

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 5, 2001.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-5-01	Mauch Chunk Interim Trust Company Jim Thorpe Carbon County	Jim Thorpe	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-23-01	First Penn Bank, Philadelphia, and IGA Federal Savings, Feasterville Surviving Institution— First Penn Bank, Philadelphia	Philadelphia	Approved

Note: The Weekly Summary (# 22) for week ended May 29, 2001, designated IGA Federal as the surviving institution in error; First Penn Bank is the survivor of the merger.

5-31-01	Sun Bank, Selinsgrove, and Guaranty Bank, N.A., Shamokin Surviving Institution— Sun Bank, Selinsgrove	Selinsgrove	Effective
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Branches Acquired Via Merger:

Ten South Market Street Shamokin Northumberland County (Former Main Office of Guaranty Bank, N.A.)	35 East Main Street Nanticoke Luzerne County
18 East Main Street Glen Lyon Luzerne County	R. D. # 3 Routes 118 & 29 Pikes Creek Luzerne County
46 South Mountain Blvd. Mountain Top Luzerne County	639 South Main Street Wilkes-Barre Luzerne County

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-30-01	PEOPLESBANK, A Codorus Valley Company York York County	118 E. Market Street York York County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-29-01	Fulton Bank Lancaster Lancaster County	<i>To:</i> Penn Plaza Shopping Center 3047 N. 5th Street Hwy. Reading Muhlenberg Township Berks County <i>From:</i> Fairgrounds Square Mall 3050-3083 N. 5th Street Hwy. Reading Muhlenberg Township Berks County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1047. Filed for public inspection June 15, 2001, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of July 2001

The Department of Banking (Department) of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of July, 2001, is 8 1/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as the principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.72 to which was added 2.50 percentage points for a total of 8.22 that by law is rounded off to the nearest quarter at 8 1/4%.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1048. Filed for public inspection June 15, 2001, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Weatherization Assistance Program; Public Hearing

The Department of Community and Economic Development (DCED) hereby publishes notice of a public hearing to be held at 10 a.m. on June 27, 2001, in Room H-East of the Commonwealth Keystone Building, 4th Floor, 400 North Street, Harrisburg, PA 17120. The purpose of this hearing is to receive comments on the Weatherization Assistance Program's proposed State Plan to be submitted to the United States Department of Energy for the program year 2001-2002.

A copy of this plan may be obtained by contacting the Department of Community and Economic Development, Office of Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, (717) 787-1984. A copy may also be obtained at the following DCED Regional Offices:

DCED Central Regional Office 4th Floor, Comm. Keystone Bldg. 400 North Street Harrisburg, PA 17120 (717) 720-7302	DCED Southwest Regional Office 1405 State Office Building 300 Liberty Avenue Pittsburgh, PA 15222 (412) 565-5002
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DCED Southeast Regional Office 908 State Office Building Broad and Spring Garden Streets Philadelphia, PA 19130 (215) 560-2256	DCED Northeast Regional Office 201 Samters Building 101 Penn Avenue Scranton, PA 18503-2025 (717) 963-4571
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DCED
Northwest Regional Office
Third Floor, Rothrock
Building
212 Lovell Place
Erie, PA 16503
(814) 871-4241

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council; Meeting Notice

Written comments may be submitted to Dennis Darling, Director, Office of Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 until 5 p.m. on June 27, 2001.

Persons with a disability who wishes to attend this hearing and require auxiliary aid, services or other accommodations to participate in the proceedings, should contact Dennis Darling at (717) 787-1984 to discuss how the DCED may accommodate their needs. Alternative formats of the document (such as large print or cassette tape) can be made available to the public upon request.

SAMUEL A. MCCULLOUGH,
Secretary

[Pa.B. Doc. No. 01-1049. Filed for public inspection June 15, 2001, 9:00 a.m.]

A meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will be held on Tuesday, June 26, 2001. The meeting will be held at 5:45 p.m. at Jennings Environmental Education Center located at 2951 Prospect Road, Slippery Rock, PA.

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

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

PAULETTE JOHNSON,
Chairperson

[Pa.B. Doc. No. 01-1050. Filed for public inspection June 15, 2001, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

Applications

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

Under the Federal Clean Water Act and the Pennsylvania 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0020711	Borough of Topton 205 S. Callowhill St. Topton, PA 19562	Berks County Longswamp Township	Toad Creek/2C-Lower Lehigh River	Yes
PA0081949	West Earl Sewer Authority P. O. Box 725 Brownstown, PA 17508-0725	Lancaster County West Earl Township	Conestoga River/7J- Conestoga River	Yes
PA0081710	Outdoor World Corp. c/o I Resorts USA, Inc. Outdoor World Circle M Campground P. O. Box 447 Bushkill, PA 18234-0447	Lancaster County Pequea Township	Conestoga River/7J- Conestoga River	Yes
PA0083941	WSI/Cumberland County Landfill 142 Vaughn Road Shippensburg, PA 17257	Cumberland County Hopewell Township	Conodoguinet Creek/ 7B-Conodoguinet Creek	Yes
PA0021202	East Berlin Borough 128 Water Street East Berlin, PA 17316	Adams County East Berlin Borough	West Conewago Creek/ 7F-Conewago Creek	Yes

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

PA0038814, Sewage. **Ellport Borough Sewer Authority**, 313 Burns Avenue, Ellwood City, PA 16177.

This proposed facility is located in Ellport Township, **Lawrence County**.

Description of Proposed Activity: a renewal for a treated sewage discharge to increase discharge flows.

The receiving stream, Connoquenessing Creek, is in watershed 20-C and classified for: warm water fishes, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Beaver Falls Municipal Authority intake on the Beaver River located at Eastvale, approximately 11 miles below point of discharge.

The proposed interim effluent limits for Outfall 001 are based on a design flow 0.356 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-01 to 10-31)	22		44
Fecal Coliform (5-01 to 9-30) (10-01 to 4-30)		200/100ml as a geometric average 100,000/100ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0033006, Sewage. **Pymatuning State Park-Jamestown STP**, Jamestown Beach Area, 2660 Williamsfield Road, Jamestown, PA 16134.

This facility is located in West Shenango Township, **Crawford County**.

Description of Proposed Activity: renewal of sewage discharge

The receiving stream, Pymatuning Reservoir, is in watershed 20A and classified for: warm water fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.088 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Total Phosphorus	1.0		2.0
Total Residual Chlorine	0.5		1.2
Fecal Coliform (5-01 to 9-30)		200/100ml as a geometric average	
(10-01 to 4-30)		2,000/100ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0003026, Sewage, **US Bronze Foundry and Machine**, 18649 Meadville, PA 16335.

This proposed facility is located in Woodcock Township, **Crawford County**.

Description of Proposed Activity: renewal of an existing discharge of treated sewage and stormwater.

The receiving stream, French Creek (002, 005) and unnamed tributary to French Creek (003, 004), is in watershed 16D and classified for: warm water fishes.

The proposed effluent limits for Outfall 005 based on a design flow of 0.007.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Phosphorus (as P)	2.0		4.0
NH ₃ -N (5-01 to 10-31)	14		28
Total Residual Chlorine	0.5		1.2
Fecal Coliform (5-01 to 9-30)		200/100ml as a geometric average	
(10-01 to 4-30)		7,000/100ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

PA#0061115, Sewage, **Caesars Paradise Stream Resort**, P. O. Box 400, Scotrun, PA 18355.

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

Description of Proposed Activity: Renewal of existing NPDES Permit.

The receiving stream, Paradise Creek, is in the State Water Plan watershed #1E and is classified for: high quality, cold water fishery. The nearest downstream public water supply intake for Stroudsburg Borough is located on Brodhead Creek is approximately 25 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .10 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	20.0	40.0
Total Suspended Solids	30.0	60.0
NH ₃ -N (5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Phosphorus as "P"	1.0	2.0
Dissolved Oxygen	A minimum of 6.0 mg/l at all times.	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times.	
Total Residual Chlorine	1.0	2.30

PA-0060020, Sewage, **North American Medical Centers, Inc.**, HC 77, Box 379, Milford, PA 18337.

This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Activity: renewal of NPDES Permit to discharge treated sewage.

The receiving stream, Delaware River, is in the State Water Plan watershed #1D and is classified for: warm water fishery, aquatic life, water supply and recreation. The nearest downstream public water supply intake for East Stroudsburg Water Intake is located on Delaware River is approximately .40 mile below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .015 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	25	50	
Total Suspended Solids	30	60	
Dissolved Oxygen	A minimum of 5 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine			
1st Month through 24th Month	Monitor & Report		Monitor & Report
25th Month through Expiration	1.2		2.8

PA#0061611, Sewage, **Delaware Valley Utilities, Inc.**, 120 Routes 6 and 209, Matamoras, PA 18336.

This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Activity: Renewal of NPDES Permit to discharge sewage.

The receiving stream, Delaware River, is in the State Water Plan watershed #1D and is classified for: warm water fishery, migratory fishery. The nearest downstream public water supply intake for East Stroudsburg is located on Delaware River is approximately 45 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .820 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25.0		50.0
Total Suspended Solids	30.0		60.0
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 8.5 standard units at all times.		
Total Residual Chlorine			
(1st Month through 24th Month)	Monitor and Report		Monitor and Report
(25th Month through Expiration)	1		2

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

PA0087149, Industrial Waste, SIC Codes 9229 and 9224, **Pennsylvania Emergency Management Agency (Pennsylvania State Fire Academy)**, 1150 Riverside Drive, Lewistown, PA 17044-1971.

This proposed facility is located in Lewistown Borough, **Mifflin County**.

Description of proposed activity: Discharge of treated water from Fire Training exercises.

The receiving stream (Juniata River) is in Watershed 12-A and classified for warm water fishery.

The proposed effluent limits for Outfall 001 based on a design flow of 0.012 MGD are:

<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>
pH	XXX	XXX	Monitor & Report	Monitor & Report
Total BTEX	XXX	XXX	Monitor & Report	Monitor & Report
Benzene	XXX	XXX	Monitor & Report	Monitor & Report
Toluene	XXX	XXX	Monitor & Report	Monitor & Report
Ethylbenzene	XXX	XXX	Monitor & Report	Monitor & Report
Xylene	XXX	XXX	Monitor & Report	Monitor & Report
Total Suspended Solids	XXX	XXX	Monitor & Report	Monitor & Report
Oil and Grease	XXX	XXX	Monitor & Report	Monitor & Report

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

The EPA waiver is in effect.

PA# 0088862, CAFO, **Jeremiah O. Sensenig**, 2671 Noble Road, Quarryville, PA 17566.

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

Description of Proposed Activity: An existing swine and beef steer operation with a 326.16 total AEUs. A 702,000 gallon concrete manure storage facility is located under the swine building to manage about 875,000 gallons of manure produced annually and land applied twice per year.

The receiving stream, West Branch of Octoraro Creek, is in the State Water Plan watershed 7-K and is classified for: HQ-CWF.

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.

PA# 0086321, CAFO, **Eugene Z. Nolt**, 43 Kurtz Road, New Holland, PA 17557.

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

Description of Proposed Activity: An existing swine and dairy heifer operation with 349.68 AEUs. A 841,000 gallon concrete manure storage facility is located under the swine building to manage about 918,000 gallons of manure produced annually and land applied twice per year.

The receiving stream, UNT to Conestoga River & Segloch Run, is in the State Water Plan watershed 7-J and is classified for: HQ-CWF.

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.

PA# 0088846, CAFO, **Hershey Ag, Aspen-Perry Farm**, 138 Airport Road, Box 68, Marietta, PA 17547-0068.

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

Description of Proposed Activity: An existing swine operation with 1,725 AEUs. An existing 7.25 million gallon high density polyethylene lined manure storage facility is used to store about 9.0 million gallon of manure produced yearly and exported twice per year to adjacent farms.

The receiving stream, Buffalo Creek, is in the State Water Plan watershed 12-B and is classified for: HQ-CWF.

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.

PA#0088854, CAFO, **Jeremiah and James Sensenig**, 2671 Noble Road, Quarryville, PA 17566.

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

Description of Proposed Activity: An existing dairy and swine operation with 378.8 Auks. A total of 847,000 gallons of swine manure and 280,000 gallons of dairy manure are produced yearly. The swine manure is stored in a 674,000 gallon under building concrete pit while the liquid dairy manure is stored in a 184,000 gallon storage facility.

The receiving stream, Little Conewago Creek, is in the State Water Plan watershed 7-K and is classified for: HQ-CWF.

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.

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

PA0238589, Sewage. **Theresa Henke, Executor, Michael J. Filyo Estate**, 6210 Broad Street, South Park, PA 15129.

This proposed facility is located in Fairfield Township, **Crawford County**.

Description of Proposed Activity: new NPDES permit

The receiving stream, French Creek, is in watershed 16D and classified for: warm water fishes, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0004 MGD.

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

The EPA Waiver is in effect.

PA0238554, Sewage. **John E. Taddeo**, 24 Anthony Wayne Terrace, Baden, PA 15005.

This proposed facility is located in Cussewago Township, **Crawford County**.

Description of Proposed Activity: new NPDES permit.

The receiving stream, unnamed tributary to Cussewago Creek, is in watershed 16D and classified for: warm water fishes, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0004 MGD.

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

The EPA Waiver is in effect.

WATER QUALITY MANAGEMENT PERMITS

CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER

APPLICATIONS UNDER THE PENNSYLVANIA 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)

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

WQM Permit No. 2201403, Sewerage, **West Hanover Township Water & Sewer Authority**, 7901 Jonestown Road, Harrisburg, PA 17112.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction of the Bradford Estates Pumping Station

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

WQM Permit No. 4301413, Sewerage, **Gary K. SeGall**, 470 Methodist Road, Greenville, PA 16125.

This proposed facility is located in Hempfield Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No. 4301414, Sewerage, **Denise M. and Patrick V. Stadtfeld**, 7266 West Market Street, Lot #6, Mercer, PA 16137.

This proposed facility is located in Jefferson Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No. 4301415, Sewerage, **Craig P. Mild**, 264 Spencer Avenue, Sharon, PA 16146.

This proposed facility is located in Lackawannock Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

NPDES Stormwater Individual Permit

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

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

NPDES Permit PAS10 G470. Stormwater. **Robert B. Davis**, P. O. Box 218, 114 West Lancaster Avenue, Downingtown, PA 19335 has applied to discharge stormwater associated with a construction activity located in Upper Uwchlan Township, **Chester County** to March Creek (HQ-TSF-MF).

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10U152	Ashley Development Corp. 559 Main St. Bethlehem, PA 18018	Northampton County Williams Township	Frya Run HQ-CWF

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

NPDES Permit PAS10 3007, Stormwater. **John Gilliland**, R. D. 1 Box 1, Warriors Mark, PA 16877 has applied to discharge stormwater associated with a construction activity located in Warriors Mark Township, **Huntingdon County** to Warriors Mark Run and Juniata River (TSF-HQ-CWF).

Huntingdon Conservation District: R. R. #1 Box 7C (Rte. 26S), Huntingdon, PA 16652, (814) 627-1627.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS103007	John Gilliland R. D. 1 Box 1 Warriors Mark, PA 16877	Warriors Mark Township Huntingdon County	Warriors Mark Run Juniata River (TSF-HQ-CWF)

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

NPDES Permit PAS10X096, Stormwater. **Alan Latta**, 5543 Saltsburg Road, Murrysville, PA 15668 has applied to discharge stormwater associated with a construction activity located in Murrysville Borough, **Westmoreland County** to UNT to Haymakers Run/HQ-CWF.

Westmoreland Conservation District: R. D. # 12, Box 202-B, Donohoe Center, Greensburg, PA 15601, (724) 837-5271.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10X096	Alan Latta 5543 Saltsburg Road Murrysville, PA 15668	Westmoreland County Murrysville Borough	UNT to Haymakers Run/ HQ-CWF

SAFE DRINKING WATER

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

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

Permit No. 1501504. Public Water Supply.	
Applicant	Philadelphia Suburban Water Company
Township	East Brandywine
Responsible Official	Morrison Coulter
Type of Facility	Public Water Supply System

Consulting Engineer	CET Engineering Services 1240 N. Mountain Road Harrisburg, PA 17112	Responsible Official	Aurel M. Arndt, General Manager Lehigh County Authority P. O. Box 3348 Allentown, PA 18106 (610) 398-2503
Application Received Date	May 23, 2001		
Description of Action	Construction of a new well pump station, including well pumps, booster pumps, disin- fection and corrosion control facilities.	Type of Facility	Community Water System
		Consulting Engineer	Steven R. Henning, P.E. G. Edwin Pidcock Co. 2451 Parkwood Drive Allentown, PA 18103-9608 (610) 791-2252
Permit No. 4601508 , Public Water Supply.			
Applicant	Schwenksville Borough Water Authority	Application Received Date	May 11, 2001
Borough	Schwenksville	Description of Action	Construction of a water booster pump station to pro- vide service to the proposed Valley West Estates 142 lot residential subdivision and to future development of resi- dential and light industrial facilities in the nearby area.
Responsible Official	Edward R. Beitler		
Type of Facility	Public Water Supply System		
Consulting Engineer	AARO Consulting, Inc. 649 N. Lewis Road, Suite 100 Limerick, PA 19468		
Application Received Date	May 31, 2001		
Description of Action	Construction of a booster pump station. Installation of Cemetery Road water main extension and Mountain View Avenue water main replace- ment.	Permit No. 0601507 , Public Water Supply.	
		Applicant	Philadelphia Suburban Water Company
		Municipality	Cumru
		County	Berks
		Responsible Official	Morrison Coulter, President 762 West Lancaster Avenue Bryn Mawr, PA 19010
		Type of Facility	Public Water Supply
		Consulting Engineer	Douglas E. Berg, P.E. Entech Engineering Inc. 4 South 4th Street Reading, PA 19603
		Application Received Date	April 13, 2001
		Description of Action	Green Hills Manor water sup- ply well (300 gpm) with disin- fection
<i>Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.</i>			
Permit No. 3901505 , Public Water Supply.			
Applicant	Lehigh County Authority		
Township or Borough	Upper Macungie Township Lehigh County		
Responsible Official	Aurel M. Arndt, General Manager Lehigh County Authority P. O. Box 3348 Allentown, PA 18106 (610) 398-2503		
Type of Facility	Community Water System		
Consulting Engineer	Gerald R. McClune, P.E. Hyder, North America, Inc. 270 Granite Run Drive Lancaster, PA 17601 (717) 569-7021		
Application Received Date	April 23, 2001		
Description of Action	Construction of a new well to replace two previously uti- lized wells which were taken off-line in late 2000.	Permit No. 0601509 , Public Water Supply.	
		Applicant	Muhlenberg Township Authority
		Municipality	Ontelaunee Township
		County	Berks
		Responsible Official	Robert Walborn, Manager 2840 Kutztown Road Hyde Park Reading, PA 19605
		Type of Facility	Public Water Supply
		Consulting Engineer	Gene C Koontz, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
		Application Received Date	May 16, 2001
		Description of Action	New well 15 (250 gpm) with disinfection.

Permit No. 3601505, Public Water Supply.

Applicant **Millbrook Manor**
 Municipality West Cocalico Township
 County **Lancaster**
 Responsible Official Nelson M Wenger, Owner
 100 East Queen Street
 Stevens, PA 17578

Type of Facility Public Water Supply
 Consulting Engineer Scott M Rights, P.E.
 Steckbeck Engineering Associates
 43 N. Cornwall Rd.
 Lebanon, PA 17042

Application Received Date February 26, 2001

Description of Action Installation of a new well and nitrate treatment system to serve the new expansion at the mobile home park.

Permit No. 0601510, Public Water Supply.

Applicant **Oley Township Municipal Authority**
 Municipality Oley Township
 County **Berks**
 Responsible Official Paul A Herb, Chairperson
 P. O. Box 19
 Oley, PA 19547

Type of Facility Public Water Supply
 Consulting Engineer Russell M Smith, P.E.
 Spotts Stevens and McCoy Inc.
 345 North Wyomissing Boulevard
 Reading, PA 19610-0307

Application Received Date May 18, 2001

Description of Action New well no. 4 (150 gpm) with disinfection.

Permit No. 0101506, Public Water Supply.

Applicant **Cavalry Heights, Inc.**
 Municipality Mt. Pleasant Township
 County **Adams**
 Responsible Official William H. Weiss, President
 2160 Hanover Road
 Gettysburg, PA 17325

Type of Facility Public Water Supply
 Consulting Engineer Janet R. McNally, P.E.
 William F. Hill & Assoc., Inc.
 207 Baltimore St.
 Gettysburg, PA 17325

Application Received Date April 10, 2001

Description of Action Construction of a 5,000 gallon finished water storage tank and a finished water pump station at the existing Cavalry Heights mobile home park.

Permit No. 2801503, Public Water Supply.

Applicant **Greencastle Area Franklin County Area Authority**
 Municipality Antrim Township
 County **Franklin**
 Responsible Official Kenneth E. Myers, Borough Manager
 60 N. Washington St.
 Greencastle, PA 17225-1230

Type of Facility Public Water Supply
 Consulting Engineer Gene C. Koontz, P.E.
 Gannett Fleming, Inc.
 P. O. Box 67100
 Harrisburg, PA 17106-7100

Application Received Date March 15, 2001

Description of Action Century Well No. 3 at 400 gpm. Project will include 900' of 8-inch transmission main and treatment will be provided at the existing Greencastle filter plant.

Permit No. 3601507, Public Water Supply.

Applicant **Rosie's Drive-in**
 Municipality Providence Township
 County **Lancaster**
 Responsible Official Rosie Roten
 827 Lancaster Pike
 Quarryville, PA 17566

Type of Facility Public Water Supply
 Consulting Engineer Thomas J. Whitehill, P. E.
 Whitehill Consulting Engineers
 763 Conowingo Road
 Quarryville, PA 17566

Application Received Date March 19, 2001

Description of Action Application is for the installation of an ion exchange system for nitrate removal, UV disinfection and sediment filter at the restaurant.

Permit No. 0101504, Public Water Supply.

Applicant **Insite Development, LLC**
 Municipality Berwick Township
 County **Adams**
 Responsible Official Donald H. Erwin, Managing Member
 4216 Little Run Road
 Harrisburg, PA 17110-3105

Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley & Assoc., Inc.
 18 South George Street
 York, PA 17401

Application Received Date March 21, 2001

Description of Action	Construction permit for Wells No. 3, 6, 7 and treatment facilities. Desired pumping rates for the wells are 25, 4 and 9 gallons per minute, respectively. Well No. 3 will be treated using existing facilities. Wells No. 6 and 7 will each have a treatment building. Both will contain greensand filtration and hypochlorite disinfection equipment.	Municipality	Franklin Township
		County	Adams
		Responsible Official	Charles A. Bennett, Manager of Env. Affairs 53 E. Hanover St. Biglerville, PA 17307-0807
		Type of Facility	Public Water Supply
		Consulting Engineer	Janet R. McNally, P.E. William F. Hill & Assoc., Inc. 207 Baltimore St. Gettysburg, PA 17325
		Application Received Date	March 1, 2001
Permit No. 2201504 , Public Water Supply.		Description of Action	A construction permit application for a lead/copper corrosion control system. Potassium hydroxide and Virchem 939 will be added using separate diaphragm pumps.
Applicant	Strohecker Mobile Home Park		
Municipality	Halifax Township		
County	Dauphin		
Responsible Official	Larry R. Strohecker, Owner 615-A Dunkle School Road Halifax, PA 17032		
Type of Facility	Public Water Supply		
Consulting Engineer	George W. Ruby, P.E. Ruby Engineering P. O. Box 127 Rexmont, PA 17085-0127		
Application Received Date	March 29, 2001		
Description of Action	The application is for the installation of Well No. 4, a 26,000 gallon storage tank, booster pumps for Well Nos. 2 & 3 and chemical feed pumps for all three wells.		
		Permit No. 0101503 , Public Water Supply.	
		Applicant	Knouse Foods Cooperative, Inc.
		Municipality	Dickinson Township
		County	Cumberland
		Responsible Official	Charles A. Bennett, Manager of Env. Affairs 53 E. Hanover St. Biglerville, PA 17307-0807
		Type of Facility	Public Water Supply
		Consulting Engineer	Janet R. McNally, P.E. William F. Hill & Assoc., Inc. 207 Baltimore St. Gettysburg, PA 17325
		Application Received Date	March 1, 2001
		Description of Action	Operation Permit for addition of lead and copper corrosion control facilities. KOH and Virchem 939 will be added utilizing separate chemical feed pumps.
		Permit No. 0601505 MA Minor Amendment , Public Water Supply.	
		Applicant	Citizens Utilities Water Company of PA
		Municipality	Amity Township
		County	Berks
		Responsible Official	Darryl A. Jenkins, Manager 4 Wellington Blvd. Wyomissing Hills, PA 19610
		Type of Facility	Public Water Supply
		Consulting Engineer	Darryl A. Jenkins, P.E. Citizens Utilities Water Company of PA P. O. Box 6342 Wyomissing, PA 19610
		Application Received Date	April 3, 2001
Permit No. 3801502 , Public Water Supply.			
Applicant	Pennsylvania American Water Company		
Municipality	North Annville Township		
County	Lebanon		
Responsible Official	Richard C. Neubauer, Vice President Operations 800 W. Hersheypark Drive Hershey, PA 17033		
Type of Facility	Public Water Supply		
Consulting Engineer	Bruce E. Juergens Pennsylvania Water Company 800 W. Hersheypark Drive Hershey, PA 17033		
Application Received Date	April 4, 2001		
Description of Action	The application is for the installation of a booster Pumping station to serve residents of the Collegeview Heights Development in North Annville Township, Lebanon County.		
		Permit No. 0101502 , Public Water Supply.	
Applicant	Knouse Foods Cooperative, Inc.		

Description of Action Addition of aqua mag for manganese control.

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

Permit No. 2601501, Public Water Supply.

Applicant **Indian Creek Valley Water Authority**
P. O. Box 486
Indian Head, PA 15446

Township or Borough Ohiopyle Borough & Stewart Township

Responsible Official Kerry Witt, Manager

Type of Facility Water plant
Consulting Engineer
Bankson Engineers, Inc.
267 Blue Run Road
P. O. Box 200
Indianola, PA 15051

Application Received Date May 9, 2001

Description of Action Construction of two water storage tanks, two water pump stations and an inter-connection with Ohiopyle Borough.

MINOR AMENDMENT**Applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

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

Application No. 3546379, Minor Amendment.

Applicant **Far Away Springs**

Township or Borough Pine Grove Township,
Schuylkill County

Responsible Official Stanley F. Frompovicz

Type of Facility Bulk water hauling

Consulting Engineer Charles Yourshaw

Application Received Date May 9, 2001

Description of Action Change from one permitted source, Far Away Springs, to another, Sweet Arrow Springs

Application No. 3546481, Minor Amendment.

Applicant **Paradise Springs Vended Water System**

Township or Borough Pine Grove Township,
Schuylkill County

Responsible Official Stanley F. Frompovicz

Type of Facility Vending Machines

Consulting Engineer Charles Yourshaw

Application Received Date May 9, 2001

Description of Action Change from one permitted source, Far Away Springs, to another, Sweet Arrow Springs

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

Application No. 1101502, Minor Amendment.

Applicant **Gallitzin Water Authority**
411 Convent Street
Gallitzin, PA 16641

[Township or Borough] Gallitzin Borough

Responsible Official Robert Capotosto,
Chairperson

Type of Facility tank, waterlines

Consulting Engineer Hegemann and Wray
Consulting Engineers
429 Park Avenue
Cresson, PA 16630

Application Received Date May 10, 2001

Description of Action 344,000 water storage tank, approximately 59,000 LF of distribution main and approximately 20,800 LF of main to serve the Village of Amsbry.

Application No. 6301502, Minor Amendment.

Applicant **Pennsylvania-American Water Company**
800 West Hersheypark Drive
Hershey, PA 17033

[Township or Borough] North Franklin Township

Responsible Official Steven Seidl, Vice President,
Engineering

Type of Facility Tank

Application Received Date June 4, 2001

Description of Action Painting of a water storage tank

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

Application No. 2594501-MA6, Minor Amendment.

Applicant **Erie City Water Authority**
340 W. Bayfront Pkwy.
Erie, PA 16507-0729

Township or Borough Erie City

Responsible Official James J. Rudy, Chief
Operating Officer

Type of Facility Public Water Supply

Consulting Engineer Michael Sanford
Henry T. Welka & Assoc.
Erie, PA

Application Received Date May 30, 2001

Description of Action Extension to Meadows Subdivision

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 Ohiopyle 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.

Former Quaker Chemical Facility, Borough of Conshohocken, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, on behalf of Quaker Park Associates, LP, 1200 River Road, Suite 1303, Conshohocken, PA 19428, has submitted a Notice of Intent to Remediate site soil contaminated with polycyclic aromatic hydrocarbons and site groundwater contaminated with heavy metals and VOCs. The applicant proposes to remediate the site to meet Statewide Health and Site-specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Herald* on May 23, 2001.

Upper Dublin Township, Fort Washington Borough and Upper Dublin Township, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, on behalf of Upper Dublin Township, 801 Loch Alsh Ave., Fort Washington, PA 19034, has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Site-specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Ambler Gazette* on November 9, 1999.

Nino's Farmers Market, City of Philadelphia, **Philadelphia County**. Eric S. Poulson, P.E., Oxford Engineering Co., 1515 West Chester Pike, Suite B-1, West Chester, PA 19382, on behalf of Nino Marchensani, 4401 Castor Ave., Philadelphia, PA 19124, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and petroleum hydrocarbons. 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 *Juniata News* on May 22, 2001.

Roosevelt Associates Site, City of Philadelphia, **Philadelphia County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Roosevelt Associates, c/o Colliers, Lanard & Axilbund, 399 Market St., Philadelphia, PA 19105-2183, has submitted a Notice of Intent to Remediate site soil contaminated with lead, BTEX and naphthalene and site groundwater contaminated with BTEX and naphthalene. The applicant proposes to remediate the site to meet Statewide Health and Site-specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on May 23, 2001.

Menno Realty Company, Hilltown Township, **Bucks County**. Eric B. Rosina, Storb Environmental, Inc., 410 N. Easton Road, Willow Grove, PA 19090, on behalf of Menno Realty, 771 Route 113, Souderton, PA 18064 has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX. 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 *Intelligencer* on May 9, 2001.

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

UGI Utilities, Inc. Lebanon Service Building, City of Lebanon, **Lebanon County**. UGI Utilities, Inc., P. O. Box 12677, Reading, PA 19612 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on or before June 1, 2001.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Newberry Rail Yard—SEDA-COG, City of Williamsport, **Lycoming County**. Converse Consultants, 2738 West College Avenue, State College, PA 17837, on behalf of their client SEDA-COG, R. R. # 1, Box 372, Lewisburg, PA 17827, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals, BTEX, PAHs and PHCs. The applicant proposes to remediate the site to meet the Site-specific Standard and/or the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Williamsport Sun-Gazette*.

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

Spedd Inc., Warren Ind. Ctr., 920 Pennsylvania Avenue West, has submitted a Notice of Intent to Remediate soil contaminated with Solvents, Paint Related Wastes and Oils. 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 *Warren Times Observer* on April 7, 2001.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Act (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

RENEWAL APPLICATIONS RECEIVED

Medwaste Management, Inc. of New England, P. O. Box 1281, Cromwell, CT 06416. License No. **PA-HC 0198**. Received on June 5, 2001.

Carlucci Construction Company, Inc., 401 Meadow Street, Cheswick, PA 15024. License No. **PA-HC 0015**. Received on June 5, 2001.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Applications Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); and regulations to operate a hazardous waste treatment, storage or disposal facility.

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

Application I. D. No. PAD000606285. Eastman Chemical Resins, Inc., P. O. Box 0567, State Highway 837, West Elizabeth, PA 15088-0567. Hercules, Inc., State Highway 837 and Madison Avenue, West Elizabeth, PA 15088. An application for a Minor Permit Modification for the Transfer of Ownership of a Captive Hazardous Waste Storage Facility in Jefferson Hills Borough, **Allegheny 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 to the date of the hearing.

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

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is con-

structed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121 through 143, the Federal Clean Air Act and regulations adopted under the Act.

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).

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

45-318-031: Tobyhanna Army Depot (ATTN: AMSEL-TY-RK-E (Mr. Ober), 11 Hap Arnold Boulevard, Tobyhanna, PA 18466 for operation of a paint spray booth and associated air cleaning device in Coolbaugh Township, **Monroe County**).

54-00046: Lehigh Asphalt Paving and Construction Co., Inc. (P. O. Box 549, Tamaqua, PA 18252) for a synthetic minor operating permit for an asphalt plant in Tamaqua Borough, **Schuylkill County**.

54-00032: Lehigh Asphalt Paving and Construction Co. Inc. (P. O. Box 549, Tamaqua, PA 18252) for a synthetic minor operating permit for an asphalt plant in Tamaqua Borough, **Schuylkill County**.

45-00024: Eureka Stone Quarry, Inc. (P. O. Box 249, Chalfont, PA 18914) for a synthetic minor operating permit for an asphalt plant, rock crushing plant and a concrete plant in Hamilton Township, **Monroe County**.

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

06-03077: F. M. Brown's Sons, Inc. (205 Woodrow Avenue, Sinking Spring, PA 19608) for a natural minor operating permit for a small feed mill controlled by two fabric collectors in Sinking Spring Borough, **Berks County**. The natural minor operating shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

04-00679: Tri-State River Products, Inc. (Box 218, Beaver, PA 15009) for operation of an Aggregate Production Facility at # 16 Dredge in Industry Borough, **Beaver County**.

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

37-00038: B and L Asphalt Industries, Inc. (Route 168, New Castle, PA 16105) for a synthetic minor operating permit for operation of the facility's air contamination sources consisting of a 180 tph batch mix asphalt plant in Hickory Township, **Lawrence County**.

61-00007: IA Construction Corp.—Franklin Plant (Route 8 North, Franklin, PA 16323) for a synthetic minor operating permit for operation of the facility's air contamination sources consisting of a 180 tph batch mix asphalt plant in Sugar Creek Borough, **Venango County**.

37-00027: IA Construction Corp.—West Pittsburg Plant (River Road, West Pittsburg, PA 16060) for a

synthetic minor operating permit for operation of the facility's air contamination sources consisting of a 300 tph batch mix asphalt plant in Taylor Township, **Lawrence County**.

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).

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

59-304-008F: ACP Manufacturing Co., LLC (P. O. Box 68, Blossburg, PA 16912-0068) for construction of an isocure core machine to be controlled by an existing air cleaning device (a scrubber) in Lawrence Township, **Tioga County**.

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

30-00141A: RAG Cumberland Resources, LP (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370) for operation of Stockpiling Coal at Cumberland Mine Preparation Plant in Whitely Township, **Greene County**.

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

42-193A: Allegheny Bradford Corp. (1522 South Avenue, Bradford, PA 16701-0200) for post-installation of a baghouse (28000 cfm) on stainless steel polishing process in Bradford, **McKean County**.

24-012B: The Carbide/Graphite Group (800 Theresia Street, St. Marys, PA 15857) for minor modification of EPA Permit No. 79-PA-26 to remove transmissometer requirement in pitch impregnation stack, installation of an air cooling chamber to allow air quenching of sensitive products and removal of SOx transmissometer requirement in Longitudinal Graphitizer stack in St. Marys, **Elk County**. The Carbide/Graphite Group, St. Marys Facility, is a Title V facility.

42-193A: Allegheny Bradford Corp. (1522 South Avenue, Bradford, PA 16701-0200) for post-installation of a baghouse (28000 cfm) on stainless steel polishing process in Bradford, **McKean County**.

43-040A: AK Steel Corp.—Sawhill Tubular Division (200 Clark Street, Sharon, PA 16146) for installation of wet scrubbers to replace dry zinc dust collectors on the No. 1 and No. 2 Galvanize Lines in Sharon, **Mercer County**.

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).

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

46-0112: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) for installation of a replacement thermal oxidizer that will control emissions from various production lines at their facility located in Skippack Township, **Montgomery County**. This facility is a non-Title V facility. The thermal oxidizer will reduce

volatile organic compound emissions to 21 tons per year. Emissions of nitrogen oxides will be less than 6 tons per year and for carbon monoxide, less than 4 tons per year. The facility shall be required to operate the thermal oxidizer at all times when the various production lines are in operation. The facility is also taking restriction on its Adhesive Film Treater, which will reduce its potential emissions of VOCs to less than 2 tons per year. The Plan Approval will contain recordkeeping and further operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

35-318-084: Chamberlain Manufacturing Corp. (156 Cedar Avenue, Scranton, PA 18505-1138) for construction of a paint spray booth and associated air cleaning device in Scranton, **Lackawanna County**. This munitions manufacturing facility is a non-Title V facility. The installation will result in the emission of 0.25 ton per year of volatile organic compounds and a particulate matter emission rate of less than 0.04 grain per dry standard cubic foot. The company shall maintain records of all materials applied or used in, or associated with the use of, the spray booth to verify compliance with applicable requirements.

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

07-05032A: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) to modify the operation of the existing natural gas fired drum mix coater asphalt plant located in Taylor Township, **Blair County**. The plant will operate with alternative fuels including: recycled fuel oil, No. 2 fuel oil and natural gas. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities. A fabric collector controls particulate emissions from the asphalt plant. In addition, the company will install new Recycled Asphalt Product (RAP) crushing and sizing equipment. Facility wide emissions are limited to less than 100 tons/year of nitrogen oxides and carbon monoxide and less than 50 tons/year of volatile organic compounds. The plan approval and 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.

41-305-009D: Keystone Filler and Manufacturing Co. (214 Railroad Street, Muncy, PA 17756) for installation of a fabric collector on an existing rotary coal dryer (# 4 dryer) and associated processing equipment in Muncy Township, **Lycoming County**.

The fabric collector will replace an existing fabric collector. There will be no increase in the emission of any air contaminant but there may be a decrease in the emission of particulate matter from the level which now exists.

The Department of Environmental Protection (Department) has determined that the proposed equipment will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The

Department consequently intends to issue plan approval for the installation of the respective fabric collector. Additionally, if the Department determines that the coal dryer and associated processing equipment and the fabric collector are operating in compliance with all applicable plan approval conditions and regulatory requirements following the installation of the fabric collector, the conditions established in the plan approval will be incorporated into an operating permit via administrative amendment under 25 Pa. Code § 127.450.

The Department intends to place conditions in the plan approval to be issued pertaining to the operation and monitoring of the fabric collector. These conditions are intended to assure proper operation of the collector as well as maintenance of compliance with all applicable air quality regulatory requirements. The following is a summary of these conditions:

1. Under the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the inlet temperature of the fabric collector shall not exceed 425°F.

2. Under the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the fabric collector shall be equipped with a temperature gauge to continuously monitor the inlet temperature of the fabric collector.

3. Under the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the fabric collector shall be equipped with instrumentation to continuously monitor the differential pressure drop across the collector bags.

4. Under the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the compressed air system used for cleaning the collector bags shall be equipped with an air dryer and oil trap.

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

NOTICE OF INTENT TO ISSUE A PLAN APPROVAL AND AMEND A TITLE V OPERATING PERMIT

56-00167A: North American Hoganas—Stony Creek Plant (250 Abex Road, P. O. Box 509, Hollsopple, PA 15935-0509) for modification of the steel production facility previously referred to as First Mississippi Steel facility into an iron powder producer in Hollsopple, **Somerset County**. It covers emissions changes associated with the construction of new sources, modifications of existing sources and shutdown of existing sources.

The proposed facility is subject to the applicable requirements of 25 Pa. Code, Chapter 127 (related to construction, modification, reactivation and operation of sources) and 40 CFR Part 60 Subpart AAa.

1. The facility is to be constructed in accordance with the plans submitted with the application (as approved herein).

2. Upon completion of the construction of the facility, an operating permit must be obtained. Notify the Department when the installation is completed so that the facility can be inspected for issuance of an operating permit

3. This Plan Approval is for the modification of the steel production facility previously referred to as First Mississippi Steel facility into an iron powder producer. It covers emission changes associated with the construction of new sources, modification of existing sources and

shutdown of existing sources. This facility is located in Hollsopple, PA Somerset County. (25 Pa. Code § 127.12a and b)

4. This facility is subject to the New Source Performance Standards for Electric Arc Furnaces (40 CFR Part 60, Subpart AAa):

In accordance with 40 CFR 60.4 copies of all requests, reports, applications, submittals and other communications shall be forwarded to both EPA and the Department at the following addresses unless otherwise noted:

Director
Air Toxics and Radiation
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

PA Department of Environment Protection
Office of Air Quality Control
400 Waterfront Drive
Pittsburgh, PA 15222-4745

5. Emissions of Particulate Matter from the American Air Filter shall be limited to .0043 gr/dscf. (25 Pa. Code § 127.441)

6. The owner/operator shall perform a weekly inspection of the clean side of the EAF and Canopy baghouses and keep on file observations made and maintenance performed on the baghouses. This file shall be made available to the Department upon request. (25 Pa. Code § 127.441)

7. The owner/operator shall keep spare bags on hand for replacement/maintenance purposes. (25 Pa. Code § 127.12b)

8. The owner/operator shall perform stack testing on the American Air Filter baghouse to determine compliance with TSP/PM-10 emission rate with Condition # 5 above. (25 Pa. Code § 127.12b)

9. The following production and operating hours limitations apply:

EAF & LMS	220,000 tons charged 210,000 tons of production	7,000 hours
(3) 50 tons ladle heaters—10 mmbtu/hr each		3,700 hours combined
(2) 50 ton ladle dryers—5 mmbtu/hr each		2,500 hours combined
oxygen converter	5,000 tons	1,000 hours
Atomizer tank	210,000 tons	7,000 hours
(2) Rotary Dryers 8.5 mmbtu/hr each	17 mmbtu/hr	7,000 hours each
(5) Annealing Furnaces		8,500 hours
11.5 mmbtu/hr each		each

Crushing/ Screening	210,000 tons	8,500 hours
Induction Furnace/ LMF (4 ton)	3,300 tons	
(2) 4 ton annealing furnaces	9.2 mmbtu/hr combined	1,400 hours combined
(2) 4 ton ladle heater	2 mmbtu/hr combined	4,000 hours combined
4 ton vacuum/ degas/ VOD		1,400 hours
(4) Bldg. Heaters 6 mmbtu/hr each	24 mmbtu/hr	2,000 hours combined

• Compliance with yearly limits is determined on a 12 month rolling average basis: (25 Pa. Code § 127.12b)

10. The following emission limitations apply:

Facility Wide Emission Limitations

<i>Pollutant</i>	<i>Yearly Limit</i>
CO	243.28 tpy
NOx	74.48 tpy
PM-10	25.41 tpy

11. Each of the five annealing furnaces shall be limited to 4.00 tons of NOx on a 12-month rolling basis and shall be limited to 1.0 lb of NOx (as NO2) per hour. (25 Pa. Code § 127.12b)

12. The electric arc furnace shall be limited to a NOx (as NO2) emission rate of .37 lbs/ton. (25 Pa. Code § 127.12b)

13. The EAF and LMS shall be limited to 40.68 tons of NOx on a 12 consecutive month rolling basis. (25 Pa. Code § 127.12b)

14. The following short-term emission limitations apply to the EAF:

Carbon Monoxide	—80 lbs/hr
Nitrogen Oxides	—20 lbs/hr
VOC	—12 lbs/hr
Sulfur Dioxides	—12 lbs/hr
PM10	— 8 lbs/hr

(25 Pa. Code § 127.441)

15. The roof fans in the melt shop will not be operated.

16. The owner/operator shall keep daily records which demonstrate compliance with the production and emission limitations identified above. These records shall be kept on site for a period of 5 years and be made available to the Department upon request. (25 Pa. Code § 127.12b)

17. Emissions of particulate matter from the EAF baghouse which includes the East and West Carborundum and Fuller Baghouse shall be limited to .0052 gr/dscf in accordance with the NSPS 40 CFR Part 60 Subpart AAa.

18. Opacity of visible emissions from all facility baghouses (American Air Filter, East and West Carborundum and Fuller) that exhaust the EAF and LMF shall not exceed 3% opacity in accordance with the NSPS 40 CFR Part 60 Subpart AAa. The South Wheelabrator and North Wheelabrator baghouses shall not exceed 10% opacity. (25 Pa. Code § 127.441)

19. The owner/operator shall perform stack testing no later than 180 days of commencement of operation under the terms of this Plan Approval on the EAF to determine the emission rates of the following pollutants: SO_x (as SO₂), NO_x (as NO₂), Volatile Organic Compounds (VOC), Carbon Monoxide (CO) and Particulate Matter (PM-10). Emissions of NO_x (as NO₂) and CO shall be monitored for a minimum of 600 operating hours within this 180 day period, while the sources are operating normally in the ductwork from the EAF/LMS and from the canopy hood. (25 Pa. Code § 127.12b)

20. The owner/operator shall conduct the stack testing in Condition # 14 above on an annual basis for 2 consecutive years and at least once every 5 years within the term of the operating permit thereafter. (25 Pa. Code § 127.12b)

21. The owner/operator shall also perform stack testing no later than 180 days after receipt of this Plan Approval on two of the five anneal furnaces (rated at 11.5 mmbtu/hr) for the following pollutants: NO_x (as NO₂) and Carbon Monoxide (CO). (25 Pa. Code § 127.12b)

22. Stack testing shall be performed in accordance with 25 Pa. Code Chapter 139 regulations and the Department's Source Testing Manual.

23. Two copies of a pre-test protocol shall be submitted to the Department for review at least 60 days prior to the performance of the stack test.

24. The Department shall be notified at least 2 weeks prior to the stack test of the date and time of the test so that an observer may be present.

25. Two copies of the stack test results shall be supplied to the Department for review within 60 days of completion of the testing.

26. Fugitive emissions from the melt shop shall comply with 25 Pa. Code § 123.1.

27. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met.

(a) The owner/operator must receive written notice from the Owner/Operator of the completion of construction and the operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice should state when construction will be completed and when operator expects to commence operation.

(b) Operation is authorized only to facilitate the start-up and shake-down of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

(c) This condition authorizes temporary operation of the sources for a period of 18 months from the date of commencement of operation, provided the Department receives notice from the Owner/Operator under subpart (a), above.

(d) The Owner/Operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established.

(e) The notice submitted by the Owner/Operator under subpart (a), above, prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the written notice.

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 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 sum-

mary 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.

49871602R2. Lenig & Kosmer Coal Washery, (R. R. 1 Box 250A, Shamokin, PA 17872), renewal of an existing coal preparation plant operation in West Cameron Township, **Northumberland County** affecting 3.6 acres, receiving stream—none. Application received: May 25, 2001.

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

65960110. LMM, Inc. (P. O. Box 517, Stoystown, PA 15563). Application received for renewal of permit for continued reclamation only of a bituminous surface mine located in South Huntingdon Township, **Westmoreland County**, affecting 48.9 acres. Receiving streams: unnamed tributary to Sewickley Creek and Hunters Run. Application received: May 18, 2001.

65990106. Ralph Smith & Son, Inc. (200 West Second Street, Derry, PA 15627). Application received to add acreage and revise the erosion and sedimentation controls at an existing bituminous surface mining site located in Salem Township, **Westmoreland County**, currently affecting 56.3 acres. Receiving streams: N/A. Application received: May 22, 2001.

04840101. Kerry Coal Company (R. D. 2, Box 2139, Wampum, PA 16157). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Big Beaver Borough, **Beaver County**, affecting 462.8 acres. Receiving streams: unnamed tributaries to Clark Run, Clark Run and unnamed tributaries to Stockman Run and Stockman Run. Renewal application received: May 25, 2001.

65960111. Sosko Coal Co., Inc. (R. D. 3, Box 330, Mt. Pleasant, PA 15666). Renewal application received for reclamation only of a bituminous surface mine located in East Huntingdon Township, **Westmoreland County**, affecting 43.5 acres. Receiving stream: Buffalo Run. Renewal application received: May 31, 2001.

30960101. CJ & L Coal (P. O. Box 133, Jefferson, PA 15344). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Morgan Township, **Greene County**, affecting 61 acres. Receiving streams: unnamed tributary to South Fork of Ten Mile Creek to Monongahela River. Renewal application received: May 31, 2001.

65010102. V. P. Smith Company, Inc. (HC 64, Box 21, Intersection Highway 30 & 217, Latrobe, PA 15650). Application received for commencement, operation and reclamation of a bituminous surface mine located in Fairfield Township, **Westmoreland County**, affecting 123.6 acres. Receiving streams: unnamed tributaries of Hypocrite Creek to Hypocrite Creek to Hendricks Creek to Tubmill Creek to Conemaugh River: unnamed tributaries of Hannas Run to Mill Creek to Loyalhanna Creek to the Conemaugh River. Application received: May 30, 2001.

65960109. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001-1368). Renewal application received for reclamation only of a bituminous surface mine located in Derry Township, **Westmoreland County** affecting 64

acres. Receiving streams: unnamed tributary to Harbridge Run and McGee Run. Renewal application received: June 4, 2001.

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

63733706. Maple Creek Mining, Inc., (981 Route 917, Bentleyville, PA 15314), to renew the permit for the Ginger Hill CRDA I in Carroll and Nottingham Townships, **Washington County** to renew permit, no additional discharges. Application received: March 5, 2001.

63723707. Maple Creek Mining, Inc., (981 Route 917, Bentleyville, PA 15314), to renew the permit for the Ginger Hill Refuse Area II in Carroll and Nottingham Townships, **Washington County** to renew permit, tributary to Pigeon Creek. Application received: March 5, 2001.

30733707. Consolidation Coal Co., (P. O. Box 100, Osage, WV 26543), to revise the permit for the Robena CRDA in Greene and Monongahela Townships, **Greene County**, three sludge injection boreholes and pipeline, no additional discharges. Application received: March 30, 2001.

17841301. Manor Mining and Contracting Corp., (P. O. Box 368, Bigler, PA 16825-0368), to renew the permit for the Manor # 44 in Girard Township, **Clearfield County** to renew permit, no additional discharges. Application received: April 16, 2001.

56841306. Lion Mining Co., (P. O. Box 209, Jennerstown, PA 15547), to revise the permit for the Grove No. 1/E-Seam in Jenner Township, **Somerset County** to revise surface permit to strip mine 4 acres to close backfill and reclaim deep mine entry, no additional discharges. Application received: May 14, 2001.

56841603. PBS Coals Inc., (P. O. Box 260, Friedens, PA 15541), to renew the permit for the shade Creek Prep Plant in Shade Township, **Somerset County** to renew permit, no additional discharges. Application received: May 16, 2001.

56841608. PBS Coals Inc., (P. O. Box 260, Friedens, PA 15541), to renew the permit for the Cambria Fuel Prep Plant in Stonycreek Township, **Somerset County** to renew permit, no additional discharges. Application received: May 16, 2001.

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

10920112. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous surface strip, auger and coal ash placement operation in Concord Township, **Butler County** affecting 230.1 acres. Receiving streams: Four unnamed tributaries of Bear Creek. Application received: May 30, 2001.

Noncoal Applications Received

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

6477SM5C4. ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), renewal of NPDES Permit # PA0009059 in Hamiltonban Township, **Adams County** and Washington Township, **Franklin County**, receiving stream—Miney Branch. Application received: May 24, 2001.

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

08010808. Michael A. Miklas (R. R. 3, Box 3184, Rome, PA 18837), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit

located Windham Township, **Bradford County** affecting 3.0 acres. Receiving stream—Trout Brook, tributary to Wysox Creek. Application received: April 20, 2001.

17010801. R. B. Contracting (R. D. 1, Box 13, Curwensville, PA 16833), commencement, operation and restoration of a Small Industrial Minerals (Shale) permit located in Brady Township, **Clearfield County** affecting 5 acres. Receiving stream—Luthersburg Branch, tributary to Sandy Lick Creek. Application received: May 4, 2001.

59012802. Paul T. Hall (R. R. 2, Box 204, Tioga, PA 16946), commencement, operation and restoration of a Small Industrial Minerals (Sand and Gravel) permit in Lawrence Township, **Tioga County** affecting 4.2 acres. Receiving stream—Tioga River, tributary to North Branch Susquehanna River. This supersedes 590000802 originally issued on March 29, 2001. Application received: May 10, 2001.

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

37910303. Essroc Cement Corp. (P. O. Box 779, Bessemer, PA 16112). Renewal of NPDES Permit No. PA0208442, North Beaver Township, **Lawrence County**. Receiving streams: unnamed tributary to Mahoning River. NPDES Renewal application received: May 31, 2001.

NOTICE OF PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department.

The following project proposals have been received by the Department of Environmental Protection. A copy of the proposals is available for inspection at the office indicated above each proposal.

Written comments or objections may be submitted by any person or any office or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

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.

E15-661. French Creek Golf Club, L.P., 55 Country Club Drive, Suite 200, Downingtown, PA 19335-3062, East and West Nantmeal, Warwick Townships, **Chester County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed French Creek Golf Club and Village:

1. To construct and maintain a 370-foot long by 10-foot wide elevated boardwalk over the South Branch of French Creek (EV-CWF) and impacting 0.08 acre of adjacent wetlands (PFO) associated with Hole No. 3.
2. To construct and maintain a 180-foot long by 10-foot wide elevated boardwalk impacting 0.05 acre of wetlands (PEM) associated with Tee No. 4.
3. To construct and maintain a 500-foot long by 10-foot wide elevated boardwalk over the South Branch of French Creek (EV-CWF) and impacting 0.11 acre of wetlands (PEM) associated with hole No. 9.
4. To modify and maintain the existing farm road to include drainage piping to connect adjacent wetlands, a 6-inch irrigation pipe, an 8-inch water main and a 6-inch sanitary sewer force main across an unnamed tributary to south branch of French Creek (EV-CWF) and impacting 0.01 acre of wetlands (PEM) associated with Hole No. 10.

5. To construct and maintain two approximately 12-foot long elevated pedestrian paths connecting to uplands and impacting 0.01 acre of wetlands (PEM) associated with Tee No. 14.

6. To construct and maintain a 260-foot long by 10-foot wide elevated boardwalk impacting 0.06 acre of wetlands (PEM) associated with Hole No. 15.

7. To construct and maintain 330-foot long by 10-foot wide elevated boardwalk impacting 0.08 acre of wetlands (PEM) associated with Hole No. 16.

8. To install and maintain an 8-inch water main, a 6-inch sanitary sewer force main, electric line, telephone line and cable TV line within an existing access road under an existing 48-inch culvert pipe across South Branch of French Creek (EV-CWF).

9. To install and maintain an 8-inch water main and a 6-inch sanitary sewer force main across the South Branch of French Creek (EV-CWF) on the north side of the Conestoga Road (S. R. 0401) (Elverson, PA USGS Quadrangle N: 4.45 inches; W: 8.3 inches).

10. To install and maintain an 8-inch water main and a 6-inch sanitary sewer force main under a wetland (PEM) on the north side of Conestoga Road (S. R. 0401) (Elverson, PA USGS Quadrangle N: 4.4 inches; W: 8.6 inches).

11. To install and maintain an 8-inch water main across an unnamed tributary of the South Branch of French Creek (EV-CWF) on the north side of Conestoga Road (S. R. 0401) (Elverson, PA USGS Quadrangle N: 4.3 inches; W: 9.95 inches).

12. To install and maintain an 8-inch water main under wetlands (PEM) on the north side of Conestoga Road (S. R. 0401) (Elverson, PA USGS Quadrangle N: 4.3 inches; W: 10.2 inches).

The site is located just northwest of the intersection of Conestoga Road (S. R. 0401) and Bulltown Road (S. R. 0345) (Elverson, PA USGS Quadrangle N: 4.5 inches; W: 7.8 inches).

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

E36-714. Thomas Aaron, Drumore Township, 1675 Furniss Road, Drumore, PA 17518 in Drumore Township, **Lancaster County**, ACOE Baltimore District.

To remove the existing bridge and to construct and maintain a concrete box culvert having a span of 17 feet by 6 feet underclearance at the channel of Peters Creek (HQ-WWF) on Goshan Mill Road (T-375) located about 1.14 miles south of Hensel Village (Wakefield, PA Quadrangle N: 10.0 inches; W: 10.3 inches).

E07-344. James Fiore, Fiore Pontiac GMC, P. O. Box 1033, Altoona, PA 16603 in Allegheny Township, **Blair County**, ACOE Baltimore District.

To place fill in 0.5 acre of wetlands adjacent to Brush Run (WWF) at a point along Route 36 approximately 1 mile north of Hollidaysburg for the purpose of expanding an existing parking lot (Hollidaysburg, PA Quadrangle N: 14.2 inches; W: 2.8 inches).

E06-551. George Moyer, 231 Frystown Road, Myers-town, PA 17067 in Bethel Township, **Berks County**, ACOE Philadelphia District.

To construct and maintain a nonjurisdictional water impoundment as a result of developing a farm pond by excavating and filling 0.51 acre of wetlands and about 270 linear feet of stream channel of an unnamed tribu-

tary to Little Swatara Creek (CWF) for the purpose of providing fire protection and water supply for crop irrigation located on the north side of Frystown Road (SR 4002) about 0.89 mile east of its intersection with SR 0645 (Bethel, PA Quadrangle N: 14.33 inches; W: 9.66 inches).

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

E14-393. Potter Township Supervisors, 124 Short Road, Spring Mills, PA 16875. TR-633 Bridge Replacement, in Potter Township, **Centre County**, ACOE Baltimore District (Spring Mills, PA Quadrangle N: 10.1 inches; W: 15.2 inches).

The applicant proposes to replace the existing bituminous filled corrugated metal deck pan driving surface with a reinforced concrete deck driving surface on a bridge located over Potter Run. This project does not propose to impact the stream since all the work will be performed from the existing bridge. There are no proposed wetlands impacted by this project.

E55-174. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. Water Obstruction and Encroachment Permit Application, in Penn Township, **Snyder County**, ACOE Susquehanna River Basin District (Freeburg, PA Quadrangle N: 13.2 inches; W: 0.8 inch).

To remove 15.5 linear feet of existing concrete slab structure and construct and maintain a concrete box culvert with a span of 22.0 feet and a minimum underclearance of 6.5 feet in an unnamed tributary to Penns Creek all of which is located 0.4 mile along SR 1010 west of the intersection of SR 0204 and SR 1010. This project proposes to impact 57 linear feet of the unnamed tributary, which is, designated a Cold Water Fishery and does not propose to impact any jurisdictional wetlands.

E60-149. Kelly Associates, c/o County Cupboard, P. O. Box 46, Lewisburg, PA 17837. Kelly Commons, in Kelly Township, **Union County**, ACOE Baltimore District (Lewisburg, PA Quadrangle N: 19.65 inches; W: 1.45 inches).

The applicant proposes to relocate an intermittent stream 100 lineal feet northeast of its current location maintaining the existing alignment, to constructed two stream crossings consisting of twin cell 24 inch corrugated plastic pipe with lengths of 94 lineal feet and 45 lineal feet. These crossings also have proposed outlet protection in addition to inlet and outlet endwalls. The permit proposes to impact 550 lineal feet of stream and does not propose to impact any wetlands.

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

E02-1344. Kossman Development Corporation, 11 Parkway Center, Suite 300, Pittsburgh, PA 15220. Collier Township, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain an approximately 1,100 foot long retaining wall and associated fill along the left bank of Chartiers Creek (WWF) to provide a paved access to the rear of a proposed Home Depot building. The site is located at the existing Chartiers Valley Shopping Center (Bridgeville, PA Quadrangle N: 21.5 inches; W: 15.3 inches).

E11-290. Pennsylvania Department of Transportation, Engineering District 9-0, 1620 North Juniata

Street, Hollidaysburg, PA 16648. Blacklick Township, **Cambria County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 30-foot long, dual 48-inch CPP culverts (invert depressed 0.53 foot) in Hill Creek (CWF) located on S. R. 4003, Segment 0040, Offset 0000. Also, to construct and maintain channel stabilization with rock riprap for a total length of 15 linear feet at the culvert's approaches (Colver, PA Quadrangle N: 5.2 inches; W: 9.7 inches).

E26-281. Geno M. Tiberi and Michael A. Lewis, 1399 McClellandtown Road, McClellandtown, PA 15458. Masontown Borough, **Fayette County**, ACOE Pittsburgh District.

To construct and maintain a floating boat dock and boat launch having a total length of 203 feet and a width of 38 feet in the Monongahela River (WWF) located on the east bank just north of S. R. 21 Bridge (Masontown, PA Quadrangle N: 18.75 inches; W: 7.12 inches).

E26-284. Fayette County Commissioners, Court House, 61 East Main Street, Uniontown, PA 15401. Wharton Township, **Fayette County**, ACOE Pittsburgh District.

To remove the existing timber plank deck on Fayette County Bridge No. 42 with a concrete deck across Big Sandy Creek (HQ-CWF). The bridge has a clear span of 40.5 feet and an underclearance of 6 feet and is located on T-379 (Scotts Run Road) at a point just east of S. R. 2003 (Fort Necessity, PA Quadrangle N: 8.2 inches; W: 16.6 inches).

E56-306. Somerset County Commissioners, 111 East Union Street, Suite 100, Somerset, PA 15501. Somerset Township, **Somerset County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a single span bridge having a normal span of 72 feet and a minimum underclearance of 9.8 feet across East Branch Coxes Creek (TSF) for the purpose of improving transportation safety and roadway standards. The project is located on Township Road T-480 (Murdock, PA Quadrangle N: 19.1 inches; W: 12.7 inches).

E63-508. John Sisson Motors, Inc., 470 Washington Road, Washington, PA 15301. South Strabane Township, **Washington County**, ACOE Pittsburgh District.

To place and maintain fill in 0.13 acre of wetlands (PEM/PSS), to construct and maintain a box culvert having a span of 12.0 feet with and underclearance of 5.0 feet in an unnamed tributary to Chartiers Creek and said wetlands and to construct and maintain a 7.5 foot diameter CMP culvert in an unnamed tributary to Chartiers Creek for the purpose of expanding the existing parking lots on applicants dealership. The project is located on the east side of Washington Road (U. S. Route 19), approximately 600 feet south from the intersection of Washington Road, Manifold Road and Cameron Road (Washington East, PA Quadrangle N: 11.6 inches; W: 12.5 inches).

E65-780. Pennsylvania Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. South Huntingdon Township, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a bridge having a clear span of 10.00 m and an underclearance of 2.10 m across Barren Run (WWF) located on S. R. 0981, Section E01 at a point just south of

its intersection with S. R. 3035 (Smithton, PA Quadrangle N: 5.1 inches; W: 10.1 inches).

E65-781. Pennsylvania Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Allegheny Township, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 44-foot long box culvert having a span of 13.5 feet and an underclearance of 7 feet (invert depressed 1 foot) in an unnamed tributary to Pine Run (WWF), located on S. R. 4071, Section B20 at its intersection with S. R. 4034. Also to permanently place and maintain fill in a de minimis area of PSS wetland equal to 0.013 acre and temporarily place and maintain fill in .007 acre of PSS wetland for the purpose of improving highway safety (Vandergrift, PA Quadrangle N: 13.00 inches; W: 13.8 inches).

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

E10-344. Zokaites Contracting, Inc., 375 Golfside Drive, Wexford, PA 15090. Marshall Woods Stormwater 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.

WATER QUALITY CERTIFICATIONS REQUESTS

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

Certification Request initiated by **Erie Western Pennsylvania Port Authority**, Raymond P. Schreckengost, Executive Director, 17 West Dobbins Landing, Erie, PA 16507-1424. Discharge of dredged material from the Bay Harbor Marina basin into the Lake Erie Harbor Confined Disposal Facility, in Erie City, **Erie County**, ACOE Pittsburgh District, (Erie North, PA Quadrangle N: 4.7 inches; W: 10.3 inches).

Project description: The Erie-Western Pennsylvania Port Authority has requested a State certification under Section 401(a) of the Federal Clean Water Act (33 U.S.C.A. § 1341(a)) for the discharge of dredged material from the Bay Harbor Marina basin into the Lake Erie Harbor Confined Disposal Facility (CDF) will comply with the applicable provisions of Sections 301—307 of Federal Clean Water Act.

The Bay Harbor Marina basin sediments were dredged and stockpiled. The Port Authority has analyzed the stockpiled sediments using the Standard Elutriate Test, adapted from the US Army Corps of Engineer's Inland Testing Manual and the document "Ecological Evaluation of Proposed Discharge of Dredged or Fill Material in

Navigable Waters" so that the sediments may be discharged into the Lake Erie Harbor Confined Disposal Facility.

Based upon the modified sampling and laboratory testing, the Erie-Western Pennsylvania Port Authority indicates that the approximately 1,000 cubic yards of stockpiled basin sediments from the Bay Harbor Marina basin (Erie North, PA N: 1.0 inches; W: 14.3 inches) discharged into the Lake Erie Harbor Confined Disposal Facility (Erie North, PA N: 4.7 inches; W: 10.3 inches) will have a relatively insignificant impact on the water quality of Lake Erie. This 401 Water Quality Certification is only for this single discharge. Any subsequent dredging of permitted Port Authority facilities and use of the CDF will require separate 401 Water Quality Certification.

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.

WQM Permit No. 4601401. Sewage. **Richard Maurer**, 807 Ridge Road, Telford, PA 18969. Applicant is granted approval for the construction and operation of a single residential STP located in Salford Township, **Montgomery County**.

NPDES Permit No. PA0058301. Sewage. **Richard Maurer**, 807 Ridge Road, Telford, PA 18969. Is authorized to discharge from a facility located in Salford Township, **Montgomery County** to an UNT to Ridge Valley Creek—Perkiomen Watershed.

NPDES Permit No. PA0058319. Sewage. **Courtney G. Keep**, 932 Beck Road, Quakertown, PA 18951. Is authorized to discharge from a facility located in Haycock Township, **Bucks County**, to an unnamed tributary to Tohickon Creek.

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

NPDES Permit No. PA-0034428. Sewage, **Cove Haven, Inc.**, P. O. Box 400, Scotrun, PA 18355.

This proposed facility is located in Paupack Township, **Wayne County**.

Description of Proposed Action/Activity: to discharge up to .094 MGD of treated sewage to an unnamed tributary to Lake Wallenpaupack.

NPDES Permit No. PA-0064114. Sewage, **Jim Thorpe Area School District**, 140 West 10th Street, Jim Thorpe, PA 18229.

This proposed facility is located in Kidder Township, **Carbon County**.

Description of Proposed Action/Activity: new treated sewage discharge to Dilldown Creek.

NPDES Permit No. PA-0060348. Sewage, **Pennsylvania Department of Transportation**, P. O. Box 3060, Harrisburg, PA 17105-3060.

This proposed facility is located in Palmyra Township, **Pike County**.

Description of Proposed Action/Activity: to discharge treated sewage from existing treatment plant (Receiving Stream) unnamed tributary to Keinhans Creek.

NPDES Permit No. PA-0029149. Sewage, **Ireland Hotels, Inc.**, Route 314, Pocono Manor, PA 18349.

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

Description of Proposed Action/Activity: to discharge sewage from the existing plant to Swiftwater Creek.

NPDES Permit No. PA-0061093. Sewage, **Monroe County Vocational Technical School**, P. O. Box 66, Laurel Lake Drive, Bartonsville, PA 18321.

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

Description of Proposed Action/Activity: discharge treated sewage from existing treatment plan to Pocono Creek.

NPDES Permit No. PA-0061484-A2. Sewage, **Corning Inc.**, Benton Park—Photonics, Franklin Valley Road, Fleetville, PA 18420-0228.

The proposed facility is located in Benton Township, **Lackawanna County**.

Description of Proposed Action/Activity: to discharge from a facility to an unnamed tributary to S. Branch Tunkhannock Creek.

WQM Permit No. 4001401. Sewerage, **John J. Hoffman**, R. R. 3, Box 489, Drums, PA 18222.

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

Description of Proposed Action/Activity: construction of a sanitary sewer collection and conveyance system and a pump station to serve the Breezy Acres Subdivision.

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

NPDES Permit No. PA0082759, Sewage, **Hopewell Township**, R. R. 1, Box 95, James Creek, PA 16657.

This proposed facility is located in Hopewell Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Shy Beaver Creek in Watershed 11-D.

NPDES Permit No. PA0024139, Amendment No. 1, Sewage, **Cumberland Township Authority**, North Plant, 1370 Fairfield Road, Gettysburg, PA 17325.

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

Description of Proposed Action/Activity: Authorization to discharge to Rock Creek in Watershed 13-D.

WQM Permit No. 0101401, Sewage, **Cumberland Township Authority**, 1370 Fairfield Road, Gettysburg, PA 17325.

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

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

WQM Permit No. 0694411 Amendment No. 01-1, Sewage, **North Heidelberg Sewer Company**, P. O. Box 477, Bernville, PA 19506.

This proposed facility is located in Jefferson Township, **Berks County**.

Description of Proposed Action/Activity: Authorization for modifications to the construction/operation of Pump Stations.

WQM Permit No. 2801401, Sewage, **Kelly M. Martin**, 1341 South Fifth Street, Chambersburg, PA 17201.

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

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

NPDES Permit No. PAG123511, CAFO, **Ronald E. Goss and Timothy R. Goss**, Goss Family Farm, 123 Decatur Road, McClure, PA 17841.

This proposed facility is located in Decatur Township, **Mifflin County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 606-AEU swine farm.

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

NPDES Permit No. PA0221970, Industrial Waste, **Greenville Borough Municipal Authority**, 44 Clinton Street, P. O. Box 628, Greenville, PA 16125.

This proposed facility is located in Greenville Borough, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Shenango River.

NPDES Permit No. PA0210030, Industrial Waste, **Knox Township Municipal Authority**, P. O. Box 130, Knoxdale, PA 15847.

This proposed facility is located in Knox Township, **Jefferson County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Indian Camp Run.

NPDES Permit No. PA0103641, Sewage, **Wilmington Township Sewer Authority**, Orchard Terrace Wastewater Treatment Plant, R. D. # 5, Box 469, New Castle, PA 16105.

This proposed facility is located in Wilmington Township, **Lawrence County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Little Neshannock Creek.

NPDES Permit No. PA0035581, Sewage, **McKean County Maintenance Facility**, Pennsylvania Department of Transportation, Bureau of Design, 7th Floor, Forum Place, 555 Walnut Street, Harrisburg, PA 17101-1900.

This proposed facility is located in Lafayette Township, **McKean County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Three Mile Run.

NPDES Permit No. PA0221961, Sewage, **Timberlee Valley Sanitary Company, Inc.**, 120 Brennan Lane, Evans City, PA 16033.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to Crab Run.

NPDES Permit No. PA0033201, Sewage, **Warren County School District**, Lander Elementary School, 14 Hospital Drive, Building 11, Warren, PA 16365-4885.

This proposed facility is located in Farmington Township, **Warren County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Kiantone Creek

NPDES Permit No. PA0033235, Sewage, **Warren County School District**, Pittsfield Elementary School, 14 Hospital Drive, Building 11, Warren, PA 16365-4885.

This proposed facility is located in Pittsfield Township, **Warren County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Brokenstraw Creek.

NPDES Permit No. PA0104108, Sewage, **North Beaver Township Municipal Authority**, Hickory View Terrace, 1460 Mount Jackson Road, New Castle, PA 16102.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to Hickory Run.

NPDES Permit No. PA0020044, Sewage, **Fredonia Municipal Authority**, 45 Water Street, Box 487, Fredonia, PA 16124.

This proposed facility is located in Fredonia Borough, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Mill Run.

NPDES Permit No. PA0093360, Sewage, **Lake Arthur Estates Mobile Home Park**, 2925 New Castle Road, Portersville, PA 16051.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Muddy Creek.

NPDES Permit No. PA0093378, Sewage, **Associated Ceramics & Technology Inc.**, 440 North Pike Road, Sarver, PA 16055-8634.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Sarver Run.

NPDES Permit No. PA0238503, Sewage, **D & D Subdivision**, R. D. # 1, Box 53A, Pittsfield, PA 16340.

This proposed facility is located in Pine Grove Township, **Warren County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Hatch Run.

NPDES Permit No. PA0238511, Sewage, **Peter M. and Emily J. Daloni**, 2646 Mercer-West Middlesex Road, West Middlesex, PA 16159.

This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Hogback Run.

NPDES Permit No. PA0238520, Sewage, **Camp Bucoco, Moraine Trails Council, BSA**, 830 Morton Avenue Extension, Butler, PA 16001.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Slippery Rock Creek.

WQM Permit No. 6200201, Industrial Waste, **United Refining Company**, 15 Bradley Street, Warren, PA 16365.

This proposed facility is located in Warren City, **Warren County**.

Description of Proposed Action/Activity: This project is to allow for emergency storage of wastewater during operational upsets with the ability to feed stored water back to the system after resolution of the problem and to also replace two aging oil/water separator tanks with two new improved tanks.

WQM Permit No. 1001405, Sewage, **Camp Bucoco, Moraine Trails Council, BSA**, 830 Morton Avenue Extension, Butler, PA 16001.

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

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve a summer camp and environmental center.

WQM Permit No. 4301407, Sewage, **Hermitage Municipal Authority**, 800 North Hermitage Road, Hermitage, PA 16148.

This proposed facility is located in Hermitage City, **Mercer County**.

Description of Proposed Action/Activity: This project is for the replacement of the Golden Run pump station and force main, provide sanitary sewerage service to the Sample Road area, eliminate the South Keel Ridge pump station and authorize sludge dewatering at the wastewater treatment works.

WQM Permit No. 1001406, Sewage, **Timberlee Valley Sanitary Company, Inc.**, 120 Brennan Lane, Evans City, PA 16033.

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

Description of Proposed Action/Activity: This project is for the expansion of an existing sanitary sewage treatment plant.

WQM Permit No. 2501410, Sewerage, **David J. Burek**, 35581 Brown Hill Road, Union City, PA 16438.

This proposed facility is located in LeBoeuf Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

WQM Permit No. 2501411, Sewerage, **Victor A. and Jennie M. Berti**, 2025 Market Street, Erie, PA 16510.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

WQM Permit No. 2001411, Sewerage, **Denise L. Seman**, 3225 Blair Avenue, Ashtabula, OH 44004.

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

Description of Proposed Action/Activity: This project is for a Single Residence.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

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

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10-G307	C & S Partnership 908 Sheridan Drive West Chester, PA 19382	Chester County Penn Township	East Branch Big Elk Creek (HQ)
PAS10-G430	Upper Uwchlan Township 140 Pottstown Pike Chester Springs, PA 19425	Chester County Upper Uwchlan Township	Palustrine Open Water Watershed to UNT of Pickering Creek (HQ-TSF)
PAS10-G442	Gambone Brothers Development Co. P. O. Box 287 1030 West Germantown Pike Fairview Village, PA 19409	Chester County Tredyffrin Township	Valley Creek (EV)
PAS10-G449	Texas Eastern Transmission Corp. 5400 Westheimer Court Houston, TX 77056	Chester and Delaware Counties Upper Uwchland, West Vincent, West Pikeland, Uwchlan, West Whiteland, East Whiteland, East Goshen and Willistown Townships and Edgemont and Ridley Townships and Brookhaven, Ridley Park and Eddystone Boroughs	Tributaries to the following: Pickering Creek (HQ-TSF), Pine Creek (HQ-TSF), Ridley Creek (HQ-TSF), Crum Creek (WWF-MF), Hunters Run (HQ-TSF) and Chrome Run (TSF-MF) and the following Creeks: Ridley Creek (HQ-TSF), Hunters Run (HQ-TSF), Crum Creek (WWF-MF) and Little Crum Creek (WWF-MF)
PAS10-G458	Land Associates, Inc. 1130 Pocopson Road West Chester, PA 19382	Chester County Franklin Township	Big Elk Creek and West Branch White Clay Creek (HQ, TSF) (TSF, MF)
PAS10-G461	Penndevco 402 Bayard Road, Suite 200 Kennett Square, PA 19348	Chester County Penn Township	East Branch Big Elk Creek (HQ-TSF)
PAS10-J048	Papermill Holding Company, Ltd. 110 Gallagher Road Wayne, PA 19087	Delaware County Newtown Township	Hunters Run/Crum Creek (CWF)

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10S095	Robert Latzanich 611 Belmont Mount Pocono, PA 18344	Monroe County Coolbaugh Township	Yankee & Red Runs HQ-CWF

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10O079	Steven Miller 88 S. Groffdale Rd. Leola, PA 17540	Lancaster County Fulton Township	Puddle Duck Creek (HQ-CWF)

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10B014	Lincroft, Inc. 207 Iron Bridge Road Freeport, PA 16229	Armstrong County South Buffalo Township	Pine Creek/HQ-TSF Buffalo Creek/HQ-TSF

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)

General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Ivyland Borough Bucks County	PAR10-D532	The DePaul Group 1750 Walton Road Blue Bell, PA 19422	Little Neshaminy Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Northampton Township Bucks County	PAR10-D560	Northampton Township 55 Township Road Richboro, PA 18954	Ironworks Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Solebury Township Bucks County	PAR10-D563	Solebury School District P. O. Box 429 New Hope, PA 18938	Primrose Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Plumstead Township Bucks County	PAR10-D484	Vernon Horn 5 Layle Lane Doylstown, PA 18901	Cabin Run Creek (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Doylestown Township Bucks County	PAR10-D520	Pisani-Kiriakidi 424 Bella Circle Doylestown, PA 18901	Pine Run Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Bedminster Township Bucks County	PAR10-D573	Gross Development Co. 762 East Main Street Lansdale, PA 19446	Deep Run Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Warminster Township Bucks County	PAR10-D552	Blue Marlin Associates 395 Jacksonville Road Warminster, PA 18974	Pennypack Creek (TSF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
New Britain Township Bucks County	PAR10-D505	Borden Farm Partnership P. O. Box 129 Horsham, PA 19044	Tributary Rail Road Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Falls Township Bucks County	PAR10-D580	Pennsbury School District P. O. Box 134 Fallsington, PA 19058	Queen Anne Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Phoenixville Borough Chester County	PAR10-G432	Chester County Parks and Recreation 601 Westtown Road Suite 160 West Chester, PA	Schuylkill River (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
West Bradford Township Chester County	PAR10-G382	General Residential Prop. 666 Exton Commons Exton, PA 19344	UNT to West Branch Brandywine Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Kennett Township Chester County	PAR10-G407	Wilkinson Builders 1020 Broad Run Road Landenberg, PA	East Branch Red Clay Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Kennett Township Chester County	PAR10-G411	Patricia A. DeFazio 15 Scarlett Road Kennett Square, PA	East Branch Red Clay Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
West Goshen Township Chester County	PAR10-G415	Chester County Fund 315 Willowbrook Lane West Chester, PA 19382	East Branch Chester Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Concord Township Delaware County	PAR10-J217	County of Delaware County Courthouse Media, PA 19063	Green Creek (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Tinicum Township Delaware County	PAR10-J178	Tinicum Township 629 Governor Printz Blvd. Essington, PA 19029	Longhook Creek (MF, WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Aston Township Delaware County	PAR10-J192	Nolen Companies 950 West Valley Forge Rd. King of Prussia, PA 19406	UNT Chester Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Chester Heights Borough Delaware County	PAR10-J210	Russell Gergelsy 458 Lenni Road Chester Heights, PA 19017	East Branch Chester Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Darby & Folcroft Townships Delaware County	PAR10-J213	County of Delaware 201 West Ford Street Media, PA 19063	Hornespoter Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Springfield Township Delaware County	PAR10-J215	Springfield Township 50 Powell Road Springfield, PA 19064	Stoney Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Upper Dublin Township Montgomery County	PAR10-T687	Sal Paone, Inc. 1120 N. Bethlehem Pike Spring House, PA 19477	Rose Valley Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
New Hanover Township Montgomery County	PAR10-T713	Gambone Bros. Devel. Co. 1030 W. Germantown Pk. Fairview Village, PA 19409	UNT to Minister Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Lower Salford Township Montgomery County	PAR10-T695	Westrum Development 370 Commerce Drive Ft. Washington, PA 19034	Indian Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Upper Providence Township Montgomery County	PAR10-T718	Country Estates Develop. 521 Kimberton Road Kimberton, PA 19442	Mingo Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Lower Salford Township Montgomery County	PAR10-T739	Lower Salford Township 474 Main Street Harleysville, PA 19358	UNT to Skippack Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Plymouth Township Montgomery County	PAR10-T714	Jones Brothers Contractors 310 West 12th Street Conshohocken, PA 19428	Diamond Run (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Lackawanna County S. Abington Township	PAR10N123	Dr. Elvin LaCoe 218 E. Grove St. Clarks Summit, PA 18411	Ackerly Creek CWF	Lackawanna County Conservation District (570) 281-9495
Exeter Township Berks County	PAR10C361	Ernest Werstler Exeter Township School District 3650 Perkiomen Ave. Reading, PA 19606	Antietam Creek Schuylkill River	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Cumru Township Berks County	PAR10C365	Angstadt Inc. William Angstadt	Schuylkill River	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Maidencreek Township Ontelaunee Township Berks County	PAR10C364	William Ulrich 1413 Fritztown Road Reinholds, PA 17569-9115	Lake Ontelaunee Willow Creek	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Bally Borough Berks County	PAR10C289	John Granahan 2001 Swinging Bridge Rd. Greenlane, PA 19054	W. Branch Perkiomen Creek	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Peters Township Franklin County	PAR10M236	Harry Fox Jr. 15 Montego Court Dillsburg, PA 17019	UNT to Conococheague Creek (WWF)	Franklin County Conservation District 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Spring Garden Township Springettsbury Twp. York County	PAR10Y527	Penn Dot District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Mill Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAR10Y517	Springettsbury Township 1501 Mt. Zion Rd. York, PA 17402	UNT to Mill Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
North Codorus Township York County	PAR10Y530	P. H. Glatfelter Co. 228 S. Main Street Spring Grove, PA 17362	UNT to Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
York City York County	PAR10Y531	City of York 3rd Floor 1 Market Way West York, PA 17401	Poorhouse Run to Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Chanceford Township York County	PAR10Y529	Tod Klunk 522 Runkle Road Felton, PA 17322	Pine Creek (CWF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Carroll Township York County	PAR10Y533	John Brady 6375 No. 8 Basehore Rd. Mechanicsburg, PA 17055	UNT to Yellow Breeches (CWF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
York York County	PAR10Y526	Hogg Farm L.P. 18 S. George Street 4th Floor York, PA 17401	UNT to Mill Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Manchester Township York County	PAR10Y523	Willow Creek LLC 214A Willow Valley Lakes Drive Willow Street, PA 17584	UNT to Little Creek (TSF)	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Ferguson Township Centre County	PAR10F137	Herbert Imbt Business Park John Imbt 821 Jackson Circle State College, PA 16801	Big Hollow Run CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Ferguson Township Centre County	PAR10F139	Foxpointe Subdivision PRD Richard Fortney S&A Custom Built Homes 501 Rolling Ridge Dr. State College, PA 16801	UNT. Big Hollow Run CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
State College Borough Centre County	PAR10F140	Penn State University Larry Bair 113 Physical Plant Bldg. University Park, PA 16801	UNT. Big Hollow Run CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Point Township Northumberland County	PAR104943	Sports Zone Gary Keister 1 Hemlock Lane Middleburg, PA 17842	Susquehanna River WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 988-4488
East Buffalo Township Union County	PAR106842	Charles Pursel 2249 W. Market St. Lewisburg, PA 17837	Turtle Creek WWF	Union County Conservation District 60 Bull Run Crossing Lewisburg, PA 17837 (570) 523-8782
<i>General Permit Type—PAG-3</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
City of Philadelphia Philadelphia County	PAR110042	SPD Technologies, Inc. 13500 Roosevelt Boulevard Philadelphia, PA 19116-4299	Byberry Creek and 3J-Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Bedminster Township Bucks County	PAR600010	Zober Properties, L.P. 451 Magnolia Avenue Croyden, PA 19021	Tohickon Creek—Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
<i>General Permit Type—PAG-4</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
York County North Codorus Township	PAG043521	Richard & Tamara Kern R. R. #1, Box 45-5B Seven Valleys, PA 17360	WWF/7H	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Pittsfield Township, Warren County	PAG048371	Jeffrey A. and Carolyn S. Confer R. R. #2, Box 204 Pittsfield, PA 16340-9749	Birch Springs Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
LeBoeuf Township, Erie County	PAG048732	David J. Burek 35581 Brown Hill Road Union City, PA 16438	Unnamed tributary to French Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township, Mercer County	PAG048407	Marc L. Hawks 29 Plum Road Greenville, PA 16125	Unnamed tributary to Big Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Waterford Township, Erie County	PAG048733	Victor A. and Jennie M. Berti 2025 Market Street Erie, PA 16510	Unnamed tributary to French Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Beaver Township Crawford County	PAG048737	Denise L. Seman 3225 Blair Avenue Ashtabula, OH 44004	Paden Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8 (SSN)

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
East Hopewell Township York County	PAG083505	Springettsbury Township 1501 Mt. Zion Rd. York, PA 17402	John Marsteller Farm 6 East Hopewell Township York County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

SAFE DRINKING WATER

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

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

Permit No. 0901508, Public Water Supply.

Applicant **St. John the Baptist School**
404 Durham Road
Ottsville, PA 18942
Township Nockamixon
County **Bucks**
Type of Facility Public Water Supply System
Consulting Engineer N/A
Permit to Construct May 25, 2001
Issued

Permit No. 4601505, Public Water Supply.

Applicant **Horsham Water and Sewer Authority**
617B Horsham Road
Horsham, PA 19044
Township Horsham
County **Montgomery**
Type of Facility Public Water Supply System

Consulting Engineer Carroll Engineering Corporation
949 Easton Road
Warrington, PA 18976
Permit to Construct May 30, 2001
Issued

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

Permit No. 7210029, Public Water Supply.
Applicant **PA American Water Company**
Borough or Township Fairview Township
County **Cumberland**
Type of Facility Operation permit for Chlor-Tec on site sodium hypochlorite generation system.

Consulting Engineer Bruce E. Juergens
Pennsylvania Water Company
800 W. Hersheypark Drive
Hershey, PA 17033
Permit to Operate May 22, 2001
Issued

Permit No. 3600508, Public Water Supply.

Applicant **Pleasant View Retirement Community**
Borough or Township Penn Township
County **Lancaster**

Type of Facility	Project is for the construction of a new booster pump station. The new pump house will include both domestic pumps and a relocated fire pump.	Consulting Engineer	Tom Harbert, P.E. L. Robert Kimball & Associates 4400 Deer Path Road Harrisburg, PA 17110
Consulting Engineer	David A. Madary 33 S. Broad Street Lititz, PA 17543	Permit to Operate Issued	May 8, 2001
Permit to Operate Issued	March 20, 2001	Permit No. 0197504 , Public Water Supply.	
Permit No. 2299502 , Public Water Supply.		Applicant	Gettysburg Municipal Authority
Applicant	United Water Pennsylvania	Borough or Township	Cumberland Township
Borough or Township	Hummelstown Borough	County	Adams
County	Dauphin	Type of Facility	The Department has issued an Operation Permit authority use of the new 3.1 MGD Marsh Creek potable water filter plant.
Type of Facility	Operation of a Clor-Tec on site liquid sodium hypochlorite generation unit.	Consulting Engineer	Brian S. Funkhouser, P.E. Buchart Horn, Inc. 55 S. Richland Avenue York, PA 17405-7055
Consulting Engineer	R. Michael Gephart, P.E. United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111	Permit to Operate Issued	January 18, 2001
Permit to Operate Issued	February 28, 2001	Permit No. 3801504 , MA Minor Amendment, Public Water Supply.	
Permit No. 2299501 , Public Water Supply.		Applicant	City of Lebanon Authority
Applicant	United Water Pennsylvania	Borough or Township	City of Lebanon
Borough or Township	Susquehanna Township	County	Lebanon
County	Dauphin	Type of Facility	Replacement of filter media in Filter Nos. 4, 5 and 6.
Type of Facility	Operation of Clor-Tec on site liquid sodium hypochlorite generation unit.	Consulting Engineer	Gene C. Koontz, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Consulting Engineer	R. Michael Gephart, P.E. United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111	Permit to Operate Issued	May 22, 2001
Permit to Operate Issued	February 28, 2001	Permit No. 2200508 , MA Minor Amendment, Public Water Supply.	
Permit No. 7366118 , Public Water Supply.		Applicant	Gratz Borough Water Authority
Applicant	Crystal Spring Water Company	Borough or Township	Gratz Borough
Borough or Township	Millcreek Township	County	Dauphin
County	Lebanon	Type of Facility	Installation of Soda Ash chemical feed system for pH/alkalinity adjustment for LCR corrosion control treatment.
Type of Facility	Operation of modifications to an existing loading building. In addition, the withdrawal of water from Arrowhead Spring No. 3 will be increased from 90,000 gpd to 300,000 gpd.	Consulting Engineer	Max E. Stoner, P.E. Glace Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011
Consulting Engineer	Daniel J. Barton, P.E. Crouse & Company 400 Penn Center Boulevard Pittsburgh, PA 15235	Permit to Construct Issued	February 8, 2001
Permit to Operate Issued	August 17, 2000	Permit No. 3101502 , MA Minor Amendment, Public Water Supply.	
Permit No. 2198501 , Public Water Supply.		Applicant	Youth Forestry Camp # 3
Applicant	White Rock Water Corp.	Borough or Township	Todd Township
Borough or Township	Monroe	County	Huntingdon
County	Cumberland	Type of Facility	Modifications to the piping configuration of the greensand filters.
Type of Facility	Operation of Khun Road pump station		

Consulting Engineer Kas Janardhana
 Dept Public Welfare Bureau Facilities
 Management
 1401 N. Seventh Street
 Harrisburg, PA 17105-2675
 March 6, 2001

Permit to Operate
 Issued

Permit No. 2299505, MA Minor Amendment, Public Water Supply.

Applicant **Middletown Borough Authority**
 Borough or Township Middletown Borough
 County **Dauphin**
 Type of Facility Operation of a chemical treatment building for Well Nos. 1 & 2. Also modifications to Well Nos. 1 & 2 and the filter building.

Consulting Engineer Mikel V. Geisler, P.E.
 CET Engineering Services
 1240 N. Mountain Road
 Harrisburg, PA 17112
 February 23, 2001

Permit to Operate
 Issued

Permit No. 6700505, MA Minor Amendment, Public Water Supply.

Applicant **Stewartstown Borough Authority**
 Borough or Township Hopewell Township
 County **York**
 Type of Facility The Department has issued a Construction Permit for a 16,000 L.F. finished water main to interconnect the Stewartstown Borough and York Water Company distribution systems. The York Water Company will be used as a source of supply for the Stewartstown system.

Consulting Engineer Dennis E. Sarpen, P.E.
 Holley & Assoc.
 18 S. George Street
 York, PA 17402

Permit to Construct
 Issued March 21, 2001

Permit No. 0196504-T1, Public Water Supply.

Applicant **Insite Development, LLC**
 Borough or Township Berwick Township
 County **Adams**
 Type of Facility Operation Permit for the Eagle View Mobile Home Park community water system. System consists of one well, sodium hypochlorite disinfection, pH adjustment using caustic soda, a finished water standpipe and a distribution system.

Consulting Engineer David J. Gettle
 Kohn Bros., Inc.
 P. O. Box 350
 Myerstown, PA 17067
 May 11, 2001

Permit to Operate
 Issued

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

Permit No. 0401502, Public Water Supply.

Applicant **Vanport Township Municipal Authority**
 285 River Avenue
 Vanport, PA 15009
 Vanport Township
Beaver
 Well No. 3R
 KLH Engineers Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Permit to Construct Issued June 5, 2001

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

Operations Permit issued to **Windsor MHP**, 2871 Route 6N East, Edinboro, PA 16412, Washington Township, **Erie County** on May 30, 2001.

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631–641) relating to the acquisition of rights to divert waters of the Commonwealth.

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

WA 67-1013, Water Allocations. Stewartstown Borough Authority, York County. The Authority was granted the right to purchase up to 12.0 million gallons per month, but not to exceed 300 gallons per minute from the York Water Company. Consulting Engineer: Charles A. Kehew II, P.E., James R. Holley & Assoc., Inc. Permit Issued: March 21, 2001.

WA 5-512E, Water Allocations. Bedford Borough Water Authority, Bedford County. The Authority was granted the right to withdraw 0.4 million gallons per day (mgd), based on a 30 day average, from the J. C. Smith Reservoir; 0.3 mgd, based on a 30 day average, from the Todd Reservoir; 0.2 mgd, based on a 30 day average, from the Milburn Reservoir; and a maximum of 1.8 mgd, when available, from the Raystown Branch of the Juniata River, located in Bedford Township, Bedford County. Furthermore, the Authority is granted the right to withdraw up to a maximum of 1.8 mgd from the J. C. Smith Reservoir and/or the Todd Reservoir provided that water is discharging over the reservoir spillways as a result of the reservoirs being at full capacity and/or the water level in the reservoirs is within 24 inches (2 feet) of the full capacity water elevation. A combined maximum withdrawal from all sources regardless of flow regime shall be 1.8 mgd. Consulting Engineer: Stuart W. Sibold, P.E., The EADS Group Permit Issued: March 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:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Greene Township	1145 Garver Lane Scotland, PA 17254	Franklin County

Plan Description: The approved plan provides for a sewer extension to serve 5 existing residential lots on East Conocodell Drive. 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>
Cumru Township	1775 Welsh Road Mohnton, PA 19540	Berks County

Plan Description: The approved plan provides for a 1,200 foot gravity sewer extension to serve the Kohl's Mill Area in the Wyomissing Creek Drainage Basin. The extension would run 1,200 feet south along Wyomissing Road to the intersection of Wyomissing Road and Vermont Rd. 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.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL**Plan Disapprovals 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: Located on the west side of SR 0194, south of East Berlin Borough in Hamilton Township, Adams County

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hamilton Township	272 Mummert's Church Rd. Abbotstown, PA 17301	Adams County

Plan Description: The plan was disapproved because the plan did not include documentation the township adequately considered the comments of the Adams County Planning Commission. Also, there was no implementation schedule included with the plan as required by Chapter 71.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**UNDER ACT 2, 1995****PREAMBLE 2****The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Depart-

ment) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected.

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

The Department has received the following final reports:

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

Menno Realty Company, Hilltown Township, **Bucks County**. Eric B. Rosina, Storb Environmental, Inc., 410 N. Easton Road, Willow Grove, PA 19090, on behalf of Menno Realty, 771 Route 113, Souderton, PA 18064, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Peco Collegeville, Former Acetylene Plant, Collegeville Borough, **Montgomery County**. Allan Fernandes, PECO Energy Co., 2301 Market St., P. O. Box 8699, Philadelphia, PA 19101-8699, on behalf of Alberta Lewis, 60 E. Fifth Ave., Collegeville, PA, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Santiago Property, City of Reading, **Berks County**. Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 (on behalf of Eduardo Santiago, 321 West Greenwich Street, Reading, PA 19601) has submitted a Final Report within 90 days of a release concerning remediation of site soils contaminated with BTEX and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

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

CDR Pigments, 75 Front St., Ridgway, PA, **County of Elk**, Ridgway Borough, has submitted a Risk Assessment Report concerning remediation of the site soil, groundwater and surface water contaminated with lead, heavy metals, solvents and BTEX. The report is intended to document remediation of the site to meet the Site Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

Park Chase Apartments, City of Philadelphia, **Philadelphia County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Park Chase Associates, LP, 115 New St., Glenside, PA 19038, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with BTEX, polycyclic aromatic hydrocarbons and naphthalene. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 16, 2001.

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

Flint Inc. Corporation, City of Lancaster, **Lancaster County**. URS Corporation, 2325 Maryland Road, Willow Grove, PA 19090 (on behalf of Flint Ink Corporation, 216 Greenfield Road, Lancaster, PA 17601 and RR Donnelley & Sons Company, 1375 Harrisburg Pike, Lancaster, PA 17601) submitted a final report concerning the remediation of site soils contaminated with BTEX. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 4, 2001.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Former Furnival Machinery Company, Chester Hill Borough, **Clearfield County**. Apex Environmental, Inc., on behalf of their client Furnival Machinery Company, 2240 Bethlehem Pike, Hatfield, PA 19440, has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with BTEX and PHCs. The report was approved by the Department on May 24, 2001.

Matthews Motors—Covington Site, Covington Township, **Tioga County**. Brooks Petroleum Contracting Company, R. R. 7, Box 141, Wellsboro, PA 16901, on behalf of Putnam Company, 5 East Avenue, Wellsboro, PA 16901, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with BTEX. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on May 23, 2001.

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

Spang Specialty Metal Plant, 154 Eastbrook Lane, East Butler, PA 16029, Summit Township, **Butler County** and Robert J. Valli P.G. of Civil and Environmental Consultants, Inc., 333 Baldwin Rd., Pittsburgh, PA 15205, has submitted a Risk Assessment Report concerning remediation of Sediment contaminated with Heavy Metals. The report was approved by the Department on May 24, 2001.

Caparo Steel Company Area of Concern (AOC)—2 Former Triangle Waste Area, City of Farrell, **Mercer County** and Paul Wojciak of Environmental Management Associates, 10925 Perry Highway, Wexford, PA on behalf of Caparo Steel has submitted a Final Report concerning remediation of soil contaminated with lead and heavy metals. The report was approved by the Department on May 24, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

HAZARDOUS WASTE TRANSPORTER LICENSE RENEWED

Allstate O.R.C., Inc., 473 Hamburg Turnpike, West Milford, NJ 07480-3746. License No. **PA-AH 0564**. Effective May 22, 2001.

Nappi Trucking Corporation, P. O. Box 510, Matawan, NJ 07747. License No. **PA-AH 0278**. Effective May 30, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE EXPIRED

Fort Transfer Co., P. O. Box 457, Morton, IL 61550. License No. **PA-AH 0357**. Effective June 1, 2001.

Initial DSI Transports, Inc., P. O. Box 674421, Houston, TX 77267-4421. License No. **PA-AH 0619**. Effective June 1, 2001.

J. T. Sands Corp., P. O. Box 2262, Zanesville, OH 43702-2262. License No. **PA-AH 0483**. Effective June 1, 2001.

Med-Trac, Inc., 715 William Pitt Way, Pittsburgh, PA 15238. License No. **PA-AH 0561**. Effective June 1, 2001.

Skowf, Inc., P. O. Box 12327, Columbia, SC 29211. License No. **PA-AH 0620**. Effective June 1, 2001.

Sturgeon and Son, Inc., P. O. Box 2840, Bakersfield, CA 93303-2840. License No. **PA-AH 0563**. Effective June 1, 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. WMGR066. S & M Waste Oil (PA), Inc., P. O. Box 1429, Routes 6 & 209, Milford, PA 18337-2429. General Permit No. WMGR066 is for the operation of a transfer facility for waste oil, oil/water mixtures, fuel oil and fuel oil tank bottoms prior to beneficial use as waste oil fuel. The permit was issued by Central Office on June 1, 2001.

Persons interested in reviewing the general permit may contact 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.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Approved under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or 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. WMR035D001. Petroleum Recycling Corp., 597 Glen Meadow Road, Richboro, PA

18954. Description: The processing of tank clean-out sludges, separator clean-out sludges, oil spill clean-up residue, waste oil/water emulsions, by chemical and physical means and thermal separation to produce and "on specification" waste oil fuel. The facility is located at 3000 East Ontario Street, Philadelphia, PA 19134. The Department approved the determination of applicability on May 30, 2001.

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

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. WMGR036D001. Global Re-refining Ltd., P. O. Box 591, Donora, PA 15033. General Permit Number WMGR036 for the processing of used oil and used paraffinic hydraulic oil prior to beneficial use as No. 2 fuel oil, lubricating oil base stock and asphalt base materials. The processing involves preheating, hydro-treating, solids separation, a high and low pressure phase of gas and liquids separation followed by vacuum distillation. The Department determined the request was not complete and that the facility was now ineligible for general permitting under 25 Pa. Code § 298.50(c)(2). The determination of applicability was denied by Central Office on June 4, 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.

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

GP3-29-03006: H. B. Mellott Estate, Inc. (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) authorized use of a general permit for the construction/operation of a portable nonmetallic mineral processing plant located at the Smith Pit Quarry in Thompson Township, **Fulton County**.

GP3-36-03127: Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) authorized use of a general permit for the construction/operation of a portable nonmetallic mineral processing plant in Caernarvon Township, **Lancaster County**.

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

GP5-14-03: Mid-East Oil Co. (P. O. Box 1378, Indiana, PA 15705) on May 16, 2001, for construction and operation of a 945 horsepower natural gas-fired reciprocating internal combustion engine under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at the Confer site in Burnside Township, **Centre County**.

GP4-49-01: Advanced Metal Coatings, Inc. (1200 Mathew Street, Watsonstown, PA 17777) on May 21, 2001, for construction and operation of a burn-off oven under the General Plan Approval and General Operating Permit

for Burnoff Ovens (BAQ-GPA/GP-4) in Watsontown Borough, **Northumberland County**.

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

GP-24-025: Alpha Sintered Metals, Inc. (Montmorenci Road, Ridgway, PA 15853) issued May 31, 2001, for operation of 15 sintering furnaces in Ridgway, **Elk County**.

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

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

09-00013: Wheelabrator Falls, Inc. (1201 New Ford Mill Road, Morrisville, PA, 19067) in Falls Township, **Bucks County**. The modified Title V permit incorporates the requirements of 09-0013 for the two municipal waste combustors. The modification include changes to Site Conditions #030 and 037 and Group level Conditions #013, 014 and 015, as well as supporting monitoring and record keeping requirements.

46-00006: Allegro MicroSystems, Inc. (3900 Welsh Road, Willow Grove, PA 19090) in Upper Moreland Township, **Montgomery County**. Title V Operating Permit minor modification issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462. Modification for installation of Plasma Enhanced Chemical Vapor Deposition System at an existing facility.

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

08-313-003C: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 18848-0504) on May 24, 2001, to allow several minor pieces of phosphor processing equipment to be controlled by existing air cleaning devices other than those previously specified in the operating permit in North Towanda Township, **Bradford County**.

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).

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

39-309-055: Lafarge Corp. (5160 Main Street, Whitehall, PA 18052) on May 21, 2001, for modification of the No. 1 finish mill at the Whitehall Plant in Whitehall Township, **Lehigh County**.

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

49-301-015A: Wildwood Cemetery Co. (1151 Cemetery Street, Williamsport, PA 17701) on May 2, 2001, for construction of a crematory incinerator at Pomfret Manor Cemetery in the City of Sunbury, **Northumberland County**.

17-399-021: Wickett and Craig of America, Inc. (120 Cooper Road, Curwensville, PA 16833) on May 7, 2001, for construction of a fertilizer manufacturing facil-

ity and associated air cleaning devices (a condenser, a packed bed scrubber and a fabric collector) in Curwensville Borough, **Clearfield County**.

47-318-009B: Aldan Acquisition, Inc. (115 Woodbine Lane, Danville, PA 17821-9118) on May 15, 2001, for construction of a rubber coated cloth drying oven (festoon oven) to be controlled by an existing air cleaning device (a thermal oxidizer) in Mahoning Township, **Montour County**.

53-00005A: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on May 15, 2001, for construction of a 1085 horsepower natural gas-fired auxiliary generator at the Greenlick Compressor Station in Stewardson Township, **Potter County**. This is a Title V facility.

59-00005C: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on May 15, 2001, for installation of air cleaning devices (screw-in prechambers) on five 1300 horsepower natural gas-fired reciprocating internal combustion compressor engines at the Sabinsville Compressor Station in Clymer Township, **Tioga County**.

14-310-017L: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on May 15, 2001, for construction of stone conveying equipment and associated air cleaning device (a water spray dust suppression system) in Spring Township, **Centre County**. The conveying equipment is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

55-399-003A: Penn Lyon Homes, Inc. (Airport Road, P. O. Box 27, Selinsgrove, PA 17870) on May 16, 2001, for construction of prefabricated housing wood door, cabinet and trim surface coating and gluing operations in Monroe Township, **Snyder County**.

49-0007B: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821-0600) on May 16, 2001, for modification of an Avermectin wastewater detoxification system, said modification consisting of a 10.78 ton per 12 consecutive month increase in the allowable volatile organic compound emission rate, at the Cherokee Plant in Riverside Borough, **Northumberland County**.

18-00005A: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on May 25, 2001, for installation of an air cleaning device (a multi-point fuel injection system) on an 1100 horsepower natural gas-fired reciprocating internal combustion compressor engine at the Finnefrock Compressor Station in Leidy Township, **Clinton County**.

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

26-516A: Amerikohl Mining, Inc. (P. O. Box 427, Acme, PA 15601) on May 21, 2001, for operation of a Portable Coal Crusher at Nicholson II Surface Mine in Springfield Township, **Fayette County**.

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

61-012B: OMG Americas (2 Mile Run Rd., Franklin, PA 16323) on May 22, 2001, for modifications to Reactor 07 in Sugar creek Borough, **Venango County**.

Plan Approvals Extensions Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.13 (relating to extensions).

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

28-03025: Wenger's Feed Mill, Inc. (P. O. Box 26, Rheems, PA 17570-0026) on April 3, 2001, to authorize temporary operation of feed mill operations at the Shipensburg Plant, covered under this Plan Approval until July 31, 2001, in Southampton Township, **Franklin County**.

36-05015B: Dart Container Corporation (60 East Main Street, Leola, PA 17540) on May 29, 2001, to authorize temporary operation of direct injection foam processing operations at the Leola Plant, covered under this Plan Approval until September 25, 2001, in Upper Leacock Township, **Lancaster County**.

07-305-001A: Tyrone Synfuels, LP (160 Quality Center Road, Homer City, PA 15748) on May 29, 2001, to authorize temporary operation of a fuel production facility controlled by a coal hammer mill baghouse, a cooler dust cyclone and a dryer baghouse, covered under this Plan Approval until September 26, 2001, in Snyder Township, **Blair County**.

22-301-058: Pennsylvania Department of Agriculture (2301 North Cameron Street, Harrisburg, PA 17110) on May 19, 2001, to authorize temporary operation of an animal health laboratory multi-chambered incinerator controlled by a venturi-wet scrubber and a mist eliminator, covered under this Plan Approval until September 15, 2001, in Susquehanna Township, **Dauphin County**.

67-317-033C: Starbucks Coffee Company (3000 Espresso Way, York, PA 17402) on May 27, 2001, for the construction of a coffee roaster controlled by a cyclone and catalytic oxidizer at the York Roasting plant, covered under this Plan Approval until September 23, 2001, in East Manchester Township, **York County**.

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

55-0005B: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) on May 22, 2001, to extend the deadline for performance of volatile organic compound stack testing on a wood cabinet molding finishing operation and associated air cleaning device (a regenerative thermal oxidizer) to August 3, 2001, as well as to extend the authorization to operate the respective finishing operation on a temporary basis until September 19, 2001, in Middlecreek Township, **Snyder County**.

53-0009D: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512) on May 25, 2001, to extend authorization to operate a 4445 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine 1A) on a temporary basis until September 22, 2001, as well as to extend the deadline for the performance of nitrogen oxides, carbon monoxide, volatile organic compound and formaldehyde stack testing on said engine to September 22, 2001 at the Ellisburg Compressor Station in Allegany Township, **Potter County**.

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

65-307-054B: Teledyne, Inc. (100 River Road, Brackenridge, PA 15014) on May 31, 2001, for operation of an EAF Oxygen Lance & AOD Vessel at Teledyne Allvac in Derry Township, **Westmoreland County**.

65-910A: McKnight Cylinder Co. (168 Pattern Shop Road, R. D. 1, Box 338, Ruffsdale, PA 15679) on May 31, 2001, for operation of a Cylinder Reconditioner in South Huntingdon Township, **Westmoreland County**.

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

10-285B: Waste Management Disposal Services of PA Inc.—Northwest Sanitary Landfill (1436 West Sunbury Road, West Sunbury, PA 16061) on May 31, 2001, for a flare system in Clay Township, **Butler County**.

24-318-001A: Osram Sylvania Inc. (835 Washington Road, St. Marys, PA 15857) on April 30, 2001, for an amorphous silica coating process in Benzinger Township, **Elk County**.

37-307A: Hobel Brothers Co./Slippery Rock Salvage (214 Gardner Avenue, New Castle, PA 16107) on May 30, 2001, for an enclosed steel ingot cutting operation in New Castle, **Lawrence County**.

Plan Approval Minor Modification 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).

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

01028 and 01029: Gasket Materials Corp. (80 East Morris Street, Philadelphia, PA 19148) on May 8, 2001, to modify permit condition No. 2 which shall now read: "This letter amends Installation Permit Nos. 94249 and 94397, the Permit Approval Condition Letter of 2/3/95 and AMS Letter of 1/29/97. The daily aggregate of the actual Volatile Organic Compound (VOC) emissions from the coating operation at Gasket Materials facility in the City of Philadelphia, **Philadelphia County** including laminating, shall not exceed 3.87 pounds of VOC per gallon of solids applied. ..." The original limit was 3.88 pounds of VOC per gallon of solids applied.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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).

Coal Permits Issued

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

17960113. Sky Haven Coal, Inc. (R. D. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine permit in Covington and Karthaus Townships, **Clearfield County** affecting 321.5 acres. Receiving stream—Curley's Run, Curley's Run to West Branch Susquehanna River. Application received: March 26, 2001. Permit issued: May 23, 2001.

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

30743711. RAG Cumberland Resources L.P. (P. O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Cumberland Coal Refuse Disposal in Whiteley Township, **Greene County** to renew permit, no additional discharges. Permit issued May 22, 2001.

03901302. TJS Mining Inc., (R. D. #1, Box 260D, Shelocta, PA 15774), to renew the permit for the TJS No. 1 Deep Mine in South Bend Township, **Armstrong County**, to renew the existing deep mine permit, no additional discharges. Permit issued May 23, 2001.

Noncoal Permits Issued

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

08000806. Brian M. Edsall (R. R. 2, Box 94-A, Towanda, PA 18848), commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit in Asylum Township, **Bradford County** affecting 5 acres. Receiving stream—Susquehanna River, Towanda Creek, tributary to East Branch Susquehanna River. Application received: August 25, 2000. Permit issued: May 16, 2001.

08010806. Gary Heath & Stephen T. Schmeckenbecher (R. R. 1, Box 31, Towanda, PA 18848), commencement, operation and restoration of a Small Industrial Minerals (Topsoil) permit in Towanda Township, **Bradford County** affecting 2 acres. Receiving stream—Susquehanna River. Application received: March 19, 2001. Permit issued: May 25, 2001.

08000805. Wilmer Chilson (R. D. 2, Box 140 CH2, Towanda, PA 18848), commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit located in Asylum Township, **Bradford County** affecting 1 acre. Receiving stream—unnamed tributary to Durrell Creek to Susquehanna River. Application received: July 5, 2000. Permit issued: May 23, 2001.

08010802. John Preston (R. R. 1, Box 20, Wyalusing, PA 18853), commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit located in Wyalusing Township, **Bradford County** affecting 2 acres. Receiving stream—unnamed tributary, tributary to Billings Creek. Application received: February 1, 2001. Permit issued: May 23, 2001.

**FEDERAL WATER POLLUTION CONTROL ACT
SECTION 401**

The Department of Environmental Protection 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 of Environmental Protection certifies that the construction and operation herein described will comply with the appli-

cable 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 §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

Permits Issued and Actions on 401 Certifications:

**WATER OBSTRUCTIONS AND
ENCROACHMENTS**

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

The Philadelphia Cricket Club, 415 West Willow Grove Avenue, Philadelphia, PA 19118, Whitmarsh Township, **Montgomery County**, ACOE Philadelphia District.

E46-876. To perform the following water obstructions and encroachment activities which will impact a total of 898 linear feet of Lorraine Run (TSF), unnamed tributaries and 0.14 acre of adjacent wetland (PFO) associated with the construction of the Philadelphia Cricket Club Golf Course:

1. To install and maintain 13 stormwater outfalls.
2. To install and maintain eight golf cart bridges.
3. To construct and maintain a golf course pond along the bank and within the floodway of Lorraine Run associated with hole No. 13.
4. To place fill within approximately 570 linear feet of an unnamed tributary to Lorraine Run associated with the construction of a new settling pond in accordance with mining permit No. 8074SM2T2 and to construct and maintain 260 linear feet of new channel originating at the mining discharge point.

The site is bounded by Joshua Road and Fort Washington State Park to the north, West Valley Green Road to the south and Stenton Avenue to the west (Germantown,

PA Quadrangle N: 20.05 inches; W: 15.0 inches). The permittee agrees to provide 0.29 acre of replacement wetlands.

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

E54-283. Jan W. Crocker, 1115 Elm Street, Bethlehem, PA 18018-2909. South Manheim Township, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

Construct and maintain a 12-foot by 14-foot boat slip by modifying an existing railroad tie bulkhead and excavating landward along the shoreline of Lake Wynonah. The project is located in Pinto Cove of the Lake Wynonah Resort Development along the northern shore of the lake (Friedensburg, PA Quadrangle N: 6.9 inches; W: 6.8 inches) in South Manheim Township, Schuylkill County.

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

E36-714. Thomas Aaron, Drumore Township, 1675 Furniss Road, Drumore, PA 17518 in Drumore Township, **Lancaster County**, ACOE Baltimore District.

To remove the existing bridge and to construct and maintain a concrete box culvert having a span of 17 feet by 6 feet underclearance at the channel of Peters Creek (HQ-WWF) on Goshan Mill Road (T-375) located about 1.14 miles south of Hensel Village (Wakefield, PA Quadrangle N: 10.0 inches; W: 10.3 inches).

E07-344. James Fiore, Fiore Pontiac GMC, P. O. Box 1033, Altoona, PA 16603 in Allegheny Township, **Blair County**, ACOE Baltimore District.

To place fill in 0.5 acre of wetlands adjacent to Brush Run (WWF) at a point along Route 36 approximately 1 mile north of Hollidaysburg for the purpose of expanding an existing parking lot (Hollidaysburg, PA Quadrangle N: 14.2 inches; W: 2.8 inches).

E06-551. George Moyer, 231 Frystown Road, Myersstown, PA 17067 in Bethel Township, **Berks County**, ACOE Philadelphia District.

To construct and maintain a nonjurisdictional water impoundment as a result of developing a farm pond by excavating and filling 0.51 acre of wetlands and about 270 linear feet of stream channel of an unnamed tributary to Little Swatara Creek (CWF) for the purpose of providing fire protection and water supply for crop irrigation located on the north side of Frystown Road (SR 4002) about 0.89 mile east of its intersection with SR 0645 (Bethel PA Quadrangle N: 14.33 inches; W: 9.66 inches).

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

E12-121. Pennsylvania Department of Conservation and Natural Resources, R. R. 1, Box 212, Emporium, PA 15834. East Cowley Run Bridge Replacement, in Portage Township, **Cameron County**, ACOE Baltimore River Basin District (Emporium, PA Quadrangle N: 17.5 inches; W: 8.0 inches).

To remove an existing structure and construct, operate and maintain a single span bridge across East Cowley Run to provide public access within Sizerville State Park. The bridge shall be constructed with a minimum span of 20-feet, width of 16.8-feet and underclearance of 6-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 2,800-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.

E53-349. David G. Saulter, Box 247, Baker Creek Road, Coudersport, PA 16915. Private Bridge, in Hebron Township, **Potter County**, ACOE Pittsburgh District (Oswayo, PA Quadrangle N: 2.25 inches; W: 5.5 inches).

To remove the existing wooden bridge structure and construct, operate and maintain a new single span, single residence bridge structure over the South Branch of Oswayo Creek. The structure will be constructed on concrete abutments and wing walls and anchored with reinforced footers. This permit also authorizes raising the grades of the approaches and incorporating three 16-inch diameter relief culverts to continue drainage to the wetlands on either side of the crossing. This project is located 1.2 miles south of Coneville on SR 44 (Oswayo, PA Quadrangle, N: 2.25 inches, W: 5.5 inches) Hebron Township, Potter County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E53-355. Gary A. Buchsen, 918 East Second Street, Coudersport, PA 16915. Buchsen Footbridge Across Mill Creek, in Coudersport Borough, **Potter County**, ACOE Pittsburgh District (Sweden Valley, PA Quadrangle N: 3 inches; W: 14 inches).

To construct, operate and maintain a single span steel I-beam footbridge across Mill Creek to provided access to hiking trails. The footbridge shall be constructed with a minimum single span of 33-feet, width of 4-feet and underclearance of 5-feet. Construction will also include the installing 20-feet of R-4 riprap that shall be installed in dry work conditions by the use of dams and pumping or fluming stream flow around the work area. The project is located along the southern right-of-way of SR 0006 approximately 2,000-feet east of SR 0872 and SR 0006 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E55-178. Jeffery and April Goss, R. R. 2, Box 258G, Selinsgrove, PA 17870. Goss Property, in Shamokin Dam Borough, **Snyder County**, ACOE Baltimore District (Sunbury, PA Quadrangle N: 22 inches; W: 9.6 inches).

To construct, operate and maintain an 18 foot diameter aboveground swimming pool, 60 lineal feet of dike embankment, one wooden foot bridge measuring 3 feet by 45 feet, one wooden vehicular bridge measuring 7 feet by 15 feet, 10 ton of miscellaneous fill and 200 lineal feet of riprap stream bank protection on an unnamed tributary to the West Branch of the Susquehanna River. This project is located .75 mile north on SR 15 from the intersection with SR 11 in Shamokin Dam Borough, Snyder County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

ENVIRONMENTAL ASSESSMENTS

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

EA37-001NW. Erskin Resources, Inc., P. O. Box 78, Hillsville, PA Hillsville-New Castle Limestone Quarry Road Reclamation Project in Mahoning Township, **Lawrence County**, ACOE Pittsburgh District (Campbell, OH-PA Quadrangle N: 8.0 inches; W: 1.3 inches).

To fill 0.98 acre of wetlands and to construct 1.10 acres of onsite wetlands associated with the grading and reclamation at an abandoned limestone mine site.

STORAGE TANKS
SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

SSIP

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-02-017	Michelle F. Duncan Orion Power MidWest L.P. 2000 Cliff Mine Road Suite 200 Pittsburgh, PA 15275-1008	Allegheny	Borough of Springdale	4 ASTs storing Aqueous Ammonia	42,700 gallons each

SPECIAL NOTICES

RADIATION PROTECTION

Amendment to exemption issued under the Radiation Protection Act (35 P. S. §§ 7110.101—7110.704) and 25 Pa. Code § 215.31 (relating to exemptions).

Southeast Region: Radiation Protection Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Dr. Ivna Shanbaky, Radiation Protection Manager, (610) 832-6032.

Issued May 14, 2001, to **Fox Chase Cancer Center**, 7701 Burholme Avenue, Philadelphia, PA, 19111; Registration Number **10-03410**: an amendment to exemption from regulation relating to leakage of radiation outside the patient area.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of May 2001 the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Arick Amspacker	3262 Reeve Drive Bethlehem, PA 18020	Testing
Brian Bacchus	251 Fox Meadow Drive Wexford, PA 15090	Testing
Jay Bauder	3 Yoder Lane Newmanstown, PA 17073	Mitigation
Benchmark Pro. Home Insp.	219 West Grove Street Clarks Summit, PA 18411	Testing
Melanie Bollinger	418 Fleming Road Sarver, PA 16055	Testing
H. Edward Carr, Jr. EIC, Inc.	780 Eden Road Lancaster, PA 17601	Mitigation
Lois Distenfeld	4326 Crestview Road Harrisburg, PA 17112	Testing Laboratory
LDH Waterproofing & RN Control	218 D West Main Street Leola, PA 17540	Mitigation
Robert Meyer, Jr.	2843 North Front Street Harrisburg, PA 17110	Mitigation
Brian Reuss HouseMaster Home Inspections	20300 Route 19, Suite 138 Cranberry Township, PA 16066	Testing
Mark Salasky Landauer, Inc.	2 Science Road Glenwood, IL 60425	Laboratory
Michael Schneider	8466 Conventry Drive Allison Park, PA 15101	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Todd Giddings & Associates, Inc.	3049 Enterprise Drive State College, PA 16801	Testing
ValueGuard USA, Inc.	123 Coulter Avenue, Suite 206 Ardmore, PA 19003	Testing

[Pa.B. Doc. No. 01-1051. Filed for public inspection June 15, 2001, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

State Surplus Property Program; Request for Bids

Under the provisions of Act 57 of 1998, the Department of General Services, State Surplus Property Program is offering for sale to counties, boroughs, incorporated towns, cities and townships the following items:

<i>Item</i>	<i>Make</i>	<i>Eq. No.</i>	<i>Location</i>
1. Rubber Tire Loader	John Deere	110-2040	PA Dot, Waterford, PA
2. Belt Loader	Athey	140-5369	PA Dot, Waterford, PA
3. Rubber Tire Loader	John Deere	045-2040	PA Dot, Warren, PA
4. Earth Moving Eq./Grader	Champion	042-1682	PA Dot, E. Rochester, PA
5. Loader	Case	309-2056	PA Dot, Waynesburg, PA
6. Loader	Case	302-2056	PA Dot, Waynesburg, PA
7. Belt Loader	Athey	126-5369	PA Dot, Waynesburg, PA
8. Front End Loader	Case	324-2056	PA Dot, Waynesburg, PA
9. Loader	Case	312-2056	PA Dot, Waynesburg, PA
10. Front End Wheel Loader	John Deere	061-2040	PA Dot, Waynesburg, PA

The previous items will be sold to the highest responsible bidder by sealed bid sale. Those political subdivisions which are interested in procuring one or more of these items should contact the Department of General Services, State Surplus Property Division, P. O. Box 1365, Harrisburg, PA 17105 or call (717) 787-4085. Bid Packets can be printed from our web site www.dgs.state.pa.us under State Surplus Property "Attention Municipalities Only." Requests for bid proposals need to be made prior to the bid opening on June 21, 2001 at 1 p.m.

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 01-1052. Filed for public inspection June 15, 2001, 9:00 a.m.]

DEPARTMENT OF HEALTH

Renal Advisory Committee Meeting

The Renal Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204) will hold a public meeting on Friday, June 29, 2001.

The meeting will be held in the Department of Education, Video Conferencing Center, 11th Floor, 333 Market Street, Harrisburg, PA from 10 a.m. to 3 p.m.

For additional information, contact Jane E. Wolfe, Director, Chronic Renal Disease Program, Division of Special Health Care Programs at (717) 787-9772.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact the Chronic Renal Disease Program at (717) 787-9772, 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. 01-1053. Filed for public inspection June 15, 2001, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Wallingford Nursing & Rehabilitation Center
115 South Providence Road
Wallingford, PA 19086

Brookline Manor
R. R. 1, Box 463
Mifflintown, PA 17059

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide 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. 01-1054. Filed for public inspection June 15, 2001, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Harley-Davidson USA Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Harley-Davidson® USA.

2. *Price:* The price of a Pennsylvania Harley-Davidson USA instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Harley-Davidson USA instant lottery game ticket will contain one play area featuring a "Winning Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Winning Numbers" area and the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN) and 16 (SIXTN).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$6.⁰⁰ (SIX DOL), \$8.⁰⁰ (EGT DOL), \$12\$ (TWLV), \$16\$ (SIXTN), \$24\$ (TWY FOR), \$40\$ (FORTY), \$80\$ (EIGHTY), \$400 (FOR HUN), \$12,000 (TWL THO) and a Motorcycle Symbol (MTRCYCL).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$6, \$8, \$12, \$16, \$24, \$40, \$80, \$400, \$12,000 and Harley-Davidson Sportster® 1200 Custom motorcycle. A player can win up to eight times on a ticket.

6. *Second Chance Drawing:* The Pennsylvania Lottery will conduct a Second Chance drawing for nonwinning Pennsylvania Harley-Davidson USA instant lottery tickets as provided for in paragraph 11.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Harley-Davidson USA instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of a Motorcycle Symbol (MTRCYCL) appears under the matching "Your Numbers" play symbol, on a single ticket,

shall be entitled to a prize of a Harley-Davidson Sportster 1200 Custom motorcycle.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$12,000 (TWL THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$12,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$400 (FOR HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$80\$ (EIGHTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$40\$ (FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$24\$ (TWY FOR) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$16\$ (SIXTN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$16.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$12\$ (TWLV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$8.⁰⁰ (EGT DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$6.⁰⁰ (SIX DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$4.⁰⁰ (FOR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning

Numbers" play symbols and a prize play symbol of \$2.⁰⁰ (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$1.⁰⁰

(ONE DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$1 x 2	\$2	1:9.38	640,000
\$2	\$2	1:18.75	320,000
\$1 x 4	\$4	1:35.71	168,000
\$1 x 2 + \$2	\$4	1:44.12	136,000
\$2 x 2	\$4	1:53.57	112,000
\$4	\$4	1:68.18	88,000
\$1 x 8	\$8	1:187.50	32,000
\$1 x 4 + \$4	\$8	1:250	24,000
\$4 x 2	\$8	1:375	16,000
\$8	\$8	1:750	8,000
\$2 x 6	\$12	1:750	8,000
\$4 x 3	\$12	1:750	8,000
\$2 x 2 + \$8	\$12	1:750	8,000
\$12	\$12	1:750	8,000
\$2 x 8	\$16	1:750	8,000
\$4 x 4	\$16	1:750	8,000
\$2 x 4 + \$4 x 2	\$16	1:750	8,000
\$8 x 2	\$16	1:750	8,000
\$16	\$16	1:750	8,000
\$2 x 6 + \$4 + \$8	\$24	1:1,500	4,000
\$4 x 2 + \$16	\$24	1:1,500	4,000
\$8 + \$16	\$24	1:1,500	4,000
\$2 x 6 + \$6 x 2	\$24	1:1,500	4,000
\$24	\$24	1:1,500	4,000
\$4 x 6 + \$8 x 2	\$40	1:4,000	1,500
\$8 x 3 + \$16	\$40	1:4,000	1,500
\$8 x 5	\$40	1:4,000	1,500
\$8 + \$16 x 2	\$40	1:4,000	1,500
\$16 + \$24	\$40	1:4,000	1,500
\$40	\$40	1:12,000	500
\$8 x 6 + \$16 x 2	\$80	1:4,000	1,500
\$40 x 2	\$80	1:8,000	750
\$16 + \$24 + \$40	\$80	1:10,000	600
\$8 x 3 + \$16 + \$40	\$80	1:10,000	600
\$80	\$80	1:30,000	200
\$80 x 5	\$400	1:60,000	100
\$400	\$400	1:60,000	100
\$12,000	\$12,000	1:1,000,000	6
MOTORCYCLE SYMBOL*	Motorcycle	1:1,500,000	4

* Motorcycle is valued at \$14,000. No cash equivalent for motorcycle prize.

10. *Second Chance Drawing Eligibility Requirements:*

(a) To be eligible for one of the Second Chance Drawings, a player must mail exactly three non-winning Pennsylvania Harley-Davidson USA instant lottery tickets in an envelope no larger than 4 1/8 by 9 1/2 inches addressed to Harley-Davidson USA Second Chance Draw-

ing, PMB 101, 2033 Linglestown Road, Harrisburg, PA 17110.

(b) Envelopes containing less than or more than three non-winning Pennsylvania Harley-Davidson USA instant lottery tickets shall be disqualified.

(c) Non-winning Pennsylvania Harley-Davidson USA instant lottery tickets received in an envelope larger than 4 1/8 by 9 1/2 inches shall be disqualified.

(d) The back of each non-winning Pennsylvania Harley-Davidson USA instant lottery ticket entered in the Second Chance Drawing must be completed by the same player in a legible manner, including the player's name, street address, city, state, zip code, telephone number and signature.

(e) Winning Pennsylvania Harley-Davidson USA instant lottery tickets submitted to the Pennsylvania Harley-Davidson USA Second Chance Drawing address may not be paid or honored.

(f) To be eligible for a Second Chance Drawing, non-winning Pennsylvania Harley-Davidson USA instant lottery tickets must be received by the Pennsylvania Lottery as follows:

<i>Entry Deadline</i>	<i>Second Chance Drawing</i>
1st Drawing—July 27, 2001	Week of July 30, 2001
2nd Drawing—August 31, 2001	Week of September 4, 2001
3rd Drawing—September 28, 2001	Week of October 1, 2001
4th Drawing—October 26, 2001	Week of October 29, 2001

11. *Second Chance Drawing Procedures.*

(a) *Frequency.* Four Second Chance Drawings will be held at Lottery Headquarters. The first Second Chance Drawing will be held the week of July 30, 2001, the second the week of September 4, 2001, the third the week of October 1, 2001 and the fourth the week of October 29, 2001. The odds of an entry being selected in a Second Chance Drawing depend upon the number of entries received.

(b) *Eligibility for Second Chance Drawings.* To be eligible for a Second Chance Drawing, a player must have complied with the requirements of section 10.

(1) The Lottery will make a reasonable effort to ensure that each Second Chance entry is entered into one of the Second Chance Drawings. The Lottery assumes no responsibility for a lost or misplaced entry not entered into a Second Chance Drawing.

(2) A Second Chance entry is eligible for only one Second Chance Drawing. An entry that is not in one eligible group, may, at the discretion of the Director, remain eligible for a subsequent Second Chance Drawing.

(3) If a Second Chance entry is rejected during or following a Second Chance Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(c) *Manner of conducting the Second Chance Drawings.*

(1) By use of a computer-generated randomizer, one mail tray will be selected. From this mail tray an entry envelope will be drawn. The entry envelope will be opened and its contents will be validated according to the requirements of section 10. If the entry does not meet the requirements of section 10, another entry will be selected from that mail tray; and so on, until a qualified entry has been chosen. This qualified entry will win a Harley-Davidson Sportster 1200 Custom Motorcycle. There is no cash equivalent for the Harley-Davidson Sportster 1200 Custom Motorcycle.

(2) The computer-generated randomizer will then be used to select 50 mail trays. From each of these 50 mail trays, five entries will be drawn. As each entry envelope is opened, its contents will be validated according to the requirements of section 10. If the entry does not meet the requirements of section 10, another entry will be selected from that mail tray; and so on, until a qualified entry has been chosen. The 250 validated entries will each win a Harley-Davidson prize package. There is no cash equivalent for the Harley-Davidson prize package.

(3) The procedures described in paragraphs (1) and (2) will be repeated for each of the Second Chance Drawings set forth in subsection (a).

(d) The payment of a prize awarded in the Second Chance drawings to a person who dies before receiving the prize or to a person 17 years of age or younger shall be paid according to 61 Pa. Code §§ 811.16 and 811.27 (relating to prizes payable after death of a prize winner; and payment of prizes to persons under 18 years of age).

12. *Second Chance Prize Descriptions.*

(a) *Harley-Davidson Sportster 1200 Custom Motorcycle.* The motorcycle prize package includes required Federal withholding tax, State sales tax, dealer preparation charges and set-up fees.

(b) *Harley-Davidson Prize Packages.* Each prize package will include one of each of the following items:

(1) *Harley-Davidson Hubcap Duffel Bag.* The bag is a classically styled carryall made from recycled inner tube rubber, with emblem and ends that are capped with real chrome logo hubcaps.

(2) *Harley-Davidson Telephone.* The telephone is a replica of a Harley motorcycle and features a Harley sound effects ringer and a headlight that flashes.

(3) *Harley-Davidson Blanket.* The 60 inch by 80 inch multi-purpose high pile jacquard-woven blanket is designed with Harley-Davidson artwork.

(4) *Harley-Davidson Leather Baseball Cap.* The all-leather black cap features the famous Harley-Davidson Bar & Shield logo in full color.

(5) *Harley-Davidson T-Shirt.* The black all-cotton T-Shirt features Harley-Davidson artwork.

(6) *Harley-Davidson Playing Cards.* The limited edition, full-color collectible tin, numbered, includes two bridge decks of cards with historical images of Harley-Davidson motorcycles.

(7) The Lottery reserves the right to substitute a merchandise item set forth in subsection (b) with a merchandise item of equal or greater value.

13. *Retailer Incentive Awards.* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Harley-Davidson USA instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

14. *Unclaimed Prize Money.* For a period of 1 year from the announced close of Pennsylvania Harley-Davidson USA, prize money from winning Pennsylvania Harley-Davidson® USA instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Harley-Davidson® USA instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will

expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

15. *Governing Law.* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

16. *Termination of the Game.* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Harley-Davidson® USA or through normal communications methods.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-1055. Filed for public inspection June 15, 2001, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation, pursuant to the authority contained in Section 2002 (c) of the Administrative Code (71 P. S. § 512(c)) and in 67 Pa. Code § 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by Birmingham Towers Associates, a Pennsylvania Limited Partnership, seeking to lease highway right-of-way located beneath the Birmingham Bridge, in the 16th Ward, City of Pittsburgh, Allegheny County, containing 45,309± square feet or 1.04± acre, adjacent to and beneath SR 2085, for purposes of customer parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Ray S. Hack, P.E., District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-1056. Filed for public inspection June 15, 2001, 9:00 a.m.]

Finding Bucks County

Pursuant to the provisions of 71 P. S. § 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing Callowhill Road Bridge over the North Branch of Neshaminy Creek in New Britain Township, Bucks County. The project consists of replacing the bridge with a one span bridge and reconstructing the roadway ap-

proaches. The project will require the acquisition of land from within the boundaries of the National Register of Historic Places eligible Willowstone Farm and the Bucks County owned Peace Valley Park.

The effect of this project on the Willowstone Farm will be mitigated as follows: 1) PennDOT will compensate the property owners for trees that will be removed for the project, 2) new surface and finishing materials that blend in with the rural historic setting of the Willowstone Farm will be used on the replacement bridge, and 3) the vertical alignment and roadway width will be designed to minimize the amount of land that will be needed from the Willowstone Farm. These mitigation measures are included in a Memorandum of Agreement (MOA) for the proposed action which has been signed by all appropriate agencies. Mitigation commitments for the Peace Valley Park will be coordinated with the Bucks County Department of Parks and Recreation.

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. 01-1057. Filed for public inspection June 15, 2001, 9:00 a.m.]

Finding Franklin County

Pursuant to the provisions of 71 P. S. § 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to widen existing State Route 0016 to accommodate an eastbound truck climbing lane in Washington Township, Franklin County. The proposed project would require the use of land from the Michaux State Forest, Beartown Woods Natural Area, and the Appalachian National Scenic Trail. The Beartown Woods Natural Area and the Appalachian National Scenic Trail are within the boundaries of the Michaux State Forest. The project will require the acquisition of 0.40 hectare (0.99 acre) of land from the Michaux State Forest.

Mitigation commitments for the resources have been prepared and coordinated with all appropriate agencies for the proposed action.

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.

No adverse environmental effect is likely to result from this roadway construction project.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-1058. Filed for public inspection June 15, 2001, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

**East Penn Manufacturing Co., Inc. v. DEP; EHB
Doc. No. 2001-114-K**

The East Penn Manufacturing Co., Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Richmond Township, Berks County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 01-1059. Filed for public inspection June 15, 2001, 9:00 a.m.]

**East Penn Manufacturing Co., Inc. v. DEP and
Lyons Borough Municipal Authority; EHB Doc.
No. 2001-115-K**

The East Penn Manufacturing Co., Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Lyons Borough Municipal Authority for a facility in Maxatawny Township, Berks County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62 (relating to intervention). Copies of the Board's

rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 01-1060. Filed for public inspection June 15, 2001, 9:00 a.m.]

FISH AND BOAT COMMISSION

**Special Designation; Big Conneauttee Creek, Erie
County**

The Executive Director, acting under the authority of 58 Pa. Code § 65.21 (relating to waters limited to specific purposes—exclusive use fishing areas), designates the "Mallory Run Project" on Big Conneauttee Creek, located immediately below the outfall of Edinboro Lake, as being for the exclusive use of children and special populations.

This designation shall be effective when the water is so posted after publication of this notice in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 01-1061. Filed for public inspection June 15, 2001, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Sections 5(d) and (g) of the Regulatory Review Act (71 P. S. § 745.5(d) and (g)) provide that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-form Submission Deadline</i>
11-206	Insurance Department Privacy of Consumer Financial Information	05/31/01	04/30/03

31 Pa.B. 1748 (March 30, 2001)

Insurance Department

Regulation No. 11-206

Privacy of Consumer Financial Information

May 31, 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 Insurance Department (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by April 30, 2003, the regulation will be deemed withdrawn.

1. Applicability of proposed regulation to the sharing of information between affiliates.—Consistency with the Statute; Reasonableness; Clarity.

The Department's stated goal in the Preamble is to implement the National Association of Insurance Commissioners (NAIC) model regulation "as closely as possible." The proposed regulation requires an opt out notice to be sent to consumers before affiliates share nonpublic personal financial information. This requirement conflicts with the NAIC model regulation which permits the sharing of information among affiliates without providing consumers an opportunity to opt out.

In the Preamble to the proposed regulation, the Department explains it departed from the NAIC model on this issue due to "the statutory framework established by Act 40 (of 1997)." However, the privacy provisions of Act 40 (40 P. S. § 288) apply exclusively to financial institutions. It is unclear how Act 40 can be controlling for licensees which are not financial institutions. Furthermore, Act 40 limits the definition of "customer information" to "... information concerning the terms and conditions of insurance coverage, insurance expirations, insurance claims or insurance history of an individual." The final-form regulation should be consistent with the NAIC model relating to sharing of information among affiliates.

2. Requirement for a second opt out notice.—Consistency with the Statute; Reasonableness.

Section 146a.21(c)(3) requires a second opt out notice if the consumer or customer does not respond to the initial notice within 30 days. The Department cites the privacy provisions of Act 40 as the basis for this requirement. For the reasons discussed in Issue #1, Act 40 does not appear to be controlling. Therefore, the second opt out notice should be deleted.

3. Section 146a.1. Purpose.—Need; Clarity.

Subsection (a)

This subsection states the regulation "governs the treatment of *nonpublic personal financial information* about individuals. . . ." (Emphasis added.) Similarly, subsection (b) relating to the scope of the regulation states, "This chapter applies to *nonpublic personal financial information*. . ." (Emphasis added.) However, the term "nonpublic personal financial information" is not defined in § 146a.2 (relating to definitions). Instead, the terms "nonpublic personal information" and "personally identifiable financial information" are defined. Given the stated purpose and scope of the regulation, the term "nonpublic personal financial information" should be defined in § 146a.2 and used consistently throughout the regulation.

Subsection (b)

Under this subsection, the scope of Chapter 146a extends to individuals who are claimants or beneficiaries under a policy. Commentators have questioned the inclusion of claimants and beneficiaries, since these individuals do not directly obtain any products from insurers. We request the Department explain the basis for including claimants and beneficiaries within the scope of this regulation.

Subsection (d)

This subsection clarifies that the examples contained in the regulation are illustrative and do not restrict the scope of Chapter 146a. The language in this subsection, however, varies from section 3 of the NAIC model. Given the Department's stated goal of implementing the NAIC model "as closely as possible," why is the proposed language different from the NAIC model language?

4. Section 146a.2. Definitions.—Reasonableness; Need; Clarity.

Consumer

In this definition, the terms "nonpublic personal information" and "nonpublic personal financial information" are both used. The concern discussed in Issue #3 regarding § 146a.1(a), also applies to this definition.

Subsections (iv)(A) and (B) include beneficiaries and claimants as examples of consumers. However, a "consumer" is defined, in part, as "an individual who seeks to obtain, obtains or has obtained an insurance product or service from a licensee. . . ." Claimants and beneficiaries do not "obtain" the insurance product or service. Consistent with our comment on § 146a.1(b) (Issue #3), why are beneficiaries and claimants included as consumers?

Subsection (iv) differs from the NAIC model rule in two ways. First, it is structured differently. Subsection (iv) contains five paragraphs, whereas the parallel provision of the NAIC model rule has two paragraphs. Second, subsection (iv) omits the conjunction "or" which appears after NAIC model rule § 4(F)(2)(d)(i)(III), and omits the conjunction "and" that requires both conditions to be met in §§ 4(F)(2)(d)(i) and (ii). As a result of this inconsistency, subsection (iv) of the Department's regulation is unclear. Subsection (iv) of the Department's regulation should be amended to be consistent with the NAIC model rule.

Subsection (v) of this definition references "workers' compensation plan participant." We have three concerns.

First, why is workers' compensation included? The definition of "consumer" is limited to services and products that are used "primarily for personal, family or household purposes." Since workers' compensation coverage does not appear to fit these criteria, its inclusion in the regulation should be explained or deleted.

Second, if workers' compensation is retained in the final-form regulation, the term "plan participant" should be defined.

Third, the word "or" should be inserted after the end of the sentence in subparagraph (v)(B) for consistency with the NAIC model.

Health information

The NAIC model contains a definition of this term. However, the proposed regulation does not. This definition should be added to the final-form regulation.

Licensee

The term “producer” used in subsection (i) is unclear. It should be defined in the final-form regulation.

Personally identifiable financial information

The definition of this term in the NAIC model specifically excludes health information. Why isn’t this exclusion contained in the definition in the proposed regulation?

5. Section 146a.11. Initial privacy notice to consumers required.—Clarity.

Subsection (e)(ii) permits the initial notice to be provided at a later time, after the licensee establishes a customer relationship, if the customer agrees. The final-form regulation should clarify what constitutes customer agreement.

6. Section 146a.13. Information to be included in privacy notices.—Clarity.

Subsection (a)

The term “nonpublic personal financial information” is used throughout subsection (a). However, paragraph (a)(8) omits the word “financial” and uses the term “nonpublic personal information.” This should be corrected consistent with Issue #3.

Subsection (c)

Subsection (c)(2)(i) states a requirement is satisfied if a licensee “provides a few examples.” Similar language is used in subsection (c)(3)(ii) that requires “a few illustrative examples.” These requirements are vague. The regulation should specify the minimum number of examples required.

7. Section 146a.14. Form of opt out notice to consumers and opt out methods.—Clarity.

Paragraph (a)(1) requires a notice to be “clear and conspicuous” and provide a “reasonable opt out means.” Subparagraphs (a)(2)(ii) and (iii) provide examples of reasonable and unreasonable opt out means that clearly relate to paragraph (a)(1). However, subparagraphs (a)(2)(i) and (iv) provide examples that describe “adequate opt out notice” and “specific opt out means.” The regulation is unclear regarding what requirement the examples in subparagraphs (a)(2)(i) and (iv) are describing.

Subparagraph (a)(2)(iv) is an example based upon its placement under paragraph (a)(2) relating to examples. However, subparagraph (a)(2)(iv) states “a licensee may require each consumer to opt out through a specific means, as long as that means is reasonable for that consumer.” This is phrased as a requirement for “specific opt out means,” not an example. Subparagraph (a)(2)(iv) should be moved out of paragraph (a)(2) and clarified.

8. Section 146a.31. Exception to opt out requirements for disclosure of nonpublic personal financial information for service providers and joint marketing.—Need; Clarity.

Section 146a.31(a)(i) requires initial notice under § 146a.11. However, similar requirements in §§ 146a.32 and 146a.33 do not require initial notice under § 146a.11. Why is initial notice under § 146a.11 required in § 146a.31?

Commentators stated the exceptions from the opting out requirement should include claims processing and fraud investigation as third party exceptions in this section and § 146a.33(a)(7). Why didn’t the Department include them?

9. Format of lists throughout the regulation.—Clarity.

One goal the Department stressed in the Preamble to this proposed regulation is the need for consistent regulations among the states. To accomplish this goal, most of the regulation follows the NAIC model rule word for word.

However, the regulation uses a different format for lists than the format used in the NAIC model rule. The regulation omits the conjunctions “and” and “or” following the next to last item in lists. Commentators expressed concern that the regulation does not provide sufficient direction as to whether these lists are inclusive due to the omission of these conjunctions.

For added clarity, the Department should revise the format used for lists in §§ 146a.2, 146a.11, 146a.13, 146a.14, 146a.15, 146a.16, 146a.21, 146a.23, 146a.31, 146a.32 and 146a.33 to match the NAIC model rule. In addition, the Department should review the NAIC model rule to make sure the conjunctions used reflect the Department’s intent.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1062. Filed for public inspection June 15, 2001, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
30-55	Pennsylvania Emergency Management Agency Reductions of Major Water Use	05-31-01
30-56	Pennsylvania Emergency Management Agency Prohibition of Nonessential Water Uses in a Commonwealth Drought Emergency Area	05-31-01
30-57	Pennsylvania Emergency Management Agency Philadelphia Drought Water Emergency Plan	05-31-01
30-58	Pennsylvania Emergency Management Agency Local Water Rationing Plans	05-31-01

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1063. Filed for public inspection June 15, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Acquisition of a Controlling Interest of a Domestic Insurance Company

American International Group, Inc., a Delaware domiciled insurance holding company, has filed an application to acquire control of American General Life Insurance Company of Pennsylvania. The acquisition of control is proposed to be achieved through the merger of Washington Acquisition Corporation, a Texas corporation which is a wholly-owned subsidiary of American International Group, Inc. and American General Corporation, also a Texas corporation. The initial filing was received on June 1, 2001, and was made under the requirements set forth under the Insurance Holding Companies Act (40 P. S. § 991.1401 et seq.). Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the 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 Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail cbybee@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1064. Filed for public inspection June 15, 2001, 9:00 a.m.]

Aetna U.S. Healthcare; Group Specific Community Rating (GSCR) Methodology; Rate Filing

On May 31, 2001, Aetna U.S. Healthcare submitted a Group Specific Community Rating (GSCR) Methodology. The filing seeks to modify the currently approved method by (1) decreasing the minimum group size requirement from an average of 250 employees enrolled to an average of 100 enrolled in the HMO; (2) updating all factor tables; (3) changing the rate adjustment cap from +/-5 to +/-12 from renewal to renewal; and (4) changing the minimum enrollment from 3 years to 1 year. This filing will affect large groups in all Aetna U.S. Healthcare service areas and is expected to be revenue neutral.

This filing is available for public inspection during normal working hours at the Harrisburg, Philadelphia, and Pittsburgh regional offices.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident & Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1065. Filed for public inspection June 15, 2001, 9:00 a.m.]

Allstate Indemnity Company; Private Passenger Auto Insurance Program; Revised Rates and Rating Plans

On June 1, 2001, the Insurance Department (Department) received from Allstate Indemnity Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 24.3% increase amounting to \$38,859,000 annually, to be effective October 16, 2001.

Unless formal administrative action is taken prior to July 31, 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 Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1066. Filed for public inspection June 15, 2001, 9:00 a.m.]

Allstate Insurance Company; Private Passenger Auto Insurance Program Revised Rates

On May 31, 2001, the Insurance Department (Department) received from Allstate Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 11.2% increase amounting to \$72,165,000 annually, to be effective October 16, 2001.

Unless formal administrative action is taken prior to July 30, 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 Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1067. Filed for public inspection June 15, 2001, 9:00 a.m.]

Application for Approval to Acquire Control

Argonaut Group Inc. has filed an application to acquire control of Rockwood Casualty Insurance Company and Somerset Casualty Insurance Company, which are Commonwealth domiciled stock casualty 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. 01-1068. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Basic Hospital Program for Community Rated Groups (2-50); Filing No. 200116

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200116 seeking approval of new base rates for a Community Rated Group Basic Hospital Program to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1069. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Basic Hospital Program for Experience Rated Groups (51+); Filing No. 200117

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200117 seeking approval of new base rates for a Experience Rated Group Basic Hospital Program to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1070. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Gatekeeper Preferred Provider Program (PPO) for Community Rated Groups (2-50); Filing No. 200126

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200126 seeking approval of new base rates for a Community Rated Group Gatekeeper Preferred Provider Program (PPO) to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1071. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Gatekeeper Preferred Provider Program (PPO) for Experience Rated Groups (51+); Filing No. 200127

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200127 seeking approval of new base rates for a Experience Rated Group Gatekeeper Preferred Provider Program (PPO) to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry

Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1072. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Medicare Supplement—65 Special Program for Community Rated Groups (2-50); Filing No. 200122

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200122 seeking approval of new base rates for a Community Rated Group Medicare Supplement—65 Special Program to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1073. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Supplemental Major Medical for Community Rated Groups (2-50); Filing No. 200123

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200123 seeking approval of new base rates for a Community Rated Group Supplemental Major Medical to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1074. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Supplemental Major Medical Program for Experience Rated Groups (51+); Filing No. 200124

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200124 seeking approval of new base rates for a Experience Rated Group Supplemental Major Medical Program to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1075. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Voluntary Gatekeeper Preferred Provider Program (PPO) for Community Rated Groups (2-50); Filing No. 200114

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200114 seeking approval of new base rates for a Community Rated Group Voluntary Gatekeeper Preferred Provider Program (PPO) to be offered in the 21 counties of the Capital region in South Central Pennsylvania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1076. Filed for public inspection June 15, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Voluntary Gatekeeper Preferred Provider Program (PPO) for Experience Rated Groups (51+); Filing No. 200115

Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200115 seeking approval of new base rates for a Experience Rated Group Voluntary Gatekeeper Preferred Provider Program (PPO) to be offered in the 21 counties of the Capital region in South Central Pennsylvania.

vania. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1077. Filed for public inspection June 15, 2001, 9:00 a.m.]

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. 01-1078. Filed for public inspection June 15, 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 hearing will be held in the Insurance Department's Regional Offices in Philadelphia and Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of John J. Genzano, III; file no. 01-265-01906; Allstate Insurance Company; doc. no. PH01-05-024; July 13, 2001, at 10 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Brian T. Matthews; file no. 01-308-70928; Lincoln General Insurance Co.; doc. no. PI01-05-023; August 9, 2001, at 11 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

Review Procedure Hearings Under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. This administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Leroy S. and Evelyn Higinbotham; file no. 01-181-01684; Nationwide Mutual Fire Insurance Co.; doc. no. PI01-05-026; August 9, 2001, at 9 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (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. 01-1079. Filed for public inspection June 15, 2001, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution # CB-01-109, Dated May 11, 2001. Authorizes the implementation of the Agreement between the Commonwealth and AFSCME regarding the LCB Licensing Analysts. This Agreement provides for the Articles of the AFSCME Master Agreement to apply to these employees who were previously covered by the FOP-LCB Agreement.

Resolution # CB-01-120, Dated May 18, 2001. This resolution authorizes the Memorandum of Understanding between the Commonwealth of Pennsylvania, the State System of Higher Education and the Pennsylvania Doctors Alliance First Level Supervisory unit (T5) effective July 1, 2001, through June 30, 2005.

Employees in the T5 unit will receive 3.5% general pay increases on July 1, 2001, and July 1, 2002, respectively, and receive pattern increases for the remainder of the contract years. The estimated cost of the general pay increases for 34 employees is approximately \$144,000 for the first year and \$149,000 for the second year.

Resolution # CB-01-121, Dated May 18, 2001. This resolution authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Fraternal Order of Police Conference of Pennsylvania Liquor Control Board Lodges (K4) unit effective July 1, 1999, through June 30, 2003.

Employees in the K4 unit will receive 3% general pay increase on July 1, 1999, and July 1, 2000, and 3.5% pay increase on July 1, 2001, and July 1, 2002, respectively. The estimated costs of the general pay increases for 176 employees are:

FY 1999-2000:	\$203,000/yr.
FY 2000-2001:	\$209,000/yr.
FY 2001-2002:	\$251,000/yr.
FY 2002-2003:	\$260,000/yr.

Resolution # CB-01-122, Dated May 18, 2001. This resolution authorizes the Collective Bargaining Agreement between the Commonwealth of Pennsylvania, the State System of Higher Education and the Pennsylvania Doctors Alliance rank and file unit (T4) effective July 1, 2001, through June 30, 2005.

Employees in the T4 unit will receive 3.5% general pay increases on July 1, 2001, and July 1, 2002, respectively, and will receive pattern increases for the rest of the contract years. The estimated cost of general pay increase is approximately \$716,000 for the first year and \$741,000 for the second year.

Resolution # CB-01-123, Dated May 18, 2001. This resolution authorizes the Job Evaluation Committee settlement side letter with the PSPOA that establishes the DCNR Ranger Operations Specialist class and a new Pay Range 31. The side letter also creates a training differential of \$0.95 per hour for DCNR Rangers and DCNR Ranger Supervisors who are assigned to develop and/or conduct formalized training sessions related to DCNR Ranger functions. The training differential increases to \$1 per hour effective July 1, 2001.

Governor's Office

Manual M210.3—Index of Issuances—Directives Management System, Amended April 6, 2001.

Manual M215.3—Field Procurement Handbook, Amended March 20, 2001.

Management Directive No. 210.1—Directives Management System, Amended May 15, 2001.

Management Directive No. 210.9—Electronic Imaging Systems Procedures Relating to the Management of Records, Amended April 23, 2001.

Management Directive No. 210.10—Electronic Records Management, Amended April 23, 2001.

Management Directive No. 210.13—Retention and Disposition of Records Created on Electronic Mail (E-mail) Systems, Dated April 27, 2001.

Management Directive No. 305.9—Use of Forms STD-419/419L, Refund of Expenditures and STD-420/C420/420L, Transmittal of Revenue, When Unaccompanied by Remittances, Revision No. 2, Dated April 17, 2001.

Administrative Circular No. 01-11—Closing Instruction No. 3, Prior Encumbrances for Act 57 Waivers and Contracted Repairs, Dated May 2, 2001.

Administrative Circular No. 01-12—Holidays—2002, Dated May 11, 2001.

Administrative Circular No. 01-13—Discontinuance of Personal Checks for Purchases from State Surplus Property Division, Dated May 14, 2001.

GARY R. HOFFMAN,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 01-1080. Filed for public inspection June 15, 2001, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Chester County, Wine & Spirits Shoppe #1504, 710 Downingtown Pike, West Chester, PA 19380-1950.

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 6,000 net useable square feet of new or existing retail commercial space located within a 1 mile radius of Routes 322 and 162, in East Bradford Township.

Proposals due: July 6, 2001 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: James M. Bradley, (215) 482-9670

Chester County, Wine & Spirits Shoppe #1517, Devon Village Shoppes, 821 W. Lancaster Avenue, Wayne, PA 19087-2550.

Lease Expiration Date: April 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space located within a 2 mile radius of Route 30 and Waterloo Avenue in Easttown Township.

Proposals due: July 6, 2001 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: James M. Bradley, (215) 482-9670

Chester County, Wine & Spirits Shoppe #1518, The Marketplace Shopping Center, 1502 W. Chester Pike, West Chester, PA 19382-7705.

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 located within a 3 mile radius of Routes 3 and 352 in Westtown Township.

Proposals due: July 6, 2001 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: James M. Bradley, (215) 482-9670

Chester County, Wine & Spirits Shoppe #1519, The Shops at Great Valley, 20 Liberty Boulevard, Malvern, PA 19355-1418.

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 located within a 1/2 mile radius of Routes 29 and 202 in East Whiteland Township.

Proposals due: July 6, 2001 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: James M. Bradley, (215) 482-9670

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 01-1081. Filed for public inspection June 15, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Order

Public Meeting held
 May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

*Pennsylvania Public Utility Commission Law Bureau
 Prosecutory Staff v. American Business Alliance, Inc.;
 Doc. No. C-00014696; A-310379*

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against American Business Alliance, Inc. (Respondent), an IXC reseller certificated at A-310379. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$200 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on January 23, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. American Business Alliance, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by American Business Alliance, Inc. at Docket No. A-310379 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of

the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1082. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Public Meeting held
May 24, 2001

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. American Network Exchange, Inc.;
Doc. No. C-00014722; A-310079*

Default Order

By the Commission:

On January 19, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against American Network Exchange, Inc. (Respondent), an IXC reseller certificated at A-310079. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$2,058 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the forwarding order expired and the complaint was not delivered. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. American Network Exchange, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the

date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by American Network Exchange, Inc. at Docket No. A-310079 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1083. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Public Meeting held
May 24, 2001

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Amer-I-Net Services, Corp.; Doc. No.
C-00014955; A-310115*

Default Order

By the Commission:

On February 23, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Amer-I-Net Services, Corp. (Respondent), an IXC reseller certificated at A-310115. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$30 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Amer-I-Net Services, Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Amer-I-Net Services, Corp. at Docket No. A-310115 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1084. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Public Meeting held
May 24, 2001

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Ameritech Payphone Services, Inc.;
Doc. No. C-00014691; A-310293*

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Ameritech Payphone Services, Inc. (Respondent), an IXC reseller certificated at A-310293. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66

Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$1,163 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on January 24, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Ameritech Payphone Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Ameritech Payphone Services, Inc. at Docket No. A-310293 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1085. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Public Meeting held
May 24, 2001

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Comtex Corporation; Doc. No. C-00014965; A-310774

Default Order

By the Commission:

On February 23, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Comtex Corporation (Respondent), an IXC reseller certificated at A-310774. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$62 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on March 5, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. Comtex Corporation immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.
4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Comtex Corporation at Docket No. A-310774 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1086. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Empire Communications Corp.; Doc. No. C-00014963; A-310748

Default Order

By the Commission:

On February 23, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Empire Communications Corp. (Respondent), an IXC reseller certificated at A-310748. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$23 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It Is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. Empire Communications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certifi-

cate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Empire Communications Corp. at Docket No. A-310748 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1087. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick
Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Inet Interactive Network System; Doc. No. C-00014712; A-310833

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Inet Interactive Network System (Respondent), an IXC reseller certificated at A-310833. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$3,939 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on January 22, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Inet Interactive Network System immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Inet Interactive Network System at Docket No. A-310833 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1088. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick
Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. JD Services, Inc.; Doc. No. C-00014694; A-310352

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against JD Services, Inc. (Respondent), an IXC reseller certificated at A-310352. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$733 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the forwarding order expired and the complaint was not delivered. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. J D Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by J D Services, Inc. at Docket No. A-310352 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1089. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick
*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Laurel Highland Telephone Co.;
Doc. No. C-00014921; A-311800*

Default Order

By the Commission:

On February 22, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Laurel Highland Telephone Co. (Respondent), an IXC

reseller certificated at A-311800. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$5,574 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on February 24, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Laurel Highland Telephone Co. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Laurel Highland Telephone Co. at Docket No. A-311800 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1090. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Long Distance International, Inc.; Doc. No. C-00014674; A-310289

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Long Distance International, Inc. (Respondent), an IXC reseller certificated at A-310289. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$2,741 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. Long Distance International, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.
4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Long Distance International, Inc. at Docket No. A-310289 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.
5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public

convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1091. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. NTI Telecom, Inc.; Doc. No. C-00014692; A-310634

Default Order

By the Commission:

On February 23, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against NTI Telecom, Inc. (Respondent), an IXC reseller certificated at A-310634. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$14 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the Respondent moved, so the complaint was not served. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. NTI Telecom, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by NTI Telecom, Inc. at Docket No. A-310634 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1092. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Netel, Inc.; Doc. No. C-00014957; A-310271

Default Order

By the Commission:

On February 23, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Netel, Inc. (Respondent), an IXC reseller certificated at A-310271. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$26 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the Respondent moved, so the complaint was not served. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a

copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Netel, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Netel, Inc. at Docket No. A-310271 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1093. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. New Media Telecommunications; Doc. No. C-00014702; A-310613

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against New Media Telecommunications (Respondent), an IXC reseller certificated at A-310613. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$238 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. New Media Telecommunications immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by New Media Telecommunications at Docket No. A-310613 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1094. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick
Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Nexstar Communications, Inc.; Doc. No. C-00014705; A-310628

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Nexstar Communications, Inc. (Respondent), an IXC

reseller certificated at A-310628. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$198 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on January 30, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Nexstar Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Nexstar Communications, Inc. at Docket No. A-310628 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1095. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. PTT Telekom, Inc.; Doc. No. C-00014959; A-310528

Default Order

By the Commission:

On February 23, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against PTT Telekom, Inc. (Respondent), an IXC reseller certificated at A-310528. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$46 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on March 2, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. PTT Telekom, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.
4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by PTT Telekom, Inc. at Docket No. A-310528 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.
5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office

of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1096. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Paradigm Communications Corp.; Doc. No. C-00014961; A-310615

Default Order

By the Commission:

On February 23, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Paradigm Communications Corp. (Respondent), an IXC reseller certificated at A-310615. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$11 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on February 28, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. Paradigm Communications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Paradigm Communications Corp. at Docket No. A-310615 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1097. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Peoples Telephone Company, Inc.; Doc. No. C-00014680; A-310013

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Peoples Telephone Company, Inc. (Respondent), an IXC reseller certificated at A-310013. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$11,252 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on January 22, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a

copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Peoples Telephone Company, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Peoples Telephone Company, Inc. at Docket No. A-310013 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1098. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Telehub Network Services Corp.; Doc. No. C-00014699; A-310558

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Telehub Network Services Corp. (Respondent), an IXC reseller certificated at A-310558. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$1,197 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on January 27, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Telehub Network Services Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Telehub Network Services Corp. at Docket No. A-310558 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1099. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Telnet Communications, Inc.; Doc.
No. C-00014681; A-310026*

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against Telnet Communications, Inc. (Respondent), an IXC

reseller certificated at A-310026. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$55 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Telnet Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Telnet Communications, Inc. at Docket No. A-310026 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1100. Filed for public inspection June 15, 2001, 9:00 a.m.]

Default Order

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. World Wide Communications, Inc.; Doc. No. C-00014682; A-310045

Default Order

By the Commission:

On January 16, 2001, the Law Bureau Prosecutory Staff (Prosecutory Staff) instituted a complaint against World Wide Communications, Inc. (Respondent), an IXC reseller certificated at A-310045. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 2000-2001 Annual Assessment in the amount of \$149 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on January 19, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It is Ordered that:

1. The allegations in the Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. World Wide Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.
4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by World Wide Communications, Inc. at Docket No. A-310045 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1101. Filed for public inspection June 15, 2001, 9:00 a.m.]

Implementation of Number Conservation Measures Granted to the Commonwealth by the Federal Communications Commission in its Order Released July 20, 2000—1K Pooling; M-00001427; P-00961027F0002

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Order

By the Commission:

Introduction

In this order, we mandate that the Commonwealth's second interim pooling trial be implemented in the Pittsburgh area on October 29, 2001. We also direct that code holders in the Pittsburgh area implement various prepooling guidelines, such as block protection, on June 25, 2001. Finally, we are seeking comments regarding the specifics of this second interim pooling trial as discussed. We do not see resolution of these specific comments as a hindrance to the ability of this second pooling trial to be implemented on October 29, 2001.

Background

Both Federal and State statutes have created the opportunity for new telephone companies to compete against existing companies for local telephone business.¹ These statutes were designed to foster competition in the telecommunications marketplace with the hope of ultimately lowering prices and improving choices for consumers. Unfortunately, however, the proliferation of fax machines, computer modems, cellular phones and competitive carriers in the local service market have created an unprecedented demand for NXX codes.² Consequently, area codes are rapidly exhausting in this Commonwealth and Nationwide.

The Commission, in addition to other state and Federal regulators as well as the telecommunications industry, has been dedicated to finding a solution for this complex numbering problem for several years. Efforts have focused both on developing methods of allocating numbers more efficiently and on developing methods for increasing carriers' accountability for their numbering resources.

¹ See, The Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C.A. § 251(e)(1), and Chapter 30 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 3001—3009.

² NXX codes are the three digits following the area code in a 10-digit telephone number. Under the current infrastructure, telephone numbers are assigned to carriers by NXX code (which contains 10,000 numbers). Consequently, even if a carrier has only 10 customers, 10,000 numbers are still assigned in that area code causing 9,990 numbers to remain unused and unavailable. The result of this is that the amount of NXX codes in an area code exhaust so that a new area code needs to be instituted to generate new NXX codes, and hence, new numbers available for assignment.

Number pooling is a number conservation measure with the potential of significantly slowing the depletion of numbering resources. "Pooling" refers to sharing spare resources; thousands-block pooling (1K pooling) is a method of assigning those resources. In number pooling, there is an inventory of telephone numbers that participating service providers³ share and use in groups of 1,000 numbers. The entity responsible for monitoring the pool and allocating the resources in the pool is known as the Pooling Administrator. Numbers are added to the pool through 1,000 block donations from service providers. When these resources are not enough, then the Pooling Administrator will seek a 10,000 block (or NXX) code assignment from the North American Numbering Plan Administrator (NANPA).⁴

The Commission has long advocated the benefits of 1K pooling for this Commonwealth and has been attempting to implement this number conservation measure for over 4 years. The Commission first ordered 1K pooling to be implemented in the 717, 215 and 610 numbering plan areas (NPAs or area codes) in its July 15, 1997, order at P-00961027, P-00961061 and P-00961071. Unfortunately, however, the Federal Communications Commission (FCC) curtailed the Commission's efforts in the fall of 1998 by ruling that the Commission did not have the authority to implement such a measure without receiving approval from the FCC.⁵ But, the FCC did determine that state commissions could file petitions with it requesting such authority. Consequently, the Commission filed its Petition for Delegated Authority to Implement Number Conservation Measures, CC Docket No. 96-98, on December 27, 1999, and requested, among other initiatives, the authority to implement 1K pooling.

On March 31, 2000, the FCC released its National number pooling order (FCC's Numbering Order) which establishes, in addition to other number conservation measures, a National framework for 1K pooling and a National rollout for pooling to begin 9 months after the FCC names a National pooling administrator.⁶ Regarding the Commission's request to implement 1K pooling in this Commonwealth, the FCC's Numbering Order directed the Commission to file a supplement to its pending petition for delegated authority demonstrating that: 1) an NPA is in jeopardy; 2) the NPA in question has a remaining life span of at least a year; and 3) the NPA is in one of the

largest 100 Metropolitan Statistical Areas (MSAs)⁷, or alternatively, that the majority of wireline carriers in the NPA are local number portability (LNP) capable.

The Commission filed a supplement to its petition for delegated authority to implement number conservation measures on April 25, 2000. The Commission asserted that both 412 and 610/484 fell within the criteria specified by the FCC and would be appropriate for 1K pooling. Also, the Commission indicated that the 724, 717, 570 and 215/267 NPAs would benefit from 1K pooling based on the history of their life expectancy and the Commission's experience with them since 1996.

On July 20, 2000, the FCC issued an order (FCC's Delegation Order) granting the Commission's request to implement 1K pooling on an interim trial basis.⁸ Using this authority, the Commission implemented the Commonwealth's first interim 1K pooling trial on April 27, 2001, in the 610/484 NPAs.⁹ When this trial opened, the carriers participating in the pooling trial donated 2.5 million numbers to the pool which would have been unavailable for use by other carriers in a nonpooling environment. Additionally, in the process of opening the pooling trial, approximately 66 full NXX codes were or are going to be returned to the NANPA. Consequently, in the opening stages of this pooling trial in 610/484, approximately three million numbers were recycled and were made available for assignment to service providers without the need to open new additional NXX codes. We believe that a pooling trial in the Pittsburgh area will be just as successful.

Therefore, now that the Commonwealth's first interim 1K pooling trial is fully implemented, the Commission is anxious to use its FCC delegated authority to implement its second interim 1K pooling trial in the Pittsburgh area so that these consumers can receive the benefits of this number conservation measure. The Commission remains committed to having adequate numbering resources available to all telecommunications providers while being mindful of the impact of proliferating new area codes on this Commonwealth's citizens. By implementing 1K pooling in combination with other number conservation measures,¹⁰ the Commission will better ensure that telecommunications carriers have adequate numbering resources without needing to resort to adding new area codes.

⁷ MSAs are geographic areas designated by the Bureau of Census for purposes of collecting and analyzing data. The boundaries of MSAs are defined using statistics that are widely recognized as indications of metropolitan character. See *Policy and Rules Concerning Rates for Dominant Carriers*, Memorandum Opinion and Order, 12 FCC Rcd 115, 8122 (1997). See also <http://www.census.gov/>.

⁸ In the *Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101. (FCC's Delegation Order). Beyond 1K pooling, this order also grants the Commission authority to do the following: 1) maintain rationing procedures for 6 months following implementation of NPA relief; 2) implement NXX code sharing (after investigating it, reporting results to FCC, and determining that it is feasible and economically viable); and 3) hear and address claims for an extraordinary need for numbering resources in an NPA subject to a rationing plan.

⁹ *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000—Thousands-Block Number Pooling*, Opinion and Order Regarding the Petition of Verizon Pennsylvania Inc. For Expedited Reconsideration, Docket Numbers M-00001427 and P-00961061F0002 (Order entered February 9, 2001).

¹⁰ See *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000—NXX Code Reclamation*, Docket No. M-00001373 (Order entered August 22, 2000), 30 Pa. B. 4701 (September 2, 2000) (Commission established process for reclaiming NXX codes from carriers who have failed to activate them within 6 months of their availability for assignment to customers.); *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000—NXX Code Rationing*, Docket Nos. M-00001427 and P-00961027F0002 (Order entered December 27, 2000) (Commission ordered that NXX code rationing would continue in the 412 and 878 area codes at a rate of six per month until February 17, 2002); *Rate Center Consolidation*, Docket No. M-00011452 (Order entered February 9, 2001) (Commission creates subcommittee charged with the responsibility of creating a plan for implementing rate center consolidation in this Commonwealth and submitting that plan to the Commission by August 1, 2001); and *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order Released July 20, 2000—NXX Code Sharing*, Docket Number M-00001427F0002 (Order entered February 26, 2001), 31 Pa.B. 1428 (March 10, 2001) (Commission sought comments regarding NXX code sharing).

³ To be able to participate in 1K pooling a carrier must be LNP-capable. See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574, ¶ 116 (2000). Although the telephone network is designed to route traffic based on the assignment of an NXX code (10,000 numbers) to one specific carrier, the introduction of LNP has begun to make the network more flexible. Because LNP enables the switch-specific restriction of telephone number assignments to be removed, any telephone number can be assigned to any switch offering service in the telephone number's rate center. Consequently, all LNP-capable providers who service a particular rate area can share all telephone number resources. By making the entire spare number inventory available to many providers, telephone number utilization can be improved and NPA lives extended. Service providers who cannot participate in the pool would continue to receive NXX codes from the code administrator in 10,000 blocks.

⁴ The NANPA is the entity responsible for allocating numbering resources to telecommunications carriers and monitoring the life span of area codes. The NANPA works under a contract with the FCC.

⁵ In the *Matter of Petition for Declaratory Ruling and Request for Expedited action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 190029 (1998). (FCC's Pennsylvania Order).

⁶ See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574 (2000). (FCC's Numbering Order). In this Report and Order, the FCC established new policies and rules to reduce the need for new area codes and addressed two of the major factors that contribute to numbering resource exhaust—the absence of regulatory, industry or economic control over requests for numbering resources and the allocation of numbers in blocks of 10,000 regardless of the carrier's actual need. In addition, the FCC mandated that carriers assign all available telephone numbers within an opened thousands-block before opening another thousands-block and this requirement applies to both a carrier's existing numbering resources and any future numbering resources. See 47 CFR § 52.15(j)(1).

Through this order, we will mandate that the Commonwealth's second interim pooling trial be implemented in the Pittsburgh area on October 29, 2001, as modified by the resolution of the comments we are inviting. We intend to adopt another order at our July 12, 2001, Public Meeting in consideration of the comments we receive.

Discussion

I. The Date Established for the Commonwealth's Second Interim Pooling Trial

The Commission has determined that the Commonwealth's second interim 1K pooling trial should be fully implemented on October 29, 2001. This date takes into consideration the following factors. First, there will be a 20-day comment period for this order before we issue our final pooling order in July. The industry has indicated in the past that they need approximately 3 months after the date of the final pooling order before the pooling implementation date in which to prepare. This timeline fulfills that need.

Second, this implementation date will not hinder the success of the pooling trial for several reasons. First, rationing will continue in both the 412 and 878 NPAs until February 17, 2002, so the Commission is not concerned about the potential unnecessary assignment of NXX codes from the 412 NPA. Second, we do not expect any 878 NXX codes to be assigned to carriers between August 2001, and October 2001, because of the availability of NXX codes in both the 412 and 724 NPAs. The relief plan for the overlay implementation states that no NXX codes from the 878 NPA should be assigned until the NXX codes from the underlying NPAs are exhausted. In the 412 NPA, there are approximately 107 NXX codes left and in the 724 NPA, there are approximately 111 NXX codes left.¹¹ Third, all service providers are required by Federal rules to assign all available telephone numbers within an opened thousands-block before assigning telephone numbers from an uncontaminated thousands-block.¹² Consequently, even if any NXX codes were to be allocated to carriers from the 878 NPA, they would contain a significant number of uncontaminated 1K blocks that can be subsequently used in the pooling trial.

The third reason we will order our second interim 1K pooling trial to be implemented on October 29, 2001, is based on paragraph 159 of the FCC's Numbering Order.¹³ In that paragraph, the FCC tentatively concluded that National rollout of pooling would encompass a maximum of three NPAs in each Number Portability Administration Center (NPAC)¹⁴ region per quarter. Using this as guidance, and because we are cognizant of the work involved in pooling by the carriers, most of which operate in several states throughout each NPAC region and Nationwide, we are willing to take into consideration the pooling schedules of the other states in the Mid-Atlantic region.¹⁵ Currently, we understand that Maryland and Virginia will be turning up pooling trials from July through October 2001. In light of this schedule, Commission staff has been informally advised by the industry that our October 29, 2001, date is feasible for pooling in the Pittsburgh area.

II. Requirements for All Carriers

Under Federal rules effective July 17, 2000, all service providers are required to assign all available telephone numbers within an opened thousands-block before assigning telephone numbers from an uncontaminated thousands-block. See 47 CFR 52.15(j)(1). This requirement applies to a service provider's existing numbering resources as well as to any new numbering resources it obtains in the future. Additionally, the new Federally-mandated utilization rate went into effect on May 8, 2001. Per 47 CFR 52.15(h), carriers requesting growth codes in a particular rate center will need to show that they have achieved a 60% utilization threshold in the codes they already have in that rate center.

III. Additional Requirements for All LNP-Capable Carriers in the Pittsburgh Area

In this order, we are establishing various preimplementation guidelines for LNP-capable code holders in the Pittsburgh area in advance of the October 29, 2001, implementation date for our second interim 1K pooling trial. These measures are to ensure that remaining numbering resources are not consumed inefficiently while pooling mechanisms are being developed. By this order we will expressly require that all LNP-capable carriers in the Pittsburgh area implement the following on June 25, 2001:

1. All code holders administer their codes in blocks of thousand numbers on a rate center basis.
2. All code holders set aside (that is, restrict from assignment in their telephone administration systems) all unopened thousand blocks currently assigned to them, unless no other numbers are available.
3. All code holders refrain from assigning numbers from any thousands block in an NXX with 100 or fewer numbers currently in use unless no other numbers are available.

IV. Implementation of the Commonwealth's Second Interim 1K Pooling Trial in 412/724/878

Under paragraphs 45 and 46 of the FCC's Delegation Order,¹⁶ the Commission can implement 1K pooling in the Philadelphia MSA and in the Pittsburgh MSA. Further, the Commission can implement 1K pooling in any new NPA implemented to relieve number shortages in these two MSAs. However, the Commission must first implement 1K pooling in a single MSA and may not expand to another MSA until pooling has been fully implemented in the initial one. Now that the Commonwealth's first interim 1K pooling trial is implemented in the Philadelphia area, we plan to move forward with the implementation of a second pooling trial in the Pittsburgh MSA.

The 412 NPA was one of the Commonwealth's original four area codes. On July 15, 1997, the 412 NPA was split by Commission Order at P-00961027 with the new 724 NPA activated on February 1, 1998. The 412 NPA encompasses Allegheny county. The 724 NPA is comprised of Crawford, Mercer, Lawrence, Butler, Venango, Clarion, Armstrong, Beaver, Allegheny, Indiana, Westmoreland, Fayette, Washington and Greene counties.

The 412 NPA was declared to be in jeopardy¹⁷ on November 29, 1999, by the NANPA. On July 9, 1999, an industry consensus was reached to institute an all ser-

¹¹ See www.nanpa.com.

¹² 47 CFR § 52.15(j)(1). See also *infra* Section II.

¹³ FCC's Numbering Order *supra* note 6 at ¶ 159.

¹⁴ The NPAC was developed to support the implementation of LNP and it provides supporting turn-key and operational services, coordinates the porting of telephone numbers between carriers and downloads routing information to carriers' local Service Management Systems to update local routing databases. The NPAC is divided into seven regions across the United States: Midwest, Mid-Atlantic, Northeast, Southeast, Southwest, Western and West Coast. More information can be found at www.npac.com.

¹⁵ The Mid-Atlantic NPAC region consists of the Commonwealth, New Jersey, Maryland and Virginia.

¹⁶ FCC's Delegation Order *supra* note 8 at ¶¶45 and 46.

¹⁷ Under the Central Office Code (NXX) Assignment Guidelines, "a jeopardy condition exists when the forecasted and/or actual demand for NXX resources will exceed the known supply during the planning/implementation interval for relief." Central Office Code (NXX) Assignment Guidelines at 48 (INC 95-0407-008, June 19, 2000). A copy of these guidelines can be obtained from www.atis.org.

vices multiple overlay. Therefore, on August 17, 2001, the 878 NPA will be activated and will overlay both the 412 and the 724 geographic areas.

The Commission will order a pooling trial in all three NPAs in the Pittsburgh area based on the following reasons. First, the Commission has the authority to implement pooling in the 412 NPA and any NPA ordered to provide relief, thereby permitting pooling in both 412 and 878. Second, the Commission has the delegated authority to implement pooling in the Pittsburgh MSA which is served by both the 412 and the 724 NPAs.¹⁸ Third, the industry consensus relief plan to implement the same 878 NPA overlay over both the 412 and 724 NPAs indicates to us that, despite the 412/724 NPA split, this area is still considered to be one geographic region; therefore, pooling in the entire area is logical. Finally, when the 878 NPA does open, we do not want the availability of 878 NXX codes to the 724 NPA region on a nonpooling basis to diminish the success a pooling trial in the 412/724/878 NPAs could have for all consumers in the Pittsburgh area.

V. Who Should Implement the Pittsburgh Area Pooling Trial and All Future Commonwealth Pooling Trials?

The Commission's current interim 1K pooling trial in the 610/484 NPAs is being administered by NeuStar, Inc. In our final pooling order entered December 27, 2000, we indicated that NeuStar would be the pooling administrator for that pooling trial only, and we would give any company interested in administering our second interim pooling trial an opportunity to file comments explaining why they should be selected. We have also decided that the pooling administrator selected for the Pittsburgh pooling trial would also be selected to conduct any other future pooling trials which may be implemented in this Commonwealth.

We are also aware that, under the FCC's Numbering Order,¹⁹ the FCC is currently in the process of naming a National pooling administrator. Although a decision was expected at the end of March 2001, the FCC still has not named a National pooling administrator. We believe that the company selected as the National pooling administrator should also administer the Commonwealth's second pooling trial. However, we do not want the fact that the National pooling administrator has not been named to push back the implementation date of the Commonwealth's second interim 1K pooling trial. Therefore, without direction from the FCC at this time, we will seek comment about who should administer the Commonwealth's second interim pooling trial. If, however, between now and July 2001, the FCC names a National pooling administrator, then we will also select that company as our pooling administrator for the 412/724/878 interim 1K pooling trial.

In the meantime, we now invite comments from any company interested in administering our second interim 1K pooling trial regarding their qualifications, experience and ability to implement a successful interim pooling trial in the Pittsburgh area as well as any future Commonwealth pooling trials. Also, the Commission is interested

¹⁸ According to the MSA boundaries as defined on June 30, 1999, by the Federal Office of Management and Budget, the Pittsburgh MSA contains the following counties: Butler, Beaver, Allegheny, Westmoreland, Washington and Fayette. All of the 412 NPA is in Allegheny county. The 724 NPA contains all of these counties, three additional entire counties—Mercer, Lawrence and Greene—that are not considered to be in the Pittsburgh MSA, and parts of four other counties—Crawford, Venango, Clarion, Armstrong, and Indiana—that are not considered to be part of the Pittsburgh MSA. See <http://www.census.gov/>.

¹⁹ FCC's Numbering Order supra note 6 at ¶¶ 143—155.

in the industry's opinion regarding the selection of an interim Pooling Administrator.

VI. Should the Rationing Plan in the 412 And 878 NPAs be Continued After the Implementation of a Pooling Trial?

The 412 NPA was declared to be in jeopardy in October of 1999, and the industry subsequently reached a consensus to ration NXX codes there at the rate of six per month. Using the authority we were delegated in the FCC's Delegation Order,²⁰ we entered an order on December 27, 2000, at M-00001427F0002 and P-00961027 ordering that the rationing plan continue for 6 months after implementation of the 878 overlay. Consequently, rationing at a rate of six per month will continue in the 412 NPA until February 17, 2002. Further, if any NXX codes are assigned from the 878 overlay to rate centers in the 412 NPA, those will also be rationed at the rate of six per month.

The Commission is seeking comments regarding the necessity of continuing this rationing plan until February 2002, once the interim pooling trial is implemented in the Pittsburgh area. More specifically, we are interested in whether there is a benefit to having both a pooling trial and a rationing plan in the same NPAs. Also, if the rationing plan were to continue with the pooling trial, are all the carriers participating in the pooling trial considered as one when making code requests to NANPA Code administration? In other words, if there is no pooling then all carriers have an equal chance at getting NXX codes through the rationing process. But, in a pooling situation, the pooling administrator is in charge of receiving NXX codes from NANPA Code Administrator to fulfill the needs of the pool. Therefore, when the pooling administrator makes a request for an NXX code from the NANPA, should the pooling administrator receive a priority because it is representing several companies?

Conclusion

Because the Commission is concerned about the current availability and usage of numbering resources and the impact of proliferating new area codes on consumers as well as telecommunications carriers, the Commission intends to implement its second interim 1K pooling trial on October 29, 2001, in the Pittsburgh area. By taking this step to conserve and more efficiently use valuable numbering resources, the Commission will better ensure that telecommunications carriers have adequate numbering resources to operate in this Commonwealth; *Therefore,*

It is Ordered that:

1. The Commonwealth's second interim pooling trial will be implemented in the Pittsburgh area on October 29, 2001.

2. On June 25, 2001, all LNP-capable carriers in the Pittsburgh area shall implement the various preimplementation guidelines set forth in this order.

3. Comments regarding this tentative order be filed with the Commission no later than 15 days after this order is published in the *Pennsylvania Bulletin*. No reply comments will be permitted.

4. A copy of this order be served to all code holders in this Commonwealth, the Office of Consumer Advocate, the Office of Small Business Advocate, the North American Number Plan Administrator, NeuStar and Telecordia Technologies.

²⁰ FCC's Delegation Order supra note 8 at ¶ 63.

5. A copy of this tentative order shall be published both in the *Pennsylvania Bulletin* and on the Commission's website at <http://puc.paonline.com/>.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1102. Filed for public inspection June 15, 2001, 9:00 a.m.]

Petition of ALLTEL Pennsylvania for Action Under Sections 251(f)(2) and 253(b) of the Telecommunications Act of 1996; Doc. No. P-00971177

By Order entered June 23, 2000, at Docket No. P-00971177, the Pennsylvania Public Utility Commission (Commission) assigned ALLTEL Pennsylvania's request for a 1-year extension to July 10, 2001, of the suspension of interconnection obligations imposed by section 251(b) and (c) of the Telecommunications Act of 1996, 47 U.S.C.A. §§ 101, et seq, to an administrative law judge pending the resolution of then existing opposition to ALLTEL Pennsylvania's request. No order was issued with regard to ALLTEL Pennsylvania's request for an extension to July 10, 2001.

On March 1, 2001, ALLTEL Pennsylvania filed a request for a 1-year extension of the suspension to July 10, 2002. The Commission has determined that publication and comment on this petition is appropriate. Interested parties must submit comments on the ALLTEL Pennsylvania petition within 7 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Secretary's Bureau, upon request. The contact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1103. Filed for public inspection June 15, 2001, 9:00 a.m.]

Petition of Citizens Telephone Company of Kecksburg for Action Under Sections 251(f)(2) and 253(b) of the Telecommunications Act of 1996; Doc. Nos. P-00971229 and P-00971177

By Order entered June 23, 2000, at Docket No. P-00971229, the Pennsylvania Public Utility Commission (Commission) granted Citizens Telephone Company of Kecksburg's (Citizens of Kecksburg) request for a 1-year extension of the suspension of obligations imposed by section 251(b) and (c) of the Telecommunications Act of 1996, 47 U.S.C.A. §§ 101, et seq.

On March 1, 2001, Citizens of Kecksburg filed a petition requesting an extension of the suspension, which expires in July 2001. The Commission has determined that publication and comment on this petition is appropriate. Interested parties must submit comments on the Citizens of Kecksburg's petition within 7 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Secretary's Bureau, upon request. The con-

tact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1104. Filed for public inspection June 15, 2001, 9:00 a.m.]

Petition of Frontier Companies for Action Under Sections 251(f)(2) and 253(b) of the Telecommunications Act of 1996; Doc. No. P-00981393

By Order entered December 7, 1998, at Docket No. P-00981393, the Pennsylvania Public Utility Commission (Commission) granted the Frontier Companies' request for a 2-year suspension of interconnection obligations imposed by section 251(b) and (c) of the Telecommunications Act of 1996, 47 U.S.C.A. §§ 101, et seq.

On January 26, 2001, the Frontier Companies filed a petition requesting an extension of the suspension, effective December 7, 2000, to December 7, 2001. The Commission has determined that publication and comment on this petition is appropriate. Interested parties must submit comments on the Frontier Companies' petition within 7 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Secretary's Bureau, upon request. The contact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1105. Filed for public inspection June 15, 2001, 9:00 a.m.]

Petition of Rural Incumbent Local Exchange Carriers for Action Under Sections 251(f)(2) and 253(b) of the Telecommunications Act of 1996; Doc. No. P-00971177

By Order entered June 23, 2000, at Docket No. P-00971177, the Pennsylvania Public Utility Commission (Commission) approved the request of 16 local exchange carriers for a 1-year extension of the suspension of interconnection obligations imposed by section 251(b) and (c) of the Telecommunications Act of 1996, 47 U.S.C.A. §§ 101, et seq. The companies granted relief were: Yukon Waltz Telephone Company; Venus Telephone Company; South Canaan Telephone Company; Pymatuning Independent Telephone Company; Pennsylvania Telephone Company; Palmerton Telephone Company; North Pittsburgh Telephone Company; North Penn Telephone Company; North-Eastern Pennsylvania Telephone Company; Marianna & Scenery Hill Telephone Company; Lackawaxen Telephone Company; Ironton Telephone Company; Hickory Telephone Company; Denver and Ephrata Telephone Company, d/b/a D&E Telephone Company; Armstrong Telephone Company-Pennsylvania; and Armstrong Telephone Company-North (Yukon Waltz, et al.).

On March 1, 2001, Yukon Waltz, et al. filed a request for a 1-year extension of the suspension to July 10, 2002. The Commission has determined that publication and comment on this petition is appropriate. Interested par-

ties must submit comments on the Yukon Waltz, et al. petition within 7 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Secretary's Bureau, upon request. The contact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1106. Filed for public inspection June 15, 2001, 9:00 a.m.]

Petition of TDS Telecom/Mahanoy and Mahantango Telephone Company and TDS Telecom/Sugar Valley Telephone Company for Action Under Sections 251(f)(2) and 253(b) of the Telecommunications Act of 1996; Doc. Nos. P-00001792, P-00001793 and P-00971177

By Order entered June 23, 2000, at Docket No. P-00971177, the Pennsylvania Public Utility Commission (Commission) granted TDS Telecom/Mahanoy and Mahantango, and TDS Telecom/Sugar Valley Telephone Companies' request for a 1-year extension of the suspension of interconnection obligations imposed by section 251(b) and (c) of the Telecommunications Act of 1996, 47 U.S.C.A. §§ 101, et seq.

On March 1, 2001, the TDS Telecom Companies filed a petition requesting an extension of the suspension to July 10, 2002. The Commission has determined that publication and comment on this petition is appropriate. Interested parties must submit comments on the TDS Telecom Companies' petition within 7 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Secretary's Bureau, upon request. The contact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1107. Filed for public inspection June 15, 2001, 9:00 a.m.]

**Railroad
With Hearing**

A-00117083. Department of Transportation. Application of the Department of Transportation of the Commonwealth of Pennsylvania for approval to: (1) abolish the suspended at-grade crossing where SR 0119 crosses a single track owned by PA. Lines, LLC (AAR 529 106 R); and (2) alter the public at-grade crossing where SR 3011 crosses a single track owned by PA. Lines, LLC and operated on by Norfolk Southern Railway Company (AAR 545 124 A) by widening the roadway, installing a new high-type surface, installing new warning devices and providing preemption for the adjacent highway intersection in Burrell Township, Indiana County; and the allocation of costs incident thereto.

An Initial Hearing on this matter will be held Thursday, July 26, 2001, at 10 a.m. in the 11th floor hearing

room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1108. Filed for public inspection June 15, 2001, 9:00 a.m.]

Service 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 9, 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-00117375, F. 2. Karen L. Peters, t/d/b/a Snow White Dove (312 Wendel Road, Irwin, Westmoreland County, PA 15642)—persons in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the counties of Armstrong, Indiana and Westmoreland, and from points in said counties and the county of Allegheny, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.

A-00112521, Folder 1, Am-A. Heron Respiratory Services, Inc., t/d/b/a Heron Quality Transportation (691 Burmont Road, Drexel Hill, Delaware County, PA 19026), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the counties of Bucks, Chester, who are members of Heron Respiratory Service, Inc., t/d/b/a Heron Home Health Care, and who require in the same vehicle with them, escort by specially trained personnel, (other than physicians) provided by Heron Respiratory Service, Inc., t/d/b/a Heron Home Health Care, in geriatric care, infectious disease control, respiratory or pulmonary services, or licensed registered nurses, between points in the counties of Bucks, Chester, Delaware and Montgomery and the city and county of Philadelphia, and from points in said territory to points in Pennsylvania, and return; subject to the following condition: That all service shall be provided with 24 hour advanced reservations: *So as to Permit* the transportation of persons in paratransit service, between points in the counties of Berks, Clinton, Columbia, Lancaster, Lehigh, Luzerne, Lycoming, Monroe, Northumberland, Schuylkill and Wyoming, and from points in said territory, to points in Pennsylvania, and return.

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 9, 2001.

A-00116736, F. 2. Tortorice Limousine, Inc., 1555 Washington Boulevard, Port Vue, PA 15133.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Charlotte Ceney; Doc. No. A-00107775C01

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Charlotte Ceney, respondent, maintains a principal place of business at Box 45C, McClelland Road, Finleyville, PA 15332.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00107775.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Charlotte Ceney at Docket No. A-00107775, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,
George T. Mahan, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to

prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
George T. Mahan

Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the date of publication of this issue for this complaint and notice to plead. 52 PA Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1109. Filed for public inspection June 15, 2001, 9:00 a.m.]

**Transfer by Sale
Without Hearing**

A-210097 and A-210035 F2000. Hamlin Associated Water Companies and Pocono Water Works Company, Inc. Application of Hamlin Associated Water Companies and Pocono Water Works Company, Inc., for approval of 1) the transfer by sale of all the assets, real property and rights of Hamlin Associated Water Companies to Pocono Water Works Company, Inc.; 2) the right of Pocono Water Works Company to begin to offer or furnish water service to the public in Hamlin, Salem Township, Wayne County; and 3) the abandonment by Hamlin Associated Water Companies of all water service to the public.

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 2, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Hamlin Associated Water Companies and Pocono Water Works Company, Inc.

Through and By Counsel: Frank Brommenschenkel, Frank B. and Associates, 134 Davis Street, Santa Paula, CA 93060.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1110. Filed for public inspection June 15, 2001, 9:00 a.m.]

Transfer of Stock Without Hearing

A-311700 F5000 and A-310462 F5000. Lackawaxen Telecommunications Services, Inc. Application of Lackawaxen Telecommunications Services, Inc. (formerly known as Lackawaxen Telephone Company), for approval of the creation of two holding company corporations, the exchange of all the outstanding common stock of Lackawaxen Telecommunications Services, Inc., for stock of LTC Communications, Inc., a newly formed first-tier holding company, with the subsequent transfer of said common stock to Lackawaxen Telecom, Inc., a newly formed second-tier holding company; and the Application of Lackawaxen Long Distance Company for approval of the transfer of all of the common stock of Lackawaxen Telecommunications Services, Inc., to Lackawaxen Telecom, Inc.

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 2, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Lackawaxen Telecommunications Services, Inc. and Lackawaxen Long Distance Company

Through and By Counsel: Patricia Armstrong, Esquire, D. Mark Thomas, Esquire, Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong and Niesen, 212 Locust Street, Harrisburg, PA 17108-9500.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1111. Filed for public inspection June 15, 2001, 9:00 a.m.]

Water and Wastewater Service Without Hearing

A-210098 and A-230091. Pennsylvania Utility Company. Application of Pennsylvania Utility Company for approval to begin to offer, render, furnish or supply water and wastewater service to the public in Lehman Township, Pike County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the

Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 2, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania Utility Company

Through and By Counsel: James P. Melia, Kirkpatrick and Lockhart, LLP, 240 North Third Street, Harrisburg, PA 17101-1507.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1112. Filed for public inspection June 15, 2001, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project # 0134.1, Furnish & Install Two 12' x 12' Insulated Cargo Doors, Tioga Marine Terminal, until 2 p.m. on Thursday, July 5, 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 19, 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, June 28, 2001, 10 a.m. at the job site, Delaware Ave. and Tioga St., Philadelphia, PA 19134.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 01-1113. Filed for public inspection June 15, 2001, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimants' requests concerning the indicated accounts.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

July 23, 2001 Edward S. Rosenberg 1:30 p.m.
(Disability)

Persons with a disability who wish to attend the previously-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact Marilyn Fuller-Smith, Assis-

tant Executive should Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general

rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II, unless specific exemption is granted.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 01-1114. Filed for public inspection June 15, 2001, 9:00 a.m.]
