone number, fax number and types of perishable foods your company is able to provide. If you have any questions, contact Kathy Zeigler, Purchasing Agent, (724) 656-7308.

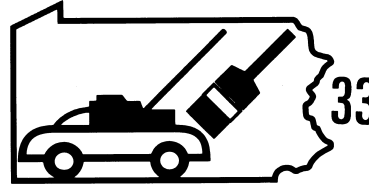
**Department:** Public Welfare  
**Location:** Youth Development Center, RR 6 Box 21A, Frew Mill Road, New Castle, PA 16101  
**Duration:** April, May, June 2003  
**Contact:** Kathy Zeigler, (724) 656-7308



### Janitorial Services

**Bid #8614** Furnish all labor, materials and equipment to perform janitorial services four (4) visits per week, including damp mop tile floors, sweep floors, vacuum carpets, dust furniture, general housecleaning twice a year and shampoo carpets at the PA State Police, Swiftwater Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, (717) 705-5951.

**Department:** State Police  
**Location:** Swiftwater Station, P. O. Box 949 (SR 611, 3 miles north of I-80, Exit 299), Swiftwater, PA 18370  
**Duration:** 04/01/03 to 06/30/05  
**Contact:** Sandy Wolfe, (717) 705-5951



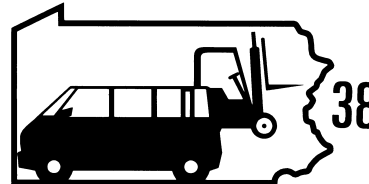
### Property Maintenance

**30010660** Remove existing built-up roofing and all related appurtenances and install new polyurethane foam insulation and silicone coating roofing system on Building No. 41.

**Department:** Public Welfare  
**Location:** South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 17261  
**Duration:** 120 Calendar days from issuance of contract.  
**Contact:** Jan Blocker, (717) 749-4030

**CL-581 Upgrade Systems and Paint, Givan Hall** Clarion University of Pennsylvania is soliciting bids for renovations and upgrades to Givan Hall, a four story dormitory building. The project will provide for demolition of existing HVAC ductwork and plumbing, installation of new suspended ceilings, painting of selected rooms and hallways and replacement of lighting. Contracts will be awarded for general and electrical construction. **BID PACKAGES WILL NOT BE AVAILABLE UNTIL THE WEEK OF MARCH 8TH.** Check payable to Clarion University, in the amount of \$20 nonrefundable, may be mailed to the attention of Judy McAninch, Contract Specialist, 218 Carrier Hall, Clarion University, Clarion, PA 16214. Pre-Bid meeting: 10 a.m., March 20, 2003. Bids Due: 2 p.m., April 2, 2003.

**Department:** State System of Higher Education  
**Location:** Clarion University, Clarion, PA (Clarion County)  
**Duration:** 90 Days from Notice to Proceed  
**Contact:** Judy McAninch, Contract Specialist, (814) 393-2240



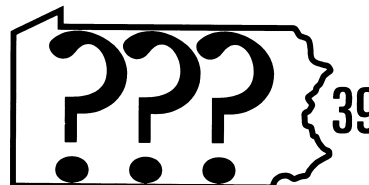
### Vehicle, Heavy Equipment and Powered Machinery Services

**SP 3538540103** On-call rental of Cat D-8 dozer or equivalent with minimum 300 HP. Contract will include delivery of equipment to various sites in Bituminous Coal Region. Contractor will be responsible for obtaining all permits required in moving of the equipment.

**Department:** Environmental Protection  
**Location:** Various sites within the Bituminous Coal Region (approximately 27 counties)  
**Duration:** Termination Date: 6/30/04. Renewable for up to four (4) additional one (1) year terms.  
**Contact:** Phyllis Cocco, (814) 472-1811

**041164** Furnish and install (1) Reading model #U108A-DW (9) "Classic II" steel service body package (refer to bid package for more detailed information/requirements).

**Department:** Transportation  
**Location:** Will be installed at awarded vendor's location.  
**Duration:** 6 months from effective/awarded date.  
**Contact:** Chuck Dellert, (570) 963-4340



### Miscellaneous

**082A04** Remove and dispose of dead deer on or along State Routes in Cumberland County.

**Department:** Transportation  
**Location:** PENNDOT State Routes in Cumberland County  
**Duration:** One year contract with one year renewal.  
**Contact:** Steve Switaj, (717) 243-5414

**1062402-101** The Pennsylvania Commission on Crime and Delinquency is accepting proposals to identify a provider for training facilities, administration and instruction for Deputy Sheriffs' Continuing Education under 1984-2 as amended by Act 1998-10. Project tasks will include the administration and delivery of 20 hours of continuing education to approximately 2,000 deputy sheriffs at various sites in Pennsylvania. Additionally, tasks will include administering a series of correspondence courses for the program. Projected RFP release date is February 21, 2003. The Pennsylvania Commission on Crime and Delinquency is an equal opportunity employer.

**Department:** Commission on Crime and Delinquency  
**Location:** Training will occur at various sites around Pennsylvania as proposed and provided for by the contractor.  
**Duration:** Multi-year contract: Initial - Approximately 24 Months/Renewable for Two Additional Two Year Contracts  
**Contact:** Don Numer, (717) 705-3693 X3041

**SP3538540102** On-call services for electrical maintenance at the Toby Creek and Brandy Camp AMD Treatment Plants on an as-needed basis. Detailed Schedule of Prices, included in Bid Documents, must be obtained from the Bureau of Abandoned Mine Reclamation, Cambria Office, at (814) 472-1811.

**Department:** Environmental Protection  
**Location:** Toby Creek AMD Treatment Plant, 333 Coal Hollow Road, Kersey, PA 15846 and Brandy Camp AMD Treatment Plant, Brandy Camp Road, Brandy Camp, PA 15822  
**Duration:** Expiration Date: June 30, 2004. Renewable for one year periods for a total of four such renewals.  
**Contact:** Phyllis Cocco, (814) 472-1811

**SP3538540101** On-call services for mechanical maintenance at the Toby Creek and Brandy Camp AMD Treatment Plants on an as-needed basis. Detailed Schedule of Prices, included in Bid Documents, must be obtained from the Bureau of Abandoned Mine Reclamation, Cambria Office, at (814) 472-1811.

**Department:** Environmental Protection  
**Location:** Toby Creek AMD Treatment Plant, 333 Coal Hollow Road, Kersey, PA 15846 and Brandy Camp AMD Treatment Plant, Brandy Camp Road, Brandy Camp, PA 15822  
**Duration:** Expiration Date: June 30, 2004. Renewable for one year periods for a total of four such renewals.  
**Contact:** Phyllis Cocco, (814) 472-1811

**CN00001751** Contractor to provide Radio Maintenance to the State Correctional Institution.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, P. O. Box 180, Muncy, PA 17756  
**Duration:** 7/1/03 - 6/30/04  
**Contact:** Cindy Lyons, (570) 546-3171

[Pa.B. Doc. No. 03-437. Filed for public inspection March 7, 2003, 9:00 a.m.]

---

## DESCRIPTION OF LEGEND

---

- |  |   |
|--|---|
| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

DONALD T. CUNNINGHAM, Jr.  
*Acting Secretary*

## STATE CONTRACTS INFORMATION

**Special Notice**

Effective February 1, 2003, the contract awards issued by the Department of General Services (Department), Bureau of Purchases, will no longer be published in the *Pennsylvania Bulletin*. This information will continue to be available on the Department's website at [www.dgs.state.pa.us](http://www.dgs.state.pa.us), DGS KEYWORD "Procurement Awards."

DONALD T. CUNNINGHAM, Jr.,  
*Acting Secretary*

[Pa.B. Doc. No. 03-438. Filed for public inspection March 7, 2003, 9:00 a.m.]

---





