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# PENNSYLVANIA BULLETIN

Volume 31

Number 25

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Pages 3295—3390

**Agencies in this issue:**

The General Assembly

The Courts

Department of Banking

Department of Community and Economic  
Development

Department of Environmental Protection

Department of General Services

Department of Health

Department of Public Welfare

Department of Revenue

Department of Transportation

Fish and Boat Commission

Independent Regulatory Review Commission

Liquor Control Board

Pennsylvania Public Utility Commission

Philadelphia Regional Port Authority

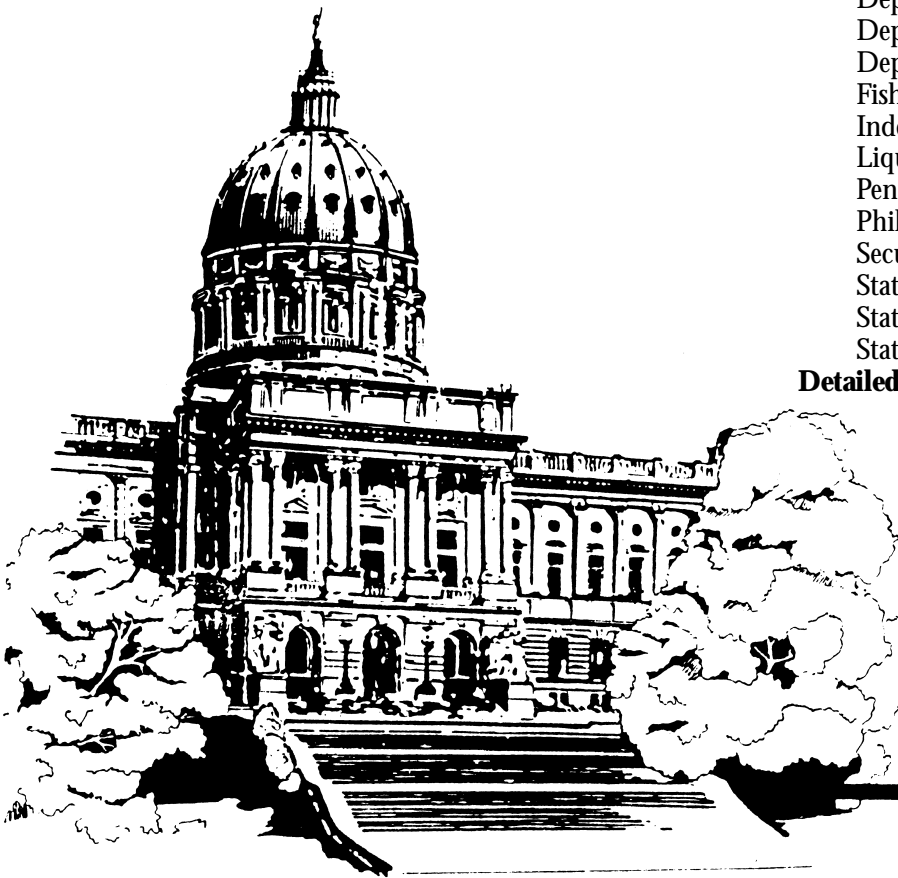
Securities Commission

State Board of Vocational Rehabilitation

State Police

State Tax Equalization Board

**Detailed list of contents appears inside.**



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

**No. 319, June 2001**

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# THE GENERAL ASSEMBLY

## Recent Actions During the 2001 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2001 Regular Session

### 2001 General Acts Enacted—Act 012 through 018

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
012	May 30	HB0421	PN1787	immediately	Conveyance—Commonwealth property in Bedford County
013	May 30	HB0193	PN0173	60 days	General Local Government Code (53 Pa.C.S.)—recognition by Commonwealth departments and agencies
014	May 30	HB0101	PN1448	30 days	Agricultural Area Security Law—omnibus amendments
015	May 30	HB0062	PN1879	immediately	Conveyance—Commonwealth property in Washington County
016	Jun 8	HB0023	PN2032	immediately	Second Class County Code—optional assessed value limitations and assessment appeals deadline extension
017	Jun 8	HB0103	PN2033	immediately*	Highways and bridges—name designations
018	Jun 8	SB0330	PN0817	immediately*	Commercial Code (13 Pa.C.S.), etc.—omnibus amendments

\* with exceptions

### Effective Dates of Statutes

The effective dates specified for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

### Advance Copies of Statutes

Section 1106 of Title 1 of the Pennsylvania Consolidated Statutes provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the Laws of Pennsylvania are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the Laws of Pennsylvania to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, State Records Center Building, 1825 Stanley Drive, Harrisburg, PA 17103, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

CARL L. MEASE,  
*Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 01-1117. Filed for public inspection June 22, 2001, 9:00 a.m.]

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 82]

#### Amendment of Section 18 of the Pennsylvania Continuing Legal Education Board Regulations; 275 Supreme Court Rules; Doc. No. 1

##### Order

*Per Curiam:*

*And Now*, this 5th day of June, 2001, Section 18 of the Pennsylvania Continuing Legal Education Board Regulation is amended as follows.

To the extent that notice of proposed rulemaking would be required by Pa.R.J.A. No. 103, the amendment of the rule is hereby found to be required in the interest of efficient administration.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b) and shall be effective immediately.

##### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart A. PROFESSIONAL RESPONSIBILITY

#### CHAPTER 82. CONTINUING LEGAL EDUCATION

##### Subchapter B. CONTINUING LEGAL EDUCATION BOARD REGULATIONS

#### Section 18. Board Fee Schedule.

Following is a schedule of fees established by the Board to be paid by providers and lawyers. This schedule will be reviewed annually by the Board and may be modified at any time upon approval by the Pennsylvania Supreme Court.

Fee to accompany application for designation as an Accredited Continuing Legal Education Provider [ \$25.00 ]\* \$250.00\*

Fee to accompany application for continuation as an Accredited Provider reporting Electronically \$100.00\*

Fee to accompany application for continuation as an Accredited Provider reporting on paper [ \$25.00 ]\* \$250.00\*

\* \* \* \* \*

[Pa.B. Doc. No. 01-1118. Filed for public inspection June 22, 2001, 9:00 a.m.]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL [231 PA. CODE CH. 200]

#### Amendment of Temporary Rule 205.4 Governing Electronic Filing and Service of Legal Papers; No. 355 Civil Procedural Rules Doc. No. 5

##### Order

*Per Curiam:*

*And Now*, this 8th day of June, 2001, Pennsylvania Rule of Civil Procedure 205.4 governing Temporary Provisions for Electronic Filing and Service of Legal Papers is amended as follows:

I. Subdivision (h) is rescinded, and

II. The title to the rule is amended to read as follows in Annex A.

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

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2001.

##### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

Rule 205.4. [ Temporary Provisions for ] Electronic Filing and Service of Legal Papers.

\* \* \* \* \*

[ (h) This rule shall be rescinded on December 31, 2001. ]

[Pa.B. Doc. No. 01-1119. Filed for public inspection June 22, 2001, 9:00 a.m.]

### PART I. GENERAL [231 PA. CODE CH. 200]

#### Amendment of Rule 240 Governing Proceedings In Forma Pauperis; No. 354; Civil Procedural Rules Doc. No. 5

##### Order

*Per Curiam:*

*And Now*, this 8th day of June, 2001, Pennsylvania Rule of Civil Procedure 240 is amended to read as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2001.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 240. In Forma Pauperis.

\* \* \* \* \*

(d)(1) If the party is represented by an attorney, the prothonotary shall allow the party to proceed in forma pauperis upon the filing of a praecipe which

[ (i) ] contains a certification by the attorney that he or she is providing free legal service to the party and believes the party is unable to pay the costs[ , and

(ii) is accompanied by the affidavit required by subdivision (c) ].

(2) The praecipe shall be substantially in the form prescribed by subdivision (i).

\* \* \* \* \*

(i) The praecipe required by subdivision (d) shall be substantially in the following form:

(Caption)

PRAECIPE TO PROCEED IN FORMA PAUPERIS

To the Prothonotary:

Kindly allow \_\_\_\_\_, (Plaintiff) (Defendant), to proceed in forma pauperis.

I, \_\_\_\_\_, attorney for the party proceeding in forma pauperis, certify that I believe the party is unable to pay the costs and that I am providing free legal service to the party. [ The party's affidavit showing inability to pay the costs of litigation is attached hereto. ]

\_\_\_\_\_  
Attorney for

\* \* \* \* \*

Explanatory Comment

Prior to the present amendment, Rule 240(d) provided for a party represented by an attorney to proceed in forma pauperis upon the filing of a praecipe. The rule prescribed two requirements for the praecipe. First, the praecipe must have contained "a certification by the attorney that he or she is providing free legal service to the party and believes the party is unable to pay the costs". Second, the praecipe must have been "accompanied by the affidavit required by subdivision (c)" which is filed in support of a petition for leave to proceed in forma pauperis and which demonstrates the party's inability to pay the costs of litigation.

Subdivision (d) has been amended by deleting the requirement that the affidavit accompany the praecipe. As amended, the rule provides for the prothonotary to allow a party to proceed in forma pauperis solely upon a praecipe containing the certification of the party's attorney. A conforming amendment to the form of the praecipe in subdivision (i) deletes the reference to the accompanying affidavit. These amendments bring the rule into conformity with Rule 552(d) of the Pennsylvania Rules of Appellate Procedure and Rule 206 E.(iii) of the Pennsyl-

vania Rules of Civil Procedure Governing Actions and Proceedings before District Justices.

By the Civil Procedural Rules Committee

REA BOYLAN THOMAS,  
Chair

[Pa.B. Doc. No. 01-1120. Filed for public inspection June 22, 2001, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CHS. 1910 AND 1930]

Amendments to the Rules Relating to Domestic Relations Matters; No. 353 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 5th day of June, 2001, Rules 1910.16-4, 1910.16-6, 1910.19, 1910.27 and 1930.5 of the Pennsylvania Rules of Civil Procedure are amended as follows. New Rule 1930.6 of the Pennsylvania Rules of Civil Procedure is promulgated as follows.

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

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

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

\* \* \* \* \*

(c) Substantial or Shared Physical Custody.

\* \* \* \* \*

(2) Without regard to which parent initiated the support action, [When] when the children spend equal time with both parents, the Part II formula cannot be applied unless the obligor is the parent with the higher income. In no event shall an order be entered requiring the parent with the lower income to pay basic child support to the parent with the higher income. However, nothing in this subdivision shall prevent the entry of an order requiring the parent with less income to contribute to additional expenses pursuant to Rule 1910.16-6. Pursuant to either party's initiating a support action, the trier of fact may enter an order against either party based upon the evidence presented without regard to which party initiated the action. [and] If application of the formula in Part II results in obligee receiving a larger share of the parties' combined income[, ] in cases in which the parties share custody equally, then the court shall adjust the support obligation so that the combined income is allocated equally between the two households.

[ Example. Where the obligor and obligee have monthly net incomes of \$3,000 and \$2,500 respectively, their combined child support obligation for two children is \$1,433. Obligor's share of this obligation is 55%, or \$788. If the children spend equal

time with both parents, the formula in Part II results in a support obligation of \$501 payable to obligee. Since this amount gives obligee \$3,001 of the combined income, and leaves obligor with only \$2,499 of the combined income, the obligor's support obligation must be adjusted to \$250 to equalize the combined income between the parties' households. This is the presumptively correct amount of basic support payable to obligee under these circumstances ]

*Example.* Mother and Father have monthly net incomes of \$3,000 and \$2,000 respectively. Mother has filed for support for the parties' two children with whom they share time equally. Pursuant to the Basic Child Support Schedule at Rule 1910.16-3, the support amount for two children at their parents' combined net income level is \$1,335 per month. Mother's share is 60% of that amount, or \$801. Father's share is 40%, or \$534. Application of subdivisions a. and b. of the Part II formula results in a 20% reduction in support when each parent spends 50% of the time with the children. Because the parties share custody equally, Mother cannot be the obligee for purposes of the Part II calculation because she has the higher income of the two parents. In these circumstances, although Mother initiated the support action, she would become the obligor even if Father has not filed for support. Father cannot be an obligor in the Part II calculations nor can the amount of support Mother is obligated to pay to Father be offset by calculating Father's adjusted amount of support under Part II because a support order cannot be entered against the parent with the lesser income. Using Mother as the obligor, her adjusted percentage share of the basic support amount is 40% (60% - 20% = 40%). Her adjusted share of the basic support amount is \$534 (40% of \$1,335). However, instead of \$534 per month, Mother's support obligation would be adjusted to \$500 per month to allocate the parties' combined income equally between the two households. This is the presumptively correct amount of basic support payable to Father under these circumstances.

\* \* \* \* \*

(d) *Divided or Split Physical Custody.*

\* \* \* \* \*

(2) When calculating a combined child support and spousal or APL obligation, and one or more children reside with each party, the court shall, **except as set forth in subdivision (3) below**, offset the obligor's spousal and child support obligation with the obligee's child support obligation and award the net difference to the obligee as spousal and child support. [In the example above, Husband's spousal and child support obligation to Wife and two children is \$564. Wife's child support obligation for one child is \$188. Subtracting \$188 from \$564 produces a net support amount of \$376 payable to Wife as spousal and child support. ]

(3) When one or more of the children resides with each party and the obligee's net income is 10% or less of the parties' combined net monthly income, then, in calculating the spousal support or APL obligation, the court shall deduct from the obligor's income both the support owed for the child or children residing with the obligee, as well as the direct support the obligor provides to the child or

children living with the obligor, calculated in accordance with the guidelines as if the child or children were not living with the obligor.

\* \* \* \* \*

(f) *Allocation. Consequences.*

\* \* \* \* \*

(3) Unallocated charging orders for child and spousal support, or child support and alimony pendente lite, shall terminate upon the death of the payee spouse or payee ex-spouse.

[ (3) ] (4) \* \* \*

Explanatory Comment—2000

Subdivision (3) is new and the former subdivision (3) has been renumbered as subdivision (4). The new language is intended to insure alimony tax treatment of unallocated orders pursuant to § 71 of the Internal Revenue Code. A similar change has been made to the form order at Rule 1910.27(e). New Rule 1910.19(d) provides that all spousal support and alimony pendente lite orders terminate upon the death of the payee. Termination of a charging order does not affect arrears existing at that time.

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

(a) *Child care expenses.* Reasonable child care expenses paid by the custodial parent, if necessary to maintain employment or appropriate education in pursuit of income, are the responsibility of both parents. These expenses shall be allocated between the parties in proportion to their net incomes and obligor's share added to his or her basic support obligation. **When the custodial parent is receiving a child care subsidy through the Department of Public Welfare, the expenses to be allocated between the parties shall be the full unsubsidized cost of the child care, not just the amount actually paid by the custodial parent.** However, if allocation of the unsubsidized amount would result in a support order that is overly burdensome to the obligor, deviation pursuant to Rule 1910.16-5 may be warranted.

\* \* \* \* \*

*Official Note:* A child care subsidy provided by the Department of Public Welfare should not be used to reduce the child care expenses subject to allocation between the parties to the extent that obligor has the financial resources to contribute to the actual costs of child care. Nor is it appropriate to order the obligee to seek a child care subsidy in order to reduce the obligor's share of child care expenses if obligor has the financial ability to contribute to those expenses. **While public policy requires that parents, rather than taxpayers, pay for their children's child care when they are able to do so, allocation of the full unsubsidized cost of child care may result in a support order that is overly burdensome to the obligor.** In those circumstances, in addition to considering deviation to relieve the burden on the obligor, the trier of fact also has the discretion to determine whether or not to include in the order other adjustments under Rule 1910.16-6, such as a mortgage contribution, which are not mandatory. No adjustment to the basic support amount shall be permitted if such would cause the obligor's remaining net monthly income to fall below the Computed Allowance Mini-

mum (CAM) of \$550. Implicit in the rule requiring apportionment of the unsubsidized cost of child care is recognition of the duty of the subsidy recipient to report any additional income pursuant to Department of Public Welfare regulations so that adjustments can be made to entitlements accordingly.

\* \* \* \* \*

**Rule 1910.19. Support. Modification. Termination. Guidelines as Substantial Change in Circumstances.**

\* \* \* \* \*

(d) All charging orders for spousal support and alimony pendente lite shall terminate upon the death of the payee spouse.

\* \* \* \* \*

**Rule 1910.27. Form of Complaint. Order. Income and Expense Statement. Health Insurance Coverage Information Form. Form of Support Order. Form Petition for Modification.**

\* \* \* \* \*

(b) The order to be attached at the front of the complaint set forth in subdivision (a) shall be in substantially the following form:

\* \* \* \* \*

If you fail to appear for the conference or to bring the required documents, the court may issue a warrant for your arrest and/or enter an interim support order. If paternity is an issue, the court shall enter an order establishing paternity.

**THE HEARING OFFICER MAY ENTER AN APPROPRIATE ORDER AGAINST EITHER PARTY BASED UPON THE EVIDENCE PRESENTED WITHOUT REGARD TO WHICH PARTY INITIATED THE SUPPORT ACTION.**

\* \* \* \* \*

(e) The form of a support order shall be substantially as follows:

\* \* \* \* \*

**IMPORTANT LEGAL NOTICE**

\* \* \* \* \*

PENNSYLVANIA LAW PROVIDES THAT ALL SUPPORT ORDERS SHALL BE REVIEWED AT LEAST ONCE EVERY THREE (3) YEARS IF SUCH A REVIEW IS REQUESTED BY ONE OF THE PARTIES. IF YOU WISH TO REQUEST A REVIEW AND ADJUSTMENT OF YOUR ORDER, YOU MUST DO THE FOLLOWING: AN UNREPRESENTED PERSON WHO WANTS TO MODIFY (ADJUST) A SUPPORT ORDER SHOULD (insert instructions for local domestic relations section).

**ALL CHARGING ORDERS FOR SPOUSAL SUPPORT AND ALIMONY PENDENTE LITE, INCLUD-**

**ING UNALLOCATED ORDERS FOR CHILD AND SPOUSAL SUPPORT OR CHILD SUPPORT AND ALIMONY PENDENTE LITE, SHALL TERMINATE UPON THE DEATH OF THE PAYEE.**

\* \* \* \* \*

**CHAPTER 1930. RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY**

**Rule 1930.5. Discovery in Domestic Relations Matters.**

\* \* \* \* \*

(b) Discovery shall be available without leave of court in accordance with R.C.P. 4001 et seq. in [ **complex support,** ] alimony, equitable distribution, counsel fee and expense [ **applications** ] and **complex support proceedings.**

\* \* \* \* \*

**Explanatory Comment—2000**

**Subdivision (b) has been amended to clarify that the adjective “complex” applies only to a support proceeding.**

(*Editor’s Note.* The following section is new and is printed in regular type to enhance readability.)

**Rule 1930.6. Paternity Actions.**

(a) *Scope.* This rule shall govern the procedure by which a putative father may initiate a civil action to establish paternity and seek genetic testing. Such an action shall not be permitted if an order already has been entered as to the paternity, custody or support of the child, or if a support or custody action to which the putative father is a party is pending.

**Explanatory Comment**

Where the paternity of a child born out-of-wedlock is disputed, 23 Pa.C.S. § 4343 provides that the court shall make the determination of paternity in a civil action without a jury. That statutory provision also states, “A putative father may not be prohibited from initiating a civil action to establish paternity.” Rule 1930.6 governs the procedures by which a putative father may initiate a civil action to establish paternity outside the context of a support or custody proceeding.

(b) *Venue.* An action may be brought only in the county in which the plaintiff or the child(ren) reside.

(c) *Commencement of Action.* An action shall be initiated by filing a verified complaint to establish paternity and for genetic testing substantially in the form set forth in subdivision (1) below. The complaint shall have as its first page the Notice of Hearing and Order set forth in subdivision (2) below.

(1) The complaint filed in a civil action to establish paternity shall be substantially in the following form:

(Caption)

**COMPLAINT TO ESTABLISH PATERNITY AND FOR GENETIC TESTING**

Plaintiff, \_\_\_\_\_, requests genetic testing to establish paternity pursuant to 23 Pa.C.S. § 4343 and in support of that request states that:

1. Plaintiff is an adult individual who resides at \_\_\_\_\_

2. Defendant is an adult individual who resides at \_\_\_\_\_

3. Defendant is the natural mother and Plaintiff believes that he may be the natural father of the following child(ren):  
 Child's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

4. The above-named children reside at the following address with the following individuals:  
 Address \_\_\_\_\_ Person(s) Living with Child \_\_\_\_\_ Relationship to Child \_\_\_\_\_

5. Defendant was/was not married at the time the child(ren) was/were conceived or born.  
 6. Defendant is/is not now married. If married, spouse's name: \_\_\_\_\_  
 7. There is/is not a custody, support or other action involving the paternity of the above-named child(ren) now pending in any jurisdiction. Identify any such actions by caption and docket number \_\_\_\_\_  
 8. There has/has not been a determination by any court as to the paternity of the child(ren) in any prior support, custody, divorce or any other action. If so, identify the action by caption and docket number \_\_\_\_\_  
 9. Plaintiff agrees to pay all costs associated with genetic testing directly to the testing facility in accordance with the procedures established by that facility.

Wherefore, Plaintiff requests that the court order Defendant to submit to genetic testing and to make the child(ren) available for genetic testing.

I verify that the statements made in this complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
 Petitioner

(2) The Notice of Hearing and Order required by this rule shall be substantially in the following form:

(Caption)

NOTICE OF HEARING AND ORDER

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled below. If you fail to do so, the case may proceed against you and a final order may be entered against you granting the relief requested by the plaintiff.

Plaintiff and Defendant are directed to appear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ .m. in courtroom \_\_\_\_\_ for a hearing on Plaintiff's request for genetic testing. If you fail to appear as ordered, the court may enter an order in your absence requiring you and your child(ren) to submit to genetic tests.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

(name) \_\_\_\_\_

(address) \_\_\_\_\_

(telephone number) \_\_\_\_\_

Americans with Disabilities Act of 1990

The Court of Common Pleas of \_\_\_\_\_ County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

(d) *Service.* Service of original process and proof of service in a civil action to establish paternity shall be in accordance with Rule 1930.4.

(e) *Hearing and Order.* At the hearing, the judge will determine whether or not the plaintiff is legally entitled to genetic testing and, if so, will issue an order directing the defendant and the child(ren) to submit to genetic testing, the cost of which shall be borne by the plaintiff.

[Pa.B. Doc. No. 01-1121. Filed for public inspection June 22, 2001, 9:00 a.m.]



# Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 1]

## Order Approving the Revision of the Comment to Rule 105; No. 272; Criminal Procedural Rules Doc. No. 2

The Criminal Procedural Rules Committee has prepared a *Final Report* explaining the June 8, 2001 revision of the *Comment* to Pa.R.Crim.P. 6 (Local Rules). This *Comment* revision, which adds a citation to the AOPC's webpage for texts of local rules, is effective immediately. The *Final Report* follows the Court's Order.

### Order

*Per Curiam:*

Now, this 8th day of June, 2001, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3) because it is perfunctory in nature, and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the revision of the Comment to Rule of Criminal Procedure 105 is approved in the following form.

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

### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

#### PART A. BUSINESS OF COURTS

#### Rule 6. Local Rules.

\* \* \* \* \*

(C) A local rule shall not become effective and enforceable until the adopting court has fully complied with all the following requirements:

\* \* \* \* \*

(5) The local rules shall be kept continuously available for public inspection and copying in the office of the prothonotary or clerk of [ court ] courts. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any local rule.

(6) A local rule promulgated before the effective date of this rule shall be filed on or before that effective date with the prothonotary or clerk of [ court ] courts and shall be kept by the prothonotary or clerk for inspection, copying, and furnishing as provided in paragraph (C)(5).

\* \* \* \* \*

### Comment

\* \* \* \* \*

Paragraph (C)(5) requires that a separate consolidated set of local rules be maintained in the prothonotary's or clerk's office.

The Administrative Office of the Pennsylvania Courts maintains a webpage containing the texts of local rules. That webpage is located at:

<http://www.courts.state.pa.us/judicial-council/local-rules/index.htm>

\* \* \* \* \*

**Official Note:** Rule 6 adopted January 28, 1983, effective July 1, 1983; amended May 19, 1987, effective July 1, 1987; renumbered Rule 105 and amended March 1, 2000, effective April 1, 2001; amended October 24, 2000, effective January 1, 2001; **Comment revised June 8, 2001, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the June 8, 2001 Comment revision citing to the AOPC's webpage published with the Court's Order at 31 Pa.B. 3310 (June 23, 2001).**

### FINAL REPORT<sup>1</sup>

#### Revision of the Comment to Pa.R.Crim.P. 105

#### LOCAL RULE PROCEDURES

On June 8, 2001, effective immediately, upon the recommendation of the Criminal Procedural Rules Committee, the Court approved the revision of the *Comment* to Rule of Criminal Procedure 105 (Local Rules) that adds a cross-reference to the Administrative Office of Pennsylvania Courts' (AOPC) webpage.

The Committee continues to consider the issues related to local rules. One area that remains a concern is access to local rules by members of the bar, particularly those with multi-judicial district practices, and others involved in the criminal justice system. Aware, as part of the Supreme Court's Judicial Council's study of statewide local rule practices, that the Judicial Council and Madam Justice Newman were instrumental in having those local rules lodged with the AOPC published<sup>2</sup> on the AOPC's webpage, and that, in November 2000, the Court approved the revision of the note to Civil Rule 239 to include a reference to the AOPC's webpage site where the local rules are published, the Committee agreed that a similar reference in the Criminal Rules would be an asset to the members of the bar and others involved in the criminal justice system. Accordingly, the Committee recommended, and the Court approved, the following revision of the Rule 105 *Comment*:

The Administrative Office of the Pennsylvania Courts maintains a webpage containing the texts of local rules. That webpage is located at:

<http://www.courts.state.pa.us/judicial-council/local-rules/index.htm>

[Pa.B. Doc. No. 01-1122. Filed for public inspection June 22, 2001, 9:00 a.m.]

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

<sup>2</sup>Rule 105(C)(2) requires that all local rules be lodged with the AOPC.

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Deferment of Reliance Insurance Company Cases by Reason of Petition for Rehabilitation; Admin- istrative Doc. 06 of 2001

##### Order

*And Now*, this 5th day of June, 2001, upon consideration of the Petition for Rehabilitation filed by the Insurance Commissioner of the Commonwealth of Pennsylvania, it is hereby *Ordered* and *Decreed* that all cases in which Reliance Insurance Company is a named party shall be placed in deferred status by reason of the May 29, 2001 Order of the Commonwealth Court of Pennsylvania placing Reliance into Rehabilitation in accordance with provisions of Article V of the Insurance Department Act of 1921, Act of May 17, 1921, P. L. 789, as amended, 40 P. S. §§ 221.1—221.63.

All actions currently pending against Reliance are hereby stayed. All actions currently pending against an insured of Reliance are stayed for sixty (60) days or such additional time as the Rehabilitator may request. This Order shall not preclude any action from proceeding prior to the expiration of sixty (60) days provided that the Rehabilitator and the parties to any such pending actions have so agreed to proceed.

*By the Court*

JOHN W. HERRON,  
*Administrative Judge, Trial Division*

This Administrative Docket is promulgated in accordance with the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55, Judicial Administration, Docket No. 1, Phila. Civ. ★51 and Pa. R.C.P. 239, and shall become effective immediately. As required by Pa. R.C.P. 239, the original Administrative Docket shall be filed with the Prothonotary in a docket maintained for Administrative Dockets issued by the Administrative Judge of the Trial Division and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedural Rules Committee. Copies of the Administrative Docket shall also be submitted to American Lawyer

Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District. The Administrative Docket is also available on the Court's website at <http://courts.phila.gov>.

[Pa.B. Doc. No. 01-1123. Filed for public inspection June 22, 2001, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY

#### Rule of Civil Procedure W227.2 Argument Court; No. 3 of 2001

##### Order

*And Now This* 7th day of June, 2001, it is *Ordered* that Subsection (d) of Westmoreland Rule of Civil Procedure W227.2 is rescinded, and that new Subsection (d) is hereby adopted.

*By the Court*

CHARLES H. LOUGHRAN,  
*President Judge*

#### Rule W227.2. Argument Court.

##### (d) Respondent's Brief

(1) Except for summary judgment motions, the responding party shall file an original and 1 copy of the brief with the prothonotary within 20 days after receipt of service of the moving party's brief.

(2) In summary judgment matters, pursuant to Pa.R.C.P. 1035.3(a), the responding party shall file an original and 1 copy of the responding brief within 30 days of the service of the original motion.

(3) The responding party shall serve copies of the briefs on all counsel and on the Westmoreland County court administrator within 5 days after filing, and file a certification of service with the prothonotary within 3 days of actual service of the brief.

[Pa.B. Doc. No. 01-1124. Filed for public inspection June 22, 2001, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 37—LAW

### STATE POLICE

#### [37 PA. CODE CHS. 58 AND 59]

#### DNA Detection of Sexual and Violent Offenders Act

The State Police, by this order, adopts Chapter 58 (relating to administrative regulation regarding the DNA Detection of Sexual and Violent Offenders Act), as derived specifically from the DNA Detection of Sexual and Violent Offenders Act (act) (35 P. S. §§ 7651.101—7651.1102), to read as set forth in Annex A.

##### A. *Effective Date*

The final-form regulations will be effective upon publication in the *Pennsylvania Bulletin*.

##### B. *Statutory Authority*

These final-form regulations are adopted under the authority of the act.

##### C. *Background and Purpose*

As provided, the act became effective November 28, 1996. The final-form regulations set forth the administration, policies and procedures designed to carry out the provisions of the act. In addition, the contents of Chapter 59 (relating to procedures for the receipt and processing of DNA samples for the State DNA database) have been incorporated into the final-form regulations, thus enabling the deletion of Chapter 59. These final-form regulations are necessary for the general administration of the act.

##### D. *Comments Received*

Notice of proposed rulemaking was published at 26 Pa.B. 5011 (October 19, 1996) with an invitation to submit written comments within 30 days of publication. The only comments received were those of the Independent Regulatory Review Commission (IRRC). The following is a summary of those comments and the State Police response:

(1) IRRC raised a concern that the contents of Chapter 59 contained policy and should be incorporated into the final-form regulations. The State Police agrees and has incorporated the provisions into the final-form regulations, thus enabling the deletion of Chapter 59.

(2) IRRC raised a concern as to the fiscal information provided by the State Police. The State Police agrees and has revised the Regulatory Analysis Form accordingly. Additionally, this Preamble also contains more detailed fiscal information.

(3) IRRC raised a concern as to the effective date of the act and whether the State Police and Department of Corrections (Department) are currently prepared to carry out its provisions. The effective date as set forth by the act is November 28, 1996. The State Police and criminal justice agencies to which this act applies are already complying with all provisions of the act. These final-form regulations codify that which is already being done. A separate laboratory has been set up in the annex of the existing State Police laboratory facility in Greensburg to comply with the provisions of the act. Personnel and resources have also been shifted to ensure full compliance.

(4) IRRC raised concerns it received from Senator Harold F. Mowery, Jr., former Chairperson of the Senate Law and Justice Committee, in which provisions in the act outlining the DNA Detection Fund were not mentioned in the proposed regulations. The State Police and IRRC respectfully disagree in that the act clearly states how the DNA Detection Fund is to work. As is mentioned later in this Preamble and in the Regulatory Analysis Form, the State Police expects to collect little more than 1% of this fee which is ultimately court imposed and court collected, and thus beyond the immediate control of the State Police.

Senator Mowery also recommended that the final-form regulations make mention of confidentiality as it is reflected in the act. The State Police agrees and has incorporated a section dealing with this issue.

(5) IRRC raised concerns regarding a perceived lack of specificity of DNA handling and custody procedures. The State Police disagree because how blood samples will be delivered and what conditions will be imposed, as well as chain of custody, are addressed in the final-form regulations. Kits will be provided to the correctional facilities by the State Police and will include a mailing carton. In addition, various forms are required to be completed for among other reasons the purpose of establishing chain of custody. The kit contains a security seal which further ensures evidentiary integrity.

Since there is agreement between the State Police and IRRC that this field is still evolving and is therefore likely to change. The State Police does not wish to establish specific procedures in the final-form regulations. The final-form regulations, and any policies and procedures contained therein, are in compliance with Federal Bureau of Investigation Combined DNA Index System (FBI CODIS) standards and must remain so at all times.

(6) IRRC raised concerns regarding access to data and information. IRRC suggested language to be added to the final-form regulations, to which the State Police agreed and incorporated.

(7) IRRC raised concerns regarding several sections of the act not being addressed. The State Police agrees and has added various sections to the final-form regulations concerning limitation on liability, reasonable use of force, confidentiality of records, criminal penalties and civil actions.

(8) IRRC raised concerns regarding the use of various terms in the regulations which it believed to be vague or inconsistent. The State Police agrees and has incorporated the various changes in the final-form regulations suggested by IRRC or clarified their misinterpretation.

(9) In discussions, IRRC questioned the need for § 58.2 (relating to authority of law enforcement officers). The State Police believes it is important for this section to remain in the final-form regulations for a number of reasons, the most important of which is that the final-form regulations be interpreted to have sufficient flexibility and severability. The State Police does not want the possibility to exist wherein if the final-form regulations are deemed to be more strict than the act, current law or rules of evidence, that they will supersede the standards.

(10) IRRC recommended that the definition for DNA sample be consistent with the definition contained in the act. IRRC also recommended a definition be added for the acronym SID, State Identification Number. The State

Police agrees and has incorporated both recommendations into the final-form regulations.

#### E. *Compliance with Executive Order 1996-1*

In accordance with Executive Order 1996-1, in drafting and promulgating the final-form regulations, the State Police solicited input and suggestions from the regulated community. These final-form regulations address a compelling public interest as described in this Preamble and otherwise comply with Executive Order 1996-1.

#### F. *Benefits*

The benefits include the identification of repeat offenders by identification of their forensic DNA profile obtained from evidentiary material, the linking of serial offenders within this Commonwealth and across the country, the solving of cases of unidentified perpetrators in sexual assaults and homicides and the identification of missing persons and victims of mass disasters. These DNA profiles are from regions of the DNA that do not identify physical, sociological or psychological characteristics.

#### G. *Effect*

The final-form regulations will affect various criminal justice agencies. The effective date of the act was November 28, 1996. Training for the various criminal justice agencies concerning the requirements of the act and these final-form regulations are ongoing and continuous. The State Police regularly conducts training and informational forums for various agencies and groups. The full resources of the State Police are available at all times to any agency at any level.

#### H. *Paperwork Requirements and Fiscal Impact*

The final-form regulations will require the completion of additional forms, reports, kits and other paperwork as prescribed and provided by the State Police.

As policies are developed, the only costs incurred revolve around the drawing of the blood. The Department, wardens and juvenile facilities have been informed to make sure this is added to nursing contracts.

This is difficult to quantify since it will be correctional facilities who will be tasked with the drawing of the DNA samples, their packaging and subsequent mailing to the State Police. There will be man-hour costs attached to all levels of compliance which are unavoidable. In the long-term, cost savings to local governments may come from the fact that repeat offenders will have been identified and incarcerated. One cannot overlook the intangible savings to all communities by not having repeat offenders in communities.

Currently, there are approximately 14,000 incarcerated individuals to whom this act applies. Approximately 10,000 samples are expected to be received by the DNA Database Laboratory in the first year. Approximately 7,000 samples are expected the second year and approximately 3,000 samples are expected each year thereafter.

The State Police expect supply costs to be approximately \$300,000 a year. Each DNA Database Kit, which the State Police will provide to all appropriate agencies and facilities, will cost at least \$2.40 each. Postage, which the State Police will also provide, will be at least \$1.05 for each DNA Database Kit and 60¢ for each fingerprint card.

The act provides for a DNA Detection Fund to be established; however, it is not expected to generate significant revenue for the operation of the DNA Database Laboratory. A recovery rate of this court imposed fee of \$250 is expected to be a little more than 1%.

#### I. *Input*

These final-form regulations have been promulgated in consultation with the Department, Board of Probation and Parole and various other criminal justice agencies, and are in accordance with the FBI CODIS standards and procedures.

#### J. *Review*

Due to the sensitivity and emotion that crimes like these evoke in people and communities, every facet of the final-form regulations, and the program in general, will be continuously reviewed for effectiveness, clarity and whether they are serving the greater interests of the citizens of this Commonwealth. The State Police is committed to its success and has taken a proactive approach to soliciting comments from the regulated community and the public. This will be furthered by regularly scheduled training and regional meetings to which various elements of the criminal justice community and various private entities are invited.

#### K. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 2, 1998, the State Police submitted a copy of the notice of proposed rulemaking, published at 26 Pa.B. 5011, to IRRC and the Chairpersons of the House Judiciary Committee and the Senate Law and Justice Committee for review and comment.

In compliance with section 5(c) of the Regulatory Review Act, the State Police also provided IRRC and the Committees with copies of the comments received. A copy of the material is also available to the public upon request. In preparing these final-form regulations, the State Police considered the comments received from IRRC.

Under section 5.1(d) of the Regulatory Review Act (71 P. S. § 745.5a(d)), on November 22, 1998, these final-form regulations were deemed approved by the House and the Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on December 10, 1998, and approved these final-form regulations.

#### L. *Contact Person*

The contact person is Ronald E. Plesco, Jr., Esq., Policy Analyst, State Police, Legislative Affairs Office, 1800 Elmerton Avenue, Harrisburg, PA 17110, (717) 772-0905.

#### M. *Findings*

The State Police finds that:

(1) Public notice of intention to amend these final-form regulations amended 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) The adoption of final-form regulations of the State Police in the manner provided in this order is necessary and appropriate. A public comment period was provided as required by law and that the comments received were considered.

(3) The modifications that were made to these final-form regulations in response to comments received do not enlarge the purpose or scope of the proposed regulations published at 26 Pa.B. 5011.

(4) The adoption of the final-form regulations in the manner provided is necessary and appropriate for the administration of the authorizing statute.

## N. Order

The State Police, acting under the authorizing statutes, orders that:

(a) The regulations of the State Police, 37 Pa. Code, are amended by adding §§ 58.1—58.5, 58.21—58.25 and 58.31 and by deleting §§ 59.1—59.3, 59.11, 59.12 and 59.21 to read as set forth in Annex A.

(b) The Commissioner of the State Police shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Commissioner of the State Police shall certify this order and Annex A 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*.

COLONEL PAUL J. EVANKO,  
Commissioner

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 6359 (December 26, 1998).)

**Fiscal Note:** 17-59. (1) General Fund; (2) Implementing Year 2000-01 is \$2,231,000; (3) 1st Succeeding Year 2001-02 is \$1,635,000; 2nd Succeeding Year 2002-03 is \$1,632,000; 3rd Succeeding Year 2003-04 is \$1,632,000; 4th Succeeding Year 2004-05 is \$1,632,000; 5th Succeeding Year 2005-06 is \$1,632,000; (4) FY 1997-98 Program—\$745,000; FY 1996-97 Program—\$1,302,000; FY 1995-96—not applicable; (7) Pennsylvania State Police, General Government Operations; (8) recommends adoption. The costs previously noted reflect personnel and operating costs only and have been included in the State Police's 2000-01 budget. Federal grant funds in the amount of \$630,000 are available in 2000-01 to offset operating costs. Capital budget costs for fiscal year 1996-97 in the amount of \$878,000 are not reflected in the previous numbers.

## Annex A

## TITLE 37. LAW

## PART I. STATE POLICE

## Subpart I. DNA DETECTION OF SEXUAL AND VIOLENT OFFENDERS

## CHAPTER 58. DNA DETECTION OF SEXUAL AND VIOLENT OFFENDERS ACT

## GENERAL STATEMENTS AND DEFINITIONS

Sec.	
58.1.	Definitions.
58.2.	Authority of law enforcement officers.
58.3.	Limitation on liability.
58.4.	Reasonable use of force.
58.5.	Confidentiality of records.

## GENERAL PROVISIONS

Sec.	
58.21.	Procedures for regulating the collection, receipt and processing of DNA samples in the DNA database laboratory.
58.22.	Access to data and information.
58.23.	Prohibition on disclosure.
58.24.	Criminal penalties.
58.25.	Civil actions.

## FORMS

Sec.	
58.31.	Forms.

## GENERAL STATEMENTS AND DEFINITIONS

## § 58.1. Definitions.

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

*Act*—The DNA Detection of Sexual and Violent Offenders Act (35 P. S. §§ 7651.101—7651.1102).

*CODIS*—*Combined DNA Index System*—The FBI's National DNA identification index system that allows the storage and exchange of DNA records submitted by state and local forensic DNA laboratories under the DNA Identification Act of 1994 (Pub. L. 103-322, Title XXI, 6210301, September 13, 1994, 108 Stat. 2069).

*Commissioner*—The Commissioner of the State Police.

*Criminal justice agency*—A criminal justice agency as defined in 18 Pa.C.S. § 9102 (relating to definitions).

*DNA*—*Deoxyribonucleic acid*—DNA is located in the cells and provides an individual's personal genetic blueprint. DNA encodes genetic information that is the basis of human heredity and forensic identification.

*DNA Databank*—The repository of DNA samples obtained from offenders covered by the act.

*DNA Database*—The CODIS computerized collection of DNA profiles obtained from DNA samples.

*Database lab*—The laboratory which processes DNA samples to obtain a DNA profile on each sample.

*DNA record*—*DNA identification information stored in the SDIS or CODIS*—The DNA record is the result obtained from the DNA typing tests. The DNA record is comprised of the characteristics of a DNA sample which are of value in establishing the identity of individuals. The results of all DNA identification tests on an individual's DNA sample are also collectively referred to as the DNA profile of an individual.

*DNA sample*—A blood or tissue sample provided by any person with respect to offenses covered by the act or submitted to the State Police Laboratory under the act for analysis or storage, or both.

*DOC*—The Department of Corrections.

*EDTA*—Ethylene diamine tetracetic acid. An anticoagulant/preservative chemical used to prevent clotting and to preserve blood samples contained in blood collection tubes.

*FBI*—Federal Bureau of Investigation.

*Felony sex offense*—A felony offense, or an attempt, conspiracy or solicitation to commit a felony offense, under one or more of the following:

(i) 18 Pa.C.S. Chapter 31 (relating to sexual offenses).

(ii) 18 Pa.C.S. § 6312 (relating to sexual abuse of children).

*Juvenile detention facility*—A resident facility or shelter care program approved by the Department of Public Welfare for the treatment of adjudicated juveniles under 42 Pa.C.S. § 6327 (relating to place of detention).

*Juvenile facility*—A facility licensed or approved to receive an adjudicated delinquent for disposition under 42 Pa.C.S. Chapter 63 (relating to juvenile matters).

*LDIS*—*Local DNA Identification System*—A system consisting of DNA profiles generated at a local law enforcement laboratory.

*NDIS—National DNA Identification System*—A system operated by the FBI that is comprised of DNA profiles received from the various SDIS.

*Other specified offenses*—An offense, or an attempt, conspiracy or solicitation to commit an offense, under one or more of the following:

- (i) 18 Pa.C.S. § 2502 (relating to murder).
- (ii) 18 Pa.C.S. § 2709(c)(2)(ii) (relating to harassment and stalking).
- (iii) 18 Pa.C.S. § 3126 (relating to indecent assault).

*Released*—Probation, parole, furlough, work release, prerelease or release in any other manner from a prison, jail, juvenile detention facility or any other place of confinement.

*SDIS—State DNA Identification System*—An individual state DNA profile system comprised of the DNA profiles of convicted offenders and those indices described in NDIS.

*SID—State Identification Number*—A unique number assigned to each individual whose fingerprints are placed into the Central Repository of the State Police. The SID is used to track individuals for crimes which they commit, no matter how many subsequent fingerprint cards are submitted.

**§ 58.2. Authority of law enforcement officers.**

The General Assembly has declared that nothing contained in the act shall limit or abrogate any existing authority of law enforcement officers to take, maintain, store and utilize DNA samples for law enforcement purposes. See section 506 of the act (35 P. S. § 7651.506). Failure to comply with this subchapter does not form the basis for suppression of otherwise admissible evidence.

**§ 58.3. Limitation on liability.**

Persons authorized to draw DNA samples will not be criminally or civilly liable if they perform these functions in good faith and in accordance with accepted medical practice.

**§ 58.4. Reasonable use of force.**

Authorized law enforcement and corrections personnel and employees may employ reasonable force when an individual refuses to submit to DNA testing. The personnel and employees will not be criminally or civilly liable for the use of reasonable force. Authorized law enforcement and corrections personnel and employees include contractors and other agents whose duties encompass implementation of the act.

**§ 58.5. Confidentiality of records.**

DNA profiles and samples submitted to the State Police pursuant to the act shall be treated as confidential. Violations or suspected violations of confidentiality of DNA Database information, as described in section 501 of the act (35 P. S. § 7651.501), shall be reported to the Director of the Laboratory Division. Criminal and civil penalties are described in sections 502 and 503 of the act (35 P. S. § 7651.502 and 7651.503).

**GENERAL PROVISIONS**

**§ 58.21. Procedures for regulating the collection, receipt and processing of DNA samples in the DNA database laboratory.**

(a) The responsibility to ensure collection of DNA samples for the DNA Databank is as follows:

(1) DOC will have the responsibility when the offender is sentenced to incarceration within a State correctional facility.

(2) The director of the youth development center or juvenile detention facility will have the responsibility when the offender is sentenced to detainment within a State juvenile correctional facility.

(3) The warden or other official in charge of a county or local correctional facility or the administrator of a county juvenile detention center or other juvenile facility will have the responsibility when the offender is sentenced to incarceration within such correctional facilities.

(4) Individuals given a disposition, other than incarceration, will be the responsibility of the chief county adult or juvenile probation/parole officer. The chief county adult or juvenile probation/parole officer shall also be responsible for transportation of the individual to the prison, jail, juvenile detention facility, or another detention facility or institution. The DNA sample is to be drawn at a prison, jail unit, juvenile facility or other facility designated by the court before release.

(b) DNA samples shall be drawn by persons authorized to do so under Pennsylvania law.

(c) For individuals convicted or adjudicated delinquent prior to November 28, 1996, DNA samples shall be drawn prior to release. Collection of DNA samples shall be prioritized by release/parole date. These DNA samples are to be collected after scheduling a compatible time for receipt by the DNA Database Laboratory.

(d) For individuals convicted or adjudicated delinquent after November 28, 1996, DNA samples shall be drawn at time of intake. To prevent duplication of draw and to ensure a DNA sample is collected, a DNA Sample Tracking Sheet shall accompany the inmate and be placed into the inmate's file.

(e) Prior to collecting the DNA sample, the responsible persons designated under subsection (a) shall determine that the offender is subject to section 306 of the act (35 P. S. § 7651.306). The SID Number associated with an inmate's commitment and sentencing documentation will be used as a tracking number for this purpose. A copy of the DNA Sample Tracking Sheet will be retained by the facility responsible for collecting the DNA sample. A copy of the DNA Sample Tracking Sheet shall be transmitted to the Board of Probation and Parole at the time a recommendation is made for release consideration. A copy of the DNA Sample Tracking Sheet shall also be retained by the Board of Probation and Parole.

(f) DNA samples shall be collected using State Police provided DNA Database Kits. DNA samples will consist of an EDTA tube of blood unless a special written request to the DNA Database Laboratory is made for permission to submit a different tissue sample. Requests shall be in writing, specify good cause, and be subject to verification and approval by the DNA Database Laboratory prior to transmittal of the sample.

(g) The associated forms for the DNA Database Kit shall be completed in full prior to submission. The imprinting of the offender's left and right thumbs, by means of an inked impression in the spaces indicated on the DNA Database Collection Card, shall also be completed. Additionally, a Pennsylvania State Police Arrest and Institution Fingerprint card shall be completed.

(h) The completed kit, DNA Database Collection Card and the Pennsylvania State Police Arrest and Institution

Fingerprint Card shall be delivered to the State Police DNA Database Laboratory within 48 hours of collecting the DNA sample.

(i) Receipt of DNA samples in the DNA Databank will apply with the following.

(1) DNA samples received in person, by mail, by parcel post or by a bonded courier service will be accompanied by a DNA Database Sample Inventory and Receipt Form. When received in person, the DNA Database Laboratory will verify that the DNA samples delivered are the same DNA samples as listed on the DNA Database Sample Inventory and Receipt Form. The DNA Database Laboratory will sign and date the chain of custody portion of the form, indicate the manner of receipt and ensure that the correctional officer or courier signs in the appropriate space. The original of this form will be maintained in the DNA Database Laboratory and a copy will be given to the correctional officer or courier as a delivery receipt. A copy of the form will also be mailed to the submitting agency. After inventory of the DNA samples, each DNA sample will receive a unique DNA bar code number. The number will then be entered into a Sample Tracking System.

(2) Associated paperwork with the DNA Database Kit will receive the same bar code number and be placed into the DNA Sample File that is generated at this time.

(3) The DNA Sample File will not contain any sizing information or DNA typing data.

(4) Upon receipt and after assignment of a unique bar code number, the DNA Database Laboratory will break the seal and closely examine each individual DNA sample.

(5) The DNA sample and kit are further processed, and the kit is securely stored.

(6) The DNA Database Laboratory will ensure that the submitting agency is contacted and notified if a DNA sample must be redrawn. The DNA Database Laboratory will also track the DNA sample to ensure it is redrawn as requested.

(7) A DNA Sample Destruction Form will be completed if the DNA Database Laboratory determines that a DNA sample has been received from an individual not covered by the act, and the DNA sample destroyed.

(8) DNA samples in the DNA Databank will be retained in accordance with CODIS standards.

(9) Lab files will not contain offender names. The only identifier will be the unique bar code number.

#### § 58.22. Access to data and information.

General operating procedures are as follows:

(1) Access to information in the DNA Database and DNA Databank (including personal identifying information) shall be made available under one of the following:

(i) To criminal justice agencies or approved crime laboratories which serve these agencies.

(ii) Upon written or electronic request and in furtherance of an official investigation of a criminal offense or offender or suspected offender.

(2) The identity of any person or agency making a request for information shall be verified prior to the release of any information. Requests made through CODIS will be deemed to have met this requirement. Verification shall be made by means of a return phone call to the requestor's supervisor to establish authority to receive the information and the purpose for the request.

(3) Requests for information will only be accepted, after verification, from criminal justice agencies, or approved governmental forensic science laboratories, and only upon written or electronic request and in furtherance of an official investigation of a criminal offense or offender or suspected offender.

(4) A request may be made by personal contact, mail or electronic means. A Request for Database Search Form shall be completed.

(5) The name of the requestor and the purpose for which the information is requested shall be maintained on file in the DNA Database Laboratory.

(6) Only when a DNA profile or sample supplied by the requestor satisfactorily matches a profile in CODIS will the existence of the data be confirmed, or identifying information be disseminated.

(7) The following will be denied:

(i) Requests that do not meet the criteria of paragraphs (1)–(6).

(ii) Requests from private forensic laboratories.

#### § 58.23. Prohibition on disclosure.

Violations or suspected violations of disclosure of DNA Database information shall be reported to the Director of the Laboratory Division. Violations are as follows:

(1) *Disclosure.* A person who by virtue of employment or official position or any person contracting to carry out any functions under the act, including any officers, employees and agents of the contractor, who has possession of or access to individually identifiable DNA information contained in SDIS or in the State DNA Databank may not disclose it in any manner to any person or agency not authorized to receive it knowing that that person or agency is not authorized to receive it.

(2) *Obtaining Information.* A person may not obtain individually identifiable DNA information from SDIS or the State DNA Databank without authorization to do so.

#### § 58.24. Criminal penalties.

(a) *Disclosure.* A person who by virtue of employment or official position or any person contracting to carry out any functions under the act, including any officers, employees and agents of the contractor, who has possession of or access to individually identifiable DNA information contained in SDIS or in the State DNA Databank and who for pecuniary gain for the person or for any other person discloses it in any manner to any person or agency not authorized to receive it commits a misdemeanor of the first degree.

(b) *Obtaining information.* A person who violates section 501(b) of the act (35 P. S. § 7651.501(b)) commits a misdemeanor of the first degree.

#### § 58.25. Civil actions.

(a) *Injunctions.* The State Police or any other aggrieved individual or agency may institute an action in a court of proper jurisdiction against any person, agency or organization to enjoin any criminal justice agency, noncriminal justice agency, organization or individual from violating the provisions of the act.

(b) *Action for damages.*

(1) A person aggrieved by a knowing violation of section 501 of the act (35 P. S. § 7651.501) shall have the substantive right to bring an action for damages by reason of the violation in a court of competent jurisdiction.

(2) A person found by the court to have been aggrieved by a knowing violation of section 501 of the act shall be entitled to actual and real damages of not less than \$100 for each violation and to reasonable costs of litigation and attorney fees. Exemplary and punitive damages of not less than \$1,000 nor more than \$10,000 shall be imposed for any violation of section 501 of the act.

**FORMS**

**§ 58.31. Forms.**

The reporting forms and documents referred to in this chapter are supplied by the State Police.

**CHAPTER 59. (Reserved)**

**§§ 59.1—59.3. (Reserved).**

**§ 59.11. (Reserved).**

**§ 59.12. (Reserved).**

**§ 59.21. (Reserved).**

[Pa.B. Doc. No. 01-1125. Filed for public inspection June 22, 2001, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending June 12, 2001.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-6-01	Promistar Financial, Johnstown, to acquire 100% of the voting shares of FNH Corporation, Irwin	Johnstown	Approved
6-11-01	Community Financial, Inc., Camp Hill, to acquire 100% of the shares of common stock of Community Trust Company, Camp Hill	Camp Hill	Filed
6-12-01	Franklin Financial Services Corporation, Chambersburg, to acquire up to 15.8% of the common stock and warrants of American Home Bank, National Association, Lancaster	Chambersburg	Approved

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-4-01	Sun Bank Selinsgrove Snyder County  Purchase of assets/assumption of liabilities of two branches of Mellon Bank, N.A., Pittsburgh, Located At: Bellefonte Ave. and East Church Street Lock Haven Clinton County	Selinsgrove      349 Main Street Mill Hall Clinton County	Effective
6-6-01	Promistar Bank, Johnstown, and First National Bank of Herminie, Herminie Surviving Institution— Promistar Bank, Johnstown	Johnstown	Approved
6-8-01	Fulton Bank Lancaster Lancaster County  Purchase of assets/assumption of liabilities of one branch of Sovereign Bank, Wyomissing Located At: 863 East Baltimore Pike Kennett Square Chester County	Lancaster	Effective

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-4-01	Harleysville Savings Bank Harleysville Montgomery County	640 E. Main Street Lansdale Montgomery County	Opened
6-8-01	Pennsylvania State Bank Camp Hill Cumberland County	6480 Carlisle Pike Mechanicsburg Cumberland County	Authorization Rescinded
6-11-01	Somerset Trust Company Somerset Somerset County	Giant Eagle 344 Goucher St. Johnstown Cambria County	Approved
6-12-01	Northwest Savings Bank Warren Warren County	108 Washington Towne Boulevard Edinboro Erie County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
6-6-01	Freedom Credit Union, Philadelphia, and Braceland Federal Credit Union, Philadelphia Surviving Institution— Freedom Credit Union, Philadelphia	Philadelphia	Effective
6-11-01	Witco Credit Union, Petrolia, and Penacol Federal Credit Union, Petrolia Surviving Institution— Penacol Federal Credit Union, Petrolia	Petrolia	Approved

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1126. Filed for public inspection June 22, 2001, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Consolidated Plan; Public Meeting and Regional Housing Advisory Committee Meetings

The Department of Community and Economic Development (Department) is preparing the 2002 Action Plan that supplements the Commonwealth's Plan Consolidated Plan for Federal fiscal years 2000-2004. This document must be submitted to and approved by the United States Department of Housing and Urban Development (HUD) in order for the Commonwealth and organizations within the State to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs as well as the necessary

linkages for building successful neighborhoods and communities.

The Commonwealth's 2002 Action Plan will address how the Commonwealth intends to allocate funds under the following programs: Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS.

Any individual or organization may give testimony or comments at the public meeting. Comments will be accepted about topics related to community development, housing, the content of the Commonwealth's Action Plan and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

Anyone who wants to speak must call to schedule a time to give oral testimony at the meeting. The public meeting will be shortened if no one is scheduled to testify or if there is minimal response. Call Karen Overly Smith

at (717) 214-5340 to schedule oral testimony at the public meeting at least 24 hours prior to the meeting date.

*Written Comments*

Written testimony, in lieu of oral testimony, may be submitted by 5 p.m., July 30, 2001. Submit comments to Karen Overly Smith, Office of Community Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

*Public Meeting*

The public meeting will be held as follows:

*July 31, 2001*

Commonwealth Keystone Building  
PUC Hearing Room 5 (Plaza level NE corner)  
400 North Street  
Harrisburg, PA 17120  
10 a.m. to 1 p.m.\*

\* *Note:* The public meeting may be shortened if there is minimal response.

*Regional Housing Advisory Committee Meetings*

The Commonwealth has six Regional Housing Advisory Committees across the State comprised of appointed members. Meetings of these committees are open to the public under the Sunshine Act. These committees advise the Department regarding housing and community development needs as well as assist in fair housing planning. These meetings will be held as follows:

*July 17, 2001*

Norristown State Hospital  
Community Center Building 33  
1001 Sterigere Street  
Norristown, PA 19401-5397  
9 a.m. to 12 p.m.

*July 18, 2001*

Lancaster County Court House  
50 North Duke Street  
Rooms 601-602  
Lancaster, PA 17608  
1 p.m. to 4 p.m.

*July 9, 2001*

Cranberry Municipal Center  
2525 Rochester Road, Suite 400  
Cranberry Township, PA 16066-6499  
1 p.m. to 4 p.m.

*July 19, 2001*

Eastern Monroe Public Library  
1002 North Ninth Street  
Stroudsburg, PA 18360  
9 a.m. to 12 p.m.

*July 13, 2001*

Borough of State College  
118 South Fraser Street  
State College, PA 16801  
9 a.m. to 12 p.m.

*July 10, 2001*

PNC Bank  
901 State Street  
Erie, PA 16503  
9 a.m. to 12 p.m.

Anyone who has a disability and wishes to attend the public meeting or any of the Advisory Committee meetings and requires an auxiliary aid, service or other accommodation to participate in the proceeding should contact Karen Overly Smith, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, (717) 214-5340, to discuss how the Department may best accommodate their needs. Text telephone calls can be placed through the Pennsylvania Relay System at (800) 654-5984. Calls will be relayed to the Department's previously listed number.

SAMUEL A. MCCULLOUGH,  
*Secretary*

[Pa.B. Doc. No. 01-1127. Filed for public inspection June 22, 2001, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

##### NPDES APPLICATIONS

##### PART I PERMITS

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0050407	Bryn Mawr Rehabilitation Center 414 Paoli Pike Malvern, PA 19355	Chester County Willistown Town- ship	Tributary to Ridley Creek	Renewal
PA0029441	Upper Dublin Township 801 Loch Alsh Avenue Fort Washington, PA 19034	Montgomery County Upper Dublin Township	Pine Run	Renewal
PA0056511	Barry and Kristen Eves 47 Bishop Road Pottstown, PA 19464	Chester County East Coventry Township	UNT to Pigeon Creek	Renewal

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0021717	Marietta Donegal Joint Authority P. O. Box 167 Marietta, PA 17547	Lancaster County Marietta Borough	Susquehanna River/ 7-G	Yes
PA0088838	Wenger's Feed Mill, Inc. 101 W. Harrisburg Avenue Rheems, PA 17570	Dauphin County Lykens Township	Pine Creek/7C	Yes
PA0010294	Tyco Electronics Corporation MS 140-142 P. O. Box 3608 Harrisburg, PA 17105-3608	Dauphin County Williamstown Bor- ough	Wiconico Creek//6C	Yes
PA0051829	Schuylkill Valley School District 929 Lakeshore Drive Leesport, PA 19533-8631	Berks County Ontelaunee Town- ship	Maiden Creek/3B	Yes

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

**PA0025283-Amendment No. 1, Sewage. Knox Borough STP, 620 S. Main Street, P. O. Box 366, Knox, PA 16323.**

This proposed facility is located in Beaver Township, **Clarion County**.

Description of Proposed Activity: an amendment for a treated sewage discharge

The receiving stream, unnamed tributary to Canoe Creek (Interim Limits) and Canoe Creek (Final Limits), is in watershed 17B and classified for: high quality—cold water fishes water supply and recreation.

The proposed effluent limits for Outfall 001, based on a design flow of .26 MGD. Interim Limits

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(05-01 to 10-31)	3.3		6.6
(11-01 to 04-30)	9.9		19.8
Fecal Coliform			
(05-01 to 09-30)		200/100 ml as a geometric average	
(10-01 to 04-30)		2,700/100 ml as a geometric average	
Total Residual Chlorine (Interim)	XX		XX
Total Residual Chlorine (Final)	0.2		0.7
Dissolved Oxygen		Minimum of 7 mg/l at all times.	
Copper (Interim)	XX		XX
Copper (Final)	0.014		0.028
pH		6.0 to 9.0 standard units at all times	

XX—Monitor and report on monthly DMRs.

The proposed effluent limits for Outfall 001 based on a design flow of .26 MGD. Final Limits

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(05-01 to 10-31)	3.3		6.6
(11-01 to 04-30)	9.9		19.8
Fecal Coliform			
(05-01 to 09-30)		200/100 ml as a geometric average	
(10-01 to 04-30)		7,600/100 ml as a geometric average	
Total Residual Chlorine*	0.69		2.2
Dissolved Oxygen		Minimum of 7 mg/l at all times	
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 Non-Waived Permit Applications

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

**No. PA0058335**, Sewage, **Edward and Elizabeth West**, 201 Chandler Mill Road, Kennett Square, PA 19048.

This application is for issuance of an NPDES permit to discharge treated sewage from a single residence in Kennett Township, **Chester County**. This is a new discharge to unnamed tributary of West Branch of Red Clay Creek.

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

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

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

Other Conditions:

The EPA Waiver is in effect.

The first downstream potable water intake is Delaware Waterworks.

**No. PA0031747**, Sewage, **Glen Mills School**, Glen Mills Road, Concordville, PA 19331.

This application is for renewal of an NPDES permit to discharge treated sewage from the Glen Mills School WWTP in Thornbury Township, **Delaware County**. This is an existing discharge to the East Branch of Chester Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.15 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia as N		
(5-1 to 10-31)	13	26
(11-1 to 4-30)	20	40
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 2.0 mg/l at all times	
pH	Within limits of 6.0—9.0 Standard Units at all times	

Other Requirements:

The EPA waiver is in effect

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

**PA123518**, CAFO, **Robert Ruth and Michael T. Mullady**, P. O. Box 248, Camp Hill, PA 17001-0248.

This proposed facility is located in West Lampeter Township, **Lancaster County**.

Description of Proposed Activity: Authorization to operate an existing 1,400 head sow farrow operation totaling 572.4 AEU's. The operation will generate approximately 993,000 gallons per year of manure stored in 850,000 gallon underhouse storage facilities.

The receiving stream, UNT to Pequea Creek, is in the State Water Plan watershed 7-K and is classified for: WWF.

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

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

**PA0216038**, Industrial Waste, SIC, 4499 and 4789, **Consol Docks, Inc.**, 1800 Washington Road, Pittsburgh, PA 15241.

This application is for renewal of an NPDES permit to discharge treated process water and stormwater from Alicia Dock Coal Transfer Facility in Luzerne Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters of the Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is PA-American Water Company, located at Brownsville, RMI 57.0, about 1,067 miles below the discharge point.

*Outfall 001: existing discharge, design flow of 0.00625 mgd.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			35.0	70.0	
Iron			3.0	6.0	
Manganese			2.0	4.0	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 002: existing discharge, design flow of 0.075 MGD*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			35.0	70.0	
Iron			3.0	6.0	
Manganese			2.0	4.0	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 003:* existing discharge, design flow of 0.0245 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			35.0	70.0	
Iron			3.0	6.0	
Manganese			2.0	4.0	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0024694**, Sewage, **Beaver Borough Municipal Authority**, 469 Third Street, Beaver, PA 15009.

This application is for Renewal of an NPDES permit to discharge treated sewage from Beaver Borough Sewage Treatment Plant in Beaver Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Ohio River, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Midland Borough Water Authority located on the Ohio River.

*Outfall 001:* existing discharge, design flow of 1.045 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	37.5		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)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

**PA0218812**, Sewage, **Indiana County Municipal Services Authority**.

This application is for Issuance of an NPDES permit to discharge treated sewage from Hillsdale Sewage Treatment Plant in Montgomery Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cush Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: PA American Water Company located on West Branch Susquehanna River.

*Outfall 001:* new discharge, design flow of 0.055 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)	20			40
(11-1 to 4-30)	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	2.8			5.6
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA0238571**, Sewage, **Pinehurst Manor Mobile Home Park**, 899 Rockdale Road, Butler, PA 16002.

This proposed facility is located in Center Township, **Butler County**.

Description of Proposed Activity: a new sewage discharge

The receiving stream, unnamed tributary—Stony Run, is in watershed 20-C and classified for: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Zelienople Municipal Water Company intake on Connoquenessing Creek located at Zelienople, approximately 34 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.014 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Phosphorus (as P) (4-1 to 10-31)	2		4
NH <sub>3</sub> -N (5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Ultraviolet Light Intensity	Monitor and Report average intensity from UV intensity meter in microwatts/square centimeter for each bank of modules on the monthly DMRs.		
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		
Dissolved Oxygen	Minimum of 5 mg/l at all times.		
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

## WATER QUALITY MANAGEMENT PERMITS

### CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER

#### APPLICATIONS UNDER THE CLEAN STREAMS LAW

##### PART II PERMITS

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department). The applications are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permit applications.

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted above 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. 0901409**, Sewerage, **Falls Township**, 188 Lincoln Highway, Suite 100, Fairless Hills, PA 19030.

This proposed facility is located in Falls Township, **Bucks County**.

Description of Proposed Action/Activity: Construction of an 18-inch diameter PVC relief sewer line.

**WQM Permit No. 1501414**, Sewerage, **West Bradford Township**, 1385 Campus Drive, Downingtown, PA 19335.

This proposed facility is located in West Bradford, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a sewage pump station to serve Welsh Tract a residential subdivision.

**WQM Permit No. 1501415**, Sewerage, **New Garden Township Sewer Authority**, 8934 Gap Newport Pike, Landenberg, PA 19350.

This proposed facility is located in New Garden Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation to install a pump station and force main to serve a residential subdivision.

**WQM Permit No. 2301407**, Sewerage, **Concord Township Sewer Authority**, 664 Concord Road, Glen Mills, PA 19342. Applicant is requesting approval for the construction and operation of a pressure sewer system to serve Kirkwood Glen a residential development located in Concord Township, **Delaware County**.

**WQM Permit No. 0901408**, Sewerage, **Bedminster Municipal Authority**, P. O. Box 92, Bedminster, PA



18910. Applicant is requesting approval for the installation of a sulfur bisulfite system for treated sewage; dechlorination to comply with the new TRC limits located in Bedminster Township, **Bucks County**.

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

**WQM Permit No. 4501405**, Sewerage, **International Gymnastics Training Camp**, R. R. # 8, Box 8002, Stroudsburg, PA 18360-9228.

This proposed facility is located in Jackson Township, **Monroe County**.

Description of Proposed Action/Activity: Installation of an elevated sand mound system to serve the International Gymnastics Training Camp.

**WQM Permit No. 4501401**, Sewerage, **Pocono Mountains Industries, Inc.**, 556 Main Street, Stroudsburg, PA 18360.

This proposed facility is located in Coolbaugh Township, **Monroe County**.

Description of Proposed Action/Activity: Design and construction of a new wastewater treatment plant to serve the site proposed for the future Pocono Mountain Corporate Center.

**WQM Permit No. 6401401**, Sewerage, **United States Department of Justice**, Federal Bureau of Prisons, 320 First St., N.W., Washington, D.C. 20534.

This proposed facility is located in Cannan/Waymart Townships, **Wayne County**.

Description of Proposed Action/Activity: The Federal Bureau of Prisons proposes to construct a United States Penitentiary and a Federal Prison Camp with their ancillary related facilities, such as a training facility, maintenance, and the like. The sanitary sewer system within the penitentiary property lines will be a gravity sewer system with a pump station and force main. The sanitary collection system will collect flows from all sewage producing areas and transport the flows via gravity lines to a central station.

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

**WQM Permit No. 3872403 Amendment 01-1**, Sewerage, **North Cornwall Township Authority**, 320 South 18th Street, Lebanon, PA 17042.

This proposed facility is located in North Cornwall Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to upgrade and replace pumping station.

**WQM Permit No. 3601203**, CAFO Operation, **R. Steven Graybeal**, Graywood Farms, LLC, 225 Mason Dixon Road, Peach Bottom, PA 17563.

This proposed facility is located in Fulton Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to construct a new dairy operation with a new manure storage facility.

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

**Application No. 0201406**, Sewerage, **Action-Housing Inc.**, 425 Sixth Avenue, Suite 950, Pittsburgh, PA 15219-1819. Application for the construction and operation of Sewers and Appurtenances to serve the Mt. Oliver Sup-

portive Housing for the Elderly located in Mt. Oliver Borough, **Allegheny County**.

**Application No. 0471411-A3**, Sewerage, **Borough of Monaca**, 928 Pennsylvania Avenue, Monaca, PA 15061. Application for the modification and operation of a sewage treatment plant to serve the Monaca Borough STP located in Monaca Borough, **Beaver County**.

**Application No. 6501410**, Sewerage, **Mount Pleasant Township Supervisors**, Box 158, Mammoth, PA 15664. Application for the construction and operation of a Sewage Treatment Plant to serve Mountain Shadows located in Mt. Pleasant Township, **Westmoreland County**.

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#### NPDES Stormwater Individual Permit

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

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

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

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

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

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

*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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q128-1	Orefield Cold Storage 3824 Rt. 309 Orefield, PA 18069	Lehigh County N. Whitehall Town- ship	UNT to Jordan Creek HQCWF, MF

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

**NPDES Permit PAS10 C045**, Stormwater. **Menelaos Valianatos**, 35 E. Elizabeth Ave., Bethlehem, PA 18018 has applied to discharge stormwater associated with a construction activity located in Richmond Township, **Berks County** to Moselem Creek (HQ-CWF).

*Berks Conservation District: P. O. Box 520, 1238 County Welfare Road, Leesport, PA 19533, (610) 372-4657.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10C045	Menelaos Valianatos 35 E. Elizabeth Ave. Bethlehem, PA 18018	Richmond Township Berks County	Moselem Creek (HQ-CWF)

**NPDES Permit PAS10 C022-1**, Stormwater. **Fiorino Grande**, 424 Miller Road, Sinking Spring, PA 19608 has applied to discharge stormwater associated with a construction activity located in Leesport Borough, **Berks County** to Schuylkill River (CWF).

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10C022-1	Fiorino Grande 424 Miller Road Sinking Spring, PA 19608	Leesport Borough Berks County	Schuylkill River (CWF)

## SAFE DRINKING WATER

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

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

**Permit No. 3601502**, Public Water Supply.

Applicant	<b>Immergut Pretzel Shop</b>
Borough or Township	Leacock Township
County	<b>Lancaster</b>
Type of Facility	PWS
Consulting Engineer	Stephen R. Morse, P.E. Skelly and Loy, Inc. 2601 North Front Street Harrisburg, PA 17110-1185
Application Received Date	February 5, 2001
Description of Action	Installation of a GAC system to remove MTBE from the source water

### MINOR AMENDMENT

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

**Application No. 2592503-MA4**, Minor Amendment.

Applicant	<b>Erie City Water Authority</b> 340 W. Bayfront Pkwy. Erie, PA 16507
Township or Borough	Erie City
Responsible Official	James J. Rudy, Chief Operating Officer
Type of Facility	Public Water Supply
Consulting Engineer	Kemal Niksic, KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205
Application Received Date	June 4, 2001
Description of Action	Buffalo Rd. Water Main Extension

## WATER ALLOCATIONS

**Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA26-658A**, Water Allocations. **Indian Creek Valley Water Authority**, P. O. Box 486, Indian Head, PA 15446-0486, Stewart Township, **Fayette County**. Applicant is requesting the right to withdraw 400,000 gallons per day from the Pritts Spring, Grim Spring, the Municipal Authority of Westmoreland County Mill Run Reservoir and Ohioyle Borough.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved and comments, should be directed to the remediator of the site.

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

The Department of Environmental Protection 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.*

**Realen Homes, L.P.**, Falls Township, **Bucks County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, on behalf of H. C. Price Co., 15660 N. Dallas Parkway, Suite 300, Dallas, TX 75248, has submitted a Notice of Intent to Remediate site soil contaminated with heavy metals. 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 *Bucks County Courier Times* on May 25, 2001.

**Kellers Creamery**, Franconia Township, **Montgomery County**. Peter A. Malik, III, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Sodiaal North American Corp., East King Street, Strasburg, VA 22657, has submitted a Notice of Intent to Remediate site groundwater contaminated with lead, BTEX and 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 Reporter* on May 25, 2001.

## MUNICIPAL 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 municipal waste regulations for a general permit to operate municipal waste processing facilities and the beneficial use of municipal waste.**

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

**General Permit Application No. WMGM012. Valley Forge Land Clearing and Wood Recycling**, 1330 Charlestown Road, Phoenixville, PA 19460.

The Department of Environmental Protection, Bureau of Land Recycling and Waste Management has received an application for General Permit Number WMGM012. The application is for the processing and beneficial use of wood and timber waste (that is, tree stumps, roots, grubbing material, and the like) to create mulch for

commercial purposes. The Department determined the application to be administratively complete on June 8, 2001.

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. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

## RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGR065. Bethlehem Steel Corporation**, 1170 Eighth Avenue, Bethlehem, PA 18106-7699. General Permit Number WMGR065 for beneficial use, in the Northeast Region, of various wastes from steelmaking and foundry operations taken from a remediation site owned by the permittee as construction fill at an adjacent Act 2 remediation site, also owned by the permittee. Only beneficial use of the following types of residual wastes was authorized under General Permit Number WMGR065: refractories, foundry sands, slags, air emission control solids and the media associated with their excavation. General Permit Number WMGR065 was issued on November 29, 2000. The application was received from Bethlehem Steel Corporation by Central Office on April 30, 2001, for major modification of General Permit Number WMGR065 to include beneficial use of manganese dioxide ore, chromium oxide ore, mill scale and excavated fill material. Mill scale was not included in the original notification published on June 2, 2001.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division of Municipal and Residual Waste at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted by August 1, 2001 and may recommend revisions to and approval or denial of the application.

### 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 and Recycling Center**, 2100 Sans Souci Parkway, Wilkes-Barre, PA 18702. Revisions to the original major permit modification that was for an increase of the daily tonnage. The original application was for an increase of the daily tonnage from 150 tons per day to 200 tons per day at this municipal waste processing facility located in Hanover Township, **Luzerne County**. The revision is for an increase of an additional 50 tons, making the daily tonnage 250 tons per day. The other revision is for a name change, changing Waste Reduction and Recycling Center to Waste Reduction and Recycling Center, Inc. These revisions were received in the Regional Office on May 30, 2001.

**Permit Application No. 100265. Grand Central Sanitary Landfill**, Grand Central Sanitary Landfill, Inc., 1963 Pen Argyl Road, Pen Argyl, PA 18072. A major permit modification for the construction of a lateral expansion (Southern Expansion) to the existing landfill areas, an increase in the maximum daily waste tonnage limit, the subsurface recirculation of raw leachate in the landfill and a decrease in the facility permit area. The expansion of this municipal waste landfill located in Plainfield Township, **Northampton County**, will be constructed on the landfill's property within the current permitted area. It will increase the current disposal area at the site by 25 acres and include an overlay of an additional 17.5 acres on an unlined closed landfill at the site. The new area proposed for disposal consists primarily of permitted property that is currently being used for support facilities such as a truck wash and maintenance buildings. The application was found to be administratively complete on May 24, 2001.

**Applications Submitted under the Solid Waste Management Act, (35 P. S. §§ 6018.101—6018.1003) and regulations to operate or close solid waste processing or disposal area or site.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Application No. 100277. Westmoreland Waste LLC**, 1428 Delberts Drive, Unit 2, Monongahela, PA 15063. Sanitary Landfill, 900 Tyrol Road, Belle Vernon, PA 15012. An application for the Permit Renewal of a municipal waste landfill in Rostraver Township, **Westmoreland County** was received in the Regional Office on June 4, 2001.

## AIR QUALITY

### Notice of Plan Approval and Operating Permit Applications

#### New Sources and Modifications

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

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities.

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

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

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**Applications Received and Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).**

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

**40-303-012A: American Asphalt Paving Co.** (500 Chase Road, Shavertown, PA 18708) for operation of a batch asphalt plant utilizing waste derived liquid fuel at Plant 315 in Plains Township, **Luzerne County**.

**39-313-036A: Safety-Kleen Systems, Inc.** (5540 Memorial Road, Allentown, PA 18104) for operation of a storage tank in Upper Macungie Township, **Lehigh County**.

**40-399-042: Wyoming Valley Sanitary Authority** (P. O. Box 33A, Wilkes-Barre, PA 18703) for operation of sludge holding tanks and associated air cleaning device in Hanover Township, **Luzerne County**.

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

**22-03010: East Harrisburg Cemetery** (2260 Herr Street, Harrisburg, PA 17109) for a natural minor operating permit for two crematoriums in Susquehanna Township, **Dauphin County**. The particulate matter emission from the operation is about 0.05 ton per year. The natural

minor operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**22-05024: Penn State University College of Medicine/Milton S. Hershey Medical Center** (500 University Drive, Hershey, PA 17033) for a synthetic minor operating permit for a healthcare facility in Derry Township, **Dauphin County**. The synthetic minor operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**49-00047: Furman Foods, Inc.** (P. O. Box 500 Cannery Road, Northumberland, PA 17857-0500) for their facility in Point Township, **Northumberland County**. The facility's main sources include three fuel oil/natural gas fired boilers and a diesel fired emergency generator. These sources have the potential to emit major quantities of sulfur oxides (SOx). The facility has taken emissions limitations to fall below Title V thresholds. The facility has the potential to emit nitrogen oxides (NOx), particulate matter (PM), carbon monoxide (CO), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below the major emission thresholds.

**19-00019: Dillon Floral Corp.** (P. O. Box 180 Berwick Highway, Bloomsburg, PA 17815-0180) for their greenhouse facilities in Bloomsburg, **Columbia County**. The facility's main sources include two natural gas/fuel oil fired boilers. These sources have the potential to emit major quantities of sulfur oxides (SOx) and nitrogen oxides (NOx). The facility has taken emissions limitations to fall below Title V thresholds. The facility has the potential to emit particulate matter (PM), carbon monoxide (CO), hazardous air pollutants (HAPs) and volatile organic compounds (VOCs) below the major emission thresholds.

**55-00016: Conestoga Wood Specialties Corp.—Beavertown Plant** (441 West Market Street, Beavertown, PA 17813-9795) for their wood cabinet making facility in Beavertown Borough, **Snyder County**. The facilities main sources include two fuel oil fired boilers. These sources have the potential to emit major quantities of sulfur oxides (SOx). The facility has taken restrictions on type of fuel and fuel usage to limit potential SOx emissions below Title V thresholds. The facility has the potential to emit, nitrogen oxides (NOx), particulate matter (PM), carbon monoxide (CO), hazardous air pollutants (HAPs) and volatile organic compounds (VOCs) below the major emission thresholds.

**17-00036: Burke, Parsons, Bowlby Corp.** (P. O. Box 287, DuBois, PA 15801-0287) for their wood treatment facility in Sandy Township, **Clearfield County**. The facility's main sources include one wood fired boiler, one (1) natural gas boiler and wood treatment process equipment. These sources have the potential to emit major quantities of sulfur oxides (SOx), nitrogen oxides (NOx) and ethylene glycol (HAP). The facility has taken restrictions on its yearly operating hours to limit potential SOx, NOx and ethylene glycol emissions below Title V thresholds. The facility has the potential to emit volatile organic compounds (VOCs), particulate matter (PM), carbon monoxide (CO) and total hazardous air pollutants (HAPs) below the major emission thresholds.

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

**24-00135: National Fuel Gas Supply Corp.—Island Run Compressor Station** (R. D. 2, St. Marys, PA 15857) for a Synthetic Minor Permit to operate a natural gas compressor station in Ridgeway Township, **Elk County**.

**62-00032: National Forge Co.** (One Front Street, Irvine, PA 16329 ) for a Synthetic Minor Permit to operate a manufacturing steel forging company in Brokenstraw Township, **Warren County**.

*Philadelphia Department of Public Health, Air Management Services: 321 University Ave., Philadelphia, PA 19104, Roger Fey, (215) 823-7584.*

**00-009: United States Mint** (151 North Independence Mall East, Philadelphia, PA 19106) for production of medal and coin dies, coins of all denominations for general circulation and a limited amount of commemorative coins in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include five natural gas-fired annealing gas generators each rated less than 1.0 MMBTU/hr, five natural gas-fired rotary annealing furnaces each rated at 4.048 MMBTU/hr, two natural gas-fired die shop furnaces each rated less than 300,000 BTU/hr, a diesel-fired emergency generator, a hard chromium electroplating system consisting of a 50 gallon strip tank and two 67 gallon plating tanks controlled by a composite mesh pad/scrubbing system, two spray booths with filters for lacquer medal coating and alcohol and aerosol wipe cleaners. The proposed operating permit contains a compliance schedule for control of carbon monoxide emissions from the annealing gas generators.

**98-002: Ardex Laboratories, Inc.** (2050 Byberry Road, Philadelphia, PA 19116) for operation of manufacturing and distributing automotive cleaning and detailing products in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's significant air emission sources include a mixing tank, 13 mixing vessels, tank truck unloading, drum filling and packaging processes, a 483,000 BTU/hr facility heat natural gas-fired boiler, a 400,000 BTU/hr natural gas-fired air make-up unit and a 600,000 BTU/hr process and facility natural gas-fired hot water boiler.

#### **Nitrogen Oxides (NOx) Allowance Program**

##### **Proposed State Only Operating Permit that includes Conditions relating to NOx Allowance Requirements in 25 Pa. Code §§ 123.101—123.120**

The Department of Environmental Protection (Department) intends to issue an Operating Permit that includes allocations under the provisions of 25 Pa. Code §§ 123.101—123.120 (relating to NOx allowance requirements). These regulations establish a NOx budget and a NOx allowance trading program for NOx affected sources for the purpose of achieving the health-based ozone ambient air quality standard. A NOx affected source is defined as a fossil fuel fired indirect heat exchange combustion unit with a maximum rated heat input capacity of 250 MMBtu/hour or more and all fossil fuel fired electric generating facilities rated at 15 megawatts or greater or any other source that voluntarily opts to become a NOx affected source.

Specifically the Department proposes, under 25 Pa. Code § 123.115, to provide a NOx allowance allocations for Duquesne Light Company's Brunot Island facility (now owned and operated by Orion Power MidWest, L.P.).

These allowances will be allocated when the facility becomes fully operational and cannot be banked or traded.

The operating permit requires the owner or operator of each NOx affected source to hold a quantity of NOx allowances meeting the requirements of 25 Pa. Code § 123.110(a) by December 31, of each calendar year. One NOx Allowance is the limited authorization to emit one ton of NOx during the NOx Allowance Control Period, which begins May 1 of each year and ends September 30 of the same year. The NOx allowances held in the source's current year NOx Allowance Tracking System (NATS) account must be equal to or greater than the total NOx emitted from the source during the year's NOx allowance control period. The initial NOx allowance control period began on May 1, 1999.

The operating permit also includes emission monitoring, reporting and recordkeeping requirements for each NOx affected source. NOx emissions from each NOx affected source shall be monitored in accordance with 25 Pa. Code § 123.108 and the procedures contained in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NOx Budget Program."

Persons wishing to file protests or comments on the proposed revised operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed permits. Any comments or protests filed at the address must include a concise statement of the objections to the issuance of the 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* and a newspaper of general circulation, where the facility is located, at least 30 days prior to the date of the hearing.

Copies of the proposed permits and other relevant information are available for review at the address given:

*Bureau of Air Quality: Division of Permits, P. O. Box 8468, Harrisburg, PA 17105-8468, John F. Slade, Chief, Division of Permits, (717) 787-4325.*

**02-0056: Orion Power MidWest, L.P.** (7 East Redwood Street, Baltimore, MD 21202) located in the City of Pittsburgh, **Allegheny County**.

NOx affected Sources:

Point ID: 2A	Allowance: 82
Point ID: 2B	Allowance: 82
Point ID: 3	Allowance: 82

#### **PLAN APPROVALS**

##### **Applications Received for Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).**

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

**54-316-005: The Commodore Corp.** (Manorwood Homes, P. O. Box 169, Pine Grove, PA 17963-0169) for construction of a wood processing system with adhesive application and associated air cleaning device in Pine Grove Borough, **Schuylkill County**.

**48-309-113: Keystone Cement Co.** (P. O. Box A, Bath, PA 18014) for construction of a packing operation and associated air cleaning device in East Allen Township, **Northampton County**.

**48-318-132: Essex Northeast Service Center Co.** (P. O. Box 1648, Mason City, IO 50402-1648) for construction of a paint booth and associated air cleaning device at 1000 Conroy Place in Forks Township, **Northampton County**.

**48-309-114: Essroc Cement Corp.** (3251 Bath Pike, Nazareth, PA 18064) for installation of an air cleaning device on storage silos in Lower Nazareth Township, **Northampton County**.

**48-303-005C: Highway Materials, Inc.** (1750 Walton Road, P. O. Box 1667, Blue Bell, PA 19422) for modification of a batch asphalt plant to utilize recycled oil as a fuel on Tatamy Road in Upper Nazareth Township, **Northampton County**.

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

**07-05036: Tarmac-It Materials, Inc.** (515 West 17th Street, Tyrone, PA 16686) to install a bituminous concrete batch plant controlled by a fabric collector at the Tyrone Plant in Snyder Township, **Blair County**.

**34-05001A: Triangle Pacific Corporation** (P. O. Box 146, Thompsontown, PA 17094) for installation of a spray paint booth controlled by dry filters in Delaware Township, **Juniata County**.

**67-03104: Industrial Polishing and Grinding, Inc.** (50 North Harrison Street, York, PA 17403) for construction of an open top vapor degreaser in York City, **York County**. This source is subject to 40 CFR Part 63, Subpart T—National Emission Standards for Halogenated Solvent Cleaning.

**67-05046B: United Defense, LP** (1100 Bairs Rd, York, PA 17404) for modification of surface coating sources controlled by an RTO in West Manchester Township, **York County**.

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

**04-00516B: Vesuvius McDanel Co.** (510 9th Avenue, Beaver Falls, PA 15010) for construction and operation of a Lathe Grinder and Scrubber at the Beaver Falls Plant in Beaver Falls, **Beaver County**.

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**Intent to Issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).**

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

**54-399-031: Silberline Manufacturing Co., Inc.** (130 Lincoln Drive, Tamaqua, PA 18252-0420) for installation of a carbon adsorption unit to reclaim volatile organic compound (VOC) emissions at its Hometown facility in Rush Township, **Schuylkill County**. This aluminum pigment manufacturing facility is a Title V facility. This installation will result in a reduction of 58.8 tons per year of VOC emissions from the facility. VOC emissions from the facility shall be recorded on a monthly basis and included in quarterly reports that are submitted to the Department.

**54-399-032: Silberline Manufacturing Co., Inc.** (130 Lincoln Drive, Tamaqua, PA 18252-0420) for installation of six ball mills, 10 vibratory screens, four filter presses and two ribbon mixers to produce aluminum pigment in

Rush Township, **Schuylkill County**. This aluminum pigment manufacturing facility is a Title V facility. This installation will result in an emission increase of 6.0 tons per year of VOCs from the facility. VOC emissions from the facility shall be recorded on a monthly basis and included in quarterly reports that are submitted to the Department.

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

**31-05011C: U. S. Silica Company—Mapleton Depot** (P. O. Box 187, Berkeley Spring, WV 25411) for modification of an existing fluid bed dryer to use additional fuels of #4 oil, #6 oil and recycled oil in Brady Township, **Huntingdon County**. The plan approval and operating permit will contain reporting, record keeping and operating requirements designed to keep the source operating within all applicable air quality requirements. The plan approval will be incorporated into the Title V operating permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

**36-05014D: Alumax Mill Products, Inc.** (1480 Manheim Pike, Lancaster, PA 17604) for replacement of several components of the existing coil coating system within the mill's finishing department in Manheim Township, **Lancaster County**. The proposed action will not impact emissions from surface coating operations. The plan approval will include provisions for progress reporting, temporary operation and emission testing of the new equipment authorized under the approval. The coil coating system is subject to 40 CFR Part 60, Subpart TT—Standards of Performance for Metal Coil Surface Coating. The plan approval and subsequent operating permit will contain additional monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**38-03032A: Sun Pipe Line Co.—Cornwall Pump Station** (10 Penn Center, 20th Floor, Philadelphia, PA 19013) for construction of a biofilter treatment/soil vapor extraction system to remediate petroleum hydrocarbons adsorbed to soils in the subsurface at the pump station in West Cornwall Township, **Lebanon County**. The plan approval and operating permit will contain reporting, record keeping and operating conditions designed to keep the facility operating within all applicable air quality requirements.

**67-03103: Gerhardt USA** (400 East Locust Street, Dallastown, PA 17313) for the construction of a chrome electroplating tank controlled by a composite mesh pad scrubber system located in Dallastown Borough, **York County**. The potential to emit chromic acid will be about 500 lbs per year. This source is subject to 40 CFR Part 63, Subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. The plan approval and operating permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**67-05092: Starbucks Coffee Company** (3000 Espresso Way, York, PA 17402) for construction of two coffee roasters (Roasters 4A and 4B) each controlled by a catalytic afterburner and a cyclone at the York Roasting Plant in East Manchester Township, **York County**. These sources will increase the facility's potential emissions of: NOx by about 44 tons per year (TPY); CO by about 8 TPY; PM-10 by about 4 TPY; and VOC by about 1 TPY.

Exhaust stack testing for NO<sub>x</sub>, VOC and PM will be required for each roaster. PM emissions from each catalytic afterburner and cyclone exhaust shall not exceed 0.02 grain per dry standard cubic foot. Instrumentation will be required to monitor the temperature at the inlet and outlet of each unit's catalyst bed, along with the pressure differential across the catalyst bed. The coffee roasters, catalytic afterburners and cyclones shall be operated and maintained in accordance with the manufacturer's specifications. The plan approval and subsequent operating permit will contain additional monitoring, record keeping 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, Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**47-305-002: Iris Energy, LLC** (100 Nyala Farm, Westport, CT 06880), owner and **DQE Synfuels, LP** (1 North Shore Center, 12 Federal Street, Pittsburgh, PA 15212), operator, for construction of synthetic fuel manufacturing facility in Derry Township, **Montour County**. The facility will manufacture "synthetic fuel" using coal and organic binders as raw materials. The information provided by the applicant indicates that the subject facility will have the potential to emit an insignificant amount of fugitive particulate matter and less than 2.7 tons of volatile organic compounds in any 12 consecutive month period. A preliminary review of the information submitted by the applicant indicates that the proposed facility will meet all applicable air quality requirements including the "best available technology" requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to approve the application and issue a plan approval to construct.

In order to ensure compliance with all applicable standards, the Department proposes to place the following requirements in the respective plan approval.

The synthetic fuel manufacturing facility is to be constructed in accordance with the plans submitted with the application.

This plan approval is issued for the construction of a 300 ton per hour synthetic fuel manufacturing facility. The subject facility is to be comprised of the following:

- underground vibrating hopper
- belt feeder conveyor
- 42" x 100' underground reclaim conveyor
- 36" x 150' plant feed conveyor
- double agitation mixer
- surge-blending bin
- (2) pellet mills
- 36" x 120' product conveyor
- 36" x 100' stacker conveyor
- (2) 15,000 gallon volatile organic liquid storage tanks
- million Btu per hour propane-fired boiler

- Under 25 Pa. Code §§ 127.1 and 127.12, all conveyors that are not located within an enclosed structure or located within an underground tunnel, shall be completely enclosed or covered. These enclosures or covers shall be in place upon any occasion that the conveyors are in use.
- Under 25 Pa. Code §§ 127.1 and 127.12, only those additives listed shall be used to manufacture synthetic fuel at this facility, unless prior Department approval has been granted to use alternative additives.

FTH-100 from Accretion Technologies  
Nalco 9838 from the Nalco Chemical Company  
Latex DL 298NA from the Dow Chemical Company

- Under 25 Pa. Code §§ 127.1 and 127.12, the volatile organic compound emissions from this facility shall not exceed 2.70 tons during any 12 consecutive month period.
- The company shall maintain comprehensive and accurate records of the quantity of raw coal and the type and quantity of each additive used at the facility for each month. Additionally, the company shall also maintain comprehensive and accurate records of the quantity of synthetic fuel produced at the facility for each month. These records shall be retained on site for at least 5 years from the date of generation and shall be made available to Department personnel upon request.
- The two 15,000 gallon volatile organic liquid storage tanks are subject to Subpart Kb of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.110b—60.117b. The company shall comply with all applicable requirements of this Subpart as well as any other applicable Subpart of the Standards of Performance, including any recordkeeping and reporting requirements. Under 40 CFR 60.4 of the Standards of Performance, the submission of all requests, reports, applications, submittals and other communications required by the Standards of Performance must be made to both the Department of Environmental Protection and the Environmental Protection Agency.
- This plan approval authorizes temporary operation of the sources covered by this plan approval provided previously established conditions are met.

**08-399-048: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) for installation of five conservation vents and a fiber bed diffusion filter on five existing ammonium chloride solution storage tanks in North Towanda Township, **Bradford County** to control visible air contaminant emissions. The information provided by the applicant indicates that the tanks will emit .0000936 ton of particulate matter per year following the installation of the conservation vents and diffusion filter. A preliminary review of the information submitted by the applicant indicates that all applicable air quality requirements will be met. Based on this finding, the Department proposes to approve the application and issue a plan approval for the installations.

In order to ensure compliance with all applicable standards, the Department proposes to place the following requirements in the respective plan approval:

- The conservation vents and diffusion filter are to be installed in accordance with the plans submitted with the application.
- The diffusion filter shall be cleaned on a frequent enough basis to ensure proper operation.
- Opacity readings shall be conducted at least once during each 8-hour shift on the filter stack and vent manifold.
- The air contaminant emission from the tanks shall comply with the provisions of Sections 123.1, 123.13 and 123.41 of Chapter 123 of Article III of the Rules and Regulations of the Department of Environmental Protection.

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



**Notice of Intent to Issue a Plan Approval and Amend a Title V Operating Permit**

**37-00003A: ESSROC Cement Corp.** (Second Street, Bessemer, PA 16112) for installation of a cartridge collector on the CKD dust spout load-out at their facility in Bessemer Borough, **Lawrence County**. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into their Title V Operating Permit, No. 37-00003, through an administrative amendment at a later date.

**MINING ACTIVITY APPLICATIONS**

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

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

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a

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

*Coal Applications Received*

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

**54900105R2. Tuscarora Mines & Minerals Corporation**, (P. O. Box 116, Tuscarora, PA 17982-0116), renewal of an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** affecting 40.0 acres, receiving stream—Schuylkill River. Application received May 31, 2001.

**54960101T. Mountaintop Coal Mining, Inc.**, (P. O. Box 183, Elysburg, PA 17824-0183), transfer of an existing anthracite surface mine operation from J & A Coal Company in Barry and Foster Townships, **Schuylkill County** affecting 246.4 acres, receiving stream—Hans Yost Creek. Application received June 1, 2001.

**54960101R. Mountaintop Coal Mining, Inc.**, (P. O. Box 183, Elysburg, PA 17824-0183), renewal of an existing anthracite surface mine operation with an addition of coal refuse disposal in Barry and Foster Townships, **Schuylkill County** affecting 246.4 acres, receiving stream—Hans Yost Creek. Application received June 1, 2001.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**17970119. Moravian Run Reclamation Co., Inc.** (605 Sheridan Drive, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Gulich Township, **Clearfield County** affecting 52.7 acres. Receiving stream—Muddy Run. Application received May 21, 2001.

**17000110. Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838), transfer of an existing bituminous Surface Mine Permit Application from Thunder Coal Company, located in Penn Township, **Clearfield County** affecting 51 acres. Receiving stream—unnamed tributary to Kratzer Run and unnamed tributary to West Branch Susquehanna River. Application received May 28, 2001.

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

**11960105. Permit Renewal, E. P. Bender Coal Company, Inc.** (Main and Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722), for continued operation of a bituminous surface and auger mine in Reade and Beccaria Townships, **Cambria and Clearfield Counties**, receiving stream Turner Run and Clear Creek, Clearfield Creek. Application received June 5, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**56841612. Svonavec, Inc.**, (150 West Union St., Suite 201, Somerset, PA 15501), to renew the permit for the Coal Prep Plant #2 in Black Township, **Somerset County**, no additional discharges. Application received May 4, 2001.

**32951301. Penn America Coal, L.P.**, (R. D. #1, Box 119A, Avonmore, PA 15618), to revise the permit for the Burrell Mine in Burrell Township, **Indiana County** to

add 185 permit and subsidence control plan acres, no additional discharges. Application received May 15, 2001.

**30831303. RAG Cumberland Resources, L.P.**, (158 Portal Rd., P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Whiteley Township, **Greene County** to add three vent boreholes and a stream crossing, no additional discharges. Application received May 18, 2001.

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

**33830116. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip operation in Oliver Township, **Jefferson County** affecting 154.3 acres. Receiving streams: unnamed tributary to Little Sandy Creek. Application for reclamation only. Application received June 4, 2001.

#### *Coal Mining Applications Returned*

*McMurray District Office: 3913 Washington Road, McMurray, PA 15317.*

**03743701. Canterbury Coal Co.**, (R. D. 1, Box 119, Avonmore, PA 15618), to revise the permit for the #5 Coal Refuse Disposal Area in Kiskiminetas Township, **Armstrong County** to revise the permit to allow disposal in an additional 8.3 acres of permitted area and to obtain a road variance to dispose of refuse 100' from T-508, no additional discharges. Application returned June 6, 2001.

#### *Noncoal Applications Received*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**08012801. Jerry L. Johnson** (R. R. 1, Box 179A1, Wyalusing, PA 18853), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Tuscarora Township, **Bradford County** affecting 1 acre. Receiving stream—Wyalusing Creek, tributary to Susquehanna River. Application received May 30, 2001.

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

**4273SM4A. Permit Transfer from Sproul Lime & Stone Company** (R. D. #1, Claysburg, PA 16625) to **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, Church Street, New Enterprise, PA 16664), for continued operation of a noncoal surface mine in Greenfield Township, **Blair County**, affecting 37.3 acres, receiving stream Beaverdam Creek. Application received June 7, 2001.

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

**37920307. Atlantic States Materials of PA, Inc.** (P. O. Box 269, Mercer, PA 16137). Transfer of an existing sand and gravel operation in New Beaver and Big Beaver Boroughs, **Lawrence and Beaver Counties** affecting 79.0 acres. Receiving streams: North Fork of Little Beaver. Transfer from Russell Minerals (Pennsylvania), Inc. t/d/b/a Darlington Ready Mix Co. Application received June 7, 2001.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E51-189. City of Philadelphia**, Streets Department, 1401 JFK Boulevard, Room 830 MSB, Philadelphia, PA 19102-1917, **Philadelphia County**, ACOE Philadelphia District.

To remove an existing simple span steel truss bridge superstructure and to construct and maintain, in its place, a single span steel truss bridge superstructure across Manayunk Canal (WWF-MF). The proposed structure will have a clear span of 80 feet and an underclearance of 14.9 feet. The existing pier and north abutment substructure units will be reused during this project. This project is associated with the bridge superstructure replacement and roadway improvements for Fountain Street and will serve as a secondary access to Venice Island.

The site is located approximately 400 feet southwest of the intersection of Umbria Street and Fountain Street (Germantown, PA-NJ USGS Quadrangle N: 5.6 inches; W: 15.1 inches).

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

**E40-571. John A. Yenason**, R. R. 2, Box 319, Dallas, PA 18612, in Lake Township, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To authorize fill and excavation that has impacted approximately .50 acre of wetlands for the construction of the embankment and reservoir area associated with a nonjurisdictional dam. The project includes the conversion of approximately 0.25 acre of previously existing open water to wetlands as part of the wetland mitigation plan. The project is located along the south side of S. R. 1049 (Outlet Road), approximately 1.5 miles northwest of the intersection of S. R. 1049 and S. R. 0118. (Harveys Lake, PA, Quadrangle N: 14.6 inches; W: 6.3 inches).

**EA40-009NE. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790, in Sugarloaf Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To backfill 4 existing water bodies in conjunction with abandoned mine reclamation project OSM 40 (1613) 101.1 Black Ridge (Conyngham, Quadrangle N: 18.0 inches; W: 7.5 inches).

**E39-400. Pennsylvania Department of Transportation**, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103, in Upper Saucon Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To authorize after the fact fill in 1.87 acres of wetlands placed within the Saucon Creek Watershed (CWF) for the purpose of constructing a stormwater management basin associated with the construction of Interstate 78, Section 600. (Allentown East, PA, Quadrangle N: 10.5 inches; W: 9.3 inches).

**E66-126. Richard C. Florey**, 1216 West Grove Street, Clarks Summit, PA 18411, in Overfield Township, **Wyoming County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a pile supported boat dock having a surface area of approximately 520 S.F. and extending 60 feet from the southern shore of Lake Winola (CWF). The project is located approximately 0.6 mile northwest of the intersection of S.R. 0307 and S.R. 2006. (Factoryville, PA, Quadrangle N: 1.6 inches; W: 3.1 inches).

**E35-339. Alliance Sanitary Landfill, Inc.**, 398 South Keyser Avenue, Taylor, PA 18517, in Taylor Borough, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To remove an existing structure and to construct and maintain approximately 560 feet of riprap line channel for the purpose of reconstructing a tributary to St. John's Creek (a/k/a Sawmill Creek). (Scranton, PA, Quadrangle N: 2.9 inches; W: 15.4 inches).

**E39-399. Whitehall Township**, 3219 MacArthur Road, Whitehall, PA, in Whitehall Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a single-span, steel-girder pedestrian bridge with timberdeck and railing having a span of 47.5 feet and underclearance of approximately 9 feet across Coplay Creek (HQ-CWF). (Cementon, PA, Quadrangle N: 8.7 inches; W: 2.8 inches).

**E45-412. Raintree Homes, Inc.**, H.C. 1, Box 1049, Tannersville, PA 18372, in Pocono Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stormwater outfall structure in Bulger's Run (HQ-CWF). The project is associated with the proposed expansion of Pocono Haven Residential Subdivision located approximately 0.6 mile north of the intersection of S.R. 1001 and Cranberry Road. (Mount Pocono, PA, Quadrangle N: 8.2 inches; W: 4.2 inches).

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

**E01-223. Latimore Township**, P. O. Box 218, York Springs, PA 17372 in Latimore Township, **Adams County**, ACOE Baltimore District.

To remove the existing single lane structure and to construct and maintain a two lane timber bridge having a 24 foot clear span with a 3 foot underclearance over an unnamed tributary to Latimore Creek (CWF) on Bonners Hill Road (T-630) (Dillsburg, PA Quadrangle N: 5.8 inches; W: 14.5 inches).

**E05-293. Marvin Horst**, 363 Forsty Hollow Road, Roaring Spring, PA 16673 in Woodbury Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a 10-inch diameter PVC pipe in Yellow Creek (HQ-CWF) for the purpose of filling several ponds (Hopewell, PA Quadrangle N: 19.8 inches; W: 17.0 inches).

**E05-294. Larry Fischer**, Chestnut Ridge Area Joint Municipal Authority, 320 Lane Metal Road, New Paris, PA 15554 in East St. Clair Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain one sewage treatment tank and relocate an existing bum closer to the stream along Denning Creek (WWF). (Bedford, PA Quadrangle N: 18.9 inches; W: 5.0 inches).

**E07-345. William Hughes**, Antis Township, 909 N. Second Street, Municipal Bldg., Bellwood, PA 16617 in Antis Township, **Blair County**, ACOE Baltimore District.

To remove an existing structure and to construct and maintain a structure consisting of two 98-inch culverts in the channel of a tributary to the Little Juniata River (WWF) at a point at River Road (Bellwood, PA Quadrangle N: 21.9 inches; W: 9.5 inches).

**E07-346. Bruno DeGol**, Northern Blair County Recreation Commission, Inc, 3229 Pleasant Valley Road, Altoona, PA 16602 in Antis Township, **Blair County**, ACOE Baltimore District.

To do minor regrading within the floodway of the Little Juniata River (TSF) at a point upstream of SR 1001 for the purpose of creating recreational facilities (Bellwood, PA Quadrangle N: 22.4 inches; W: 7.0 inches).

**E22-430. John Payne**, Dauphin County Commissioners, P. O. Box 1295, Harrisburg, PA 17108 in Washington Township, **Dauphin County**, ACOE Baltimore District.

To remove an existing county Bridge No. 42 and to construct and maintain a single span reinforced concrete spread box beam bridge having a clear span of 80.5 feet and an underclearance of 13.29 feet across Wiconisco Creek (WWF) located on Matterstown Road (T-595) about 0.2 mile west of its intersection with LR 22037 (Elizabethville, PA Quadrangle N: 9.85 inches; W: 12.35 inches).

**E22-431. Myron Johnson**, 171 River Drive, Dalmatia, PA 17017 in Upper Paxton Township, **Dauphin County**, ACOE Baltimore District.

To authorize previously placed fill material in the floodway of the Susquehanna River (WWF) for the purpose of development of a fire lane and site landscaping located at a private residence (Millersburg, PA Quadrangle N: 17.5 inches; W: 9.2 inches).

**E28-288. John Hart**, Franklin County Commissioners, 157 Lincoln Way East, Chambersburg, PA 17201 in Hamilton Township, **Franklin County**, ACOE Baltimore District.

To remove a temporary pipe crossing and construct and maintain a single span reinforced concrete slab deck supported on reinforced concrete abutments with a clear span of 24 feet and a minimum underclearance of 4.15 feet across an unnamed tributary to Dennis Creek (CWF) at a point at T-464 (St. Thomas, PA Quadrangle N: 20.1 inches; W: 3.1 inches).

**E31-172. Daniel Varner**, Huntingdon Borough, 530 Washington Street, P. O. Box 592, Huntingdon, PA 16652 in Huntingdon Borough, **Huntingdon County**, ACOE Baltimore District.

To make repairs to approximately 1,300 feet of an existing stream enclosure including replacing existing concrete channel lining, cleaning litter, debris and silt deposits from the channel and underpinning existing culvert footings in the channel of an unnamed tributary to the Juniata River (WWF) at a point from the intersection of Moore and 14th Street to its mouth at the Juniata River (Huntingdon, PA Quadrangle N: 21.4 inches; W: 2.2 inches).

**E44-107. Anthony Skicki**, GPU Energy, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640 in Granville Township, **Mifflin County**, ACOE Baltimore District.

To install and maintain a fiber optic cable on an existing aerial electric transmission line across the channel of the Juniata River (WWF) at a point approximately 3,900 feet downstream of the Penn Central Railroad crossing (Lewistown, PA Quadrangle N: 14.3 inches; W: 13.7 inches).

**E50-203. Leo Williams, Jr.**, 954 Fox Hollow Road, Shermans Dale, PA 17090 in Carroll Township, **Perry County**, ACOE Baltimore District.

To construct and maintain a single span bridge having a clear span of 15.0 feet and an underclearance of about 3.5 feet across an unnamed tributary to Sherman Creek (WWF) to access private property located along the south side of Fox Hollow Road (T-303) about 3.1 miles west of its intersection with SR 0034 (Shermans Dale, PA Quadrangle N: 8.8 inches; W: 11.9 inches).

**E67-698. York County Commissioners**, One West Marketway, York, PA 17401 in Hellam Township, **York County**, ACOE Baltimore District.

To remove the existing structure, construct and maintain County Bridge No. 69 having a 40-foot clear span pre-stressed concrete box beam structure with a concrete deck having a 5-foot underclearance across Kreutz Creek (WWF) on Valley Aces Road (T-787) (Red Lion, PA Quadrangle N: 21.6 inches; W: 15.3 inches).

**E67-699. Felton Borough**, 88 Main Street, Felton, PA 17322 in Felton Borough, **York County**, ACOE Baltimore District.

To construct and maintain two sanitary pump stations located within the 100-year floodplain of the North Branch Muddy Creek as part of the Felton Borough sanitary sewer system connected to a proposed wastewater treatment plant to be located on Water Street. The Beaver Street pump station is located on the west side of Beaver Street and the Water Street pump station along the east side of Water Street (Stewartstown, PA Quadrangle N: 18.65 inches; W: 8.8 inches).

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

**E14-395. Robert C. Hall**, 966 Ulrich Road, Julian, PA 16844. New secondary driveway culvert in Huston Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle N: 2.7 inches; W: 11.2 inches).

1) To place and maintain a 48-inch diameter by 20-foot long plastic culvert pipe; 2) To construct and maintain 150 feet of flagstone streambank retaining walls; in an unnamed tributary to Laurel Run located 0.8 mile east-northeast from the intersection of SR 3030 and SR 3032 in Huston Township, Centre County. The project proposes to permanently impact 150 feet of the unnamed tributary to Laurel Run that is in an Exceptional Value Watershed.

**E14-396. Ray Decker**, Haines Township Supervisors, P. O. Box 244, Aaronsburg, PA 16820-0244. Replacing three road culverts pipes for Applebutter Road, in Haines Township, **Centre County**, ACOE Baltimore District (Millheim, PA Quadrangle N: 6.0 inches; W: 1.9 inches).

1) To remove an existing culvert and then to place and maintain two 42-inch by 27-inch by 24-foot arch corrugated metal pipes with concrete headwalls and a waterway opening of 12.6 square feet; 2) to remove an existing culvert and then to place and maintain two 57-inch by 38-inch by 21-foot arch corrugated metal pipes with concrete headwalls and a waterway opening of 23.2 square feet; 3) to remove an existing culvert and then to place and maintain two 42-inch by 27-inch by 20-foot arch corrugated metal pipes with concrete headwalls and a waterway opening of 12.6 square feet; in an unnamed tributary of Pine Creek located 1,110 feet north on Applebutter Road from the intersection of SR 0045 in Haines Township, Centre County. The project proposes to permanently impact 65 linear feet of an unnamed tributary of Pine Creek that is an Exceptional Value watershed without impacting wetlands.

**E17-356. Huston Township Sewer Authority**, P. O. Box 121, Penfield, PA 15840-0121, in Huston Township, **Clearfield County**, ACOE Baltimore River Basin District (Penfield, PA Quadrangle N: 16.5 inches; W: 8.6 inches).

To install, operate and maintain a 2-inch diameter polyethylene pipe crossing Eric Hollow Run, Mill Run, Moose Run, Tyler Run, four unnamed tributaries to Bennetts Branch-Sinnemahoning Creek and eight wetlands for the collection, conveyance and treatment of municipal wastewater. All waterways crossed by the collection system are designated as Cold Water Fisheries; the wetland associated to Wilson Run is designated an Exceptional Value, due to the wild trout resources of Wilson Run. All utility lines crossing beneath waterways shall encased in concrete. The project will impact .50-acre of wetland and 350-feet of waterway. The project is located along SR 0255 approximately 2.5-miles north of SR 0153 and SR 0255 intersection. This also authorizes the construction, operation and maintenance of an outfall structure to treated wastewater effluent to an existing

abandon mine pool. All wetland impacts associated to the collection and conveyance system shall be temporary, as the permittee will not need to mitigate with replacement wetlands.

**E49-247. John Ferrara**, PA DCNR, Shikellamy State Park, Bridge Avenue, Sunbury, PA 17801. Floodway Construction, in Upper Augusta Township, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle N: 2.0 inches; W: 12.0 inches).

1) To remove 900 feet of an existing park entrance road; 2) to reconstruct and maintain 900 feet of an existing park entrance road with a low point elevation of 432.77 feet; 3) to construct and maintain a 392-foot long concrete floodwall with a maximum elevation of 437.3 feet; 4) to reconstruct and maintain a 12-inch, 18-inch and a 24-inch storm pipes with their respective inlets and outfalls, relocate and maintain an existing underground electrical line, replace and maintain a portion of a sanitary sewer force main pipe and to construct and maintain a small stormwater pump station; all of which are in the left floodway of the Susquehanna River located on the Main Entrance Road to Shikellamy State Park 1,000 feet from SR 0147 intersection. The project should have no direct impacts to the Susquehanna River that is classified as a Warm Water Fishery.

**E53-359. Christopher A. Beaver**, PA DCNR, Bureau of Forestry, P. O. Box 673, Coudersport, PA 16915-0673. Replacing two Forestry culverts and installing a new cross drain outfall in Eulalia Township, **Potter County**, ACOE Baltimore District (Short Run, PA Quadrangle N: 18.6 inches; W: 10.6 inches).

1) To remove an existing culvert and then to construct and maintain a 60-inch diameter 40-foot long metal culvert with end sections that would have a waterway opening of 18.61 square feet after being depressed 6 inches into the stream bed of Little Lyman Run located 0.8 mile south on Horton Run Road from Junction Road; 2) to remove an existing culvert and then to construct and maintain a 57-inch by 36-inch by 40-foot long metal arch culvert with end sections that would have a waterway opening of approximately 10 square feet after being depressed 6 inches into the stream bed of Little Lyman Run located 1.02 miles south on Horton Run Road from Junction Road; 3) to construct and maintain a limestone riprap outlet apron for a 18-inch diameter cross-drain culvert located 50 feet upstream of the above mentioned proposed arch culvert. The project proposes to permanently impact approximately 125 linear feet of Little Lyman Run that is designated an Exceptional Value Watershed. No wetlands are predicted to be impacted.

**E55-180. Jeffrey W. Goff**, 88 Old Colony Road, Selinsgrove, PA 17870. Bridge Construction, in Penn Township, **Snyder County**, ACOE Baltimore District (Freeburg, PA Quadrangle N: 22.75 inches; W: 17.20 inches).

1) To construct and maintain a 20-foot by 7.33-foot by 54.3-foot long structural plate arch culvert with concrete wingwalls located on the north side of Old Colony Road 0.5 mile west of the SR 0204 intersection; 2) to construct and temporarily maintain a cofferdam during construction of the bridge; in an unnamed tributary of Penns Creek located on the north side of Old Colony Road 0.5 mile west of SR 0204 in Penn Township, Snyder County. The project proposes to permanently impact 55 feet of an unnamed tributary to Penns Creek that is classified as a Cold Water Fishery.

**E59-417. James Kendter**, PA Department of Transportation, Engineering District 3-0, 715 Jordan Avenue,

Montoursville, PA 17754. SR 0328, Sect. 020 Bridge Replacement across Hammond Creek in Jackson Township, **Tioga County**, ACOE Baltimore District (Miller, PA Quadrangle N: 17.1 inches; W: 11.1 inches).

1) To construct and maintain a temporary bridge with a minimum normal span of 33.0 feet, a low chord elevation no lower than 1,241.0 feet and a waterway opening of 208 square feet located 100 feet upstream of the SR 0328, Sect. 020 bridge; 2) to construct and maintain a temporary cofferdam of plastic lined concrete barriers to facilitate demolition and construction in the dry; 3) to remove an existing bridge and to then construct and maintain a single span concrete deck steel I-beam bridge on a 35° skew with a normal span of 55.0 feet, an underclearance of 7.0 feet, a waterway opening of 354 square feet to cross Hammond Creek located approximately 1,100 feet northbound on SR 0328 from the SR 1020 intersection in Jackson Township, Tioga County. This project proposes to permanently impact 50 linear feet of Hammond Creek that is designated a Warm Water Fishery. Wetlands should not be impacted by this project.

**E59-418. North Penn Gas Co.**, R. R. 3, Box 404A, Port Allegany, PA 16743. Pipeline Replacement, in Charleston Township, **Tioga County**, ACOE Baltimore District (Crooked Creek, PA Quadrangle N: 11 inches; W: 8.5 inches).

The permit is submitted as an after-the-fact permit application for a gas pipeline replacement. The 2-inch steel distribution line was replaced under an emergency permit due leakage in the line. The permit application proposes to replace 3,300 feet of 2-inch distribution line, which crosses two unnamed tributaries to Tauscher Pond which are Warm Water Fisheries and will impact 740 lineal feet of wetlands.

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

**E02-1345. White Oak Borough**, 2280 Lincoln Way, White Oak, PA 15131. White Oak Borough, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a 48-inch diameter outfall structure on the right bank of an unnamed tributary to the Monongahela River (WWF) for the purpose of improving stormwater discharge. The project is located on the south side of Pennsylvania Avenue, approximately 270 feet west from the intersection of Capital Avenue and Pennsylvania Avenue (McKeesport, PA Quadrangle N: 18.6 inches; W: 10.0 inches).

**E02-1346. High Performance Builders**, GP, 210 Wittengale Road, Oakdale, PA 15071. North Fayette Township, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a bridge having a span of 27.0 feet with an underclearance of 8 feet across the channel of North Branch Robinson Run (WWF) for the purpose of providing access to applicants property located on the south side of North Branch Road, approximately 300 feet southwest from the intersection of North Branch Road and Seabright Road (Oakdale, PA Quadrangle N: 4.7 inches; W: 17.0 inches).

**E26-285. Fayette City Borough**, R. D. 1, Box 544, 2nd and Cook Streets, Fayette City, PA 15438. Borough of Fayette City, **Fayette County**, ACOE Pittsburgh District.

To construct and maintain a gabion stream bank protection for a length of 550 feet along the west bank of Downers Run (WWF) for the purpose of providing access to vehicles. The project is located along Brightwell Drive

at a point approximately .4 mile north of the intersection of S.R. 201 and S.R. 4044 (Fayette City, PA Quadrangle N: 19.15 inches; W: 12.2 inches).

**E65-782. Cook Township**, R. D. 1, Box 230, Stahlstown, PA 15687. Cook Township, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing culvert and to construct and maintain a 1.0-foot depressed 77-inch x 52-inch pipe arch culvert in an unnamed tributary to Fourmile Run (TSF) for the purpose of improving transportation safety and roadway standards. The project is located on Stom Road (Stahlstown, PA Quadrangle N: 13.29 inches; W: 7.75 inches).

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

**E10-201, Dimension Development Corporation**, 120 Third Degree Road, Pittsburgh, PA 15237. Hunters Creek Phase IV, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 16.0 inches; W: 1.5 inches).

To construct and maintain approximately 80 linear feet of a 16 1/2 foot by 11-inch corrugated metal pipe arch culvert in a perennial unnamed tributary to Brush Creek (WWF) for the purpose of extending Hunter Drive and creating access to 15 residential lots associated with Phase IV of Hunter's Creek Residential Development, located at the terminus of Hunter Drive. The proposed activity was approved under a permit issued September 1995 that expired due to project delays.

**E10-337, Keith G. and Linda M. Kotchey**, 2830 Clearview Road, Allison Park, PA 15101. Kotchey Bridge Across Yellow Creek, in Lancaster Township, **Butler County**, ACOE Pittsburgh District (Prospect, PA Quadrangle N: 0.3 inch; W: 13.6 inches).

To construct and maintain a steel beam bridge having a span of approximately 24 feet and an underclearance of 6 feet across Yellow Creek on a private driveway extending west from Yellow Creek Road approximately 1.5 mile north of East Lancaster Road.

**E10-344, Zokaites Contracting, Inc.**, 375 Golfside Drive, Wexford, PA 15090. Marshall Woods Storm Water Detention Basin, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 18.0 inches; W: 13.7 inches).

To conduct the following activities associated with the construction of a multi-phase single family residential development located east of Interstate 79 at the intersection of Marshall Road and North Boundary Road.

1.) The disturbance of approximately 0.45 acre of wetland (PEM/PSS) and the onsite replacement of approximately 0.45 acre of wetland associated with the construction of a stormwater detention basin located on an unnamed tributary to Brush Creek (WWF) having a drainage area of approximately 18 acres.

2.) The enclosure of 320 feet of an unnamed tributary to Brush Creek (WWF) having a drainage area of approximately 10 acres associated with the construction of a road crossing.

**E62-378. Wesley Gourley**, R. D. 1 Box 89, Sugar Grove, PA 16350-9611. James Gourley Barnyard Bank stabilization, in Sugar Grove Borough, **Warren County**, ACOE Pittsburgh District (Sugar Grove, PA Quadrangle N: 18 inches; W: 12 inches).

To conduct the following activities associated with the reestablishment of approximately 125 feet of a perennial

unnamed tributary to Stillwater Creek (CWF) and its floodplain located on a 213-acre dairy farm approximately 0.6 mile south of the intersection of SR 69 and SR 957 on the downstream side of Jackson Run Road Bridge (SR 69).

1. Excavate the stream channel to allow adequate capacity for the stream flows.

2. Reestablish and stabilize the stream banks with the excavated material and concrete.

3. Install and maintain a concrete pad and elevated stabilized animal trail and walkway.

4. Install stream fencing to limit livestock access to the stream.

5. Construct and maintain a milk house waste filter system.

6. Construct and maintain a concrete access road around the barn to provide heavy use area protection within the floodplain.

7. Construct and maintain a filter strip to treat water flowing between the farmstead and the stream.

## ENVIRONMENTAL ASSESSMENTS

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

**EA03-004SW. Bureau of Abandoned Mine Reclamation**, 286 Industrial Park Road, Ebensburg, PA 15931. Bradys Bend Township, **Armstrong County**, ACOE Pittsburgh District.

To relocate approximately 444 feet of an unnamed tributary to Sugar Creek by constructing and maintaining approximately 498 feet of new channel in association with the regarding and stabilization of a refuse pile along approximately 2,000 linear feet of Sugar Creek and the construction of a passive treatment system to treat mine drainage from the Snow Hill Mine. The project is located near the confluence of Pine Run with Sugar Creek (Chicora, PA USGS Quadrangle N: 19.83 inches; W: 4.59 inches).

## DAM SAFETY

*Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.*

**D63-130. Catawba Dam.** The Markham Group, 215 Parkway Drive, Pittsburgh, PA 15228. To construct, operate and maintain the Catawba Dam across a tributary to Pleasant Valley Run (TSF), directly and indirectly impacting 1,000 feet of stream for the purpose of providing a recreational lake for fishing and swimming (Prosperity, PA Quadrangle N: 10.2 inches; W: 0.45 inch) Morris Township, **Washington County**.

## ACTIONS

### FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT NPDES AND WQM PART II PERMITS INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection (Department) has taken the following actions on previously

received permit applications and requests for plan approval. The actions are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permits.

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

**I. Municipal and Industrial Permit Actions under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).**

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

**NPDES Permit No. PA0058203**, Sewage, **Peter's Clay Pots**, 1320 North West End Boulevard.

This proposed facility is located in Richland Township, **Bucks County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Tohickon Creek.

**NPDES Permit No. PA0053597**, Sewage, **Lois Lawrence**, 5650 Tollgate Road, Pipersville, PA 18947.

This proposed facility is located in Plumstead Township, **Bucks County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Geddes Run.

**NPDES Permit No. PA0056413**, Sewage, **Lower Salford Township Authority**, 57 Main Street, Harleysville, PA 19438.

This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: Authorization to discharge to Skippack Creek.

**WQM Permit No. 0901406**. Sewerage, **Edward & Lois Keller**, 251 A Ridgeway Court.

This proposed facility is located in Haycock Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a small flow STP.

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

**NPDES Permit No. PA-0051632**, Industrial Waste, **City of Easton**, One South Third Street, Easton, PA 18042.

This proposed facility is located in City of Easton, **Northampton County**.

Description of Activity: to review NPDES Permit.

**NPDES Permit No. PA-0062090**, Industrial Waste, **Anemostat**, 888 North Keyser Avenue, Scranton, PA 18508.

This proposed facility is located in City of Scranton, **Lackawanna County**.

Description of Activity: to discharge noncontact cooling water into an unnamed tributary to Keyser Creek.

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

**NPDES Permit No. PA0110931**, Sewage, **Bernard George**, Shellbark Campground Treatment Plant, 112 Pine Street, Sutersville, PA 15083-1330.

This proposed facility is located in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to the Raystown Branch Juniata River in Watershed 11-C.

**NPDES Permit No. PA0083275**, Industrial Waste, **B & W Quality Growers, Inc.**, (Newville II Facility), 17825 79th Street, Fellsmere, FL 32948.

This proposed facility is located in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Green Spring Creek in Watershed 7-B.

**NPDES Permit No. PA0080624**, Industrial Waste, **B & W Quality Growers, Inc.**, (Carlisle Facility), 17825 79th Street, Fellsmere, FL 32948.

This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Letort Spring Run in Watershed 7-B.

**NPDES Permit No. PA0080641**, Industrial Waste, **B & W Quality Growers, Inc.**, (Newville Facility), 17825 79th Street, Fellsmere, FL 32948.

This proposed facility is located in North Newton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Green Spring Creek in Watershed 7-B.

**NPDES Permit No. PA0080632**, Industrial Waste, **B & W Quality Growers, Inc.**, (Huntsdale Facility), 17825 79th Street, Fellsmere, FL 32948.

This proposed facility is located in Penn Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Yellow Breeches Creek in Watershed 7-E.

**NPDES Permit No. PA0080675**, Industrial Waste, **B & W Quality Growers, Inc.**, (Midvale Facility), 17825 79th Street, Fellsmere, FL 32948.

This proposed facility is located in Washington Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Red Run in Watershed 13-C.

**NPDES Permit No. PA0088722**, Industrial Waste, **John F. Martin & Sons, Inc.**, 55 Lower Hillside Road, Stevens, PA 17578.

This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Indian Run in Watershed 7-J.

**WQM Permit No. 3601201**, Industrial Waste, **John F. Martin & Sons, Inc.**, 55 Lower Hillside Road, Stevens, PA 17578.

This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction /operation of Industrial Waste Treatment Facilities.

**WQM Permit No. 2171401 Amendment 01-1**, Sewage, **Borough of New Cumberland**, 1120 Market Street, New Cumberland, PA 17070-0220.

This proposed facility is located in New Cumberland Borough, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for modification to the construction/operation of Sewage Treatment Facilities.

**WQM Permit No. 2101402**, Sewage, **F. R. Acquisitions, Inc.**, A. C. Kuhn—Lot C, 200 Philips Road, Exton, PA 19341-1326.

The proposed facility is located in Dickinson Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of Sewage Treatment Facilities, Subsurface Absorption Area and Pump Stations.

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

**NPDES Permit No. PA0036609**. Sewage. **Conway Borough Municipal Authority**, 1208 Third Avenue, Conway, PA 15027 is authorized to discharge from a facility located at Conway Borough Municipal Authority Wastewater Treatment Plant, Conway Borough, **Beaver County** to receiving waters named Ohio River.

**NPDES Permit No. PA0037940**. Sewage. **Center Township Sewer Authority**, 224 Center Grange Road, Aliquippa, PA 15001 is authorized to discharge from a facility located at Elkhorn Run Wastewater Treatment

Plant, Center Township, **Beaver County** to receiving waters named Ohio River.

**NPDES Permit No. PA0217352**. Sewage. **Edward M. Goetz**, 321 Annuity Drive, Washington, PA 15301 is authorized to discharge from a facility located at Club 40 Restaurant Sewage Treatment Plant, North Franklin Township, **Washington County** to receiving waters named unnamed tributary of Chartiers Creek.

**Permit No. 8775-S-A1**. Sewerage. **Clairton Municipal Authority**, 1 North State Street, Clairton, PA 15025. Construction of Aerobic Sludge Digestion System located in the City of Clairton, **Allegheny County** to serve Clairton Wastewater Treatment Plant.

**Permit No. 5601401**. Sewerage. **GM & S Coal Corporation**, P. O. Box 233, Jennerstown, PA 15547. Construction of sewage treatment plant located in Jenner Township, **Somerset County** to serve Geronimo Deep Mine Portal Sewage Treatment Plant.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS101323	PA Dept. of Conservation & Natural Resources Bureau of State Parks 8th Floor, Rachel Carson State Office Bldg. P. O. Box 8551 Harrisburg, PA	Carbon         Luzerne	Jim Thorpe Borough & Lehigh Township         White Haven Borough Dennison Township & Foster Township	Lehigh River HQ-CWF
<i>Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10M108	John Helman 1115 Sheller Avenue Chambersburg, PA 17201	Franklin	Guilford Township	Falling Spring Creek (HQ-CWF)
PAS10O070	Joan & Scott Baribault Box 484 Bryn Mawr, PA 19010	Lancaster	Little Britain	Tributary To West Branch Octoraro Creek (CWF-HQ)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10C041	Quaker Hill Dev. Co. R. D. 1 Box 1325 Mohnton, PA 19540	Berks	Robeson	Beaver Run (CWF-HQ-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS100246	Department of Environmental Protection Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Beaver County Big Beaver Borough	Little Beaver Creek/ HQ-WWF
PAS101024	Cambria County Industrial Development Corporation 209 South Center Street Ebensburg, PA 15931	Cambria County Cambria Township	Stewart Run (HQ-CWF)
PAS10L024	NWL Company 1001 LaFayette Drive Farmington, PA 15437	Fayette County Wharton Township	Deadman Run/ HQ-CWF

#### **APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS**

The following parties have submitted: (1) Notices of Intent (NOIs) for Coverage Under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

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

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

#### **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 Non-Exceptional 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 Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

## NOTICES

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*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lehigh County Upper Saucon Township	PAR10Q157	Chick Development 7605 Hillview Circle Coopersburg, PA 18036	Tumble Brook CWF	Lehigh County Conservation District (610) 391-9583
Luzerne County Hazle Township	PAR10R214	CANDO, Inc. 1 S. Church St. Hazleton, PA 18201	Stony Creek CWF Cranberry Creek CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Hazle Township	PAR10R224	CANDO, Inc. 1 S. Church St. Hazleton, PA 18201	Tomhicken Creek CWF	Luzerne County Conservation District (570) 674-7991
Lackawanna County Moosic Borough & City of Scranton	PAR10N115	PA Dept. of Transportation P. O. Box 111 Scranton, PA 18501	Stafford— Meadow Brook Lackawanna River CWF	Lackawanna County Conservation District (570) 281-9495
Lehigh County Hanover Township	PAR10Q158	Haresh Joshi 1151 Bulldog Dr. Allentown, PA 18104	Lehigh River TSF	Lehigh County Conservation District (610) 391-9583
Schuylkill County East Norwegian Township	PAR105818	Louisa Ave. Subdiv. Ryon Realty Co. 200 Center St. Pottsville, PA 17901	Mill Creek CWF	Schuylkill County Conservation District (570) 622-3742
Conewago Township Adams County	PAR100128	J. A. Myers Building & Dev. 160 Ram Drive Hanover, PA 17331	South Branch of the Conewago Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Oxford Township Adams County	PAR100129	Michael W. Rice P. O. Box 229 Hanover, PA 17331	South Branch of the Conewago Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Richmond Township Berks County	PAR10C372	Dwight Stoltzfus/ DESCCO 1 Willow St. Industrial Park Fleetwood, PA 19522	Willow Creek	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAR10C368	Richard Snyder/ WTP Partners 3701 Perkiomen Ave. Reading, PA 19606	Cacoosing Creek	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Miller Township Wheatfield Township Perry County	PAR105134	Mr. & Mrs. Donald Lank 924 West Trindle Rd. Mechanicsburg, PA 17055	UNT to Juniata River	Perry County Conservation District P. O. Box 36 31 W. Main St. New Bloomfield, PA 17068 (717) 582-8988

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Allegheny County Mt. Lebanon Borough	PAR10A475	JKM Associates 420 East Main Street Carnegie, PA 15106	Painters Run/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Moon Township	PAR10A499	Trueline Land Corporation 470 Old Frankstown Road Monroeville, PA 15146	Flaugherty Run/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Leet Township	PAR10A501	The Watson Institute 301 Camp Meeting Road Sewickley, PA 15143	Big Sewickley Creek/ TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAR10A508	Gateway Land LLC 109 Gateway Avenue Wexford, PA 15090	Pine Creek/CWF	Allegheny County Conservation District (412) 241-7645
Fayette County South Union Township	PAR10L068	Hutchinson Sportsman Club 68 Reservoir Road Brownfield, PA 15416	UNT Redstone Creek/ WWF	Fayette County Conservation District (724) 436-4497
Washington County South Strabane Township	PAR10W179	CZS Development, LLC 90 Chateau Royale Court Morgantown, WV 26505	UNT Chartiers Creek/ WWF	Washington County Conservation District (724) 228-6774

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Luzerne County Kingston Borough	PAR202241	Flextronics Enclosures 1 Korn Street Kingston, PA 18704	Toby Creek	DEP NERO Water Management 2 Public Square Wilkes-Barre, PA 18711
New Sewickley Township Beaver County	PAR606169	Novak Auto Parts Inc. 1640 RT 68 New Brighton, PA 15066	Unnamed feeder to Brush Creek	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
South Huntingdon Township Westmoreland County	PAR606170	Maroney's Foreign Cars & Parts R. D. 1 Box 152 Smithton, PA 15479	Unnamed feeder to Barren Run	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Bedford County Broad Top Township	PAG043677	Broad Top Township (Weaver Residence) 187 Municipal Road P. O. Box 57 Defiance, PA 16633-0057	Shoup Run/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-7*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Chippewa Township Beaver County	PAG076101	Chippewa Township Sani. Auth. 701 Constitution Blvd. Beaver Falls, PA 15010	Chippewa Township Sani Auth. STP 701 Constitution Blvd. Beaver Falls, PA 15010	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Wharton Township Fayette County	PAG086103	Bruderhoff Communities of PA Inc. P. O. Box 240 Farmington, PA 15437	Bruderhoff #1 Farm New Meadow Run Bruderhof Farmington, PA	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-9 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Somerset Township Somerset County	PAG096108	Piles Concrete Products Co. Inc. 115 Picket Lane Friedens, PA 15541	Airport-1	Southwest Regional Office: Water Man- agement Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-10*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lehigh County Whitehall Township	PAG102203	Sunoco, Inc. 1801 Market Street Philadelphia, PA 19103	Lehigh River CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

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

**Permit No. 0401502, Public Water Supply.**

Applicant	<b>Vanport Township Municipal Authority</b> 285 River Avenue Vanport, PA 15009
Borough or Township	Vanport Township
County	<b>Beaver</b>
Type of Facility	Well No. 3R
Consulting Engineer	KLH Engineers Inc., 5173 Campbells Run Road, Pittsburgh, PA 15205
Permit to Construct Issued	June 5, 2001

**Operations Permit 0391501-A2**, issued to **Kittanning Suburban Joint Water Authority**, R. R. 1, Box 23, Adrian, PA 16210-9712, East Franklin Township, **Armstrong County** on June 8, 2001.

**Operations Permit 0396501**, issued to **Kittanning Suburban Joint Water Authority**, R. R. 1, Box 23, Adrian, PA 16210-9712, East Franklin and Sugar creek Townships, **Armstrong County** on June 8, 2001.

*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 Pkwy., Erie, PA 16507, Harborcreek Township, **Erie County** on June 6, 2001.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

Plan Location: The **Heritage Cove RV Campground Subdivision** by Richard Wright is located 1.1 miles west of Weaver Falls Bridge on TR-359 in Liberty Township, **Bedford County** and Hopewell Township, **Huntingdon County**.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Liberty Township	P. O. Box 117 Saxton, PA 16678	Bedford County

Plan Description: The plan provides for an approval granted May 30, 2001, as a revision to the Official Plan of Liberty Township, Bedford County. Project involves construction of an on-site sewage treatment facility to serve a proposed campground consisting of 195 campsites, 10 cabins, a store, office and laundry. Treated effluent is to be discharged to the Raystown Branch of the Juniata River. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the developer as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Penn Township	100 Municipal Building Road Duncannon, PA 17020	Perry

Plan Description: The approved plan provides for the installation of low pressure sewer systems with grinder pumps for eastern Lower Cove and Perdix and for properties between the Decoven wastewater treatment facility and the Cove wastewater treatment facility. The Decoven wastewater treatment facility will be taken offline and the properties it currently serves will be connected to the Cove facility by a low pressure sewer and pump station. Conventional gravity sewer collection systems will be installed for Susquenita Hills and Penn Manor with connection to the Cove and Duncannon Borough wastewater treatment facilities respectively. The Cove wastewater treatment facility will be expanded to increase capacity by 35,000 gpd. The plan also provides for adoption of an on-lot management ordinance. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Maxatawny Township	663 Noble Street Kutztown, PA 19530	Berks

Plan Description: The approved plan provides for the installation of a sewage collection and conveyance system to serve an area southwest of the Borough of Kutztown. The plan also provides for the construction of a 75,000 gpd with a discharge to the Sacony Creek. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Heidelberg Township	P. O. Box 188 Schaefferstown, PA 17088	Lebanon

Plan Description: The approved plan provides for the installation of a sanitary sewer collection and conveyance system for the Schaefferstown, Juliada, Flintville and Kleinfeltersville areas and the construction of a 0.2 MGD wastewater treatment facility with discharge to Furnace Run. The plan also provides for the implementation of an on-lot sewage disposal system management program. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office

listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Commonwealth Bank**, Hilltown Township, **Bucks County**. J. Anthony Sauder, P.E., Pennoni Associates, Inc., One Drexel Plaza, Suite 200, 3001 Market St., Philadelphia, PA 19104-2897, on behalf of Commonwealth Federal Savings Bank, P. O. Box 2100, Valley Forge, PA 19482-2100, has submitted a Final Report concerning the remediation of site soil contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 5, 2001.

**24th and Fairmount Streets Site**, City of Philadelphia, **Philadelphia County**. Frank Lynch, Enviro Link, Inc., 165 Daleville Rd., Cochranville, PA 19330, on behalf of the 2336 Corp., 2336 Fairmount St., Philadelphia, PA, has submitted a Final Report concerning the remediation of site soil contaminated with solvents. The report was submitted within 90 days of the release of the contaminant. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 7, 2001.

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

**Bradford Refinery—Crude Tank Farm**, 77 North Kendall Avenue, Bradford, PA 16701, **County of McKean**, City of Bradford and Aaron D. Svitana, EnviroSciences Inc., 2944 Hunter Mill Road, Suite 104, Oakton, VA 22124 on behalf of Bradford Refinery had submitted a Remedial Investigation and Risk Assessment Report concerning remediation of soil, groundwater, surface water and sediment contaminated with lead, heavy metals, solvents, BTEX, PHCs and PAHs. The report did not document remediation of the site to meet the Background, Statewide Health and Site Specific Standards and was disapproved by the Department on June 4, 2001.

## RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGR063. Advanced Recycling Technology, Inc.**, 149 Main Street, P. O. Box 374, Philmont, NY 12565. General Permit Number WMGR063 for processing of combustion residues, metallurgical process residues, sludges and scales, chemical wastes, generic manufacturing wastes, spent catalysts, batteries and nonhazardous residue from treatment of hazardous waste prior to metal reclamation at a smelter. The processing involves grinding, drying, blending and com-

bustion at their facility located at 340 South Broad Street, Hallam, PA 17406. The permit was issued by Central Office on June 6, 2001.

Persons interested in reviewing the general permit may 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, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 101397. Superior Greentree Landfill**, 635 Toby Road, Kersey, PA 15846, Fox Township, **Elk County**. A permit to increase the average daily waste volume from 3,400 tons per day to 5,500 tons per day. The permit was issued by the Northwest Regional office on June 11, 2001.

## AIR QUALITY

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**15-302-090GP: Brandywine Hospital** (201 Reeceville Road, Coatesville, PA 19320) on June 5, 2001 for two 14.645 MMBtu/hr boilers in Caln Township, **Chester County**.

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

**35-302-114GP: Clarks Summit State Hospital** (PA DPW, 1451 Hillside Drive, Clarks Summit, PA 18411) for construction and operation of a #2 oil fired boiler in Newton Township, **Lackawanna County**.

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

**GP-26-00475: Better Materials Corp.** (P. O. Box 427, Springfield Pike, Connellsville, PA 15425) on June 4, 2001, for operation of a Portable Nonmetallic Mineral Processing Plant at Jim Mountain Quarry in Springfield Township, **Fayette County**.

**Operating Permit Administrative Amendments Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450 (relating to administrative operating permit amendments).**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**23-00034: Villanova University** (800 Lancaster Avenue, Villanova, PA 19085) issued a revised Title V Operating Permit to incorporate modifications of two boilers and a correction in the inventory for space heaters and emergency generators used at the facility in Radnor Township, **Delaware County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**41-310-001F: Hanson Aggregates of Pennsylvania, Inc.** (P. O. Box 231, Easton, PA 18044-0231) on June 4, 2001, to incorporate conditions established in Plan Approval 41-310-001G for a replacement fabric collector on various pieces of stone crushing, screening and conveying equipment at the Pine Creek Quarry in Limestone Township, **Lycoming County**.

**60-00007: United States Department of Justice, Lewisburg Federal Penitentiary** (P. O. Box 1000 Lewisburg, PA 17837) issued a revised Title V Operating Permit on May 30, 2001, to include terms and conditions from Operating Permit 60-302-016A for operation of four natural gas/No. 2 fuel oil fired boilers and General Permit GP4-60-02 for operation of a paint burn off oven at their Federal corrections facility in Kelly Township, **Union County**.

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**Operating Permit Minor Modifications Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.**

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**49-313-035K: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821) on June 4, 2001, to correct typographical errors, remove requirements pertaining to sources no longer in use, prohibit future operation of a toluene recovery system to validate emission reduction credits, change a packed bed scrubber scrubbing solution flow rate requirement from a range of 50 to 110 gpm to a minimum of 50 gpm and establish an annual emission rate of .8 ton per year for a bulk methylene chloride storage tank at the Cherokee Plant in Riverside Borough, **Northumberland County**.

*Philadelphia Dept. of Public Health, Air Management Services: 321 University Ave., Philadelphia, PA 19104, Contact: Roger Fey, (215) 823-7584.*

**96-027: Delaware Valley Wool Scouring Co.** (3419 Richmond Street, Philadelphia, PA 19134) issued a revised Synthetic Minor Operating Permit on June 8, 2001, to correct a mistake in establishing conditions of the permit for their facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's particulate air emission sources do not vent outside and have now been classified as insignificant activities in the permit. These sources include a bale breaker/blender controlled by a baghouse, two cone dusters controlled by a baghouse, a squirrel cage controlled by a baghouse and a compressor/baler controlled by a baghouse. Subsequent emission limitations, work practice standards, testing requirements, monitoring requirements and recordkeeping requirements have been removed for these sources.

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**Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).**

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

**06-03120: Memorial Park for Pets** (57 Host Road, Womelsdorf, PA 19567) on June 6, 2001, for a Natural Minor Operating Permit in Tulpehocken Township, **Berks County**.

**38-05027: Reading Materials, Inc., Lebanon Materials Division** (P. O. Box 1467, Skippack, PA 19474) on June 4, 2001, for a Synthetic Minor Operating Permit in North Annville Township, **Lebanon County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**18-00006: Dominion Transmission Inc.—Leidy Compressor Station** (625 Liberty Avenue, Pittsburgh, PA 15222) issued a revised Title V Operating Permit on June 6, 2001, to include terms and conditions from Plan Approval 18-0004B for operation of screw-in prechambers to control emissions from Engines # 12 and # 13 in Leidy Township, **Clinton County**.

**53-00005: Dominion Transmission Inc.—Greenlick Compressor Station** (625 Liberty Avenue, Pittsburgh, PA 15222) issued a revised Title V Operating Permit on June 6, 2001, to include terms and conditions from Plan Approval 53-0003B for operation of screw-in prechambers to control emissions from Engines # 1, # 2, # 3 and # 4 in Stewardson Township, **Potter County**.

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**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).**

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*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**46-0024A: McNeil Consumer Healthcare** (7050 Camp Hill Road, Fort Washington, PA 19034) on June 7, 2001, for operation of three dust collectors in Whitemarsh Township, **Montgomery County**.

**46-0210: Cellco Partnership, dba Verizon Wireless Corp.** (1575 Campus Drive, Plymouth Meeting, PA 19462) for installation of a 600-kilowatt emergency diesel generator in Plymouth Meeting, **Montgomery County**. This installation will result in maximum NOx emissions of 19.6 lb/hr (3.1 grams/bph-hr) or 4.9 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**40-305-021: Northampton Fuel Supply Co., Inc.** (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814) on June 8, 2001, for construction of a silt dry screening operation and associated air cleaning device in Hanover Township, **Luzerne County**.

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

**06-03019A: PA Handcrafted Cabinetry** (P. O. Box 337, Bernville, PA 19506) on June 4, 2001, for construction of two spray booths, staining area and drying area at the Bernville Plant in Bernville Borough, **Berks County**.

**21-05029A: Atlantic Refining and Marketing Corp.** (1801 Market Street (15/10 PC) Philadelphia, PA 19103) on June 4, 2001, for installation of a vapor combustion unit to control emissions from the loading rack in Hampden Township, **Cumberland County**.

**21-05038: Holy Spirit Hospital** (North 21st Street, Camp Hill, PA 17011) on June 4, 2001, for installation of a medical waste incinerator with heat recovery controlled by a wet scrubber in East Pennsboro Township, **Cumberland County**.

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

**65-788K: Sony Electronics, Inc.** (1001 Technology Drive, Mount Pleasant, PA 15666) on June 5, 2001, for operation of a Lacquer Spray Machine at Pittsburgh Mfg. Center in Mount Pleasant Township, **Westmoreland County**.

**04-00710A: Cronimet Corp.** (471 Railroad Street, East Rochester, PA 15074) on June 9, 2001, for construction of a dust collector in East Rochester Borough, **Beaver County**.

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

**24-133A: Pyron Corp.** (201 Stackpole Street, St. Marys, PA 15857) on May 30, 2001, for operation of a regrind system in St. Marys, **Elk County**.

**24-131C: SGL Carbon Corp.** (900 Theresia Street, St. Marys, PA 15857) on June 5, 2001, for installation of baghouses on the machining operations in St. Marys, **Elk County**.

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**Plan Approvals Extensions Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.13 (relating to extensions).**

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*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**46-0036B: Visteon Systems LLC** (2750 Morris Road, Lansdale, PA 19446) on June 7, 2001, for operation of a selective soldering machine in Worcester Township, **Montgomery County**.

**15-0067A: Herr Foods, Inc.** (273 Old Baltimore Pike, Nottingham, PA 19362) on June 8, 2001, for operation of a natural gas fueled boiler and fryer in West Nottingham Township, **Chester County**.

**46-0036: Visteon Systems LLC** (2750 Morris Road, Lansdale, PA 19446) on June 8, 2001, for operation of Selective Soldering Machine No. 6 in Worcester Township, **Montgomery County**.

**09-0027A: Fres-co System USA, Inc.** (3005 State Road, Telford, PA 18969) on June 8, 2001, for operation of graphic arts in West Rockhill Township, **Bucks County**.

**09-0027: Fres-Co System USA, Inc.** (3005 State Road, Telford, PA 18969) on June 8, 2001, for operation of graphic arts in West Rockhill Township, **Bucks County**.

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

**67-05016B: R. H. Sheppard Co., Inc.** (P. O. Box 877, Hanover, PA 17331-0877) on June 6, 2001, to authorize temporary operation of a core-making operation controlled by a packed bed gas scrubber and a bin vent filter at Plant No. 7, covered under this Plan Approval until October 3, 2001, in Hanover Borough, **York County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**18-329-001: Dominion Transmission, Inc.—Finnetrock Compressor Station** (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on May 31, 2001, to extend authorization to operate a 4,200 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine #6), a 778 horsepower natural gas-fired auxiliary generator and a 2.75 million BTU per hour natural gas-fired boiler on a temporary basis until September 28, 2001, in Leidy Township, **Clinton County**.

**18-329-001A: Dominion Transmission, Inc.—Finnetrock Compressor Station** (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on May 31, 2001, to extend authorization to operate a 4000 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine #4) on a temporary basis until September 28, 2001, in Leidy Township, **Clinton County**.

**60-0001A: Bucknell University** (Department of Physical Plant, Lewisburg, PA 17837) on May 30, 2001, to extend authorization to operate a natural gas turbine, two natural gas/#2 fuel oil fired boilers and an emergency diesel generator on a temporary basis until September 27, 2001, in Lewisburg Borough, **Union County**.

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## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification. Mining activity permits issued in response to 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).**

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### Coal Permits Issued

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

**40940205R. Northampton Fuel Supply Co., Inc.**, (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814), renewal of a coal refuse reprocessing/disposal operation in Hanover Township, **Luzerne County** affecting 124.0 acres, receiving stream—Nanticoke Creek. Renewal issued June 4, 2001.

**54763207R3. Gilberton Coal Company**, (P. O. Box 423, Gilberton, PA 17934), renewal of an existing anthracite surface mine, coal refuse reprocessing/disposal opera-



tion in Mahanoy Township, **Schuylkill County** affecting 25.9 acres, receiving stream—none. Renewal issued June 4, 2001.

**40673206R3. Heavy Media, Inc.**, (160 Nesbitt Street, Plymouth, PA 18651), renewal of an existing coal refuse reprocessing operation in Larkesville Borough, **Luzerne County** affecting 77.2 acres, receiving stream—none. Renewal issued June 4, 2001.

**54000103. Joe Kuperavage Coal Company**, (916 Park Avenue, Port Carbon, PA 17965), commencement, operation and restoration of an anthracite surface mine and refuse disposal operation in Blythe Township, **Schuylkill County** affecting 250.8 acres, receiving stream—none. Permit issued June 5, 2001.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**17950104. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine permit and a major revision for a change in permit acreage from 53.2 to 81.4 acres. The permit is located in Beccaria Township, **Clearfield County**. Receiving stream—Cofinan Run and unnamed tributaries to Cofinan Run to Clearfield Creek to the West Branch Susquehanna River. Application received December 21, 2000. Permit issued May 30, 2001.

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

**02000902. Gary Gioia Coal Company** (319 Karen Drive, Elizabeth, PA 15037). Incidental Coal Extraction permit issued for commencement, operation and reclamation of a bituminous surface mine located in Forward Township, **Allegheny County**, affecting 3.9 acres. Receiving stream: unnamed tributary to Fallen Timber Run. Application received: January 5, 2001. Permit issued: June 6, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**03991302. Rosebud Mining Company**, (R. D. 9, Box 379A, Kittanning, PA 16201), to operate the Stitt Mine in Rayburn Township, **Armstrong County** to operate a new deep mine, tributary "A" to Cowanshannock Creek. Permit issued May 22, 2001.

**03871302. DLR Mining, Inc.**, (3065 Airport Rd., Indiana, PA 15701), to revise the permit for the Triple K # 1 Mine in Burrell Township, **Armstrong County** to revise the existing deep mine permit to add 115 acres to the underground permit area and the subsidence boundary, no additional discharges. Permit issued May 25, 2001.

**32841322. Rayne Energy, Inc.**, (56 Franklin St., Clymer, PA 15728), to renew the permit for the Rayne #1 Mine in Pine Township, **Indiana County** to renew the existing deep mine permit, no additional discharges. Permit issued June 7, 2001.

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

**10990103. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Revision to add 4.6 acres to an existing bituminous strip operation in Slippery Rock Borough & Slippery Rock Township, **Butler County**. Total SMP Acreage is now 9.5 acres. Receiving streams: unnamed tributaries to Wolf Creek. Application received: February 20, 2001. Permit Issued: May 30, 2001.

**33950108. T.L.H. Coal Company** (4401 Pollock Road, Marion Center, PA 15759) Renewal of an existing bituminous strip and auger operation in Perry Township, **Jef-**

**erson County** affecting 67.0 acres. Receiving streams: McCracken Run. Application received: April 9, 2001. Permit Issued: May 30, 2001.

**16000102. Milestone Crushed, Inc.** (521 South Street, Clarion, PA 16214) Commencement, operation and restoration of a bituminous strip operation in Perry Township, **Clarion County** affecting 38.6 acres. Receiving streams: unnamed tributary to the Clarion River. Application received: March 23, 2000. Permit Issued: June 4, 2001.

*Noncoal Permits Issued*

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

**66990808. Charles Ellis**, (R. R. 1 Box 1886, Laceyville, PA 18623), commencement, operation and restoration of a bluestone quarry operation in Braintrim Township, **Wyoming County** affecting 2.0 acres, receiving stream—none. Permit issued June 7, 2001.

**58010812. John L. Magill**, (R. R. 1 Box 1453, Hop Bottom, PA 18824), commencement, operation and restoration of a bluestone quarry operation in Lathrop Township, **Susquehanna County** affecting 1.0 acres, receiving stream—none. Permit issued June 7, 2001.

**58010817. Jerry L. Johnson**, (R. R. 1 Box 179A-1, Wyalusing, PA 18853), commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 5.0 acres, receiving stream—Forest Lake Creek. Permit issued June 8, 2001.

**58010818. Jerry L. Johnson**, (R. R. 1 Box 179A-1, Wyalusing, PA 18853), commencement, operation and restoration of a quarry operation in Middletown Township, **Susquehanna County** affecting 1.0 acre, receiving stream—Gaylord Creek. Permit issued June 8, 2001.

**58010816. R & M Stone**, (R. R. 5, Box 206N, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Rush Township, **Susquehanna County**, affecting 2.0 acres, receiving stream—Middle Branch of Wyalusing Creek. Permit issued June 8, 2001.

**45010801. Elmer F. Possinger**, (257 Rimrock Drive, Stroudsburg, PA 18360), commencement, operation and restoration of a small noncoal quarry operation in Hamilton Township, **Monroe County**, affecting 4.0 acres, receiving stream—none. Permit issued June 8, 2001.

**64010802. Edward Mattern, Sr.**, (R. D. 1, Box 1295, Moscow, PA 18444), commencement, operation and restoration of a small noncoal quarry operation in Sterling Township, **Wayne County**, affecting 2.0 acres, receiving stream—Webster Creek and Stevens Creek, tributaries to Wilcox Creek. Permit issued June 8, 2001.

**38970301T. Haines & Kibblehouse, Inc.**, (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), transfer of an existing quarry operation in Cornwall Borough, **Lebanon County** affecting 194.14 acres, receiving stream—none. Transfer issued June 8, 2001.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.*

**14010802. Calvin T. Quick** (175 Pine Road, Moshannon, PA 16859), commencement, operation and restoration of a Small Industrial Minerals (Shale) permit in Snow Shoe Township, **Centre County** affecting 5 acres. Receiving stream—tributary to Black Moshannon. Application received April 11, 2001. Permit issued June 7, 2001.

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

**3100301. New Enterprise Stone & Lime Company, Inc.** (Box 77, Church Street, New Enterprise, PA 16664), commencement, operation and restoration of a bituminous noncoal surface mine in Cromwell Township, **Huntingdon County**, affecting 72.6 acres, receiving stream Shade Creek. Application received: August 25, 2000. Permit issued: June 7, 2001.

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

**10960302. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Renewal of NPDES No. PA0227200, Marion Township, **Butler County**. Receiving streams: unnamed tributary to North Branch Slippery Rock Creek and three unnamed tributaries to Black Creek. Application received: March 20, 2001. Permit Issued: May 30, 2001.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

*Permits Issued and Actions on 401 Certifications:*

## WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E13-119. Vacation Charters, Ltd.**, P. O. Box 592, 1 Lake Drive, Lake Harmony, PA 18624-0592. Kidder Township, **Carbon County**, Army Corps of Engineers Philadelphia District.

To construct and maintain water obstructions and encroachments associated with the development of the Split Rock Golf Community (including the Split Rock Country Club Golf Course and the Willowbrook at Split Rock Planned Residential Development), with structures and activities including the following: (1) placement of fill in wetlands for construction of golf holes 10, 13 and 16; (2) removal of existing temporary road crossings; (3) construction of culverts for two golf cart path crossings of Shingle Mill Run and adjacent wetlands; (4) construction of culverts for three golf cart path crossings of wetlands; (5) construction of a culvert for a road crossing (Wolf Hollow Road) of a tributary to Shingle Mill Run; (6) construction of a water irrigation utility line crossing of wetlands along Shingle Mill Run at Tee 11; (7) construction of two culverts for road crossings of a tributary to Shingle Mill Run and adjacent wetlands; (8) placement of fill in wetlands for construction of a connector road; (9) construction of six single-span bridge golf cart path crossings of wetlands; and (10) excavation within the floodway of a tributary to Shingle Mill Run for the construction of two lakes. The project will impact 0.42 acre of wetlands. The permittee is required to provide 0.60 acre of replacement wetlands. The project is located adjacent to the existing Split Rock Country Club, immediately south of S. R. 0080 (Hickory Run, PA Quadrangle N: 14.5 inches; W: 0 inches).

**E40-565. John R. Hoffer**, 1317 Maplewood Park, Hazleton, PA 18201. Butler Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 20-foot x 28-foot log cabin along the left bank within the floodway of Nescopeck Creek. The proposed structure will be constructed within the footprint of the existing structure. The project is located on Lot 18 along Nesco Manor Drive, in the Nesco Manor residential development, approximately 800 feet west of S. R. 0309 (Freeland, PA Quadrangle N: 6.3 inches; W: 11.1 inches).

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

**E07-332. Daniel Zimmerman**, R. D. 1 Box 503B, Roaring Spring, PA 16673 in Taylor Township, **Blair County**, ACOE Baltimore District.

To remove an existing bridge, return the embankments back to existing grade and then construct and maintain a single span bridge having a clear span of 26 feet and an underclearance of 6.5 feet upstream from the old bridge across Plum Creek (WWF) located on a private drive located 2,200 feet southwest of SR 164 and 1.0 mile south of East Sharpsburg (Martinsburg, PA Quadrangle N: 13.2 inches; W: 15.7 inches).

**E29-082. Earl Neiderhiser**, PennDOT 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648 in Bethel Township, **Fulton County**, ACOE Baltimore District.

To remove an existing bridge and to construct a bridge having a span of 140.51 feet and an underclearance of 14.98 feet across the channel of Little Tonoloway Creek (TSF) at a point at SR 0522 (Needmore, PA Quadrangle N: 1.6 inches; W: 8.9 inches).

**E31-163. Earl Neiderhiser**, PennDOT 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648 in Three Springs Borough, **Huntingdon County**, ACOE Baltimore District.

To remove an existing structure and to construct and maintain a single span prestressed reinforced concrete adjacent box beam bridge having a normal clear span of 51.68 feet and an underclearance of 5.62 feet across North Spring Branch (CWF) and construct a temporary cofferdam in the channel of North Spring Branch to facilitate construction of the bridge and a temporary roadway consisting of three 7.0-foot by 5.08-foot corrugated metal culverts with R-3 and R-7 rock fill for traffic control during construction located on SR 0094, Section 004, Segment 0480, Offset 2965 (Orbisonia, PA Quadrangle N: 12.5 inches; W: 15.3 inches).

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

**E12-122. Pennsylvania Department of Conservation and Natural Resources**, R. R. 1, Box 212 Emporium, PA 15834. West Cowley Run Bridge Replacement, in Portage Township, **Cameron County**, ACOE Baltimore River Basin District (Emporium, PA Quadrangle N: 18.0 inches; W: 8.2 inches).

To remove an existing structure and construct, operate and maintain a single span bridge across West Cowley Run to provide public access within Sizerville State Park. The bridge shall be constructed with a minimum span of 15-feet, width of 16.8-feet and underclearance of 7-feet. Construction of bridge footings and in-stream bank stabilization shall be conducted in dry work conditions through the use of dams and pumping or fluming stream flow around work areas. The project is located along the eastern right-of-way of SR 0155 approximately 1,800-feet south east of Sizerville State Park day use road and SR 0155 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-479. Pennsylvania Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 0220 Muncy Creek bridge replacement, in Picture Rocks Borough, **Lycoming County**, ACOE Susquehanna River Basin District (Picture Rocks, PA Quadrangle N: 4.8 inches; W: 12.2 inches).

To construct and maintain a) remove existing structure, b) construct and maintain a prestressed concrete spread box beam structure with a clear span of 170 feet and a minimum underclearance of 3.15 feet in Bailey Run, c) temporarily construct and maintain four 4-foot diameter corrugated metal pipes and associated R-3 rock fill for a temporary road crossing, d) temporarily construct and maintain a concrete and sand bag diversion dike at the existing bridge site, all of which is located 2.8 miles west of the intersection of SR 0872 and Bailey Run Road. This project proposes to impact 128 linear feet of Bullard Creek, which is, designated a Cold Water Fishery and does not propose to impact any jurisdictional wetlands. DCNR, Bureau of Forestry is proposing to a) remove existing structure, b) construct and maintain a prestressed concrete spread box beam structure with a clear span of 59.57 feet and a minimum underclearance of 3.15 feet in Bailey Run, c) temporarily construct and maintain four 4-foot diameter corrugated metal pipes and associated R-3 rock fill for a temporary road crossing, d) temporarily construct and maintain a concrete and sand bag diversion dike at the existing bridge site, all of which

is located 2.8 miles west of the intersection of SR 0872 and Bailey Run Road. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-414. PA Department of Transportation**, 715 Jordan Avenue, Montoursville, PA 17754. SR 49 Bridge Over Cowanesque River, in Westfield, **Tioga County**, ACOE Baltimore District (Potter Brook, PA Quadrangle N: 6.8 inches; W: 12.5 inches).

To remove the existing structure and to construct, operate and maintain a reinforced concrete box beam bridge structure with a clear span of 94 feet and a width of 23 feet over the Cowanesque River. The application also proposes authorization to construct a temporary stream crossing to facilitate a detour around the project area. This temporary crossing is proposed to be located 150 feet downstream of the current bridge and would consist of seven 96 inch diameter corrugated metal culvert pipes and associated fill. This project is located three miles west of Westfield on SR 0049.

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

**E02-1340. Mount Oliver Borough**, 150 Brownsville Road, Pittsburgh, PA 15210. City of Pittsburgh, **Allegheny County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 48-inch diameter outfall structure and headwall on the left bank and in the channel of an unnamed tributary to Beck's Run (WWF) for the purpose of improving stormwater discharge. This permit also authorizes the construction and maintenance of gabion baskets on the left and right banks of said stream at the outlet of proposed outfall structure. The project is located on Wagner Street, approximately 800 feet northwest from the intersection of Wagner Street and Mountain Avenue (Pittsburgh East, PA Quadrangle N: 5.9 inches; W: 14.8 inches).

**E03-396. Roaring Run Watershed Association**, P. O. Box 333, Apollo, PA 15613. Kiskiminetas Township, **Armstrong County**, ACOE Pittsburgh District.

To construct and maintain 425 LF stream bank stabilization of the right bank of Kiskiminetas River (WWF) located at the Trux Abandoned Mine site at a point near Brownstown (Vandergrift, PA Quadrangle N: 8.45 inches; W: 4.18 inches).

**E04-241 A1. THF Chippewa Development, L.P.**, 955 Executive Parkway, Suite 210, St. Louis, MO 53141. Chippewa Township, **Beaver County**, ACOE Pittsburgh District.

To amend permit E04-241 which authorized the construction and maintenance of a 78 inch corrugated metal pipe (depressed 12 inches) 219 feet long, to construct and maintain four outfall structures in a tributary to Wallace Run (WWF) and to place and maintain fill in approximately 0.3 acre of wetlands (PFO) for the purpose of providing access to a proposed retail development site. The project is located on the north side of Route 51 approximately 3,000 feet northwest of its intersection with Route 251 (New Galilee, PA Quadrangle N: 5.3 inches; W: 1.2 inches) in Chippewa Township, Beaver County. The permit also includes a review of an Environmental Assessment for a proposed nonjurisdictional dam. The permit amendment will include the construction and maintenance of seven new outfall structures, the placement and maintenance of fill within the floodplain, the placement and maintenance of fill in 0.7 acre of wetlands

(PEM) and the operation and maintenance of an existing temporary stream crossing. To meet the wetland replacement requirement the applicant proposes to construct 0.65 acre of replacement wetlands (PEM) and to pay into the wetland replacement fund to 0.2 acre of wetland.

**E04-258-A1. Colona Terminal Services, Inc.,** 200 Neville Road, Neville Island, PA 15225. Monaca Borough, **Beaver County**, ACOE Pittsburgh District.

To amend permit E04-258 which authorized the operation and maintenance of an existing barge docking facility along the left bank of the Ohio River (WWF) near River Mile 23.6. The permit amendment is to construct and maintain a barge dock unloading facility consisting of a 200 foot long embedded barge located approximately 1,000 feet upstream of the existing facility and to create approximately 4,000 square feet of fish habitat mitigation consisting of broken wing-deflector with cobble chutes, cobble fields, boulder clusters and gravel/cobble spawning shoal in an area upstream of the new barge dock unloading facility (Beaver, PA Quadrangle N: 10.8 inches; W: 1.5 inches).

**E32-417. Pennsylvania Department of Transportation,** P. O. Box 429, Route 286 South, Indiana, PA 15701. Washington Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 1.0-foot depressed, 16.0-foot x 5.0-foot concrete box culvert in an unnamed tributary to Crooked Creek (CWF) for the purpose of improving transportation safety and roadway standards. The project is located on S. R. 0954, Segment 280, Offset 0019 (Ernest, PA Quadrangle N: 8.4 inches; W: 12.1 inches).

**E63-499. Washington County,** 100 West Beau Street, Suite 701, Washington, PA 15301. Speers Borough, **Washington County**, ACOE Pittsburgh District.

To remove the existing bridge (Maple Creek Bridge No. 1) and to construct and maintain a new bridge having a span of 48.5 feet with an underclearance of 5.17 feet across Maple Creek (WWF) for the purpose of improving Webster Avenue. The project is located on Webster Avenue, approximately 440 feet southwest from the intersection of Lincoln Avenue Extension, Twilight Hollow Road and Webster Avenue. This permit also authorizes the construction and maintenance of a temporary road consisting of three 48-inch diameter culverts (Monongahela, PA Quadrangle N: 1.0 inch; W: 3.0 inches).

## ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**D42-017EA. Smethport Borough,** P. O. Box 427, Smethport, PA 16749-0427 Smethport Borough, **McKean County** ACOE Pittsburgh District.

Project proposes to perform maintenance at the Hamlin Lake Park Dam across Marvin Creek (CWF). Maintenance will include repairs to the concrete overflow section of the dam, replace the steel girder bridge on top of the dam and remove accumulated silts and sediments from approximately 14 acres of the reservoir impounded by the dam. The dam is located approximately 100 feet west of the Mechanic Street Bridge across Marvin Creek. (Smethport, PA Quadrangle N: 10.40 inches; W: 9.15 inches).

## SPECIAL NOTICES

### NOTICE OF REQUEST FOR PROPOSALS FOR MUNICIPAL SOLID WASTE CAPACITY

The following notice is placed through the Department of Environmental Protection as required by Section 502(d) of Act 101 of 1988: the Municipal Waste Planning, Recycling and Waste Reduction Act.

### Request for Proposals For Municipal Solid Waste Capacity

Lawrence County, Pennsylvania, through the Recycling/Solid Waste Department is soliciting disposal/processing facilities to provide all or part of the disposal capacity required annually for Lawrence County municipal waste for the next 10 years. Interested parties should contact the Lawrence County Recycling/Solid Waste Department at (724) 658-6925 to obtain a copy of the Facility Qualification Request, which will be used to qualify facilities to participate in the Lawrence County Municipal Waste Management Plan. Responses to the Facility Qualification Requests must be submitted on or before July 16, 2001, at 3 p.m.

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

### CATEGORICAL EXCLUSION

Location: **Portage Area Sewer Authority**, 606 Cambria Avenue, Portage PA 15946. Portage Borough & Portage Township, **Cambria County**.

Description: The Pennsylvania Infrastructure Investment Authority (PENVEST) which Administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project. The Authority proposes to rehabilitate existing sewers to address basement flooding and maintain adequate conveyance and treatment capacity. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

[Pa.B. Doc. No. 01-1128. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Availability Of Technical Guidance

Technical guidance documents are on DEP's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the public participation center. The "March 2001 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its nonregulatory documents, as necessary, throughout 2001.

#### *Ordering Paper Copies Of DEP Technical Guidance*

DEP encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes To Technical Guidance Documents*

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

#### *Draft Technical Guidance—Substantive Revision*

DEP ID: 150-0200-001 Title: DEP Policy on Professional Work Assignments and Duties Conducted by Licensed Professional Engineers, Professional Land Surveyors and Professional Geologists Description: The purpose of this policy is to provide direction to DEP staff concerning the practice of engineering, land surveying, and geology in their work responsibilities and to assure compliance with the Engineering, Land Surveyor and Geologist Registration Law in our programs, activities and actions. Anticipated Effective Date: August 31, 2001 Comment Period Ends: July 23, 2001 Contact: Ken Giffhorn at (717) 787-7116 or email at kgiffhorn@state.pa.us.

#### *Correction*

DEP ID: 274-3100-001 Title: Policy for Stage II Vapor Recovery Testing Requirements Correction: This announcement, published in the June 2, 2001, edition of the *Pennsylvania Bulletin*, listed an incorrect deadline for public comments. The deadline was listed as July 28, 2001. The accurate deadline is July 2, 2001, thus providing 30 days for public comment.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-1129. Filed for public inspection June 22, 2001, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### State Surplus Property

The Department of General Services, State Surplus Property is selling five mobile homes obtained through the Department of Transportation's (PennDOT) right-of-way due to a road expansion. There are two 1998 Marlette Singlewides, one 1999 Marlette Doublewide, one 1999 Liberty Doublewide and one 2000 Fall Creek Doublewide.

These homes are located in Hollidaysburg, PA. Take Rt. 22 East approximately 20 miles to Water Street past Rt. 453 North, go approximately 1/2 mile and turn left towards Alexandria watch for PennDOT Project Field Office signs on the right.

Inspection of homes will be on June 30, 2001, from 11 a.m. to 3 p.m. For bid packets or more information, call (717) 787-4085 or write to the Department of General Services, State Surplus Property, Rm. G-12, 2221 Forster St., Harrisburg, PA 17125. Requests for bid packets will

be accepted until the bid opening on July 10, 2001, at 1 p.m.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 01-1130. Filed for public inspection June 22, 2001, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that The Western Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 10.15.A2, which states that minimum room areas exclusive of toilet rooms, closets, lockers, wardrobes, alcoves or vestibules shall be 140 square feet (13.01 square meters) in single bedrooms and 125 square feet (11.61 square meters) per bed in multi-bed rooms. In multi-bed rooms, a clearance of 3 feet 8 inches (1.12 meters) shall be maintained at the foot of each bed to permit the passage of equipment and beds.

The 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, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

As this request has been made on an emergency basis, under 28 Pa. Code § 51.33(c), the Department is not including a public comment period.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid service or other accommodation to do so, should contact, Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1131. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, July 18 and Thursday, July 19, 2001.

The meeting will be held at the Best Western Inn and Suites, 815 Eisenhower Boulevard, Middletown, PA, 17057, from 9 a.m. to 3 p.m.

For additional information contact Thomas M. DeMelfi, Department of Health, Bureau of Communicable Diseases, P. O. Box 90, Room 1010 Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0572.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid, service or other accommodation to do so, should also contact Thomas DeMelfi at the previous number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
Secretary

[Pa.B. Doc. No. 01-1132. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Laboratories Approved to Determine Blood Alcohol Content Under the Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (35 P.S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code §§ 5.50 and 5.103 (relating to approval to provide special analytical services; and blood tests for blood alcohol content) to perform alcohol analyses of blood and/or serum and plasma. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. Since procedures for determining the alcohol content of serum and plasma are identical and results obtained from serum or plasma derived from a blood sample are the same, laboratories that demonstrate reliability in the analysis of serum proficiency testing specimens are approved to analyze both serum and plasma. These laboratories are also approved and designated under the provisions of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to hunting or furtaking under the influence of alcohol or controlled substance) as qualified to perform the types of specialized services which will reflect the presence of alcohol in blood and/or serum and plasma. Laboratories located outside this Commonwealth may not provide blood and/or serum and plasma alcohol testing services in this Commonwealth unless they are specifically licensed by the Department under the Clinical Laboratory Act.

Persons seeking forensic blood and/or serum and plasma analysis services from the following designated laboratories should determine that the laboratory employs techniques and procedures acceptable for forensic purposes, and that the director of the facility is agreeable to performing determinations for this purpose. The list of approved laboratories will be revised approximately semi-annually and published in the *Pennsylvania Bulletin*.

The Department's blood alcohol and serum/plasma alcohol proficiency testing programs are approved by the

United States Department of Health and Human Services in accordance with the requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 CFR 493.901 and 493.937) which are administered by the Health Care Financing Administration. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and State statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464, ext. 3229.

Persons with a disability who require auxiliary aid service should contact Dr. Shoemaker at V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

The symbols S and B indicate the following:

S = approved for serum and plasma analyses

B = approved for blood analyses

SB = approved for serum, plasma and blood analyses

Abington Memorial Hospital-S  
1200 Old York Road  
Abington, PA 19001  
215-576-2350

Advanced Toxicology Network-B  
3560 Air Center Cove Suite 101  
Memphis, TN 38118  
901-794-5770

Albert Einstein Med Ctr North-S  
5501 Old York Road  
Philadelphia, PA 19141  
215-456-6100

Aliquippa Comm Hosp Pathology Dept-B  
2500 Hospital Dr-Pathology Dept  
Aliquippa, PA 15001  
724-857-1238

Allegheny Valley Hospital Lab-SB  
1300 Carlisle St.  
Natrona Heights, PA 15065  
724-224-5100

Altoona Hospital-SB  
620 Howard Avenue  
Altoona, PA 16601-4899  
814-946-2340

American Medical Laboratories-SB  
14225 Newbrook Drive  
P. O. Box 10841  
Chantilly, VA 20153-0841  
703-802-6900

Analytic Bio-Chemistries Inc-SB  
1680-D Loretta Avenue  
Feasterville, PA 19053  
215-322-9210

Armstrong County Memorial Hosp-S  
1 Nolte Drive  
Kittanning, PA 16201  
724-543-8122

Associated Clinical Laboratories-SB  
1526 Peach Street  
Erie, PA 16501  
814-461-2400

Associated Regional & Univ Path-S  
500 Chipeta Way  
Salt Lake City, UT 84108  
800-242-2787

Auh-Forbes Regional-SB  
2570 Haymaker Road  
Monroeville, PA 15146  
412-858-2560

Ayer Clinical Lab-Penn Hospital-S  
8th & Spruce Sts.  
Philadelphia, PA 19107  
215-829-3541

Barnes Kasson County Hospital-S  
400 Turnpike Street  
Susquehanna, PA 18847  
570-853-3135

Bon Secours-Holy Family Reg Hlth-SB  
2500 Seventh Avenue  
Altoona, PA 16602-2099  
814-949-4495

Bradford Hospital Lab-SB  
116-156 Interstate Pkwy  
Bradford, PA 16701-0218  
814-834-8282

Brandywine Hospital & Trauma Ctr-S  
Route 30 Bypass  
Coatesville, PA 19320  
610-383-8000

Brownsville General Hospital Lab-S  
125 Simpson Rd.  
Brownsville, PA 15417  
724-785-7200

Butler Memorial Hospital-S  
911 East Brady Street  
Butler, PA 16001  
724-284-4510

Canonsburg General Hospital-SB  
100 Medical Boulevard  
Canonsburg, PA 15317  
724-745-6100

Carlisle Hospital-S  
246 Parker St.  
Carlisle, PA 17013  
717-249-1212

Centre Community Hospital-B  
1800 East Park Avenue  
State College, PA 16803  
814-234-6117

Chambersburg Hospital-S  
112 North Seventh St.  
Chambersburg, PA 17201  
717-267-7152

Charles Cole Memorial Hospital-S  
1001 East Second Street  
Coudersport, PA 16915  
814-274-9300

Chester County Hospital-S  
701 E Marshall St.  
West Chester, PA 19380  
610-431-5182

Chestnut Hill Hospital-S  
8835 Germantown Avenue  
Philadelphia, PA 19118  
215-248-8630

Childrens Hosp Of Philadelphia-S  
One Children's Center 34th & Civic  
Philadelphia, PA 19104  
215-590-1000

Clarion Hospital-SB  
1 Hospital Drive  
Clarion, PA 16214  
814-226-9500

Clearfield Hospital Laboratory-S  
809 Turnpike Ave., P. O. Box 992  
Clearfield, PA 16830  
814-765-5341

Clinical Laboratories Inc-SB  
901 Keystone Industrial Park  
Throop, PA 18512-1534  
717-346-1759

Community Hospital-B  
North Fraley Street  
Kane, PA 16735  
814-837-4575

Community Hospital Of Lancaster-S  
1100 East Orange Street  
Lancaster, PA 17602  
717-397-3711

Community Medical Center-S  
1800 Mulberry Street  
Scranton, PA 18510  
570-969-8000

Conemaugh Valley Memorial Hosp-SB  
1086 Franklin Street  
Johnstown, PA 15905-4398  
814-534-9000

Corry Memorial Hospital-S  
612 West Smith Street  
Corry, PA 16407  
814-664-4641

Crozer Chester Med Center-S  
1 Medical Center Boulevard  
Upland, PA 19013  
610-447-2000

Crozer-Chester Med Ctr-Springfld-S  
190 West Sproul Road  
Springfield, PA 19064  
610-447-2000

Delaware County Memorial Hosp-S  
501 North Lansdowne Avenue  
Drexel Hill, PA 19026-1186  
610-284-8100

Dept Of Pathology & Lab Med-Hup-SB  
3400 Spruce Street  
Philadelphia, PA 19104  
215-662-6880

Dept Of Pathology & Lab Medicine-S  
500 University Avenue  
P. O. Box 850  
Hershey, PA 17033  
717-531-8353

Doylestown Hospital-S  
595 W State St.  
Doylestown, PA 18901  
215-345-2250

Drugscan Inc-SB  
1119 Mearns Rd., P. O. Box 2969  
Warminster, PA 18974  
215-674-9310

Dubois Reg Med Ctr—West Unit-S  
100 Hospital Ave.  
Dubois, PA 15801  
814-371-2200

Dynacare Allegheny Laboratories-S  
320 East North Avenue  
Pittsburgh, PA 15212  
412-359-3521

Easton Hospital-SB  
250 South 21st St.  
Easton, PA 18042-3892  
610-250-4140

Elkins Park Hospital-S  
60 East Township Line Road  
Elkins Park, PA 19027  
215-663-6102

Ellwood City General Hospital-S  
724 Pershing St.  
Ellwood City, PA 16117  
724-752-0081

Ephrata Community Hospital-S  
169 Martin Ave., P. O. Box 1002  
Ephrata, PA 17522  
717-733-0311

Episcopal Hospital Laboratory-S  
100 East Lehigh Avenue  
Philadelphia, PA 19125-1098  
215-427-7333

ERHC Ridgway Laboratory-S  
94 Hospital Street  
Ridgway, PA 15853  
814-788-5530

ERHC St. Marys Laboratory-B  
763 Johnsonburg Rd.  
Saint Marys, PA 15857  
814-788-8525

Evangelical Community Hospital-SB  
1 Hospital Drive  
Lewisburg, PA 17837  
570-522-2510

Frankford Hosp Bucks Co Campus-S  
380 North Oxford Valley Road  
Langhorne, PA 19047-8304  
215-934-5227

Frankford Hospital Frank Div-S  
Frankford Ave. & Wakeling St.  
Philadelphia, PA 19124  
215-831-2068

Frankford Hospital-Torres Div-S  
Red Lion & Knights Rds.  
Philadelphia, PA 19114  
215-612-4000

Frick Hospital-S  
508 South Church Street  
Mount Pleasant, PA 15666  
724-547-1500

Fulton County Medical Center-S  
216 South First Street  
McConnellsburg, PA 17233  
717-485-3155

Geisinger Medical Center-SB  
N Academy Rd.  
Danville, PA 17822  
717-271-6338

Geisinger Wyoming Valley Med Ctr-S  
1000 E Mountain Drive  
Wilkes-Barre, PA 18711  
570-826-7830

George Tolstoi Lab-Uniontown Hsp-S  
500 West Berkeley Street  
Uniontown, PA 15401  
724-430-5143

Germantown Comm Hlth Willow Terr-S  
One Penn Boulevard  
Philadelphia, PA 19144  
215-951-8800

Gettysburg Hospital-SB  
147 Gettys Street  
Gettysburg, PA 17325  
717-334-2121

Gnaden Huetten Memorial Hosp-SB  
11th & Hamilton Sts.  
Lehighon, PA 18235  
610-377-1300

Good Samaritan Hospital-SB  
4th & Walnut Sts., P. O. Box 1281  
Lebanon, PA 17042-1218  
717-270-7500

Good Samaritan Regional Med Ctr-SB  
700 East Norwegian Street  
Pottsville, PA 17901  
570-621-4032

Graduate Hospital-S  
1800 Lombard Street  
Philadelphia, PA 19146  
215-893-2240

Grand View Hospital-S  
700 Lawn Ave.  
Sellersville, PA 18960  
215-257-3611

Greene County Memorial Hospital-S  
Bonar Avenue  
Waynesburg, PA 15370  
724-627-2608

Guthrie Clinic Path Lab-S  
Guthrie Square  
Sayre, PA 18840  
717-888-5858

Hahnemann University Hospital-S  
Broad & Vine Sts., MS 113  
Philadelphia, PA 19102  
215-762-1783

Hamot Medical Center-S  
201 State Street  
Erie, PA 16550  
814-877-3131

Hanover General Hospital-SB  
300 Highland Ave.  
Hanover, PA 17331  
717-637-3711

Harrisburg Hospital Laboratory-SB  
South Front Street  
Harrisburg, PA 17101  
717-782-2832



Hazleton General Hospital-SB  
East Broad Street  
Hazleton, PA 18201  
570-501-4152

Health Network Laboratories-S  
1627 West Chew Street  
Allentown, PA 18102  
610-402-2236

Health Network Laboratories-S  
1200 South Cedar Crest Blvd.  
Allentown, PA 18103  
610-402-8150

Health Network Laboratories-S  
2545 Schoenersville Road  
Bethlehem, PA 18017-7384  
484-884-2259

Health Network Laboratories-SB  
2024 Lehigh Street  
Allentown, PA 18103-4798  
610-402-8150

Highlands Hospital-S  
401 East Murphy Avenue  
Connellsville, PA 15425  
724-628-1500

Holy Spirit Hospital-SB  
503 N 21st Street  
Camp Hill, PA 17011-2288  
717-763-2206

Horizon Hosp Sys-Greenville Cmps-SB  
110 North Main Street  
Greenville, PA 16125  
724-588-2100

Horizon Hosp Sys-Shenango Campus-SB  
2200 Memorial Drive  
Farrell, PA 16121  
724-981-3500

Indiana Hospital Dept Of Lab Med-S  
Hospital Road, P. O. Box 788  
Indiana, PA 15701-0788  
724-357-7167

J C Blair Memorial Hospital-S  
Warm Springs Ave.  
Huntingdon, PA 16652  
814-643-8645

Jameson Memorial Hospital-S  
1211 Wilmington Avenue  
New Castle, PA 16105  
724-656-4080

Jeanes Hospital-S  
7600 Central Ave.  
Philadelphia, PA 19111  
215-728-2347

Jeannette District Memorial Hosp-S  
Jefferson Ave.  
Jeannette, PA 15644  
724-527-3551

JRHS—Brookville Hospital-S  
100 Hospital Rd.  
Brookville, PA 15825  
814-849-2312

Kensington Hospital-S  
136 West Diamond Street  
Philadelphia, PA 19122  
215-426-8100

Kroll Laboratory Specialists-B  
1111 Newton Street  
Gretna, LA 70053  
504-361-8989

Lab Corp Occupational Test Srvcs-SB  
1120 Stateline Road West  
Southaven, MS 38671  
886-827-8042

Lab Corp Of America Holdings-SB  
6370 Wilcox Road  
Dublin, OH 43016-1296  
800-282-7300

Labcorp Of America Holdings-SB  
69 First Ave., P. O. Box 500  
Raritan, NJ 08869  
201-526-2400

Labone Inc-SB  
10101 Renner Boulevard  
Lenexa, KS 66219-9752  
913-888-1770

Lancaster General Hospital-S  
555 N Duke St., P. O. Box 3555  
Lancaster, PA 17603  
717-299-5511

Lancaster General Hosp-Sus Div-S  
306 North Seventh Street  
Columbia, PA 17512  
717-684-2841

Lancaster Regional Med Center-S  
250 College Avenue  
P. O. Box 3434  
Lancaster, PA 17604  
717-291-8022

Latrobe Area Hospital-S  
121 West 2nd Avenue  
Latrobe, PA 15650  
724-537-1550

Lewistown Hospital-B  
Highland Avenue  
Lewistown, PA 17044  
717-248-5411

Lock Haven Hospital Laboratory-B  
24 Cree Drive  
Lock Haven, PA 17745  
717-893-5000

Main Line Clin Labs Bryn Mawr CP-S  
130 Bryn Mawr Avenue  
Bryn Mawr, PA 19010  
610-526-3554

Main Line Clin Labs Lankenau CP-S  
100 East Lancaster Avenue  
Wynnewood, PA 19096  
610-645-2615

Main Line Clin Labs Paoli Mem CP-S  
255 West Lancaster Avenue  
Paoli, PA 19301  
610-648-1000

Marian Community Hospital-S  
100 Lincoln Avenue  
Carbondale, PA 18407  
717-281-1042

Meadville Med Ctr-Liberty St-S  
751 Liberty Street  
Meadville, PA 16335  
814-336-3121

Medical College Of PA Hospital-S  
3300 Henry Avenue  
Philadelphia, PA 19129  
215-842-7306

Medtox Laboratories Inc-SB  
402 West County Road D  
St. Paul, MN 55112  
612-636-7466

Memorial Hospital Clinical Lab-SB  
325 S. Belmont St., P. O. Box 15118  
York, PA 17403  
717-843-8623

Memorial Hospital Lab-SB  
1 Hospital Drive  
Towanda, PA 18848  
717-265-2191

Mercy Health Lab/MCH-S  
2000 Old West Chester Pike  
Havertown, PA 19083  
610-853-7500

Mercy Health Lab/MFH-S  
1500 Lansdowne Avenue  
Darby, PA 19023  
610-237-4262

Mercy Health Lab/MHOP-S  
54 And Cedar Avenue  
Philadelphia, PA 19143  
215-748-9181

Mercy Health Lab/MSH-S  
2701 Dekalb Pike  
Norristown, PA 19401  
610-278-2090

Mercy Health Partners-S  
746 Jefferson Ave.  
Scranton, PA 18510  
570-348-7100

Mercy Hospital Laboratory-S  
25 Church Street  
P. O. Box 658  
Wilkes-Barre, PA 18765  
570-826-3100

Mercy Hospital Laboratory-S  
Pride & Locust Sts.  
Pittsburgh, PA 15219  
412-232-7831

Mercy Providence Hospital Lab-S  
1004 Arch Street  
Pittsburgh, PA 15212  
412-323-5783

Methodist Hosp Division/TJUH Inc-S  
2301 South Broad Street  
Philadelphia, PA 19148  
215-952-9059

Meyersdale Community Hospital-S  
200 Hospital Dr.  
Meyersdale, PA 15552  
814-634-5911

Midvalley Hospital-S  
1400 Main Street  
Peckville, PA 18452  
717-489-7546

Miners Hospital-S  
290 Haida Avenue

P. O. Box 689  
Hastings, PA 16646  
814-948-7171

Monongahela Valley Hosp Inc-S  
Country Club Rd., Rt. 88  
Monongahela, PA 15063  
724-258-1000

Monsour Medical Center-S  
70 Lincoln Way E.  
Jeannette, PA 15644  
724-527-1511

Montgomery Hospital Lab-S  
Powell & Fornance Sts.  
Norristown, PA 19401  
610-270-2173

Moses Taylor Hospital-S  
700 Quincy Avenue  
Scranton, PA 18510  
717-963-2100

Muncy Valley Hospital-S  
215 East Water St.  
Muncy, PA 17756  
717-546-8282

Nason Hospital-B  
Nason Drive  
Roaring Spring, PA 16673  
814-224-6215

National Med Services Inc Lab-SB  
3701 Welsh Road  
Willow Grove, PA 19090  
215-657-4900

Nazareth Hospital-S  
2601 Holme Ave.  
Philadelphia, PA 19152  
215-335-6245

North Penn Hospital-S  
100 Med Campus Drive  
Lansdale, PA 19446  
215-368-2100

Northwest Medical Ctr-Franklin-SB  
1 Spruce Street  
Franklin, PA 16323  
814-437-7000

Ohio Valley General Hospital-S  
Heckel Rd.  
McKees Rocks, PA 15136  
412-777-6244

Omega Medical Laboratories Inc-SB  
2001 State Hill Road, Suite 100  
Wyomissing, PA 19610-1699  
610-378-1900

PA State Police Lab-Bethlehem-SB  
2932 Airport Road  
Bethlehem, PA 18017-2149  
610-861-2103

PA State Police Lab-Erie-SB  
4310 Iroquois Ave.  
Erie, PA 16511  
814-899-8447

PA State Police Lab-Greensburg-SB  
P. O. Box P, PA State Police  
Greensburg, PA 15601  
724-832-3299

PA State Police Lab-Harrisburg-SB  
1800 Elmerton Ave.  
Harrisburg, PA 17110  
717-783-5548

PA State Police Lab-Lima-SB  
350 N Middletown Road  
Media, PA 19063-5592  
610-566-9066

PA State Police Lab-Wyoming-SB  
479 Wyoming Avenue  
Wyoming, PA 18644  
570-826-2230

Palmerton Hospital-S  
135 Lafayette Ave.  
Palmerton, PA 18071  
610-826-3141

Parkview Hospital-S  
1331 East Wyoming Avenue  
Philadelphia, PA 19124  
215-537-7430

Pennsylvania Dept Of Health-SB  
110 Pickering Way  
Lionville, PA 19353  
610-280-3464

Philipsburg Area Hospital-SB  
210 Loch Lomond Road  
Philipsburg, PA 16866  
814-342-7112

Phoenixville Hospital Laboratory-S  
140 Nutt Rd., Dept Of Pathology  
Phoenixville, PA 19460-0809  
610-983-1612

PinnacleHlth/Comm Gen Osteo Hosp-S  
4300 Londonderry Rd., P. O. Box 3000  
Harrisburg, PA 17109  
717-657-7214

Pittsburgh Criminalistics-SB  
1320 Fifth Avenue  
Pittsburgh, PA 15219  
412-391-6118

Pocono Medical Center Lab-SB  
206 East Brown Street  
East Stroudsburg, PA 18301  
717-476-3544

Polyclinic Hospital-S  
2601 North Third Street  
Harrisburg, PA 17110  
717-782-4141

Pottstown Memorial Med Center-S  
1600 E. High St.  
Pottstown, PA 19464  
610-327-7111

Pottsville Hosp And Warne Clinic-SB  
420 South Jackson Street  
Pottsville, PA 17901  
717-621-5262

Presbyterian Med Center Of Phila-S  
51 North 39th St., 5th Flr. Rm. 530  
Department Of Pathology & Lab  
Philadelphia, PA 19104-2640  
215-662-3435

Punxsutawney Area Hospital-S  
81 Hillcrest Drive  
Punxsutawney, PA 15767  
814-938-4500

Quest Diagnostics Clinical Labs Inc-S  
900 Business Center Drive  
Horsham, PA 19044  
215-957-9300

Quest Diagnostics Inc-SB  
400 Egypt Road  
Norristown, PA 19403  
610-631-4219

Quest Diagnostics Incorporated-SB  
One Malcolm Avenue  
Teterboro, NJ 07608  
201-393-5602

Quest Diagnostics Of PA Inc-SB  
875 Greentree Rd., 4 Parkway Center  
Pittsburgh, PA 15220-3610  
412-920-7600

Quest Diagnostics Venture Llc-SB  
875 Greentree Road  
4 Parkway Center  
Pittsburgh, PA 15220-3610  
412-920-7631

Reading Hospital & Med Ctr-S  
6th And Spruce Streets  
West Reading, PA 19611  
610-988-8080

Riddle Memorial Hospital-S  
Baltimore Pike Highway 1  
Media, PA 19063  
610-566-9400

Roxborough Memorial Hospital-S  
5800 Ridge Ave.  
Philadelphia, PA 19128  
215-487-4394

Sacred Heart Hospital-S  
4th & Chew Sts.  
Allentown, PA 18102  
610-776-4727

Saint Agnes Medical Center-S  
1900 South Broad Street  
Philadelphia, PA 19145  
215-339-4360

Saint Clair Memorial Hospital-S  
1000 Bower Hill Rd.  
Pittsburgh, PA 15243  
412-561-4900

Saint Francis Hospital Of New Castle-S  
1000 S. Mercer St.  
New Castle, PA 16101  
724-656-6111

Saint Lukes Hospital-S  
801 Ostrum St.  
Bethlehem, PA 18015  
610-691-4141

Saint Mary Medical Center-S  
Langhorne-Newtown Rd.  
Langhorne, PA 19047  
215-750-2162

Saint Vincent Health Center-S  
232 West 25th Street  
Erie, PA 16544  
814-452-5383

Sewickley Valley Hospital Lab-S  
Blackburn Rd. & Fitch Drive  
Sewickley, PA 15143  
412-741-6600

Shadyside Hospital-S  
5230 Centre Avenue  
Pittsburgh, PA 15232  
412-622-2315

Sharon Regional Health System-SB  
740 East State Street  
Sharon, PA 16146  
724-983-3911

Soldiers & Sailors Mem Hosp-S  
Central Ave.  
Wellsboro, PA 16901  
717-724-1631

Somerset Hospital Lab-B  
225 S Center Ave.  
Somerset, PA 15501  
814-443-5000

South Hills Health Sys-Jefferson-S  
575 Coal Valley Road  
P. O. Box 18119  
Pittsburgh, PA 15236  
412-469-5723

Southern Chester County Med Ctr-S  
1015 West Baltimore Pike  
West Grove, PA 19390  
610-869-1080

Specialty Laboratories-SB  
2211 Michigan Avenue  
Santa Monica, CA 90404  
310-828-6543

St. Francis Hospital Cranberry-S  
One St. Francis Way  
Cranberry Township, PA 16066  
724-772-5300

St. Francis Medical Center-S  
400-45th Street  
Pittsburgh, PA 15201-1198  
412-622-4838

St. Joseph Quality Medical Lab-SB  
215 North 12th Street, Box 316  
Reading, PA 19603  
610-378-2200

St. Joseph's Hospital-Div Nphs-S  
16th St. & Girard Ave.  
Philadelphia, PA 19130  
215-787-9000

St. Lukes Hosp Allentown Campus-S  
1736 Hamilton Street  
Allentown, PA 18104  
610-439-4000

St. Lukes Quakertown Hospital-S  
11th St. & Park Ave., P. O. Box 9003  
Quakertown, PA 18951  
215-538-4681

Suburban General Hospital-S  
100 South Jackson Avenue  
Bellevue, PA 15202  
412-734-6000

Taylor Hospital Div Of CCMC-S  
175 E Chester Pike  
Ridley Park, PA 19078  
610-595-6450

Temple East Inc NE-S  
2301 East Allegheny Avenue  
Philadelphia, PA 19134  
215-291-3671

Temple Lower Bucks Hospital Lab-S  
501 Bath Road  
Bristol, PA 19007  
215-785-9200

Temple University Hospital-S  
3401 N. Broad St.  
Philadelphia, PA 19140  
215-707-4353

The Medical Center Beaver PA-SB  
1000 Dutch Ridge Road  
Beaver, PA 15009-9700  
724-728-7000

Thomas Jefferson University Hosp-S  
125 South 11th St., 204 Pavilion  
Philadelphia, PA 19107  
215-955-6374

Titusville Area Hospital-S  
406 West Oak Street  
Titusville, PA 16354  
814-827-1851

Toxi-Con Laboratory-SB  
201 Smallcombe Drive  
Scranton, PA 18508  
570-963-0722

Tyler Memorial Hospital-S  
880 SR 6 W  
Tunkhannock, PA 18657  
570-836-2161

Tyrone Hospital-SB  
Clay Avenue Extension  
Tyrone, PA 16686  
814-684-0484

United Community Hospital-SB  
631 North Broad Street Ext.  
Grove City, PA 16127  
724-450-7125

University Of Pitt Med Ctr-CLSI-S  
200 Lothrop St. CLSI Rm. 5929 MT  
Pittsburgh, PA 15213-2582  
412-647-7813

UPMC Bedford Memorial-SB  
10455 Lincoln Highway  
Everett, PA 15537  
814-623-3506

UPMC Braddock-S  
400 Holland Avenue  
Braddock, PA 15104  
412-636-5291

UPMC Lee Regional Hospital-SB  
320 Main Street  
Johnstown, PA 15901  
814-533-0130

UPMC McKeesport Laboratory-S  
1500 Fifth Avenue  
McKeesport, PA 15132  
412-664-2233

UPMC Passavant-S  
9100 Babcock Blvd.  
Pittsburgh, PA 15237  
412-367-6700

UPMC Saint Margaret Hospital-S  
815 Freeport Road  
Pittsburgh, PA 15215  
412-784-4000

Warminster Hospital-S  
225 Newtown Road  
Warminster, PA 18974  
215-441-6700

Warren General Hospital-SB  
2 Crescent Park  
Warren, PA 16365  
814-723-3300

Washington Hospital-S  
155 Wilson Ave.  
Washington, PA 15301  
724-223-3136

Wayne Memorial Hospital-S  
601 Park Street  
Honesdale, PA 18431  
717-253-1300

Waynesboro Hospital-S  
501 E. Main Street  
Waynesboro, PA 17268  
717-765-3403

Western Pennsylvania Hospital-S  
4800 Friendship Ave.  
Pittsburgh, PA 15224  
412-578-5779

Western Reserve Care System-SB  
500 Gypsy Lane  
Youngstown, OH 44504  
216-740-3794

Westmoreland Hospital-S  
532 W. Pittsburgh St.  
Greensburg, PA 15601  
724-832-4365

Williamsport Hosp & Med Center-SB  
777 Rural Avenue  
Williamsport, PA 17701-3198  
570-321-2300

Windber Medical Center-B  
600 Somerset Ave.  
Windber, PA 15963  
814-467-6611

WVHCS Hosp Pennant Laboratory-SB  
575 North River Street  
Wilkes-Barre, PA 18764  
570-829-8111

WVU Hospital Clinical Labs-S  
1 Medical Center Dr., P. O. Box 8009

Morgantown, WV 26506-8009  
304-598-4241

York Hospital-SB  
1001 South George Street  
York, PA 17405  
717-771-2696

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1133. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Request for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.19(b) (relating to windows and windowsills):

Pennsylvania Soldiers' and Sailors' Home  
P. O. Box 6239  
Erie, PA 16512-6239

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, Fax: (717) 772-2163, E-Mail Address: PAEXCEPT@HEALTH.STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1134. Filed for public inspection June 22, 2001, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Addition of Selected Behavioral Health Rehabilitation Services

By this notice, the Department of Public Welfare announces that it is adding selected behavioral health rehabilitation services to its list of covered services and the Medical Assistance Program fee schedule, effective July 1, 2001, as follows:

<i>Procedure Code</i>	<i>Description</i>	<i>Effective Date</i>	<i>MA Fee</i>	<i>Limit</i>
W7038	Assessment and assistance to a newly hired TSS worker with less than the equivalent of 6 months of full time TSS experience.	7/1/01	\$10.00 per hour	Max—6 hours per TSS worker
W7039	Assessment and assistance to a TSS worker newly hired by an agency with the equivalent of 6 or more months of TSS experience.	7/1/01	\$10.00 per hour	Max—3 hours per newly hired TSS worker

*Fiscal Impact*

The fiscal note was prepared under provision of section 612 of The Administrative Code of 1929 (71 P. S. § 232).

*Contact Person*

A copy of this notice is available for review at local County Assistance Offices. Interested persons are invited to submit written comments to this notice. These comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120. Any comments received will be considered for subsequent Fee Schedule updates.

Persons with a disability may use the AT&T Relay service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTON,  
*Secretary*

**Fiscal Note:** 14-NOT-294. (1) General Fund;

	<i>MA-Outpatient</i>	<i>MA-Capitation</i>
(2) Implementing Year		
2001-02 is	\$141,000	\$273,000;
(3) 1st Succeeding Year		
2002-03 is	\$153,000	\$287,000;
2nd Succeeding Year		
2003-04 is	\$154,000	\$289,000;
3rd Succeeding Year		
2004-05 is	\$155,000	\$291,000;
4th Succeeding Year		
2005-06 is	\$156,000	\$293,000;
5th Succeeding Year		
2006-07 is	\$158,000	\$296,000;

	<i>MA-Outpatient</i>	<i>MA-Capitation</i>
(4) 2000-01 Program—	\$622,669,000	\$1,384,763,000;
1999-00 Program—	\$695,935,000	\$1,026,075,000;
1998-99 Program—	\$662,740,000	\$ 959,286,000;

(7) Medical Assistance—Outpatient and Capitation; (8) recommends adoption. Funds for these changes will be included in the 2001-02 budget.

[Pa.B. Doc. No. 01-1135. Filed for public inspection June 22, 2001, 9:00 a.m.]

**Availability of the Low-Income Home Energy Assistance Program Proposed State Plan and Public Hearing Schedule**

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year (FY) 2001-02 Low-Income Home Energy Assistance Program (LIHEAP) proposed State Plan. Comments on this document and testimony received at public hearings scheduled for July will be used to formulate the Department's final State Plan for using Federal funds in the FY 2001-02 LIHEAP.

The Department has sent advance copies of the proposed State Plan to the LIHEAP Advisory Committee. In addition, copies have been sent to fuel associations, legal service agencies and Area Agencies on Aging for distribution to their members or constituents. Other persons who want copies can obtain them after June 27, 2001, either

by contacting their local county assistance office or by calling Karen Kirk at (717) 772-7906.

The Department will hold three public hearings throughout this Commonwealth to allow testimony on the proposed State Plan and fulfill the Federal mandate for public input into planning process. This mandate appears in Title XXVI (the Low-Income Home Energy Assistance Act of 1981) (Pub. L. 97-35, 42 U.S.C.A. § 8621 et. seq.) as amended by the Human Services Reauthorization Act of 1984 (Pub. L. 98-558), the Human Services Reauthorization Act of 1986 (Pub. L. 99-425), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub. L. 103-252) and the Coats Human Services Reauthorization Act of 1998 (Pub. L. 105-285).

*Public Hearing Schedule:*

July 10, 2001  
10 a.m.—1 p.m.  
Philadelphia County Assistance Office  
LIHEAP Conference Room, 2nd Floor  
4601 Market Street  
Philadelphia, PA

July 12, 2001  
10 a.m.—12 noon  
Allegheny County Courthouse  
Gold Room, 4th Floor  
436 Grant Street  
Pittsburgh, PA

July 13, 2001  
10 a.m.—12 noon  
Health and Welfare Building  
Room 812, 8th Floor  
Forster Street  
Harrisburg, PA

Persons who wish to testify on the proposed State Plan at a public hearing should arrange a time by telephoning (717) 772-7906 before June 29, 2001. Persons from outside the Harrisburg area should call toll-free (800) 692-7462 or send a written request, including their telephone number, to Nancy Poindexter, Federal Programs and Program Management, Room 224, Willow Oak Building #42, DPW Complex 2, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TTD users) or (800) 654-5988 (Voice users).

FEATHER O. HOUSTON,  
*Secretary*

[Pa.B. Doc. No. 01-1136. Filed for public inspection June 22, 2001, 9:00 a.m.]

**Inpatient Hospitals Qualifying for Medical Assistance Disproportionate Share Payments for the Period July 1, 2000, through June 30, 2001**

On July 1, 1988, the Department of Public Welfare (Department) implemented a disproportionate share payment system. Under State regulations, the Department is required to annually publish the names of each inpatient acute care general hospital, rehabilitation hospital and private psychiatric hospital qualifying for a disproportionate share payment and their respective disproportionate share payment percentage.

*A. Disproportionate Share for Acute Care General Hospitals, Rehabilitation Hospitals and Private Psychiatric Hospitals.*

The following lists identify the inpatient acute care general hospitals, psychiatric units and rehabilitation units of acute care general hospitals, rehabilitation hospitals and private psychiatric hospitals eligible for disproportionate share payment for the period July 1, 2000, through June 30, 2001, and their respective payment percentages. For all inpatient facilities, disproportionate share payments are calculated as a percentage of projected MA inpatient income.

**Payment period July 1, 2000, to June 30, 2001, disproportionate share payment percentages:**

**Acute Care General Hospitals**

Albert Einstein	5.103%
A.I. du Pont	6.109%
Barnes Kasson	3.464%
Bradford Reg Med Ctr	10.000%
Charles Cole Memorial	4.018%
Childrens Hospital—Pgh	9.313%
Childrens Hospital—Phil	9.438%
Clarion Hospital	4.309%
Clearfield	3.456%
Community Hospital—Kane	1.000%
Crozer Chester	3.484%
DuBois Regional Med Ctr	9.000%
Fulton County Medical Center	2.882%
Highland Health Center	5.292%
Hospital Univ of Penna	4.852%
Indiana Hospital	3.692%
J C Blair	4.255%
Kensington	5.480%
LGH—Susquehanna Div.	2.995%
Lock Haven	4.752%
Magee Womens	5.825%
Meadville	5.049%
Memorial Hospital—Towanda	3.005%
Mercy Catholic—Misericordia	4.529%
Mercy Providence—Pgh	4.470%
Metro Health Center	3.786%
Monsour	7.595%
NPHS—Girard	1.000%
NPHS—St. Josephs	8.999%
Presbyt Med Ctr of UPHS	4.902%
Punxsutawney	4.553%
Soldiers And Sailors	5.692%
Temple	8.643%
Temple East, Inc.	7.441%
Temple Univ. Childrens' Hospital	15.000%
Thomas Jefferson	4.497%
THS—Hahnemann	4.669%

THS—Med Coll of Pa Hosp	5.289%
THS—Parkview Hospital	4.303%
THS—St. Christophers	14.000%
Titusville	4.227%
Troy Community	6.935%
UPMC—Beaver Valley	4.488%
UPMC—Braddock Med Center	4.938%
UPMC—Bedford	7.921%
Valley Forge	4.868%
Wayne County Memorial	3.053%
West Virginia	6.772%

**Psychiatric Units of Acute Care Hospitals**

Albert Einstein	2.265%
Bradford Regional Med Cntr	2.433%
Crozer-Chester Medical Center	1.181%
DuBois Regional Medical Center	1.860%
Highland Hospital	2.391%
Hospital of Univ of Pa	2.096%
J C Blair	1.000%
Meadville Medical Center	1.144%
Mercy Catholic—Misericordia	1.881%
Mercy Providence—Pgh	1.841%
Monsour Medical Center	3.932%
NPHS—Girard	1.000%
Presbyterian Med Cntr of UPHS	2.130%
Soldiers And Sailors	1.260%
Temple East Hosp	3.829%
Temple University Hosp	4.633%
Thomas Jefferson Univ Hosp	1.859%
THS—Hahnemann Univ Hosp	1.974%
THS—Medical College of Pa Hosp (Eppi)	2.389%
THS—Parkview Hospital	1.729%
UPMC—Beaver Valley	1.853%
UPMC—Braddock	2.154%

**Private Psychiatric Hospitals**

Belmont Center	2.992%
Fairmount Bhs	1.520%
Clarion Psychiatric Center	6.188%
Edgewater Psychiatric Center	3.540%
Eugenia Hospital	5.423%
First Hospital Wyoming Valley	3.986%
Foundations Behavioral Health	10.000%
Horsham Psychiatric Hospital	4.835%
Kirkbride Psych Hospital	3.481%
Meadows Psychiatric Center	5.643%
Montgomery County MH/MR Er Svs	3.783%
National Hospital for Kids in Crisis	9.000%
Northwestern Institute of Psychiatry	3.509%
Philadelphia Child Guidance	5.912%

Philhaven	4.070%
Southwood Psychiatric Hospital	8.280%
<b>Drug And Alcohol Units of Acute Care Hospitals</b>	
Lancaster Gen Hosp—Susque Div	1.000%
Meadville Medical Center	1.000%
NPHS—St Josephs	8.113%
Presbyterian Med Cntr of UPHS	2.883%
Valley Forge	2.839%

**Private Drug And Alcohol Hospitals**

Eagleville Hospital	1.315%
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**Medical Rehab Units of Acute Care Hospitals**

Albert Einstein	3.139%
Crozer-Chester Medical Center	1.071%
DuBois Regional Medical Center	2.366%
Hospital of Univ of Pa	2.818%
Mercy Providence—Pgh	2.330%
Monsour Medical Center	6.320%
Temple University Hosp	7.659%
Thomas Jefferson Univ Hosp	2.365%

**Freestanding Rehab Hospitals**

Childrens Home of Pittsburgh	9.000%
Childrens Seashore House	10.000%

*B. Additional Disproportionate Share Payments*

Additional disproportionate share payments are made to inpatient facilities, with a Medicaid inpatient utilization rate of not less than 1%, which have provided services to persons who have been determined to be low income by meeting the income and resource standards for the State's general assistance program.

The payment adjustments are paid directly proportional to the payment received for either general assistance recipients for all hospital services or Title XIX recipients 21—64 years of age for services rendered by institutions for mental diseases under the fee-for-service and capitation programs.

The following hospitals are eligible for this payment adjustment:

**Acute Care General Hospitals**

Abington Memorial  
 Albert Einstein  
 Altoona  
 American Oncological  
 Armstrong County Memorial  
 Ashland Reg Med Ctr  
 AUH—Allegheny General  
 AUH—Allegheny Valley  
 AUH—Cannonsburg  
 A. I. du Pont  
 Barnes Kasson  
 Bloomsburg  
 Bon Secours Hospital  
 Bradford Reg Med Ctr  
 Brandywine Hospital  
 Brookville  
 Brownsville  
 Bryn Mawr  
 Bucktail Medical Center  
 Butler County Memorial

Carlisle Hospital  
 Centre Community  
 Chambersburg Hospital  
 Charles Cole Memorial  
 Chester County  
 Chestnut Hill  
 Childrens Hospital—Pgh  
 Childrens Hospital—Phil  
 CHS—Berwick Hosp Ctr  
 Clarion Hospital  
 Clearfield  
 Community Hosp of Lancaster  
 Community Hospital—Kane  
 Community Medical Center—Scranton  
 Conemaugh Valley  
 Corry Memorial  
 Crozer Chester  
 Delaware County  
 Divine Providence—Wmspt  
 Doylestown  
 DuBois Regional Med Ctr  
 Easton Hospital  
 Elk Regional Hlth Ctr  
 Ellwood City  
 Endless Mts. Health Sysytem  
 Ephrata Community  
 Evangelical Community  
 Forbes Reg. Hospital  
 Frankford  
 Frick Comm. Hlth Ctr  
 Fulton County Medical Center  
 Geisinger Medical Center  
 Geisinger Wyoming Valley  
 Gettysburg Hospital  
 Gnaden Huetten  
 Good Samaritan—Lebanon  
 Good Samaritan—Pottsville  
 Grandview  
 Greene County Memorial  
 Hamot Medical Center  
 Hanover General  
 Hazleton General Hosptal  
 Highland Health Center  
 Holy Redeemer  
 Holy Spirit  
 Horizon Hospital Sys, Inc  
 Hosp Univ of Penna  
 Indiana Hospital  
 J C Blair  
 Jameson Memorial  
 Jeanes Hospital  
 Jeannette Dist Memorial  
 Jefferson Health Serv  
 Jersey Shore Hospital  
 Kensington  
 Lancaster General  
 Lankenau  
 Latrobe Area  
 Lehigh Valley  
 Lewistown  
 Lgh—Susquehanna Div.  
 Lifecare Hospital of Pgh  
 Lock Haven  
 Magee Womens  
 Marian Community Hospital  
 UPMC—McKeesport  
 Meadville  
 Medical Ctr Beaver Pa, Inc  
 Memorial—York  
 Memorial Hospital—Towanda



Mercy Catholic—Fitzgerald  
 Mercy Catholic—Misericordia  
 Mercy Haverford  
 Mercy Hosp of Nanticoke  
 Mercy Hospital—Pgh  
 Mercy Hospital—Scranton  
 Mercy Hospital—Wilkes-Barre  
 Mercy Providence—Pgh  
 Metro Health Center  
 Meyersdale  
 Mid Valley  
 Millcreek Community  
 Milton Hershey  
 Miners Hospital  
 Miners Memorial Med Ctr  
 Monongahela Valley  
 Monsour  
 Montgomery  
 Moses Taylor  
 Muhlenberg  
 Muncy Valley  
 Nason Hospital  
 Nazareth  
 North Penn  
 Northwest Medical Center  
 NPHS—Girard  
 NPHS—St. Josephs  
 Ohio Valley  
 Palmerton  
 Paoli Memorial  
 Philipsburg Area  
 Pinnacle Health System  
 Pittsburgh Specialty Hosp  
 Pocono Hospital  
 Pottstown Memorial  
 Pottsville Hospital  
 Presbyt Med Ctr of Uphs  
 Presbyt Univ Hospital  
 Punxsutawney  
 Reading Hospital  
 Riddle Memorial  
 Robert Packer  
 Roxborough Memorial  
 Sacred Heart—Allentown  
 Sewickley  
 Shamokin Area Comm Hosp  
 Sharon  
 Soldiers And Sailors  
 Somerset Community  
 Southern Chester  
 St. Agnes  
 St. Clair Memorial  
 St. Francis—New Castle  
 St. Francis—Pittsburgh  
 Lancaster Reg Med Ctr  
 St. Joseph Med Ctr—Reading  
 St. Joseph Med Ctr—Hazleton  
 St. Lukes—Quakertown  
 St. Lukes of Bethlehem  
 St. Mary—Langhorne  
 St. Vincent  
 Suburban General—Norristown  
 Suburban General—Pgh  
 Sunbury Community  
 Temple  
 Temple—Lower Bucks  
 Temple East, Inc.  
 Temple Univ. Children's Med Ctr  
 Thomas Jefferson  
 THS—Elkins Park

THS—Graduate Hosp  
 THS—Hahnemann Hospital  
 THS—Med Coll of Pa Hosp  
 THS—Parkview Hospital  
 THS—St. Christophers  
 THS—Warminster Hospital  
 Titusville  
 Troy Community  
 Tyler Memorial  
 Tyrone Hosp  
 Union City  
 Uniontown  
 United Community  
 UPHS—Pennsylvania Hospital  
 UPHS—Phoenixville  
 UPMC—Beaver Valley  
 UPMC—Braddock Med Center  
 UPMC—Lee Hospital  
 UPMC—Passavant Hospital  
 UPMC—Southside  
 UPMC—St Margaret  
 UPMC—Bedford  
 UPMC—Shadyside  
 Valley Forge  
 Warren General  
 Washington  
 Wayne County Memorial  
 Waynesboro  
 West Virginia  
 Western Penn  
 Westmoreland  
 Williamsport  
 Wills Eye Hospital  
 Windber  
 Wyoming Valley Health Care System  
 York Hospital

#### **Private Drug And Alcohol Hospitals**

Eagleview Hospital

#### **Freestanding Rehab Hospitals**

Allied Services Rehabilitation Hospital  
 Bryn Mawr Rehab  
 Chestnut Hill/Springfield  
 Childrens Seashore House  
 Good Shepherd Rehabilitation Hospital  
 Healthsouth Harmarville Rehab Hospital  
 Healthsouth Rehab—Altoona  
 Healthsouth Rehab—Mechanicsburg  
 Healthst Lake Erie Inst Rehab  
 Healthst Rehab Hosp—Grtr Pgh  
 Healthst Rehab Hosp—York  
 H/S Nittany Valley Rehab Hospital  
 H/S Reading Rehabilitation Hospital  
 H/S Rehab of Seweckly  
 Magee Memorial  
 The Children's Home of Pittsburgh  
 The John Heinz Institute  
 The Rehabilitation Institute of Pittsburgh

#### **Private Psychiatric Hospitals**

Belmont Center  
 Fairmount BHS  
 Clarion Psychiatric Center  
 Edgewater Psychiatric Center  
 Eugenia Hospital  
 First Hospital Wyoming Valley  
 Foundations Behavioral Hlth  
 Friends Hospital  
 Horsham Clinic

Kirkbride Psych Hosp  
 Montgomery County MHMR Emergency Service  
 National Hospital for Kids in Crisis  
 Northwestern Institute of Psychiatry  
 Phila Child Guidance  
 Philhaven  
 Southwood Psychiatric Hospital  
 The Meadows Psychiatric Center

#### Medical Rehab Units of Acute Care Hospitals

Abington Memorial Hosp  
 Albert Einstein  
 Bon Secours Holy Family Reg Hlth Sys  
 Chambersburg Hospital  
 Community Hosp—Lancaster  
 Conemaugh Valley Hosp  
 Crozer-Chester Med Cntr  
 Delaware Cnty Mem Hosp  
 Doylestown Hospital  
 DuBois Reg Med Cntr  
 Easton Hospital  
 Frankford  
 Geisinger—Wyoming Valley  
 Good Samaritan Hospital—Lebanon  
 Horizon Hosp Sys, Inc.  
 Hosp of The Univ of Pa  
 Jameson Memorial  
 Jeannette Dist Mem Hosp  
 Jefferson Health Services  
 Lancaster General Hosp  
 Lancaster Regional Medical Center  
 Mercy Catholic—Fitzgerald  
 Mercy Hospital—Pittsburgh  
 Mercy Providence—Pgh  
 Milton S. Hershey Med Ctr  
 Monongahela Valley Hosp  
 Nazareth  
 Northwest Med Ctr Franklin  
 Pinnacle Health Hospitals  
 Pottsville Hospital  
 Presbyterian Univ—Pgh  
 Sewickley Valley Hospital  
 St Agnes Medical Cntr  
 St Francis Hosp—New Castle  
 St Francis Med Cntr—Pitts  
 St Mary Hosp—Langhorne  
 St Vincent Health Cntr  
 Suburban General Hospital—Pgh  
 THS—Elkins Park  
 THS—Warminster Hospital  
 Temple University Hosp  
 Thomas Jefferson Univ Hosp  
 Univ of Pitts Med Ctr—Lee Hosp  
 Univ of Pitts Med Ctr—Mckeesport  
 Univ of Pitts Med Ctr—Southside  
 Univ of Pitts Med Ctr—St Margaret  
 Westmoreland Hospital  
 Williamsport Hospital

#### Drug And Alcohol Units of Acute Care Hospitals

Butler County Memorial  
 Hamot Medical Center  
 Horizon—Shenango Valley  
 Lancaster Gen Hosp—Susquehanna Div  
 Meadville Med Cntr  
 Monsour Medical Center D&A  
 NPHS—St Josephs Hosp  
 Presby Med Ctr of Univ of Pa Hlth Syst  
 St Francis—Pittsburgh  
 Valley Forge  
 Westmoreland

#### Psychiatric Units of Acute Care Hospitals

AUH—Allegheny General  
 AUH—Allegheny Valley  
 Abington Memorial  
 Albert Einstein  
 Altoona  
 Armstrong County Memorial  
 Bloomsburg Hosp  
 Bon Secours Holy Fam Reg Hlth Sys  
 Bradford  
 Brandywine Hospital  
 Brownsville  
 Bryn Mawr Hosp  
 Butler County Memorial  
 Centre Community  
 Chambersburg Hospital  
 Community Medical Center  
 Conemaugh Valley  
 Corry Memorial  
 Crozer Chester  
 Divine Providence—Wmspt  
 Doylestown  
 DuBois Regional Med Cntr  
 Elk Regional Health Center  
 Ephrata Community  
 Forbes Reg Hosp  
 Frankford Hosp—Bucks Co Campus  
 Geisinger Medical Center  
 Gnaden Huetten  
 Grandview  
 Hamot Medical Center  
 Hazelton Gen Hosp  
 Highland Hospital  
 Holy Spirit  
 Hosp—University of Pa  
 J C Blair  
 Jefferson Health Serv  
 Lancaster General  
 Lancaster Regional Medical Center  
 Latrobe Area  
 Lehigh Valley Hospital  
 Lewistown  
 Marian Community Hospital  
 Meadville Med Cntr  
 Medical Center, Beaver Pa., The  
 Memorial Hosp—York  
 Mercy Catholic—Fitzgerald  
 Mercy Catholic—Misericord  
 Mercy Hospital—Pgh  
 Mercy Hospital—Wilkes-Barre  
 Mercy Special Care Hospital  
 Mercy Providence Hosp—Pgh  
 Milton S. Hershey Medical Center  
 Monongahela Valley  
 Monsour Med Cntr  
 Montgomery  
 Moses Taylor Geropsych Unit  
 Muhlenberg  
 Nazareth  
 NPHS—Girard  
 Northwest Med Ctr Oil City  
 Paoli Memorial  
 Pennsylvania Hospital/UPHS  
 Pinnacle Health Hospitals  
 Pocono Hospital  
 Pottstown Memorial Med Ctr  
 Pottsville Hospital  
 Presbyterian Med Cntr of UPHS  
 Presbyterian Univ Hosp—Pgh  
 Reading Hospital

Robert Packer  
 Sewickley Valley Hosp  
 Shamokin Area Community Hospital  
 Sharon Regional Hlth Syst  
 Soldiers And Sailors  
 Somerset Hosp Cntr For Health  
 St Clair Memorial  
 St Francis—New Castle  
 St Francis—Pittsburgh  
 St Joseph Med Ctr—Reading  
 St Lukes—Quakertown  
 St Lukes of Bethlehem  
 St Vincent  
 THS—Hahnemann Univ Hosp  
 THS—Medical Col of Pa Hosp (Eppi)  
 THS—Parkview Hospital  
 THS—Warminster Hospital  
 Temple East Hospital  
 Temple—Lower Bucks  
 Temple University Hospital  
 Thomas Jefferson  
 Univ of Pitt Med Ctr—Beaver Valley  
 Univ of Pitt Med Ctr—Braddock  
 Univ of Pitt Med Ctr—Mckeesport  
 Univ of Pitt Med Ctr—Southside Psy  
 Warren General  
 Washington  
 Western Penn  
 Westmoreland  
 York Hospital

*C. Additional Class Of Disproportionate Share Payments*

Effective March 1, 1998, the Department established a new class of disproportionate share payments to hospitals which render uncompensated care and which the Department has determined are experiencing significant revenue loss as a result of Medical Assistance program revisions under Act No. 1996-35.

Effective January 15, 1999, the Department revised its previously established new class of disproportionate share payments to include a Charity Care component of the Community Access Fund. A disproportionate share payment will be made to qualifying hospitals based on each hospital's percentage of charity care cost to the total charity care costs of all qualifying hospitals. The Department also established a disproportionate share payment for those hospitals which the Department has determined advanced its goal of enhanced access to multiple types of medical care in economically distressed areas of this Commonwealth.

The following hospitals qualify for this payment:

Abington Memorial  
 A.I. Dupont  
 Albert Einstein  
 Allegheny General  
 Altoona  
 Children's Hospital of Philadelphia  
 City Avenue Hospital  
 Crozer Chester Medical Center  
 Doylestown  
 Easton Hospital  
 Evangelical Community  
 Frankford  
 Geisinger Medical Center  
 Hahnemann Hospital  
 Hamot Medical Center  
 Hazelton General Hospital  
 Hospital of The University of Pa

Indiana Hospital  
 Jeannette Dist Memorial  
 Lankenau  
 Lehigh Valley  
 Magee Womens  
 Med Coll Hospital—Main  
 Mercy Catholic—Misericordia  
 Milton S. Hershey Medical Center  
 North Philadelphia Health System  
 NPHS—Girard  
 Parkview Hospital  
 UPHS—Pennsylvania Hospital  
 Presbyterian Med Ctr of Philadelphia  
 Presbyterian University Hospital—Pgh  
 Reading Hospital  
 Shadyside  
 St. Agnes  
 St. Francis—Pittsburgh  
 St. Lukes of Bethlehem  
 Temple University Hospital  
 Thomas Jefferson  
 UPMC—Beaver Valley  
 Western Penn  
 West Virginia  
 York Hospital

A copy of this notice is available for review at local county assistance offices. Interested persons are invited to submit written comments within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to Department of Public Welfare, Attention: Suzanne Love, Room 515 Health and Welfare Building, 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). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTON,  
*Secretary*

**Fiscal Note:** 14-NOT-295. (1) General Fund; (2) Implementing Year 2000-01 is \$42,848,000; (3) 1st Succeeding Year 2001-02 is \$6,643,000; 2nd Succeeding Year 2002-03 is \$0; 3rd Succeeding Year 2003-04 is \$0; 4th Succeeding Year 2004-05 is \$0; 5th Succeeding Year 2005-06 is \$0; (4) 1999-00 Program—\$392,528,000; 1998-99 Program—\$453,584,000; 1997-98—\$428,079,000; (7) Medical Assistance-Inpatient; (8) recommends adoption. Funds are included in the budget for this purpose.

[Pa.B. Doc. No. 01-1137. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Support Liens Against Real Property

The Department of Public Welfare (Department) intends to implement the support lien requirements of 23 Pa.C.S. § 4352(d) in light of the promulgation of the Supreme Court rule on the same subject at Pa.R.C.P. 1910.22 (Rule 1910.22).

Under 23 Pa.C.S. § 4352(d), the Department is charged with developing a system for providing notice to the public of liens arising out of overdue support obligations. Thirty days after a notice of establishment of such a system is published in the *Pennsylvania Bulletin*, any lien on record with this system constitutes a lien by operation of law against all real property owned by a support

obligor, and also has the effect of a perfected security interest in personal property owned by the obligor.

The Pennsylvania Constitution allows the Supreme Court to promulgate rules of civil procedure and to suspend statutes that are inconsistent with those rules. The Supreme Court promulgated Rule 1910.22 under its Constitutional rulemaking authority and it suspended 23 Pa.C.S. § 4352(d) and (d.1) to the extent inconsistent with the new rule. Rule 1910.22 makes overdue support obligations a lien against all real estate owned by an obligor within this Commonwealth. Accordingly, overdue support obligations constitute liens on real estate owned by an obligor throughout this Commonwealth even though the Department has not published the notice contemplated by 23 Pa.C.S. § 4352(d).

The Department retains the authority under 23 Pa.C.S. § 4352(d) to publish a notice that makes support obligations a lien against personal property. However, the Department has not yet resolved the practical issues associated with personal property liens, such as how the liens will integrate with other personalty liens under the Uniform Commercial Code. Accordingly, the Department will defer publishing the notice specified under 23 Pa.C.S. § 4352(d) until these issues are resolved.

Pending promulgation of the Department's notice under 23 Pa.C.S. § 4352(d), support obligations remain a lien against real estate by virtue of the Supreme Court's rule. Information regarding the amount of overdue support owed by an obligor under a court order to pay support in this Commonwealth may be obtained by accessing the Department's internet website [www.pachildsupport.com](http://www.pachildsupport.com) or by contacting the State Collection and Disbursement Unit at (877) 676-9580. Hearing impaired persons can contact the State Collection and Disbursement Unit by calling (877) 676-9582. The Customer Support Unit is available Monday through Friday from 8 a.m. to 5 p.m. Support liens have priority over all liens and encumbrances with the exception of Federal and State income taxes. Certification of the arrearage amount under 23 Pa.C.S. § 4352(d.1)(3) must be obtained from the appropriate county Domestic Relations Section.

FEATHER O. HOUSTON,  
*Secretary*

[Pa.B. Doc. No. 01-1138. Filed for public inspection June 22, 2001, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Adjustment of Program Service Revenue Amounts

In accordance with section 6(a)(5) of the Institutions of Purely Public Charity Act (act) (10 P. S. § 376(a)(5)), the Department of Revenue is required to adjust the annual program service revenue amount used as a benchmark in section 6(a)(1) and (2) of the act (10 P. S. § 376(a)(1) and (2)) for the purpose of asserting a rebuttable presumption.

The annual program service revenue amounts referred to in section 6(a)(1) and (2) of the act shall be increased by 1% as follows:

- (1) Effective July 1, 1999—Program Service Revenues—\$10,100,000.
- (2) Effective July 1, 2000—Program Service Revenues—\$10,201,000.

(3) Effective July 1, 2001—Program Service Revenues—\$10,303,010.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 01-1139. Filed for public inspection June 22, 2001, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Approval of Ignition Interlock Systems

Notice is hereby given that pursuant to 42 Pa.C.S. § 7002(d), the following ignition interlock system devices are on the Department of Transportation's current approved list:

Alcohol Countermeasure Systems Corporation's—  
Ignition Interlock Model WR2.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1140. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Finding Monroe County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing Mount Pocono Bridge over the Delaware, Lackawanna and Western Railroad in the Borough of Mount Pocono, Monroe County. The project consists of replacing the steel pony truss bridge and the reconstruction of roadway approaches. The Mount Pocono Bridge and the Delaware, Lackawanna and Western Railroad have been determined eligible for listing in the National Register of Historic Places. In addition to the removal of the bridge, the project will require the acquisition of land from the Delaware, Lackawanna and Western Railroad.

The effects of the project on the Historic resources will be mitigated by a HABS/HAER recordation prior to demolition and the design and specifications for the project will be developed in consultation with the SHPO as outlined in a Memorandum of Agreement (MOA) for the proposed action which has been signed by all appropriate agencies.

I have considered the environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, and have concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1141. Filed for public inspection June 22, 2001, 9:00 a.m.]

## FISH AND BOAT COMMISSION

Public Meeting held  
June 7, 2001

### Closure of Tacony Access Area; Philadelphia County

The Executive Director of the Fish and Boat Commission, acting under the authority of 58 Pa. Code § 53.4 (relating to limiting access to Commission property and other restrictions), will temporarily close the Tacony Access Area, Philadelphia County, to all public access and use, effective midnight on June 30, 2001. The Tacony Access Area will be closed to all public use and access until further notice.

During the period of closure, the Executive Director may, upon due application, permit uses of the access area on a limited basis.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 01-1142. Filed for public inspection June 22, 2001, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, June 7, 2001, and took the following actions:

#### *Regulations Approved:*

No. 2140 Environmental Quality Board #7-359: Disinfectants and Disinfection Byproducts (amends 25 Pa. Code Chapter 109).

No. 2139 Environmental Quality Board #7-358: Interim Enhanced Surface Water Treatment (amends 25 Pa. Code Chapter 109).

No. 2120 Environmental Quality Board #7-349: Licensing of Blasters and Storage, Handling and Use of Explosives (amends 25 Pa. Code Chapters 210 and 211).

No. 2123 Environmental Quality Board #7-352: Coal Refuse Disposal (amends 25 Pa. Code Chapters 88 and 90).

No. 2125 Pennsylvania Public Utility Commission #57-217: Licensing Requirements for Natural Gas Suppliers (amends 52 Pa. Code § 3.551 and adds a new Chapter 62).

No. 2034 Department of Health #10-129: Head Injury Program (adds Chapter 4 to 28 Pa. Code).

*Commissioners Voting:* John R. McGinley, Jr, Chairperson, by proxy; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III, Acting Chairperson; John F. Mizner

*Environmental Quality Board; Disinfectants and Disinfection Byproducts; Regulation No. 7-359*

On August 8, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 109. The proposed regulation was published in the September 2, 2000, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 8, 2001.

This rulemaking regulates disinfection practices at public water systems to eliminate or minimize disinfection byproducts that cause harmful health effects. Commonwealth water systems will be required to comply with up to three new disinfectant residual standards.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. § 721.4(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Robert J. Harbison, III, Acting Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; John F. Mizner

Public Meeting held  
June 7, 2001

*Environmental Quality Board; Interim Enhanced Surface Water Treatment; Regulation No. 7-358*

On August 8, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 109. The proposed regulation was published in the September 2, 2000, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 8, 2001.

This rulemaking establishes Cryptosporidium removal requirements, water filtration standards and disinfection benchmarks to assure sufficient protection from waterborne bacterial pathogens.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. § 721.4(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III, Acting Chairperson; John F. Mizner

Public Meeting held  
June 7, 2001

*Environmental Quality Board; Licensing of Blasters and Storage, Handling and Use of Explosives; Regulation No. 7-349*

On May 17, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 210 and 211. The proposed regulation was published in the June 3, 2000, *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on May 8, 2001.

This regulation updates the standards and permitting procedures for the use, storage and handling of explosives for all surface applications including mining, construction and demolition activities. It also revises the criteria for obtaining and retaining a blaster's license and adds a new requirement for a blaster to obtain 8 hours of continuing education during the 3-year term of the license.

We have determined this regulation is consistent with the statutory authority of the Board (73 P. S. §§ 157, 161 and 166; 71 P. S. §§ 510-17, 510-20(b), 751-22 and 751-35; 43 P. S. § 25-2(f) and 52 P. S. §§ 1396.4(b) and 3311(e)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III, Acting Chairperson; John F. Mizner

Public Meeting held  
June 7, 2001

*Environmental Quality Board; Coal Refuse Disposal; Regulation No. 7-352*

On May 31, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 88 and 90. The proposed regulation was published in the June 17, 2000, *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on May 8, 2001.

This rulemaking incorporates changes to the Coal Refuse Disposal Control Act as amended by Act 114 of 1994. The regulation encourages the use and reclamation of sites that were previously impacted by mining. It adds criteria for buffer zone variances, surface water protection systems and requirements relating to experimental practices.

We have determined this regulation is consistent with the statutory authority of the Board (52 P. S. §§ 30.53b and 1396.4b(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III, Acting Chairperson; John F. Mizner

Public Meeting held  
June 7, 2001

*Pennsylvania Public Utility Commission; Licensing Requirements for Natural Gas Suppliers; Regulation No. 57-217*

On June 2, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code § 3.551 and adds a new Chapter 62 (52 Pa. Code §§ 62.101—62.114). The proposed regulation was published in the June 17, 2000, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 3, 2001.

This final-form regulation implements the Natural Gas Choice and Competition Act of 1999 by establishing the application and performance requirements for an entity to be licensed as a natural gas supplier (NGS). Any entity seeking to become a licensed NGS in this Commonwealth must comply with this regulation.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501, 2203(12) and 2208) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy—abstained; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III, Acting Chairperson; John F. Mizner

Public Meeting held  
June 7, 2001

*Department of Health; Head Injury Program; Regulation No. 10-129*

On April 27, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Health (Department). This rulemaking adds Chapter 4 to 28 Pa. Code. The proposed regulation was published in the May 22, 1999, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 3, 2001. On May 22, 2001, the Commission received a request from the Department to toll consideration of this final-form regulation to make minor clarifications. On May 24, 2001, the Department submitted its revisions to the final-form regulation to the Commission.

This final regulation sets forth rules governing the Department's Head Injury Program (HIP). It describes the type of services available, duration of services and eligibility criteria for applicants. Each individual who qualifies for the HIP will receive up to 1 year of rehabilitation services and 18 months of case management services.

We have determined this regulation is consistent with the statutory authority of the Department (35 P.S. § 6934(e)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

ROBERT J. HARBISON, III,  
*Acting Chairperson*

[Pa.B. Doc. No. 01-1143. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Notice of Comments Issued

Section 5(d) and (g) of the Regulatory Review Act (71 P.S. § 745.5(d) and (g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Commission may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
16A-444	State Board of Podiatry Fees	06/08/01	05/07/03

(31 Pa.B. 1858 (April 6, 2001))

### State Board of Podiatry Regulation No. 16A-444 Fees June 8, 2001

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The State Board of Podiatry (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by May 7, 2003, the regulation will be deemed withdrawn.

#### 1. Section 29.12. Adoption of National Board Examination.—Clarity

Subsection (a) uses the phrase "National Board of Podiatric Medical Examiners." However, §§ 29.12(b) and 29.11 use the phrase "National Board." The Board should consider defining National Board in § 29.1 (definitions) and use the phrase consistently in each section.

#### 2. Section 29.13(a). Fees.—Clarity.

Section 29.13(a) establishes a new fee for application for authorization to perform radiologic procedures. The last paragraph of section C of the Preamble states that the new fee is paid in advance for providing an authorization form after a person passes the radiology technician

examination. Please explain the disposition of the advance fee if the applicant does not pass the examination and ultimately decides not to retake it. Is there a mechanism in place to provide a refund?

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-1144. Filed for public inspection June 22, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control

XL Capital LTD and XL Insurance LTD have filed an application for approval to acquire control of Legion Insurance Company, Villanova Insurance Company and U. S. Insurors Company, Commonwealth domiciled stock insurance companies. The filing was made under the requirements set forth under the Insurance Holding Companies Act, 40 P.S. § 991.1402, et seq. Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1145. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Constitution Life Insurance Company; Requesting Authority to Increase Rates for Individual Standardized Medicare Supplement Plans A, B, C and D Policy Form Nos. CMS-97 A, CMS-97 B, CMS-97 C and CMS-97 D

Constitution Life Insurance Company has filed for approval increased rates for its individual Medicare supplement plans as previously listed. The filing requests an increase of 36.0%. The rate increase will impact about 5,606 policyholders, and produce additional annual Commonwealth premium income of approximately \$2.06 million. The requested effective date of the increase is November 6, 2001.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30

days of the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1146. Filed for public inspection June 22, 2001, 9:00 a.m.]

**Highmark Inc. d/b/a Pennsylvania Blue Shield;  
Gatekeeper Preferred Provider Organization; Fil-  
ing No. 200129**

On June 11, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200129 to the Insurance Department and the Department of Health seeking approval of a Gatekeeper Preferred Provider Organization (GPPO) program. The application is submitted by Highmark Inc. with authority as both a hospital plan corporation and professional health plan corporation. It seeks to offer the GPPO program in the 21 counties of the Capital region in South Central Pennsylvania.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Office of Rate and Policy Regulation, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1147. Filed for public inspection June 22, 2001, 9:00 a.m.]

**Insurance Coverages or Risks Eligible for Export  
by Insurance Commissioner**

Under section 1604(2)(ii) of The Insurance Company Law of 1921 (40 P. S. § 991.1604(2)(ii)), the Insurance Commissioner hereby declares the following insurance coverages to be generally unavailable in the authorized market at the present, and thus exportable, and hereby adopts the following export list. Accordingly, for those insurance coverages which are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

**Export List**

**Amusements**

- Amusement parks and their devices
- Golf courses and driving ranges
- Animal rides
- Recreational and sporting events
- Guide, lodge or outfitters
- Horseback/pony riding establishments
- Hunting clubs
- Special short term events
- Skating rinks (roller and ice) and skate board parks
- Theatrical presentations

**Aviation**

- Fixed base operations
- Boat rentals
- Chemical spray and/or drift
- Day care centers liability, including sexual abuse coverage
- Demolition contractors liability
- Flood insurance not provided under Federal flood insurance
- House movers
- Kidnapping, ransom and extortion insurance
- Law Enforcement Liability
- Liability for employment related practices
- Liquor liability—monoline
- Nursing home liability
- Products recall coverage
- Railroad liability
- Security/Detective/Patrol agencies
- Vacant Properties

This list supersedes the list published at 30 Pa.B. 2692 (May 27, 2000), and shall remain in effect until superseded by a subsequent list as published in the *Pennsylvania Bulletin*.

Questions regarding the Export List may be directed to Cressinda E. Bybee, Office of Regulation of Companies, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2144, fax (717) 787-8557, e-mail cbybee@state.pa.us.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-1148. Filed for public inspection June 22, 2001, 9:00 a.m.]

**Michael Donmoyer; Hearing**

*Appeal of Michael Donmoyer under the Motor Vehicle Financial Responsibility Law; Catastrophic Loss Benefits Continuation Fund; Doc. No. CF01-06-002*

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 31.1 et seq. and the Insurance Department's Special Rules of the Administrative Practice and Procedure, 31 Pa. Code Chapter 56.

A hearing shall occur on July 31, 2001, at 1 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Pending hearing, parties shall exchange proposed exhibits, the names of witnesses, provide an offer of proof with respect to each witness and informally attempt to resolve undisputed facts by stipulation. Both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other evidence. Each party must bring documents, photographs, drawings, claims, files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and



for each opposing party. Motions preliminary to those at hearing, protests, petitions to intervene or notice of intervention, if any, must be filed on or before July 10, 2001, with the Docket Clerk, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before July 24, 2001.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid service or other accommodations to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1149. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). These administrative hearings will be held in the Insurance Department's Regional Office in Philadelphia, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Kenneth A. and Debbie S. Rubin; file no. 01-210-00862; Liberty Mutual Fire Insurance Company; doc. no. PH01-06-005; July 12, 2001, at 2:30 p.m.

Appeal of Sharon and Raymond DeFelice; file no. 01-215-01798; Colonial Penn Franklin Insurance Co.; doc. no. PH01-06-003; July 13, 2001, at 11:30 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The

Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator, at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1150. Filed for public inspection June 22, 2001, 9:00 a.m.]

### The Travelers Indemnity Company; Homeowners; Rate Filing

On June 7, 2001, the Insurance Department (Department) received The Travelers Indemnity Company a filing for a proposed rate level and rule change for homeowners insurance.

The company requests an overall 6.4% increase amounting to \$5,704,000 annually, to be effective August 31, 2001.

Unless formal administrative action is taken prior to August 6, 2001, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, (e-mail: xlu@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1151. Filed for public inspection June 22, 2001, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Montgomery County, Wine and Spirits Shoppe # 4618, 504 W. Marshall Street, Norristown, PA 19401-4641.

*Lease Expiration Date:* March 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in Norristown within a 1/2 mile radius of the intersection of Main Street and DeKalb Street.

*Proposals due:* July 13, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113.  
**Contact:** Robert J. Jolly, (215) 482-9673

Montgomery County, RAMP District Office, Meetinghouse Business Center, Suite 100, 140 W. Germantown Pike, Plymouth Meeting, PA 19462-1421.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,300 net useable square feet of new or existing office space within a 1/2 mile radius of the Pennsylvania Turnpike and Germantown Pike in Plymouth Township.

*Proposals due:* July 13, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113.  
**Contact:** Robert J. Jolly, (215) 482-9673

Philadelphia County, Wine and Spirits Shoppe # 5136, 2417 Welsh Road, Philadelphia, PA 19114-2206.

*Lease Expiration Date:* October 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space in Philadelphia within a 1/2 mile radius of the intersection of Welsh Road and Roosevelt Boulevard.

*Proposals due:* July 13, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113.  
**Contact:** Robert J. Jolly, (215) 482-9673

Philadelphia County, Wine and Spirits Shoppe # 5182, 529 East Girard Avenue, Philadelphia, PA 19125-3311.

*Lease Expiration Date:* March 31, 2004

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space within a quarter mile radius of the intersection of Second Street and Girard Avenue, Philadelphia.

*Proposals due:* July 13, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113.  
**Contact:** Robert J. Jolly, (215) 482-9673

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 01-1152. Filed for public inspection June 22, 2001, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to

the application. Protests to the applications published herein are due on or before July 16, 2001, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

### Applications of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under each application.

**A-00117894. Francis A. Larkin, t/d/b/a Door to Door Limo Service**—persons in group and party service, in vehicles seating 15 passengers or less, including the driver, between points in the city and county of Philadelphia and the county of Delaware.

**A-00117891. Carson Retirement Residence** (2850 East Carson Street, Pittsburgh, Allegheny County, PA 15203), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, from points in the county of Allegheny, to points in Pennsylvania, and return; with service limited to residents and staff in homes managed by Congregate Management Services.

### Applications of the following for approval of the *additional right* and *privilege* of operating motor vehicles as *common carriers* for transportation of *persons* as described under each application.

**A-00108878. Folder 2. Jeffries Enterprises, Inc., t/d/b/a Silver Fox Limousine Service, t/d/b/a A Silver Fox Limousine Service** (5500 Grand Avenue, Pittsburgh, Allegheny County, PA 15225), a corporation of the Commonwealth of Pennsylvania—persons in group and party service, in vehicles seating 15 passengers or less, including the driver, between points in the counties of Beaver, Lawrence, Butler, Armstrong, Westmoreland, Washington, Mercer, Venango, Clarion, Indiana, Cambria, Somerset, Fayette and Greene, and from points in said counties, and the county of Allegheny, to points in Pennsylvania, and return. *Attorney:* Gianni Floro, 510 Third Avenue, Pittsburgh, PA 15219.

### Notice of Motor Carrier Applications— Persons in Limousine Service

The following applications for authority to transport persons in limousine service between points in Pennsylvania have been filed with the Pennsylvania Public Utility Commission. The applications will be considered without hearing in the absence of substantive protests limited to the issue of applicant fitness. Protests to these applications are due on or before July 16, 2001.

A-00096222, F. 3 O. D. Anderson, Inc.  
 153 Conneaut Lake Road  
 Greenville, PA 16125

Attorney: William A. Gray  
 2310 Grant Building  
 Pittsburgh PA 15219-2383

A-00115629, F. 3 Lucky Ride, Inc.  
 1445 Donna Drive  
 Southampton, PA 18966

A-00107161, F. 5 M & I Cab Company  
 407 Mahogany Walk  
 Newtown, PA 18940

A-00117885 John W. Caldwell  
 t/d/b/a Caldwell's Airport and  
 Sedan Service  
 1432 Cooper Avenue  
 Pittsburgh, PA 15212

A-00096222, F. 3 O. D. Anderson, Inc.  
153 Conneaut Lake Road  
Greenville, PA 16125

A-00107480, F. 5 General Cab Company  
t/d/b/a General Limo & Shuttle  
851 Kent Lane  
Philadelphia, PA 19115

A-00117886 Premiere # 1 Limousine Service,  
Inc.  
1335 Overlook Road  
Middletown, PA 17057

**A-00109402C0001**

A-00109402  
F.1

ADVANCED LIFE CARE INC  
501 BAILY ROAD  
YEADON PA 19050

Re: Advanced Life Care, Inc.

Dear Respondent:

On May 31, 2000, the Bureau of Transportation and Safety instituted a Complaint against Advanced Life Care, Inc., respondent, alleging failure to pay outstanding assessments of \$1,397, a violation of the Public Utility Code at 66 Pa.C.S. § 510(c).

In accordance with 52 Pa. Code § 5.61, the Notice of

the Complaint notified respondent that it must file an Answer to the Complaint within twenty (20) days of the date of service. The Notice further specified that, if respondent failed to answer the Complaint within twenty (20) days, the Bureau of Transportation and Safety would request the Commission to cancel respondent's Certificate of Public Convenience, direct the Pennsylvania Department of Transportation to put an administrative hold on the respondent's motor vehicle registrations and notify the Pennsylvania Department of Revenue and respondent's insurance carrier that respondent's Certificate is revoked.

The Complaint was published in the *Pennsylvania Bulletin*, Volume 31, No. 10, March 10, 2001. To date, more than twenty (20) days later, respondent has failed to file an Answer to the Complaint.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the Certificate of Public Convenience, issued to respondent at A-00109402 is hereby canceled.

Furthermore, this Commission will put an administrative hold on respondent's vehicle registrations listed below. Respondent will NOT be able to register any new vehicles or renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

<i>Year/Make/Body</i>	<i>Tag</i>	<i>VIN</i>	<i>Title</i>
1990 Ford Amb	EV14051	1FDHS34M5LHB30076	43249168 0
1989 Ford Bus	BA37834	1FDKE37H2KHB89659	44531246 3
1991 Ford Amb	EV15233	1FDHS34M0MHB16474	44535892 3
1992 Ford Amb	EV16328	1FDJE30M6NHB31836	45749577 9
1994 Ford Amb	EV18300	1FDJS34M6RHB99000	48016091 8
1994 Ford Amb	EV18301	1FDJS34M5RHB98999	48016128 1

This Secretarial Cancellation Letter will also be served on:

The Department of Revenue  
Bureau of Audit Programs  
Sales and Use Taxes  
Tenth Floor, Strawberry Square  
Harrisburg, PA 17128-1061

and on respondent's insurance carrier:

Insurance Company of North America  
1650 Arch Street  
Philadelphia, PA 19101

Additionally, respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 1.1 *et seq.* and the regulations of the Commission, 52 Pa. Code §§ 1.1 *et seq.* In view of the cancellation of respondent's Certificate of Public Convenience, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

Respondent may, in accordance with the provisions of 52 Pa. Code § 5.41(a) and 1 Pa. Code § 35.17, file a Petition for Reinstatement of its Certificate of Public Convenience for good cause. Said Petition shall be filed with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1153. Filed for public inspection June 22, 2001, 9:00 a.m.]

**Telecommunications  
Without Hearing**

**A-310470 F0005; A-311103; A-311103 F0002; A-311103 F0003; A-311103 F0004. Adelpia Business Solutions of Pennsylvania, Inc.** Application of Adelpia Business Solutions of Pennsylvania, Inc., for authority to transfer assets as part of a Pro Forma corporate reorganization, and for Adelpia Business Solutions Investment, LLC., to offer, render, furnish or supply telecommunications services as a reseller of Interexchange Toll Services, a Competitive Local Exchange Carrier to the public in the service territories of Verizon Pennsylvania, Inc., Verizon North, Inc. and United Telephone Company of Pennsylvania, a Competitive Access Provider, and an Interexchange Carrier to the public in this Commonwealth.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the

Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 9, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Adelphia Business Solutions of Pennsylvania, Inc.; Adelphia Business Solutions Investment, LLC

*Through and By Counsel:* Russell M. Blau, Michael P. Donahue, Swidler, Berlin, Shereff, Friedman, LLP, 3000 K Street, N.W. Suite 300, Washington, DC 20007; and John Glicksman, Terry Romine, One North Main Street, Coudersport, PA 16915.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1154. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Telecommunications

**A-310593. Verizon North Inc. f/k/a GTE North, Inc. and 1-800-RECONEX, Inc.** Joint Petition of Verizon North Inc. f/k/a GTE North, Inc. and 1-800-RECONEX, Inc. for approval of a replacement interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. f/k/a GTE North, Inc. and 1-800-RECONEX, Inc. filed on June 7, 2001, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a replacement 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. f/k/a GTE North, Inc. and 1-800-RECONEX, Inc. Joint Petition are on file with the Pennsylvania Public Utility 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. 01-1155. Filed for public inspection June 22, 2001, 9:00 a.m.]

### Telecommunications

**A-310960F0002. Verizon Pennsylvania Inc. and INLEC Communications PA, L.L.C.** Joint Petition of Verizon Pennsylvania Inc. and INLEC Communications PA, L.L.C. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and INLEC Communications PA, L.L.C. filed on June 6, 2001, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania

Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and INLEC Communications PA, L.L.C. Joint Petition are on file with the Pennsylvania Public Utility 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. 01-1156. Filed for public inspection June 22, 2001, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project # 0137.8, Repairs to 16,000 # Freight Elevator, Pier 78 South, until 2 p.m. on Thursday, July 12, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available June 26, 2001. The cost of the bid document is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid job site meeting will be held Thursday, July 5, 2001, 10 a.m. at the job site, McKean St. and Columbus Blvd., Philadelphia, PA 19148.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 01-1157. Filed for public inspection June 22, 2001, 9:00 a.m.]

## SECURITIES COMMISSION

**Designation of an Investment Adviser Registration Depository for Applicants for Initial Registration as an Investment Adviser under the Pennsylvania Securities Act of 1972**

*Whereas*, Section 303(a) of the Pennsylvania Securities Act of 1972 (1972 Act) requires a person applying for registration as an investment adviser to file an application with the Securities Commission (Commission); and

*Whereas*, Sections 602(d.1) and 602.1(a)(4) of the 1972 Act require an applicant for registration as an investment adviser to pay a filing fee and a compliance assessment (Filing Fees); and

*Whereas*, Commission Regulation 303.012 (64 Pa. Code § 303.012) provides that the application required by Section 303(a) of the 1972 Act shall be the Uniform Application for Investment Adviser Registration (Form ADV); and

*Whereas*, Form ADV requires filing of an annual updating amendment to Form ADV within 90 days after the

end of the investment adviser's fiscal year end and the prompt filing of an amendment to Form ADV if certain information on Form ADV becomes inaccurate or if any information on Form ADV becomes materially inaccurate (Form ADV Amendment); and

*Whereas*, Commission Regulation 303.012 authorizes the Commission, by order, to designate an investment adviser registration depository for the receipt of Form ADV, Form ADV Amendments and Filing Fees; and

*Whereas*, Section 203A(d) of the Investment Adviser Act of 1940, as enacted by the National Securities Markets Improvement Act of 1996, mandated creation of a filing depository for investment advisers; and

*Whereas*, The United States Securities and Exchange Commission and state securities regulators have entered into a joint venture to create a filing depository known as the Investment Adviser Registration Depository (IARD); and

*Whereas*, IARD eventually will provide electronic filing for registration applications and notice filings for all Federally covered advisers, State-registered advisers and investment adviser representatives; and

*Whereas*, Filing requirements with IARD will be phased-in as the IARD computer system develops filing capabilities for different types of filers and different types of filing information; and

*Whereas*, Information concerning IARD and how it works is available through the Internet at [www.iard.com](http://www.iard.com) and [www.sec.gov/iard](http://www.sec.gov/iard); and

*Whereas*, Until IARD becomes fully operational, certain filings relating to initial applications for registration as an investment adviser still will need to be made with the Commission as further described in this Order; and

*Whereas*, the Commission, finds it necessary and appropriate in the public interest and for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of the 1972 Act to issue the following Order:

*Now, Therefore*, the Commission on this, the 5th day of June 2001, under Commission Regulation 303.012, orders the following:

1. An applicant for initial registration with the Commission as an investment adviser shall file the following electronically with IARD through IARD Document Processing, NASD Regulation, Inc., P. O. Box 9495, Gaithersburg, MD 20898-9495. See [www.iard.com](http://www.iard.com)

A. Parts 1A and 1B of Form ADV completed in accordance with the instructions to the form.

B. The Filing Fees.

C. Form ADV Amendments.

2. In addition to the filings required to be made electronically with IARD described in Item 1 of the Order, an applicant for initial registration with the Commission as an investment adviser shall file the following information directly with the Commission at 1010 N. 7th Street, 2nd Floor, Harrisburg, PA 17102-1410, Attn: Division of Licensing:

A. Part II of Form ADV.

B. Any financial statement required by Commission Regulation 303.012.

C. Any application to maintain a surety bond in accordance with Commission Regulation 303.051 (64 Pa. Code § 303.051).

D. Evidence of passage of any examination required by Commission Regulation 303.032 (64 Pa. Code § 303.032).

E. For each individual who meets the definition of investment adviser representative as defined in Section 102(j.1) of the 1972 Act:

i. A completed and executed Uniform Application for Securities Industry Registration or Transfer Form (Form U-4).

ii. Evidence of passage of any examination required under Commission Regulation 303.032.

iii. The filing fee set forth in Section 602(d.1) and the compliance assessment set forth in Section 602.1(a)(1) of the 1972 Act.

F. Other information which the Commission may require to be filed under Section 303(a)(i) of the 1972 Act.

3. As provided by Commission Regulation 603.011 (64 Pa. Code § 603.011), an application for registration as an investment adviser is not deemed complete until all the required documents, filing fees and compliance assessments have been received by the Commission.

4. This Order shall be published in the *Pennsylvania Bulletin*.

5. The effective date of this Order shall be Monday, September 3, 2001.

Alternative formats of this document may be available upon request. Call (717) 787-1165 or TDD Users: via AT&T Relay Center (800) 654-5984.

M. JOANNA CUMMINGS,  
*Secretary*

[Pa.B. Doc. No. 01-1158. Filed for public inspection June 22, 2001, 9:00 a.m.]

## STATE BOARD OF VOCATIONAL REHABILITATION

### Public Meeting

The State Board of Vocational Rehabilitation (Board) will hold a meeting on June 27, 2001, at the Penn Stater Conference Center Hotel, 215 Innovation Boulevard, State College, PA 16803. There will be a public session held from 10:30 a.m.—2:30 p.m. Persons in need of alternate format should call the Board at (800) 442-6351.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 01-1159. Filed for public inspection June 22, 2001, 9:00 a.m.]

## STATE TAX EQUALIZATION BOARD

### Common Level Ratios

The State Tax Equalization Board (Board) has established a Common Level Ratio for each county in the

Commonwealth for the calendar year 2000. The ratios were mandated by Act 267-1982.

The law requires the Board to use statistically acceptable techniques, to make the methodology for computing ratios public and to certify, prior to July 1, the ratio to the Chief Assessor of each county each year.

The statistical technique which the Board used for the 2000 Common Level Ratio is to determine the arithmetic mean of the individual sales ratios for every valid sale received from the county for the calendar year 2000.

The methodology used is to include every valid sale with a ratio from 1% to 100% and compute a mean. Using this mean as a base, the Board has defined high and low

limits by multiplying and dividing this computed mean by four. Using these computed limits, the Board has utilized the valid sales, rejecting those sales, which exceed the limits. The resulting arithmetic mean ratio is the ratio which the Board is certifying as the Common Level Ratio for each county for 2000.

There is one exception to this procedure. The original mean ratio for those counties which have a predetermined assessment ratio for 2000 of 100% will utilize valid sales from 1% to 200%.

DANIEL G. GUYDISH,  
*Chairperson*

#### 2000 Common Level Ratios

<i>County</i>	<i>Ratio</i>	<i>County</i>	<i>Ratio</i>	<i>County</i>	<i>Ratio</i>
Adams	38.4	Elk	18.4	*Montgomery	89.3
Allegheny	18.8	Erie	8.2	Montour	9.4
Armstrong	43.5	Fayette	10.5	Northampton	47.4
Beaver	35.1	Forest	24.5	Northumberland	6.8
Bedford	8.2	Franklin	6.9	Perry	12.5
*Berks	94.7	Fulton	14.7	Philadelphia	28.7
Blair	10.1	Greene	26.1	Pike	28.9
Bradford	46.0	Huntingdon	17.5	Potter	10.8
Bucks	4.1	Indiana	15.0	Schuylkill	46.1
Butler	11.8	Jefferson	19.4	Snyder	18.1
Cambria	17.4	Juniata	13.2	Somerset	44.8
Cameron	40.2	*Lackawanna	20.9	Sullivan	24.2
Carbon	8.9	*Lancaster	91.8	Susquehanna	47.3
Centre	41.8	Lawrence	16.6	Tioga	31.5
*Chester	85.2	Lebanon	9.1	Union	17.9
Clarion	20.9	Lehigh	47.2	Venango	19.9
Clearfield	22.4	Luzerne	7.7	Warren	37.2
Clinton	29.7	Lycoming	69.7	Washington	17.7
Columbia	35.6	McKean	23.8	Wayne	8.8
Crawford	35.5	Mercer	9.2	*Westmoreland	23.1
Cumberland	6.3	Mifflin	53.0	Wyoming	28.2
*Dauphin	54.2	Monroe	22.7	*York	91.6
*Delaware	96.8				

\*Counties with a Predetermined assessment ratio of 100%.

[Pa.B. Doc. No. 01-1160. Filed for public inspection June 22, 2001, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

- The payment date specified in the contract.
- 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
- The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



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.

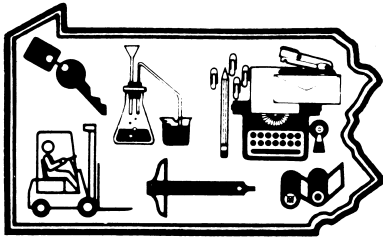
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## 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

**121041** 10 Each—Cabinet Benches 72"W X 30"D X 34" H with butcher-block top equivalent to Edsal Model 7D214 with six (6) drawer set equivalent to Edsal Model 4TW54 and sliding door kit equivalent to Edsal Model 7TW52. 10 Each—Mobile Service Bench 45" W X 22" D X 34" H with four (4) drawers and a door with central locking equivalent to Edsal Model 4YW41. 10 Each—Wall Lockers equivalent to Lyon Model JTT60.

**Department:** Transportation  
**Location:** Maintenance District 1210, 825 N. Gallatin Avenue, Extension, Uniontown, PA 15401  
**Contact:** Brent Blake, Equipment Manager, (724) 439-7472

**1035201** Traffic Avoidance System.

**Department:** State Police  
**Location:** New Cumberland, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**5850-01** Microcomputer, LAN Hardware & Peripherals. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Hardware & Peripherals, 5850-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5850-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**6350-01** Security System Services. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Security System Services, 6350-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**LBP-2000-46** Partial Classic II Covers Dinex #PT CL2 PC8 Perfect Temp. No Substitutes. Must be compatible with current system.

**Department:** Military Affairs  
**Location:** Northeastern Veterans' Center, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** To be delivered thirty (30) days ARO  
**Contact:** Robert J. Casey, (570) 961-4317

**6350-03** Surveillance & Security Equipment & Supplies. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Surveillance & Security Equipment & Supplies, 6350-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**9130-03** Unleaded Gasoline.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199



**5810-03** Microcomputer & Local Area Network (LAN) Software. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5810-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

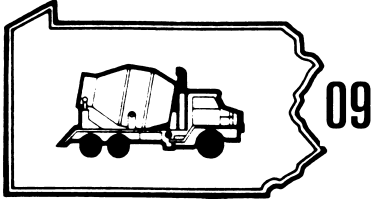
**CS-6474** 350 Boxes—Unisys printer ribbons, black, model #AP 1327/29, 6 ribbons/box, product #75-1783-846. (No substitutes.)

**Department:** State Police  
**Location:** Pennsylvania State Police, Supply Section, 1800 Elmerton Avenue, Harrisburg, PA 17110  
**Duration:** All bid requests must be received prior to July 3, 2001. No bid packages will be mailed after this date.  
**Contact:** Mike Knepp, Purchasing Agent, (717) 783-5502

**ENT2** State Park Promotional Items. Every six months, new vendors may seek to be added to the list of qualified vendors to provide various promotional items to various State parks. In order to be considered, vendors must submit a completed bid, ENT2, to ensure receipt by the Commonwealth on or before 2:00 p.m. on the last Commonwealth business day of each half year. A "half" year is defined as the six consecutive calendar months ending with the last business day of the months of June and December of a calendar year. Bids received after the deadline (but on or before the deadline for the next half year) will be held and evaluated after the deadline for the next half year. To receive a copy of the bid package fax request to (717) 705-2813 or e-mail Pamela Stouffer at pastouffer@state.pa.us.

**Department:** Conservation and Natural Resources  
**Location:** Statewide  
**Duration:** 2 years from execution of original contract (January 1, 2001) with renewal options  
**Contact:** Pamela Stouffer, (717) 783-0760

## SERVICES



### Construction & Construction Maintenance

**DGS 800-235 PHASE 1 PROJECT TITLE:** Chemistry Building Construction. **BRIEF DESCRIPTION:** Construction of Phase 1 of a new 181,890 square foot Chemistry Building on Penn State's main campus, including clearing and grubbing, demolition, shoring, excavation, foundations, foundation drains and under-slab plumbing, structural steel and metal decking. Work includes general and plumbing Construction. **ESTIMATED RANGE:** \$4,000,000.00 to \$7,000,000.00. General and Plumbing Construction. **PLANS DEPOSIT:** \$450.00 per set payable to: Bower Lewis Thrower Architects, Ltd/Payette Associates Inc. (Joint Venture). Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Bower Lewis Thrower Architects, Ltd/Payette Associates Inc. (Joint Venture), 1216 Arch Street, Philadelphia, PA 19107-2385, Tel: (215) 563-3900, Bid Date: THURSDAY, July 12, 2001 at 2:00 p.m. A Pre-Bid Conference has been scheduled for Monday, June 25, 2001 at 1:30 p.m. at Pennsylvania State University, Physical Plant Building, Room 105, University Park, Centre County, PA. Contact: Mark Wieand, Tel: (215) 563-3900. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

**Department:** General Services  
**Location:** PA State University, University Park, Centre County, PA  
**Duration:** 341 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**Professional Services RFP #01-01** Indiana University of the SSHE will select a minimum of six and a maximum of eight firms for the purpose of providing open-ended professional design services for various sizes/types of projects. Interested professionals should obtain Request for Proposals (RFP) form the Engineering and Construction Group Office, Robert Shaw Building, 650 S. 13th Street, Indiana University of PA, Indiana, PA 15705, Mr. Robert L. Marx, (724) 357-2289. RFPs are due on Sept. 7, 2001 no later than 3:00 p.m. at the Engineering and Construction Group Office, 650 South 13th Street, Indiana, PA 15705. The System encourages responses from small firms, minority firms, women owned firms, and firms which have not previously worked for the System, and will consider joint ventures which will enable these firms to participate in System professional services contracts. The firms and their respective consultants shall be capable of providing, at a minimum, architectural and survey services on a individual project basis. The University desires that at least one of the teams have multi-disciplinary capabilities including environmental services such as testing, field survey and supervision of remediation activities. The Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and SSHE. The proposal may viewed at <http://www.iup.edu/engcons>. Fax requests for proposals to (724) 357-6480.

**Department:** State System of Higher Education  
**Location:** Indiana University of Pennsylvania, Indiana, PA 15705-1087  
**Duration:** Six (6) Months  
**Contact:** Ronald E. Wolf, Procurement Specialist, (724) 357-4851

**SP#10670003** The contractor shall provide all labor, parts, and equipment required to perform various welding repairs as requested by the Embreeville Complex, Coatesville, PA 19320. To receive detailed specifications, FAX request to the Hamburg Center Purchasing Office, Hamburg, PA 19526 FAX: (610) 562-6025.

**Department:** Public Welfare  
**Location:** Embreeville Complex, 1822 W. Strasburg Road, Coatesville, PA 19320  
**Duration:** Anticipated Contract Period: September 1, 2001 through August 31, 2004.  
**Contact:** Beverly O. Epting, PA, (610) 562-6031

**FBP-20-0002** Construct a new concrete bridge near Hunters Lake in Sullivan County (demolition of existing bridge; clearing, excavating and backfilling; dewatering; E&S measures; landscaping; selected material surfacing (661 S.M.); bituminous paving (81 S.M.); traffic signs; reinforced concrete structures (97 C.M.); architectural surface treatment (43 S.M.) and prestressed concrete box beams. NOTE: Requests for Bid Documents may be made ON or AFTER June 27, 2001. Cost for documents is \$31.80.

**Department:** Conservation and Natural Resources  
**Location:** Shrewsbury Township  
**Duration:** Complete all work by July 31, 2002  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-306-821.1** General Construction work for several new buildings, boat docks, and sewer line extension in Gifford Pinchot State Park, York County. Work includes E&S measures, excavation, bituminous paving, water lines, water supply well, pipe culverts, inlets, manholes, telephone service, landscaping, concrete and masonry, carpentry, roofing, interior and exterior finishing, signs, fire extinguishers, lockers and toilet accessories. NOTE: Requests for Bid Documents may be made ON or AFTER June 25, 2001. Cost for documents is \$63.60

**Department:** Conservation and Natural Resources  
**Location:** Warrington Township  
**Duration:** 360 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-306-821.2** All HVAC work for several buildings in Gifford Pinchot State Park, York County. Work includes duct work and insulation, kitchen hood and exhaust, air conditioning units, ventilation and electric heaters. NOTE: Requests for Bid Documents may be made ON or AFTER June 25, 2001. Cost for documents is \$63.60

**Department:** Conservation and Natural Resources  
**Location:** Warrington Township  
**Duration:** 360 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-306-821.3** All Plumbing Work associated with new buildings, boat docks, sewer line extension project in Gifford Pinchot State Park, York County. Work includes hot and cold water, waste and vent piping, water heaters, and all plumbing fixtures. NOTE: Requests for Bid Documents may be made ON or AFTER June 25, 2001. Cost of documents is \$63.60

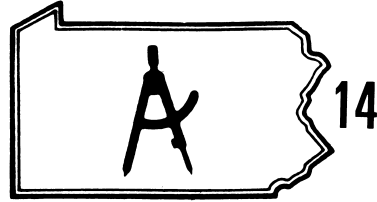
**Department:** Conservation and Natural Resources  
**Location:** Warrington Township  
**Duration:** 360 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-306-821.4** All Electrical Work associated with new buildings, boat docks, and sewer line extension project in Gifford Pinchot State Park, York County. Work includes conduit, wire and cable, service entrance, utility relocation, panel boards, circuit breakers, lighting fixtures, site lighting and emergency lighting equipment. NOTE: Requests for Bid Documents may be made ON or AFTER June 25, 2001. Cost of documents is \$63.60

**Department:** Conservation and Natural Resources  
**Location:** Warrington Township  
**Duration:** 360 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FBP-05-0054** Rehabilitate Bridge No. 0054, Stone Creek Road Over West Branch Laurel Creek, just north of Milroy in Mifflin County. Work includes removing steel I-beams and metal decking, repoint existing masonry, new concrete caps, concrete plank beam deck, E&S measures, bituminous paving, traffic signs, guide rail and seeding. NOTE: Requests for Bid Documents may be made ON or AFTER June 27, 2001. Cost of documents is \$31.80.

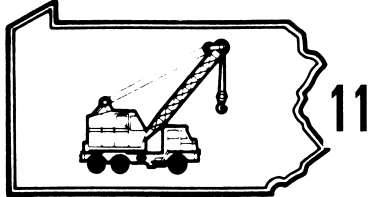
**Department:** Conservation and Natural Resources  
**Location:** Armaugh Township  
**Duration:** Complete all work by May 17, 2002  
**Contact:** Construction Management Section, (717) 787-5055



**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).

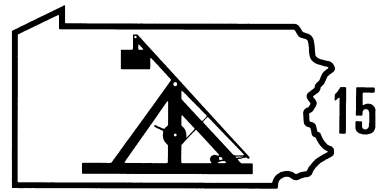
**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



**Demolition—Structural Only**

**SR 4034-A51 Erie & Kendall Buildings** The Pennsylvania Department of Transportation is seeking bids for the demolition of commercial structures from properties located at 857 East 9th Street (former Erie School District bus garage) and 852 East 8th Street (former Kendall Auto Parts building), both located in Erie, PA 16503. As these bids are expected to be over \$25,000 it is required that you are prequalified by the Prequalification section of the Department's Construction and Materials Division. Their number is (717) 787-7032. Subcontractors must also be prequalified. If you are an out of State contractor, you must be certified to do business in Pennsylvania. Prevailing wage requirements according to the Davis-Bacon Act will apply. Department of General Services minority, women and disadvantaged enterprise requirements apply. Asbestos removal is necessary on all properties and must be done by certified asbestos contractors. Demolition specifications are covered by right of way forms RW-658A, RW-658B, RW-658C and Publication 408, Section 202. Please note that Pub. 408 specifications supercede the RW forms where they conflict. The Department will accept sealed bids at 255 Elm Street, P.O. Box 398, Oil City PA 16301, until 2:00 P.M. on July 10, 2001. An inspection tour will be conducted on June 27, 2001 at 10 AM. Please meet at 857 East 9th Street. For Bid Forms, specifications, and further information contact: Jeffrey E. Hahne, District Property Manager, Pennsylvania Department of Transportation, District 1-0, Right of Way Section, 255 Elm Street, P. O. Box 398, Oil City, PA 16301, (814) 678-7069, [jhahne@dot.state.pa.us](mailto:jhahne@dot.state.pa.us).

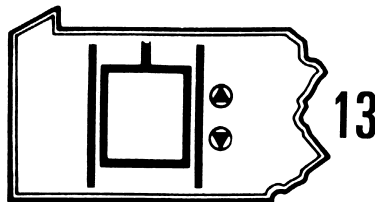
**Department:** Transportation  
**Location:** City of Erie  
**Duration:** 90 days from notice to proceed  
**Contact:** Jeffrey E. Hahne, (814) 678-7069



**Environmental Maintenance Service**

**BF 476-101.1** Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects. Letters of interest must be received by Roderick A. Fletcher, P.E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P.O. Box 8476, Harrisburg, PA 17105-8476, no later than 4:00 p.m., Local Time, July 23, 2001, to be considered.

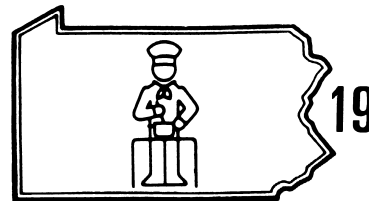
**Department:** Environmental Protection  
**Location:** 18.5 acres of reclamation in Reade Township, Cambria County.  
**Contact:** Chuck Lonkart, (717) 787-3448



**Elevator Maintenance**

**10972024** Elevator maintenance to various elevators throughout Mayview State Hospital Campus.

**Department:** Public Welfare  
**Location:** Commonwealth of Pennsylvania, Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 08-01-01 through 06-30-06  
**Contact:** Fred Molisee, (412) 257-6215



**Food**

**633497** Bid for Bread Order for the months of July, August, September 2001.

**Department:** Public Welfare  
**Location:** Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099  
**Duration:** July, August, September 2001  
**Contact:** Bobbie Muntz, PA III, (814) 726-4496

**PG-0013** The State Correctional Institution at Pine Grove will be soliciting bids for Dairy & Related products to include (but not be limited to) milk, cheese, and margarine. Bid proposals will be issued on a quarterly basis or as needed. \*Milk pricing will be in accordance with the Pennsylvania Milk Marketing Board.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0014** The State Correctional Institution at Pine Grove will be soliciting bids for Meat and Meat By-Products. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0015** The State Correctional Institution at Pine Grove will be soliciting bids for Canned & Dry Foods (to include all condiments) in the event these items are eliminated from Statewide Contract #8920-06.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0016** The State Correctional Institution at Pine Grove will be soliciting bids for Bread and Related Products. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0017** The State Correctional Institution at Pine Grove will be soliciting bids for Eggs, Shell. Bid proposals will be issued on a quarterly basis or as needed. \*Egg pricing will be in accordance with the USDA Poultry Market Board.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0018** The State Correctional Institution at Pine Grove will be soliciting bids for Fish and Seafood. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0019** The State Correctional Institution at Pine Grove will be soliciting bids for Meat. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0020** The State Correctional Institution at Pine Grove will be soliciting bids for Frozen Potatoes and Vegetables. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0021** The State Correctional Institution at Pine Grove will be soliciting bids for Miscellaneous Frozen Foods. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0022** The State Correctional Institution at Pine Grove will be soliciting bids for Poultry. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0023** The State Correctional Institution at Pine Grove will be soliciting bids for Produce. Bid proposals will be issued on a monthly basis.

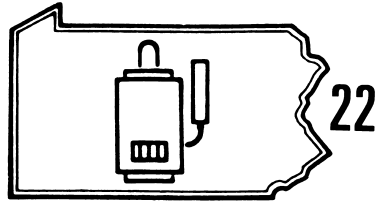
**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**PG-0024** The State Correctional Institution at Pine Grove will be soliciting bids for Vegetarian items such as Grain Burgers, Bean Burgers, Tofu, etc. Bid proposals will be issued on a quarterly basis or as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, Pennsylvania 15701  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Sherre Benninghoff, Purchasing Agent, (724) 465-9630

**20060** Produce—Fresh fruits and vegetables, ready-to-use vegetables. Items to be bid monthly or as needed.

**Department:** Corrections  
**Location:** SCI—Chester, 500 E. 4th St., Chester, PA 19013  
**Duration:** June 1, 2001 through June 30, 2002  
**Contact:** Ben Jarrett, P.A. 1, (610) 490-5412 x2030



### HVAC Services

**0510-001elec** Perform electrical maintenance within Berks County.

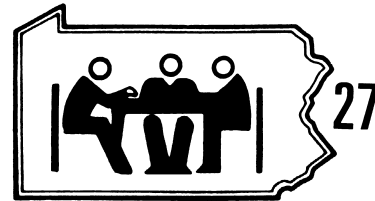
**Department:** Transportation  
**Location:** Various locations throughout Berks County as directed  
**Duration:** 3 year contract plus One 2 year renewal  
**Contact:** Howard Lindbuchler, (610) 929-0766

**1000-201** Complete maintenance service for HVAC system at District 10 office located in Indiana, PA. Contract for a 2-year period with one renewal option for a two-year period. Please fax requests for bid packages to (724) 357-7987, attention Diane Spence.

**Department:** Transportation  
**Location:** PennDOT, Engineering District 10-0, 2550 Oakland Avenue, Indiana, PA 15701  
**Duration:** Two years with one optional two-year renewal.  
**Contact:** Diane Spence, (724) 357-7987

**061017** This work is for the maintenance and repair of two boilers and the heating system at the Bucks County Maintenance Facility in Doylestown, PA. It includes three maintenance visits as well as allowances for emergency visits, and a parts allowance. The boilers are believed to be Weil McClain 894 Boilers with Power Flame CX3-G-20 burners. A site visit is recommended for prospective bidders unfamiliar with this system.

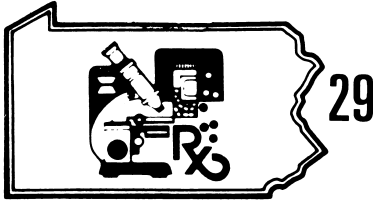
**Department:** Transportation  
**Location:** Maintenance District 6-1, 229 North Broad Street, Doylestown, PA, 18901  
**Duration:** 09/01/01 to 08/31/02  
**Contact:** Michael Trouts, (215) 345-6060



### Lodging/Meeting Facilities

**sp#16153200001** To be held within a 25 mile radius of 333 Market Street, Harrisburg. The PA Department of Education is soliciting bids to conduct a conference for GED Examiners on October 1 and 2, 2001. Bids are requested for a facility to hold a 2-day conference for approximately 175 people—1 night's lodging (for approximately 130 people), and meals which include 2 breaks with beverages, 1 continental breakfast, 1 dinner buffet, and 1 buffet lunch. Will need 1 large conference room, 1 smaller breakout room (for approximately 70 people). Conference room and breakout room to be set up with podium, easel and paper, microphone, overhead projector and screen, classroom style, 2 TVs wired to 1 VCR. Bids must be submitted by 10:00 a.m., July 9, 2001. Bid opening will occur at 333 Market St., 12th floor conference room, 7-9-01, at 10:00 a.m.

**Department:** Education  
**Location:** Within a 25-mile radius of 333 Market Street, Harrisburg, PA.  
**Duration:** Maximum 2 days  
**Contact:** Audry Walter, (717) 772-6974



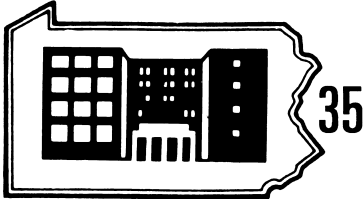
### Medical Services

**sp 10781004** Intravenous Therapy services. For detailed specifications, contact the Purchasing Office at (610) 670-4129.

**Department:** Public Welfare  
**Duration:** Anticipated Start Date September 1, 2001  
**Contact:** Nancy Deininger, Purchasing Agent, (610) 670-4129

**SP351200006** Fixed Site facility to provide physicals to Department employees in the Wilkes Barre area. Facility shall be located within 25 miles of downtown Wilkes Barre.

**Department:** Environmental Protection  
**Location:** Within 25 miles of downtown Wilkes Barre  
**Duration:** 8/1/01—6/30/02 with options to renew  
**Contact:** Dorothy A. Fuller, (570) 826-2202



### Real Estate Services

**SP3510017554** Conduct approximately 30 appraisals on property that has been disturbed by mining. Contractor shall have a current Pennsylvania General Certification to conduct real estate appraisals. Contact Sharon Peterson at (717) 787-2471 or shapeterso@state.pa.us for a bid package.

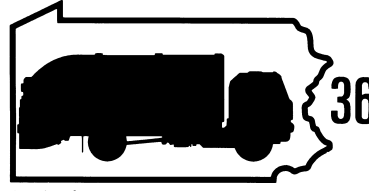
**Department:** Environmental Protection  
**Location:** Beaver, Cambria, Clearfield, Fayette, Indiana and Lackawanna Counties  
**Duration:** One year  
**Contact:** Sharon Peterson, (717) 787-2471

**91611** The Commonwealth of Pennsylvania, Department of Labor and Industry is interested in Subleasing an office within Allegheny County. Office name and location is Pittsburgh North Job Center, 1122 Western Avenue, Pittsburgh, PA 15233. There are 11,180 usable square feet at the cost of \$14.72 per square foot. Parking also available for 45 vehicles on site plus 10 spaces in rear parking lot.

**Department:** Labor and Industry  
**Location:** Department of Labor and Industry, Property Management Division, Room 221, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120  
**Duration:** From present to 02/28/05 with one (1) five (5) year renewal option.  
**Contact:** Michael Peterson/Kay Wealand, (717) 787-2787

**92166** The Commonwealth of Pennsylvania, Department of Labor and Industry is interested in Subleasing an office within Mifflin County. Office name and location is Juanita Valley Job Center, 25 Rothermel Drive, Yeagertown, PA 17099. There are 6,825 usable square feet at the cost of \$14.34 per square foot. Parking also available for 84 vehicles on site.

**Department:** Labor and Industry  
**Location:** Department of Labor and Industry, Property Management Division, Room 221, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120  
**Duration:** July 1, 2001 through June 30, 2007 with one (1) five (5) year renewal option  
**Contact:** Michael Peterson/Kay Wealand, (717) 787-2787



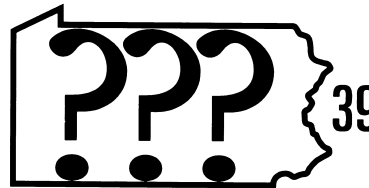
### Sanitation

**047036** Garbage/trash removal service for Wyoming County Maintenance Building.

**Department:** Transportation  
**Location:** PennDOT District 4-7, 1 Franklin Ave., Tunkhannock, PA 18657  
**Duration:** One year with possibility of renewal  
**Contact:** Dave Maciak, (570) 278-1171

**606714** This contract will provide manpower and equipment to the collection of refuse and trash for proper disposal at landfills or approved facilities. Pick up areas include: SR 120 near Hyner, PA weekly Monday and Friday, March—December, PennDOT 99 Second Avenue, Lock Haven, PA weekly, Friday, SR 150 near Mill Hall, PA weekly, Friday, I-80 2 sites near Carroll, PA January—March, Friday only, remaining months Monday, Wednesday, & Friday, SR 120 near North Bend, weekly, Friday and SR 477 near Loganton, weekly, Friday. Detailed requirements are available upon request. FAX requests to Tammie McHenry at (570) 893-2953.

**Department:** Transportation  
**Location:** SR 120 near Hyner, PennDOT, 99 Second Avenue, Lock Haven, PA; SR 150 near Mill Hall; SR 120 near North Bend; SR 477 near Loganton, and I-80 Rest Areas near Carroll, PA  
**Duration:** 1 year contract with option for 2 1-year renewals  
**Contact:** Tammie McHenry, (570) 893-2430



### Miscellaneous

**BLA 1278** Medical Supplies; assorted (Probe Covers, briefs, Eucerin Cream, Suction Kits, Etc.). Fax request for bid package to (570) 372-5675.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870  
**Contact:** Arletta K. Ney, Purch. Agt., (570) 372-5670

**350R11** The Department of Transportation is issuing a Request for Proposals to solicit contractors interested in assisting PennDOT in completing and implementing the remaining short-term and mid-term goals of the Statewide Bicycle and Pedestrian Master Plan which foresees the Commonwealth as a place where residents and visitors of all ages can choose to bicycle and walk with confidence, safety, and security in every community. In addition, the successful contractor will measure the degree of increase for bicycle/pedestrian usage for improved facilities and improved access to those facilities; conduct a bicycle/pedestrian crash analysis and make recommendations for countermeasures; and provide continued support for Metropolitan Planning Organizations and Local Development Districts to enhance and assist their efforts in bicycle/pedestrian planning. Interested contractors may request a copy of the RFP by FAXING their name, company name, address, telephone number, and FAX number to Vikki Mahoney at (717) 783-7971. Please reference RFP #350R11 on your request.

**Department:** Transportation  
**Location:** Throughout the Commonwealth of Pennsylvania  
**Duration:** 3 years  
**Contact:** Darlene Greenawald, (717) 705-6476

**510101** PennDOT seeks bidders to take, process and deliver vehicle classification traffic counts at various locations throughout the Commonwealth of Pennsylvania.

**Department:** Transportation  
**Location:** Various locations throughout the Commonwealth of Pennsylvania  
**Duration:** Approximately 16 months  
**Contact:** Ralph Basile, (717) 787-0186

**457039** Provide and install 10,000 gallon tanks for storing and dispensing liquid salt brine and similar material. Provide and install containment system for each tank. This service will be in various location in Susquehanna and Wyoming Counties.

**Department:** Transportation  
**Location:** PennDOT District 4-5/7, RR 1, Box 40, Montrose, PA 18801  
**Duration:** One year  
**Contact:** Dave Maciak, (570) 278-1171

**SP#111300016** Contractor shall provide Bucket Truck (must meet minimum of 40 ft.) and operator for the institution's own personnel to replace perimeter lighting at the State Correctional Institution, Frackville, Response time will be 24 hours after notification. All materials will be provided by the Institution.

**Department:** Corrections

**Location:** State Correctional Institution—Frackville, 1111 Altamont Boulevard, Frackville, PA 17931

**Duration:** July 1, 2001 to June 30, 2004

**Contact:** Mary Lou Neverosky, Purchasing Agent, (570) 874-4516, Ext. 112

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**RFP 07-01** Establish and administer programs to support and facilitate noncustodial parents' (fathers or mothers) access to and visitation of their children. The grant funds are available through the county Domestic Relations Sections (DRSs) of the Court of Common Pleas to local public agencies and to nonprofit private entities (i.e., fatherhood groups, community-based organizations). Service providers are encouraged to share their proposed project plans with the county DRS and discuss the possibility of sponsoring a joint initiative.

**Department:** Public Welfare

**Location:** Services can be provided in any county within Pennsylvania.

**Duration:** September 1, 2001 through September 30, 2002. Grant may be renewed for an additional year at the Department's option.

**Contact:** Doyle Shull, (717) 787-7585

[Pa.B. Doc. No. 01-1161. Filed for public inspection June 22, 2001, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
0095-01	06/13/01	M & M Displays	151,500.00	6605-05	05/30/01	Thermo Nicolet (formerly Nicolet Instrument)	10,000.00
5610-49 sup # 1	06/13/01	Coon Industries	40,000.00	6605-05	05/30/01	Thomas Scientific	20,000.00
5610-49 sup #	06/13/01	Hunlock Sand & Gravel	40,000.00	6605-05	05/30/01	Varin	10,000.00
5610-49 sup #	06/13/01	Wine Concrete Products	40,000.00	6605-05	05/30/01	Waters Corp.	10,000.00
5610-49 sup #	06/13/01	Zeigler Walters Sons	40,000.00	7105-05	06/06/01	Adams-Mulford/dba Amcase	200,000.00
6350-01-open enrollment 1st quarter	06/13/01	Morocco Electric	50,000.00	7105-05	06/06/01	Adden Furniture	200,000.00
6515-17	06/13/01	Johnstown Physician Supply	120,000.00	7105-05	06/06/01	Agati	200,000.00
6515-17	06/13/01	Red Line Medical Supply	40,000.00	7105-05	06/06/01	Redline Medical Supply	250,000.00
6605-05	05/30/01	Agilent Technologies	10,000.00	7105-05	06/06/01	All A Board	200,000.00
6605-05	05/30/01	Beckman Coulter	10,000.00	7105-05	06/06/01	PA Office Service Group	300,000.00
6605-05	05/30/01	Buck Scientific	10,000.00	7105-05	06/06/01	Morgan Interior Systems	50,000.00
6605-05	05/30/01	Empire Imaging Systems	10,000.00	7105-05	06/06/01	American Atelier	100,000.00
6605-05	05/30/01	Fisher Scientific	30,000.00	7105-05	06/06/01	Anthro Corp.	50,000.00
6605-05	05/30/01	Hach Co.	10,000.00	7105-05	06/06/01	Robert & Meck	350,000.00
6605-05	05/30/01	Hitech Instruments	10,000.00	7105-05	06/06/01	Transamerican Office Furniture	450,000.00
6605-05	05/30/01	Kendro Laboratory Products	10,000.00	7105-05	06/06/01	August	50,000.00
6605-05	05/30/01	Perkinelmer Instruments LLC	10,000.00	7105-05	06/06/01	Furniture Concepts	50,000.00
6605-05	05/30/01	Tekmar/dba Tekmar-Dohrmann	10,000.00	7105-05	06/06/01	Carboni Taylor	250,000.00
6605-05	05/30/01	Thermo-Finnigan	10,000.00	7105-05	06/06/01	Berco Industries/dba Berco	50,000.00
				7105-05	06/06/01	B. K. Distribution/ta BK Barrit	50,000.00
				7105-05	06/06/01	Blanton & Moore LLC	100,000.00
				7105-05	06/06/01	Blockhouse Co.	400,000.00
				7105-05	06/06/01	Bodybilt	50,000.00
				7105-05	06/06/01	Brandrud Furniture	50,000.00
				7105-05	06/06/01	Bretford Mfg.	100,000.00
				7105-05	06/06/01	Brodart Co.	500,000.00
				7105-05	06/06/01	Buckstaff Co.	200,000.00

## STATE CONTRACTS INFORMATION

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Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
7105-05	06/06/01	Hancock & Moore/dba Cabot Wrenn	50,000.00	7105-05	06/06/01	School Specialty/ dba Beckley Cardy	50,000.00
7105-05	06/06/01	Tanner of PA	250,000.00	7105-05	06/06/01	Moduform/ Library Bu- reau	500,000.00
7105-05	06/06/01	Carolina Business Furniture LLC	250,000.00	7105-05	06/06/01	Humanscale	50,000.00
7105-05	06/06/01	Childcraft Education	100,000.00	7105-05	06/06/01	Neutral Pos- ture Ergo- nomics	50,000.00
7105-05	06/06/01	Clarín/div Greenwich Ind. LP	50,000.00	7105-05	06/06/01	Nevers Indus- tries	50,000.00
7105-05	06/06/01	Nickerson	50,000.00	7105-05	06/06/01	Nightingale	50,000.00
7105-05	06/06/01	Diwar USA/ dba Compuchair	100,000.00	7105-05	06/06/01	Inscape/dba Office Spe- cialty	50,000.00
7105-05	06/06/01	Design Contempo.	50,000.00	7105-05	06/06/01	Styline Industries/ dba OFS	100,000.00
7105-05	06/06/01	Egan Visual Interna- tional	50,000.00	7105-05	06/06/01	Palmer Snyder Furniture	50,000.00
7105-05	06/06/01	Falcon Prod- ucts	100,000.00	7105-05	06/06/01	J P Jay Asso- ciates	50,000.00
7105-05	06/06/01	Supply Source	200,000.00	7105-05	06/06/01	Paoli	50,000.00
7105-05	06/06/01	F E Hale Mfg.	50,000.00	7105-05	06/06/01	Krueger In- ternational (Period Furniture)	50,000.00
7105-05	06/06/01	Howe Furni- ture	100,000.00	7105-05	06/06/01	Quaker Fur- niture	50,000.00
7105-05	06/06/01	KT Furniture/ dba Humancare	100,000.00	7105-05	06/06/01	R T London	100,000.00
7105-05	06/06/01	Integra	50,000.00	7105-05	06/06/01	Sauder Mfg. Co.	50,000.00
7105-05	06/06/01	Hodkinson Associates	100,000.00	7105-05	06/06/01	P & E Educa- tional Fur- niture & Equipment/ dba P E M Co.	50,000.00
7105-05	06/06/01	Jofco	100,000.00	7105-05	06/06/01	Shelby Will- iams	100,000.00
7105-05	06/06/01	John Savoy & Son	300,000.00	7105-05	06/06/01	Longo Associ- ates	50,000.00
7105-05	06/06/01	Johnson Tables	50,000.00	7105-05	06/06/01	Sico America	100,000.00
7105-05	06/06/01	KLN Steel Products	50,000.00	7105-05	06/06/01	Sit On It	50,000.00
7105-05	06/06/01	KT Furniture	50,000.00	7105-05	06/06/01	Smith System Mfg.	50,000.00
7105-05	06/06/01	Officenter	150,000.00	7105-05	06/06/01	Softcare Inno- vations	100,000.00
7105-05	06/06/01	Charles Beseler/dba Library Bu- reau Steel	50,000.00				
7105-05	06/06/01	Lowenstein	50,000.00				
7105-05	06/06/01	Miller Desk	50,000.00				



## STATE CONTRACTS INFORMATION

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7105-05	06/06/01	Leland M Thompson/ dba South- west Con- tract	50,000.00	1382110-01	06/11/01	TJR Enter- prises	20,970.00
7105-05	06/06/01	Spec Furni- ture	50,000.00	1395350-01	06/11/01	Signature Marketing	28,250.00
7105-05	06/06/01	Spectra Wood	150,000.00	1428230-01	06/11/01	Hondru Ford/ dba Phillips Ford Sales	61,633.00
7105-05	06/06/01	Spectrum In- dustries	50,000.00	1437200-01	06/11/01	Noritsu America	166,187.73
7105-05	06/06/01	ST Timothy Chair Co.	50,000.00	1441210-01	06/11/01	MS Controls	19,743.00
7105-05	06/06/01	Paoli/dba Tel- lus Furni- ture	100,000.00	1511220-01	06/11/01	American Marine Holdings/ dba Pro- Line Boats	66,879.00
7105-05	06/06/01	JFS Market- ing	50,000.00	1531110-01	06/11/01	T E A M Sup- ply	24,858.70
7105-05	06/06/01	Thonet	200,000.00	1542110-01	06/11/01	Anderson Commodi- ties	24,300.00
7105-05	06/06/01	J Squared/ dba Univer- sity Loft	200,000.00	1542110-02	06/11/01	Diversified Bean Co. LLC	45,450.00
7105-05	06/06/01	VIA	50,000.00	1542110-03	06/11/01	ATL Indus- tries	25,857.00
7105-05	06/06/01	Virco	200,000.00	1552350-01	06/11/01	Direct Access Interna- tional	224,400.00
7105-05	06/06/01	Wenger	200,000.00	1570110-01	06/11/01	Brother Inter- national	38,950.00
7105-05	06/06/01	Wieland Furniture	200,000.00	8211840-01	06/11/01	Traffic & Parking Control	49,813.00
7105-05	06/06/01	Workspace Interna- tional	50,000.00				
1292130-01	06/11/01	M A Brightbill Body Works	33,391.00				
1337200-01	06/11/01	Fat Willie's Cycles/dba Susquehanna Valley Harley- Davidson	139,410.00				
1360350-01	06/11/01	Ludlum Mea- surements	40,200.00				

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 01-1162. Filed for public inspection June 22, 2001, 9:00 a.m.]