

# PENNSYLVANIA BULLETIN

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(Master Transmittal Sheet):**

**No. 274, September 1997**

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## **PENNSYLVANIA**

## **BULLETIN**

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

## *Pennsylvania Bulletin*

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

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

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

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

There are no restrictions on the republication of official documents appearing in the *Pennsylvania Bulletin*.

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

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

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

The agency then allows sufficient time for public comment before taking final action. An adopted

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

#### Printing Format

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

#### Fiscal Notes

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

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

## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1997.

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# PENNSYLVANIA BULLETIN

Volume 27  
Saturday, September 6, 1997 • Harrisburg, Pa.

Number 36

## **Part II**

This part contains the  
Department of Public Welfare's  
Subsidized Child Day Care Eligibility Requirements

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# PENNSYLVANIA

# BULLETIN

(ISSN 0162-2137)

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# PENNSYLVANIA BULLETIN

Volume 27 Number 36  
Saturday, September 6, 1997 • Harrisburg, Pa.

## **Part III**

This part contains the  
Pennsylvania Infrastructure Investment Authority's  
and the Department of Environmental Protection's  
Clean Water State Revolving Fund Projects and  
Drinking Water State Revolving Fund Projects

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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 17]

Amendment to Note to Pa.R.A.P. 1701; No. 109; Doc. No. 1

#### Order

*Per Curiam:*

And Now, this 22nd day of August, 1997, the amendment to the Note to Rule 1701 of the Pennsylvania Rules of Appellate Procedure is adopted as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall become effective on January 1, 1998.

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

### ARTICLE II. APPELLATE PROCEDURE

### CHAPTER 17. EFFECT OF APPEALS; SUPERSEDEAS AND STAYS

#### IN GENERAL

#### Rule 1701. Effect of Appeal Generally.

\* \* \* \* \*

(d) \*\*\*

**Official Note:** The following statutory provisions relate to supersedeas generally:

\* \* \* \* \*

Generally an appeal does not operate as a supersedeas of government agency action.

**[ Rule 5102 of these rules saves the provisions of the last sentence of Section 423 of the Public Welfare Code (62 P. S. § 423), which provides that an appeal operates as a supersedeas in certain public assistance matters and Section 9 of the Pennsylvania Human Relations Act (43 P. S. § 959), which provides that an appeal from an order of the Commission operates as a supersedeas. ]**

Subdivision (b)(3) is intended to handle the troublesome question of the effect of application for reconsideration on the appeal process. The rule (1) permits the trial court or other government unit to grant reconsideration if action is taken during the applicable appeal period, which is not intended to include the appeal period for cross appeals, or, during any shorter applicable reconsideration period under the practice below, and (2) eliminates the possibility that the power to grant reconsideration could be foreclosed by the taking of a "snap" appeal. The better procedure under this rule will be for a party seeking

reconsideration to file an application for reconsideration below and a notice of appeal, etc. If the application lacks merit the trial court or other government unit may deny the application by the entry of an order to that effect or by inaction. The prior appeal paper will remain in effect, and appeal will have been taken without the necessity to watch the calendar for the running of the appeal period. If the trial court or other government unit fails to enter an order "expressly granting reconsideration" (an order that "all proceedings shall stay" will not suffice) within the time prescribed by these rules for seeking review, Subdivision (a) becomes applicable and the power of the trial court or other government unit to act on the application for reconsideration is lost.

**Subdivision (b)(3) provides that: "(W)here a timely order of reconsideration is entered under this paragraph, the time for filing a notice of appeal or petition for review begins to run anew after entry of the decision on reconsideration." Pursuant to Pa.R.C.P. 1930.2, effective July 1, 1994, where reconsideration from a domestic relations order has been timely granted, a reconsidered decision or an order directing additional testimony must be entered within 120 days of the entry of the order granting reconsideration or the motion shall be deemed denied. See Pa.R.C.P. 1930.2(c), (d) and (e). The date from which the appeal period will be measured following a reconsidered decision in a domestic relations matter is governed by Pa.R.C.P. 1930.2(d) and (e).**

Under the 1996 amendments to the Rules of Criminal Procedure governing post-sentence practice, see Pa.R.Crim.P. 1410 and 1411, reconsideration of a decision on a defendant's post-sentence motion or on a Commonwealth motion to modify sentence must take place within the time limits set by those rules, and the judge may not vacate sentence or "grant reconsideration" pursuant to subdivision (b)(3) in order to extend the time limits for disposition of those motions. The amendments to Pa.R.Crim.P. 1410 and new Pa.Crim.P. 1411 resolve questions raised about the interplay between this subdivision and post-trial criminal practice. See, e.g., *Commonwealth v. Corson*, 444 A.2d 170 (Pa. Super, 1982).

[ Subdivision (b)(4) is based on the Act of March 26, 1827 (P. L. 131, No. 61) (9 Sm.L. 308, Ch. 5936) (28 P. S. §§ 2 and 3), which is suspended absolutely by these rules.

Subdivision (c) is based on the last sentence of Act of May 19, 1897 (P. L. 67, No. 53), § 176 (12 P. S. § 1154), which is suspended absolutely by these rules, and makes no change in substance.

**See Pa.R.Crim.P. 1410 regarding motion to modify sentence and comment thereto containing an alert that the sentencing court is likely to have only thirty days from the imposition of sentence within which to act to modify the sentence. ]**

[Pa.B. Doc. No. 97-1443. Filed for public inspection September 5, 1997, 9:00 a.m.]

# Title 231—RULES OF CIVIL PROCEDURE

## PART I. GENERAL

[231 PA. CODE CH. 1940]

### Proposed Rules 1940.1—1940.10 Governing Voluntary Mediation in Divorce and Custody Actions; Recommendation 47

The Domestic Relations Procedural Rules Committee proposes the following Rules of Civil Procedure relating to mediation of divorce and custody actions. The Committee solicits comments and suggestions from all interested persons prior to submission of the proposed rules to the Supreme Court.

Comments relating to the proposed rules must be received no later than November 14, 1997 and must be directed to Sophia P. Paul, Esquire, Counsel, Domestic Relations Procedural Rules Committee, 429 Forbes Avenue, Suite 300, Pittsburgh, Pennsylvania 15219, FAX (412) 565-2336, email: spaul@supreme.court.state.pa.us.

These rules are entirely new. The explanatory comments which appear in connection with the proposed rules have been inserted by the Committee for the convenience of those reviewing the proposed rules. They will not constitute part of the rules nor will they be officially adopted or promulgated by the Court.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

### CHAPTER 1940. VOLUNTARY MEDIATION IN DIVORCE AND CUSTODY ACTIONS

#### Explanatory Comment

##### Introduction

In recent years, the use of mediation as an alternative to litigation of domestic relations cases has received widespread attention from legislators, judges, attorneys and mental health professionals. As two noted mediation experts observed in relation to child custody and visitation cases: "[c]ourts are ill-equipped to mandate particular visitation schedules and custodial arrangements, the wisdom of which depend on the situations of the parents and children rather than on legal rules." Nancy G. Rogers and Craig A. McEwen, *Mediation Law Policy Practice* 230 (1989). Many share this frustration with the adversarial system and a growing body of research suggests that mediation may be the more satisfactory and desirable means of conflict resolution in these cases. Mediation offers more flexibility in terms of both the subject matter that may be discussed during mediation and the range of solutions available to the parties. Effective mediation also assists the parties in shaping their own framework for future discussion and resolution of conflicts that arise following separation and divorce.

In 1996, the Pennsylvania legislature amended the Divorce Code, Act No. 20-1996, § 2, 23 Pa.C.S. §§ 3901—3904, to encourage local courts to establish voluntary mediation programs for divorce and custody cases. Pursuant to § 3904 of the Code, which directs the Supreme Court to develop model rules to implement these programs, the Domestic Relations Committee proposes the following Rules of Civil Procedure. These rules cover domestic violence screening, minimum mediator qualifica-

tions, the role of counsel in mediation, confidentiality, and the evaluation and monitoring of mediation programs—all of which are areas in which statewide uniformity of practice and procedure is essential to successful mediation in Pennsylvania. These proposed Rules are intended to apply only to court-connected mediation and not to private mediation. In accordance with 23 Pa.C.S. § 3904, these rules will not affect existing mediation programs established pursuant to local rule.

#### Rule 1940.1. Mediation Authorized.

A court may elect to establish a mediation program for actions in divorce or custody as provided in these Rules.

#### Rule 1940.2. Definitions.

(a) "Mediation" is the confidential process by which a neutral mediator, selected by the parties or appointed by the court, assists the parties in attempting to reach a mutually acceptable agreement on issues arising in an action for divorce or custody. The role of the mediator is to assist the parties in identifying the issues, reducing misunderstanding, clarifying priorities, exploring areas of compromise and finding points of agreement. An agreement reached by the parties must be based on the voluntary decisions of the parties and not the decision of the mediator. The agreement can resolve all or only some of the disputed issues. Parties and their representatives are required to mediate in good faith, but are not compelled to reach an agreement. While mediation is an alternative means of conflict resolution, it is not a substitute for the benefit of legal advice.

(b) "Orientation session" is an initial meeting between parties and a mediator to educate the parties on the mediation process so that they can make an informed choice about continued participation in that process. This meeting may be mandated by the court and may be structured as either a group or individual session. The meeting is confidential at the point, if any, that mediation commences during the orientation session.

#### Explanatory Comment

These definitions track the legislative distinction between the initial orientation session, which the court may order the parties to attend, and actual mediation of the issues in dispute by the parties, which may be ordered only upon the parties' agreement. See 23 P. S. § 3901(b). The primary purpose of the orientation session is to educate the parties on the availability, the process and the benefits of mediation so that the parties can make an informed decision about whether they wish to proceed further with mediation. If, however, the parties agree to mediation and begin to mediate actual issues at this initial session, they may do so and the session then becomes confidential within the meaning of Rule 1940.7.

#### Rule 1940.3. Order for Orientation Session and Mediation; Selection of Mediator.

(a) Except as provided in (b), the court may order the parties to attend an orientation session at any time upon motion by a party, stipulation of the parties, or the court's own initiative.

(b) The court may not order an orientation session if a party or a party's child is or has been the subject of abuse either during the pendency of the action or within 24 months preceding the filing of the action.

**Official Note:** See also Rule 1940.6 requiring termination of mediation when the mediator finds that the proceeding is "inappropriate" for mediation; this rule reflects the mediator's continuing ethical obligation dur-



ing the mediation to screen for abuse and to terminate the mediation in the event he or she determines that the abuse renders the case unsuitable for mediation.

(c) Following the orientation session and with the consent of the parties, the court may order the parties to mediation. The mediation may address any issues agreed to by the parties unless limited by court order.

#### **Explanatory Comment**

Proposed Rule 1940.3 prescribes the circumstances under which a case may be referred to mediation. It prohibits the referral of any case involving past or present domestic abuse because of the substantial imbalance of negotiating power that exists between the parties. The parties themselves, of course, may always agree to mediation. Although each court may devise its own procedures for screening these cases, screening must occur prior to referral of a case to the orientation session. See 23 P. S. § 3904(b). The most widely-used screening mechanism is the Tolman model developed by Dr. Richard Tolman, Ph.D. of the University of Illinois. This model consists of a series of questions asked of the parties which are specifically designed to elicit the information needed to determine whether abuse has occurred and if the case is appropriate for mediation.

#### **Rule 1940.4. Minimum Qualifications of the Mediator.**

(a) A mediator must have at least the following qualifications:

(1) a bachelor's degree and practical experience in law, psychiatry, psychology, counseling, family therapy or any comparable behavioral or social science field;

(2) successful completion of basic training in a divorce and custody mediation program approved by the Academy of Family Mediators;

(3) mediation professional liability insurance; and

(4) additional mediation training consisting of a minimum of 4 mediated cases totaling 10 hours under the supervision of a mediator who has complied with subsections (1) through (3) above and is approved by the court to supervise other mediators.

(b) The mediator shall comply with the ethical standards and continuing educational requirements of the Academy of Family Mediators.

#### **Explanatory Comment**

Mediator qualifications are a key component of a successful mediation program. This proposed Rule sets forth the minimum qualifications that a mediator must have in order to participate in court-connected mediation. Courts may impose additional, more stringent qualifications. In addition to a bachelor's degree and practical experience, a mediator must have basic training in a program approved by the Academy of Family Mediators. Currently, the Academy requires 40 hours minimum for divorce and custody training and 30 hours minimum for custody training only. Each type of training includes at least two hours of domestic violence training. Prior to mediating independently, the mediator must also mediate at least four cases under the supervision of a court-connected mediator. A mediator must also have his or her own professional liability insurance.

#### **Rule 1940.5. Duties of the Mediator.**

(a) At the orientation session, the mediator must inform the parties in writing of the following:

(1) the costs of mediation;

(2) the process of mediation;

(3) that the mediator does not represent either or both of the parties;

(4) the nature and extent of any relationships with the parties and any personal, financial, or other interests that could result in a bias or conflict of interest;

(5) that mediation is not a substitute for the benefit of independent legal advice; and

(6) that the parties should obtain legal assistance for drafting any agreement or for reviewing any agreement drafted by the other party or the mediator.

(b) When mediating a custody dispute, the mediator shall ensure that the parties consider fully the best interests of the children.

(c) With the consent of the parties, the mediator may meet with the party's children or invite other persons to participate in the mediation.

#### **Explanatory Comment**

Proposed Rule 1940.5 sets forth the mediator's responsibilities to the parties. Subdivision (c) permits the participation of third persons with the consent of the parties. Such persons would include attorneys, other family members, mental health professionals, accountants, appraisers or any other person who may be of assistance in resolving the disputed issues.

#### **Rule 1940.6. Termination of Mediation.**

(a) Mediation shall terminate upon the earliest of the following circumstances to occur:

(1) a complete agreement of the parties;

(2) a partial agreement of the parties and a determination by the mediator that further mediation will not resolve the remaining issues; or

(3) a determination by the mediator that the parties are unable to reach an agreement through mediation or that the proceeding is inappropriate for mediation.

(b) If the parties reach a complete or partial agreement, the mediator shall, within 14 days, prepare and transmit to the parties and their attorneys, if any, a non-binding memorandum of understanding setting forth the terms of the parties' agreement. In no event shall any agreement, whether reflected in the memorandum of understanding or otherwise, be binding on the parties until and unless it is subsequently incorporated into a writing and signed by the parties.

(d) If no agreement is reached during mediation, the mediator shall, within 14 days, report this in writing to the court, without further explanation.

(e) The mediator may mediate in subsequent disputes between the parties, but shall not act as attorney, counselor, or psychotherapist for any party either during or after the mediation of a divorce or custody action or in any matter which was the subject of the mediation.

#### **Explanatory Comment**

This proposed Rule sets forth the circumstances for termination of mediation. Subdivision (a)(3) reflects the mediator's continuing ethical obligation to screen for domestic violence, substance abuse and any other factors which make the case unsuitable for mediation.

Subdivision (b) requires the mediator to prepare a memorandum of understanding summarizing the agreements reached by the parties during mediation. This memorandum is primarily for the benefit of the parties

and is not binding on either party until and unless the agreement reflected therein is subsequently reduced to a signed, written agreement evidencing the parties' intention to be bound by that agreement. This is accomplished either by the parties' attorneys or, if not represented, the parties themselves, but in no event is the mediator responsible for drafting the parties' agreement. Court approval of the final agreement is not necessary for the purpose of enforcing it to the same extent as a court order. See 23 Pa.C.S. § 3105.

**Rule 1940.7. Confidentiality.**

(a) Except as provided in (b) and (c),

(1) all mediation communications and mediation documents, as those terms are defined in 42 P. S. § 5949 of the Judicial Code, are privileged, not subject to discovery and inadmissible as evidence in any proceeding; and

(2) no party, mediator or other person who participates in the mediation may be called as a witness or otherwise compelled to reveal any matter disclosed in the mediation.

(b) A fraudulent communication is not privileged in an action to enforce or set aside a mediation agreement reached as a result of that fraudulent communication.

(c) Unless its terms provide otherwise, the final agreement signed by the parties is not privileged.

**Explanatory Comment**

The parties' expectations that matters disclosed in mediation will remain confidential are essential to encouraging candid and forthright discussion during the mediation process. Thus, the proposed Rule provides that all mediation communications and documents, as those terms are defined in 42 P. S. § 5949 of the Judicial Code, are privileged. Nothing in this proposed Rule is intended to modify or restrict the provisions of the Judicial Code which define, describe and limit the types of communications and documents which are privileged. Note that under the Judicial Code all but fraudulent communications are privileged whereas only documents which are prepared for the purpose of, in the course of, or pursuant to the mediation are privileged. 42 Pa.C.S. § 5949(b)(4).

The proposed rule does not explicitly permit the parties to waive confidentiality, even if the parties were to agree to execute a written waiver to this effect. The committee invites comments from the bench, bar and other interested persons on whether the parties should be permitted to waive confidentiality and, if so, the circumstances under which it may appropriately be waived.

**Rule 1940.8. Mediator Compensation.**

Mediators shall be compensated for their services at a rate to be established by each court.

**Explanatory Comment**

Mediator compensation is necessary to establish and maintain a quality mediation program. However, in the absence of a statewide office for alternative dispute resolution, each court must develop and secure its own funds for the mediation program. Since the availability of funds will vary significantly from court to court, each court may establish its own rate and method of compensation at this time. In doing so, however, the fees should be structured so that all parties are assured equal access to mediation services.

**Rule 1940.9. Sanctions.**

On its own motion or a party's motion, the court may impose sanctions against any party or attorney who fails

to comply or causes a party not to comply with these mediation rules. Sanctions may include an award of mediation costs and attorney fees, including those incurred in the filing and presentation of the motion for sanctions.

**Rule 1940.10. Evaluation of Mediation Program.**

(a) Each court shall require mediators and court personnel to evaluate the mediation program at least semi-annually.

(b) The court shall require uniform statistical and evaluation report forms to be completed by the mediator after each mediation session.

**Explanatory Comment**

This proposed rule contemplates peer review evaluation at the local level for the benefit of the courts and mediators to discuss and evaluate the effectiveness of their particular programs. Peer review is also essential to mediator accountability.

Pursuant to 23 Pa.C.S. § 3904, the Supreme Court is also required to monitor and evaluate the overall effectiveness of mediation programs statewide. At present, however, there is no central office for alternative dispute resolution that can provide the expertise, resources and statistical information necessary for the development of uniform statewide reporting requirements. Reporting is necessary to assess the overall effectiveness of mediation as an alternative to litigation, and it will eventually be required. The current lack of reporting requirements, however, should not be cause for delay in the establishment of mediation programs or the implementation of statewide mediation rules.

MAX BAER,  
*Chairperson*

[Pa.B. Doc. No. 97-1444. Filed for public inspection September 5, 1997, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

### PART I. GENERAL

#### [234 PA. CODE CH. 100]

#### Order Amending Rule 149; No. 225; Doc. No. 2

The Criminal Procedural Rules Committee has prepared a Final Report explaining the August 22, 1997 amendments to Rule of Criminal Procedure 149 (Pleas of Guilty Before Issuing Authority in Court Cases). These amendments clarify that once a district justice accepts a guilty plea in a court case and imposes sentence, the case must be forwarded to the court of common pleas for all further proceedings, including the collection of restitution, fines, and costs; supervision of probation; and revocation proceedings. The Final Report follows the Court's Order.

**Order**

*Per Curiam:*

Now, this 22nd day of August, 1997, upon the recommendation of the Criminal Procedural Rules Committee; this Recommendation having been published at 26 Pa.B. 4897 (October 12, 1996) and in the *Pennsylvania Reporter* (Atlantic Second Series Advance Sheets Vol. 682) before adoption, with a Final Report to be published with this Order:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pa.R.Crim.P. 149 is hereby amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 1998.

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 100. PROCEDURE IN COURT CASES

#### PART IV. PROCEEDINGS BEFORE ISSUING AUTHORITIES

#### Rule 149. Pleas of Guilty Before [ Issuing Authority ] District Justice in Court Cases.

(a) In a court case in which [ an issuing authority ] a district justice is specifically empowered by statute to exercise jurisdiction, a defendant may plead guilty before an issuing authority at any time up to the completion of the preliminary hearing or the waiver thereof.

(b) The [ issuing authority ] district justice may refuse to accept a plea of guilty, and the [ issuing authority ] district justice shall not accept such plea unless there has been a determination, after inquiry of the defendant, that the plea is voluntarily and understandingly tendered.

(c) The plea shall be in writing,

(1) [ Signed ] signed by the defendant, with a representation by the defendant that the plea is entered knowingly, voluntarily, and intelligently; and

(2) [ Signed ] signed by the [ issuing authority ] district justice, with a certification that the plea was accepted after a full inquiry of the defendant, and that the plea was made knowingly, voluntarily, and intelligently.

(d) A defendant who enters a plea of guilty under this rule may, within [ ten ( ) 10 ( ) ] days after sentence, change the plea to not guilty by so notifying the [ issuing authority ] district justice in writing. In such event, the [ issuing authority ] district justice shall vacate the plea and judgment of sentence, and the case shall proceed in accordance with Rule 146, as though the defendant had been held for court.

(e) Ten days after the acceptance of the guilty plea and the imposition of sentence, the district justice shall certify the [ Judgment ] judgment [ on a plea of guilty entered under this rule must be certified ], and shall forward the case to the clerk of [ court ] courts of the judicial district for further proceedings. [ within ten (10) days of disposition. ]

**Official Note:** Adopted June 30, 1977, effective September 1, 1977; Comment revised January 28, 1983, effective July 1, 1983; amended November 9, 1984, effective January 2, 1985; amended August 22, 1997, effective January 1, 1998.

#### Comment:

In certain cases, provisions for taking a plea of guilty in what would ordinarily be a court case within the jurisdiction of the court of common pleas have been placed within the jurisdiction of [ issuing authorities ] district justices. This rule [ was initially adopted ] provides the

procedures to implement [ procedures for such ] this expanded [ issuing authority ] jurisdiction of district justices to accept pleas of guilty under certain circumstances in certain specified [ third degree ] misdemeanors. [ , pursuant to the Act of July 15, 1976, P. L. 1014, No. 204 §§ 303, 304, 42 P. S. §§ 2303, 2304. This Act has now been replaced by Section 1515(a)(5) and (6) of the ] See Judicial Code, 42 Pa.C.S. § 1515(a)(5), (6), (6.1), and (7).

This rule applies whenever [ an issuing authority ] a district justice has jurisdiction to accept a plea of guilty in a court case.

Under paragraph (a), it is intended that a defendant may plead guilty at the completion of the preliminary hearing or at any time prior thereto.

Prior to accepting a plea of guilty under this rule, it is suggested that the [ issuing authority ] district justice consult with the attorney for the Commonwealth concerning the case, [ with regard to ] concerning the defendant's possible eligibility for A.R.D. or other types of diversion, and concerning possible related offenses which might be charged in the same complaint. See *Commonwealth v. Campana*, [ 452 Pa. 233, ] 304 A.2d 432 (Pa. 1973). [ The issuing authority should, in any event, determine before accepting the plea whether any other related offenses exist which might affect jurisdiction. ]

Before accepting a plea,

(a) [ the ] The [ issuing authority ] district justice should [ also ] be satisfied of jurisdiction to accept the plea, and should determine whether any other related offenses exist which might affect jurisdiction.

(b) The district justice should be satisfied that the defendant is eligible under the law to plead guilty before [ an issuing authority ] a district justice, and, when relevant, should check [ . This may include, for example, a check of ] the defendant's prior record and inquire [ inquiry ] into the amount of damages. [ , where relevant. ]

(c) The district justice should advise the defendant of the right to counsel. For purposes of appointment of counsel, these cases should be treated as court cases, and the Rule 316 (Assignment of Counsel) procedures should be followed.

(d) The district justice should advise the defendant that, if the defendant wants to change the plea to not guilty, the defendant, within 10 days after imposition of sentence, must notify the district justice who accepted the plea of this decision in writing.

(e) The [ issuing authority ] district justice should make a searching inquiry into the voluntariness of the defendant's plea. A colloquy similar to that suggested in Rule 319 should be conducted to determine the voluntariness of the plea. At a minimum, the [ issuing authority ] district justice should ask questions to elicit the following information:

(1) [ That ] that the defendant understands the nature of the charges pursuant to which the plea is entered[ . ];

(2) **[ That ] that** there is a factual basis for the plea **[ . ]**;

(3) **[ That ] that** the defendant understands that he or she is waiving the right to trial by jury **[ . ]**;

(4) **[ That ] that** the defendant understands that he or she is presumed innocent until **[ he is ]** found guilty **[ . ]**;

(5) **[ That ] that** the defendant is aware of the permissible range of sentences and/or fines for the offenses charged **[ . ]**;

(6) **[ That ] that** the defendant is aware that the **[ issuing authority ] district justice** is not bound by the terms of any plea agreement tendered unless the **[ issuing authority ] district justice** accepts such agreement **[ . ]**; and

(7) **[ That ] that** the defendant understands that the plea precludes consideration for A.R.D. or other diversionary programs **[ . ]**;

See Rule 319 and the Comment thereto for further elaboration of the required colloquy. See also *Commonwealth v. Minor*, [ 467 Pa. 230, ] 356 A.2d [ 246 ] 346 (Pa. 1976), overruled on other grounds in *Commonwealth v. Minarik*, 427 A.2d 623, 627 (Pa. 1981); *Commonwealth v. Ingram*, [ 455 Pa. 198, ] 316 A.2d 77 (Pa. 1974); *Commonwealth v. Martin*, [ 455 Pa. 49, ] 282 A.2d 241 (Pa. 1971).

**[ Before accepting the plea, the issuing authority should advise the defendant of the right to counsel. For purposes of appointment of counsel, these cases should be treated as court cases, and the Rule 318 (Assignment of Counsel) procedure should be followed. The defendant should also be advised, at the time the plea is taken, that any attempt to change the plea to not guilty must be made before the issuing authority within ten (10) days of imposition of sentence. ]**

While the rule continues to require a written plea incorporating the contents specified in paragraph (c), the form of plea was deleted in 1985 because it is no longer necessary to control the specific form of written plea by rule.

Paragraph (c) does not preclude verbatim transcription of the colloquy and plea.

**[ Under paragraph (a), it is intended that a defendant may plead guilty at the completion of the preliminary hearing or at any time prior thereto. ]**

**At the time of sentencing, or at any time within the 10-day period before transmitting the case to the clerk of courts pursuant to paragraph (e), the district justice may accept payment of, or may establish a payment schedule for, installment payments of restitution, fines, and costs.**

If a plea is not entered pursuant to this rule, the papers must be transmitted to the clerk of **[ court ] courts** of the judicial district in accordance with Rule 146. After the time set forth in paragraph (a) for acceptance of the plea of guilty has expired, the **[ issuing authority ] district justice** no longer has jurisdiction to accept a plea. **[ Once the case is transmitted in accordance with Rule 146, the court of common**

**pleas has exclusive jurisdiction over the case and any plea incident thereto. ]**

Regardless of whether a plea stands or is timely changed to not guilty by the defendant, the **[ issuing authority ] district justice** must transmit the transcript and all supporting documents to the appropriate court, in accordance with Rule 146.

**Once the case is forwarded as provided in this rule and in Rule 146, the court of common pleas has exclusive jurisdiction over the case and any plea incident thereto. The case would thereafter proceed in the same manner as any other court case, which would include, for example, the collection of restitution, fines, and costs; the establishment of time payments; and the supervision of probation in those cases in which the district justice has accepted a guilty plea and imposed sentence.**

#### *Committee Explanatory Reports:*

**Final Report explaining the August 22, 1997 amendments, which clarify the procedures following a district justice's acceptance of a guilty plea and imposition of sentence in a court case, published with the Court's order at 27 Pa.B. 4549 (September 6, 1997).**

#### FINAL REPORT

*Amendments to Rule of Criminal Procedure 149; Pleas of Guilty Before Issuing Authority in Court Cases*

#### *Introduction*

On August 22, 1997, upon the recommendation of the Criminal Procedural Rules Committee, the Supreme Court amended Rule of Criminal Procedure 149 (Pleas of Guilty Before Issuing Authority in Court Cases) to clarify that once a district justice accepts a guilty plea in a court case and imposes sentence, the case must be forwarded to the court of common pleas for all further proceedings, including the collection of restitution, fines, and costs, the supervision of probation, and revocation proceedings. The amendments will be effective January 1, 1998. This Final Report highlights the Committee's considerations in formulating these amendments.<sup>1</sup>

#### *Background*

The Committee received correspondence from State Court Administrator Nancy Sobolevitch and others requesting that the Committee clarify the Rule 149 (Pleas of Guilty Before Issuing Authority in Court Cases) procedures following the acceptance of a guilty plea and imposition of sentence. Specifically, the correspondents questioned whether fines, costs, and restitution imposed by the district justice are to be collected by the district justice or the court of common pleas. The correspondents pointed out that the statewide practice is not uniform, with some district justices retaining the case until all the fines and costs are collected, and other district justices forwarding the entire case to the court of common pleas for collection.

The Committee reviewed the history of Rule 149, which was originally recommended in 1977 to provide procedures to implement 42 Pa.C.S. § 1515(a)(5) and (6). This statutory provision expanded the jurisdiction of district justices by permitting them to accept guilty pleas under certain circumstances in certain specified third degree misdemeanors. Because these pleas were technically court cases, the Committee had agreed that, once the plea process was completed, the case should be forwarded to

the court of common pleas. This requirement was included as paragraph (e), which provides:

Judgment on a plea of guilty entered under this rule must be certified to the clerk of courts of the judicial district within ten (10) days of disposition.

Furthermore, the Committee intended that after the judgment was certified by the district justice, and the case forwarded to the court of common pleas, all further proceedings would be in the court of common pleas.

Although the rule clearly provides that the cases are to be forwarded to the court of common pleas, and the rule history makes it clear that once the case was forwarded, all further proceedings would be in the court of common pleas, the Committee considered the correspondence suggesting that the procedure be changed to permit the case to remain with the district justice, and concluded that the procedure should not be changed. However, persuaded by the correspondents' concern about the lack of statewide uniformity, and their obvious confusion about the intended procedure, the Committee agreed that Rule 149 and the Comment should be amended to more clearly provide that once the district justice accepts the guilty plea and imposes sentence, the case should be forwarded to the court of common pleas, where all further proceedings are to occur. In addition, we agreed that the rule should make it clear that "further proceedings" includes the collection of restitution, fines, and costs, the supervision of probation, and revocation proceedings.

Finally, the Committee agreed that the rule should clear up another area of confusion—the district justice's authority to act while the case remains within the district justice's jurisdiction, which is the 10-day period within which the defendant may withdraw the plea. Although the members thought the rule was clear that the district justice has the authority to accept payment of, or to establish a payment schedule for installment payments of, any restitution and the fines and costs, they concluded that a paragraph in the Comment underscoring this authority would be helpful to the members of the minor judiciary.

#### *Discussion of Amendments*

1. The term "issuing authority" has been changed to "district justice" throughout the rule and Comment to make the rule consistent with 42 Pa.C.S. § 1515, which applies only to district justices, and provides for the acceptance of guilty pleas in certain third degree misdemeanors and other cases.

2. Paragraph (e) has been amended in several ways.

(a) The phrases "shall forward the case" and "for further proceedings" have been added to make it clear that the case must be forwarded to the court of common pleas and that all further proceedings are to occur in the court of common pleas.

(b) The phrase "ten days after the acceptance of the guilty plea and the imposition of sentence, the district justice shall certify that..." has been added at the beginning of the paragraph to more accurately convey that the case is not forwarded until after the tenth day after imposition of sentence. The Committee agreed that this clarification was necessary to reduce the likelihood that a case would be forwarded before the expiration of the defendant's 10-day grace period, during which the

defendant may withdraw the guilty plea and have the case proceed as though the defendant had been held for court.

3. The Comment has been revised in several ways.

(a) A paragraph has been added which explains that at the time of sentencing or during the 10-day period before a case is forwarded to the court of common pleas, the district justice may accept payment of restitution, fines, and costs, or establish a payment schedule.

(b) A paragraph has been added which explains that once the case is forwarded, it is to be treated in the same manner as any other court case. We have included examples of what might occur in these cases, such as the collection of restitution, fines, and costs, the establishment of payment schedules, or the supervision of probation.

(c) Finally, several paragraphs in the present Comment which elaborate on the general requirements concerning acceptance of guilty pleas in court cases have been reorganized, moved, and/or revised for purposes of clarity, but have not been substantively modified.

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

[Pa.B. Doc. No. 97-1445. Filed for public inspection September 5, 1997, 9:00 a.m.]

### [234 PA. CODE CH. 1400]

#### Adoption of Pa.R.Crim.P. 1411; Amendment of Pa.R.Crim.P. 1410; Revision of Comment to Pa.R.Crim.P. 1409; No. 226; Doc. No. 2

The Criminal Procedural Rules Committee has prepared a *Final Report* explaining the Supreme Court's adoption of Pa.R.Crim.P. 1411 (Procedures for Commonwealth Challenges to Sentence; Sentencing Appeals), amendment of Rule 1410 (Post-Sentence Motion; Appeal), and revision of the *Comment* to Pa.R.Crim.P. 1409 (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition) on August 22, 1997, effective January 1, 1998. The changes provide procedures for Commonwealth sentencing challenges, and make it clear that judges may not vacate sentence in order to extend the time for consideration or reconsideration of a post-sentence motion or a Commonwealth motion to modify sentence. The *Final Report* follows the Court's Order.

#### Order

*Per Curiam:*

And Now, this 22nd day of August, 1997, upon the recommendation of the Criminal Procedural Rules Committee, the proposal having been published in the *Pennsylvania Bulletin* at 26 Pa.B. 1343 (March 30, 1996), and in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 671-672), it is *Ordered*:

(1) Rule of Criminal Procedure 1411 is hereby adopted,  
 (2) Rule of Criminal Procedure 1410 is amended, and  
 (3) The *Comment* to Rule of Criminal Procedure 1409 is approved,  
 in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 1998.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

CHAPTER 1400. SENTENCING

Rule 1409. Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition.

\* \* \* \* \*

Official Note: Adopted July 23, 1973, effective 90 days hence; amended May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; Comment revised November 1, 1991, effective January 1, 1992; amended September 26, 1996, effective January 1, 1997, 26 Pa.B. 4898; Comment revised August 22, 1997, effective January 1, 1998.

Comment

\* \* \* \* \*

This rule was amended in 1996 to include sentences of intermediate punishment. See 42 Pa.C.S. §§ 9763 and 9773.

Rules 1405, [ and ] 1410, and 1411 do not apply to revocation cases.

\* \* \* \* \*

Committee Explanatory Reports: Report explaining the January 1, 1992 amendments published at 20 Pa.B. 1697 (March 24, 1990), 21 Pa.B. 2246 (May 11, 1990); Supplemental Report published with the Court's Order at 21 Pa.B. 5329 (November 16, 1991).

Final Report explaining the September 26, 1996 amendments published with the Court's Order at 26 Pa.B. 4900 (October 12, 1996).

Final Report explaining the August 22, 1997 Comment revision which cross-references Rule 1411 published with the Court's Order at 27 Pa.B. 4553 (September 6, 1997).

Rule 1410. Post-Sentence Procedures; Appeal.

A. Timing.

\* \* \* \* \*

(3) If the defendant does not file a post-sentence motion, the defendant's notice of appeal shall be filed within 30 days of imposition of sentence, except as provided in subsection A(4).

(4) If the Commonwealth files a motion to modify sentence pursuant to Rule 1411, the defendant's notice of appeal shall be filed within 30 days of the entry of the order disposing of the Commonwealth's motion.

B. Optional Post-Sentence Motion.

\* \* \* \* \*

(3) Time Limits for Decision on Motion.

The judge shall not vacate sentence pending decision on the post-sentence motion, but shall decide the motion as provided in this subsection.

\* \* \* \* \*

Official Note: Previous Rule 1410, adopted May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; rescinded March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994, and replaced by present Rule 1410. Present Rule 1410 adopted March 22,

1993 and amended December 17, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996. Comment revised September 26, 1996, effective January 1, 1997; amended August 22, 1997, effective January 1, 1998.

Comment

\* \* \* \* \*

Timing

\* \* \* \* \*

When a defendant files a timely post-sentence motion, the 30-day period for the defendant's direct appeal on all matters in that case—including all issues related to any informations and any charges consolidated against the defendant for trial—is triggered by the trial judge's decision on the post-sentence motion or the denial of the motion by operation of law. The appeal period runs from the entry of the order. As to the date of entry of orders, see Pa.R.A.P. 108. No direct appeal may be taken by a defendant while his or her post-sentence motion is pending. See subsection A(2).

If no timely post-sentence motion is filed, the defendant's appeal period runs from the date sentence is imposed. See subsection A(3). Under subsection A(4), however, when the defendant has not filed a post-sentence motion but the Commonwealth files a motion to modify sentence under Rule 1411, it is the entry of the order disposing of the Commonwealth's motion that commences the 30-day period during which the defendant's notice of appeal must be filed. See Rule 1411(B)(2)(b).

All references to appeals in this rule relate to the defendant's right to appeal. The rule does not address or alter the Commonwealth's right to appeal. For Commonwealth challenges to sentences, see Rule 1411.

Optional Post-Sentence Motion

\* \* \* \* \*

In those cases in which [ where ] a petitioner under the Post Conviction Relief Act has been granted leave to file a post-sentence motion or to appeal nunc pro tunc, the filing of the post-sentence motion or the notice of appeal must comply with the timing requirements contained in Section A of this rule. See the Post Conviction Relief Act, 42 Pa.C.S. §§ 9541 et seq.

Briefs; Transcripts; Arguments

\* \* \* \* \*

There is no requirement that oral argument be heard on every post-sentence motion. [ Where ] When argument is to be heard, however, the judge should determine whether the post-sentence motion argument must be argued before the judge alone, or before a panel sitting en banc. It is recommended that, except in extraordinary circumstances, the post-sentence motion be heard by the judge alone. The judge may make any rulings that could be made by a court en banc. Commonwealth v. Norris, 389 A.2d 668 (Pa. Super. 1978). On the powers of courts en banc, see Commonwealth v. Bonser, 258 A.2d 675 (Pa. Super. 1969). For cases in which there has been a change of venue, see Rule 312.

When oral argument is heard on the post-sentence motion, the defendant need not be present.

*Disposition*

Under subsection B(3), once the defendant makes a timely written post-sentence motion, the judge retains jurisdiction for the duration of the disposition period. **The judge may not vacate the order imposing sentence pending decision on the post-sentence motion. This is so whether or not the Commonwealth files a motion to modify sentence. See Rule 1411. [It is not necessary for the judge to vacate the sentence imposed.]**

\* \* \* \* \*

If the trial judge decides the motion within the time limits of this rule, the judge may reconsider that decision, but [grants reconsideration on the post-sentence motion pursuant to 42 Pa.C.S. § 5505 or Pa.R.A.P. 1701,] **the judge may not vacate the sentence pending reconsideration. Rule 1410B(3). [the]** The reconsideration period may not be used to extend the timing requirements set forth in section B(3) for decision on the post-sentence motion: the time limits imposed by subsections B(3)(a) and B(3)(b) continue to run from the date the post-sentence motion was originally filed. The trial judge's reconsideration must therefore be resolved within the 120-day decision period of subsection B(3)(a) or the 30-day extension period of subsection B(3)(b), whichever applies. If a decision on the reconsideration is not reached within the appropriate period, the post-sentence motion, including any issues raised for reconsideration, will be denied pursuant to subsection B(3)(c).

\* \* \* \* \*

*Miscellaneous*

\* \* \* \* \*

Issues [raised] properly preserved at the sentencing proceeding need not, but may[, ] be raised again in a motion to modify sentence in order to preserve them for appeal. In deciding whether to move to modify sentence, counsel [should] **must** carefully consider whether the record created at the sentencing proceeding is adequate for appellate review of the issues, **or the issues may be waived. See Commonwealth v. Jarvis, 663 A.2d 790 (Pa. Super. 1995). See also Rule 1405.C(4).** As a general rule, the motion to modify sentence under subsection B(1)(a)(v) gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. **See, e.g., Commonwealth v. Jones, 554 A.2d 50 (Pa. 1989) (sentencing court can, sua sponte, correct an illegal sentence even after the defendant has begun serving the original sentence) and Commonwealth v. Cole, 263 A.2d 339 (Pa. 1970) (inherent power of the court to correct obvious and patent mistakes).**

Once a sentence has been modified or reimposed pursuant to a motion to modify sentence **under subsection B(1)(a)(v) or Rule 1411, [however,]** a party wishing to challenge the decision on the motion does not have to file an additional motion to modify sentence in order to preserve an [the] [issues] issue for appeal, **as long as the issue was properly preserved at the time sentence was modified or reimposed.**

**Commonwealth challenges to sentences are governed by Rule 1411. If the defendant files a post-**

**sentence motion, the time limits for decision on the defendant's motion govern the time limits for disposition of the Commonwealth motion to modify sentence, regardless of which motion is filed first. See Rule 1411(C)(1). If the defendant elects to file an appeal and the Commonwealth files a motion to modify sentence, decision on the Commonwealth's motion triggers the defendant's 30-day appeal period. See Rule 1410A(4).**

Given that the Commonwealth has 10 days to file a motion to modify sentence under Rule 1411(B)(1), it is possible that the defendant might elect to file a notice of appeal under paragraph Rule 1410A(3) followed by the Commonwealth's filing a timely motion to modify sentence. When this occurs, the defendant's notice of appeal is rendered premature, because the entry of the order disposing of the Commonwealth's motion to modify sentence then becomes the triggering device for the defendant's notice of appeal. In this situation, counsel for the defendant should be aware that Pa.R.A.P. 905(a) addresses this problem. In response to an extensive history of appeals which were quashed because of the premature filing of the notice of appeal, the last sentence of Pa.R.A.P. 905(a) was drafted to create a legal fiction which treats a premature notice of appeal as filed after the entry of the appealable order. For a discussion of this provision, see *Darlington, McKeon, Schuckers, and Brown, Pennsylvania Appellate Practice, 2d., § 905.3.*

\* \* \* \* \*

*Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 23 Pa.B. 1699 (April 10, 1993). Report explaining the December 17, 1993 amendments published with the Court's Order at 24 Pa.B. 334 (January 15, 1994).

Final Report explaining the September 13, 1995 amendments **concerning bail** published with the Court's Order at 25 Pa.B. 4116 (September 30, 1995).

Final Report explaining the September 26, 1996 Comment revision on Rule 1409 procedures published at 26 Pa.B. 4900 (October 12, 1996).

**Final Report explaining the August 22, 1997 amendments to subsections A(4) and B(3) published with the Court's Order at 27 Pa.B. 4553 (September 6, 1997).**

*(Editor's Note: The following rule is new. It is printed in regular type to enhance readability.)*

**Rule 1411. Procedures for Commonwealth Challenges to Sentence; Sentencing Appeals.**

(A) *Commonwealth Challenges to Sentence*

(1) The Commonwealth may challenge a sentence by filing a motion to modify sentence, by filing an appeal on a preserved issue, or by filing a motion to modify sentence followed by an appeal.

(2) Sentencing issues raised by the Commonwealth at the sentencing proceeding shall be deemed preserved for appeal whether or not the Commonwealth elects to file a motion to modify sentence on those issues.

(B) *Timing*

(1) *Motion for Modification of Sentence.* A Commonwealth motion for modification of sentence shall be filed no later than 10 days after imposition of sentence.

(2) *Appeal of Sentence.*(a) *Appeal Directly from Order Imposing Sentence.*

(i) If the defendant has filed a post-sentence motion, and the Commonwealth elects to challenge the sentence by filing an appeal directly from the order imposing sentence, notice of the Commonwealth's appeal shall be filed within 30 days of the entry of the order disposing of the defendant's post-sentence motion pursuant to Rule 1410B(3).

(ii) If the defendant has not filed a post-sentence motion, the Commonwealth's notice of appeal shall be filed within 30 days of the entry of the order imposing sentence.

(b) *Appeal following Disposition of Commonwealth Motion to Modify Sentence.*

(i) If the defendant has filed a post-sentence motion, the Commonwealth's notice of appeal shall be filed within 30 days of the entry of the orders disposing of the Commonwealth's and the defendant's motions pursuant to subsection (C)(1).

(ii) If the defendant has not filed a post-sentence motion, the Commonwealth's notice of appeal shall be filed within 30 days of the entry of the order disposing of the Commonwealth's motion pursuant to subsection (C)(2).

(C) *Trial Court Action; Disposition*

If the attorney for the Commonwealth files a timely motion for modification of sentence pursuant to subsection (A)(1), the judge shall dispose of the motion as provided in this section.

(1) If the defendant has filed a post-sentence motion, the judge shall not vacate sentence but shall decide the Commonwealth's motion and the defendant's post-sentence motion simultaneously. The Rule 1410B(3) time limits for deciding the defendant's post-sentence motion, including the automatic denial provisions, shall apply to the disposition of the Commonwealth's motion. The starting date for disposition of both motions shall be the date on which the defendant filed the post-sentence motion.

(2) If the defendant has not filed a post-sentence motion, the judge shall not vacate sentence but shall decide the Commonwealth's motion within 120 days of the filing of the motion. If the judge fails to decide the Commonwealth's motion within 120 days, the motion shall be deemed denied by operation of law.

(D) *Entry of Order by Clerk of Courts*

(1) When the Commonwealth's motion for modification of sentence is denied by operation of law, the clerk of courts shall forthwith:

(a) enter an order on behalf of the court denying the Commonwealth's motion for modification of sentence by operation of law, and

(b) furnish a copy of the order, by mail or personal delivery, to the attorney for the Commonwealth, the defendant, and defense counsel.

(2) An order entered by the clerk of courts pursuant to this section shall not be subject to reconsideration.

**Official Note:** Adopted August 22, 1997, effective January 1, 1998.

**Comment:**

New Rule 1411 was promulgated to clarify the procedures for Commonwealth challenges to sentences in light

of the post-sentence procedures adopted in 1993. See Pa.R.Crim.P. 1410. This rule does not address any other type of Commonwealth challenge or Commonwealth appeals generally.

Historically, the Commonwealth has been required to raise a discretionary sentencing issue at the sentencing hearing or in a post-trial motion to modify sentence in order to preserve the issue for appellate review. *Commonwealth v. Eyster*, 585 A.2d 1027 (Pa. Super. 1991) (en banc), appeal denied 602 A.2d 857 (Pa. 1992). Challenges to the legality of a sentence, however, are not waived if the Commonwealth fails to timely file a motion for modification. See *Commonwealth v. Smith*, 598 A.2d 268 (Pa. 1991).

Under new Rule 1411, the Commonwealth's motion for modification of sentence is optional, as long as any discretionary sentencing issue is properly preserved at the time sentence was imposed. Before forgoing trial court review and proceeding with a direct appeal, the attorney for the Commonwealth must therefore be sure that the record created at the sentencing proceeding is adequate for appellate review of the issue, or the issue may be waived. See *Commonwealth v. Jarvis*, 663 A.2d 790 (Pa. Super. 1995), at n.1.

As a general rule, a motion for modification of sentence gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. See, e.g., *Commonwealth v. Jones*, 554 A.2d 50 (Pa. 1989) (sentencing court can, sua sponte, correct an illegal sentence even after the defendant has begun serving the original sentence) and *Commonwealth v. Cole*, 263 A.2d 339 (Pa. 1970) (inherent power of the court to correct obvious and patent mistakes).

Once a sentence has been modified or reimposed pursuant to a motion to modify sentence under this rule or Rule 1410B(1)(a)(v), a party wishing to challenge the decision on the motion does not have to file an additional motion to modify sentence in order to preserve an issue for appeal, as long as the issue was properly preserved at the time the sentence was modified or reimposed.

*Trial Court Action*

Section (C) sets forth the procedures for trial court action on the Commonwealth's motion for modification. Key to the timing of the judge's decision on the Commonwealth's motion is whether the defendant files a post-sentence motion.

*Rule 1410 Motion Filed*

Under subsection (C)(1), if the defendant has filed a post-sentence motion, the judge is not permitted to vacate sentence and must decide the defendant's post-sentence motion and the Commonwealth's motion simultaneously. The date on which the defendant's post-sentence motion is filed, see Rule 1410A(1), triggers the time limit within which the judge must also dispose of the Commonwealth's motion, regardless of which motion is filed first. If the judge fails to decide the Commonwealth's motion within this time limit, the motion is deemed denied by operation of law. See Rule 1410B(3).

*Rule 1410 Motion Not Filed*

When the defendant has not filed a post-sentence motion, the disposition of the Commonwealth's motion is governed by subsection (C)(2). The judge may not vacate sentence, but has 120 days to decide the Commonwealth's



motion or the motion is deemed denied by operation of law. If the judge decides the motion within the 120-day limit and then agrees to reconsider, the reconsideration must be resolved within the original 120-day time limit. The judge may not vacate sentence in order to reconsider the motion or otherwise use the reconsideration period to extend the 120-day time limit. It follows that even if the defendant has filed a notice of appeal, the procedural exceptions provided in Pa.R.A.P. 1701(b)(3) do not apply to challenges to sentences.

See also the Rule 1410 Comment under "Disposition."

#### *Entry of Order by Clerk of Courts*

Under subsection (D)(1), when a Commonwealth motion to modify sentence has been denied by operation of law, the clerk of courts must enter an order on behalf of the court and furnish copies to the attorney for the Commonwealth, the defendant, and defense counsel. The clerk of courts' order is ministerial and not subject to reconsideration. See subsection (D)(2). The clerk of courts must also comply with the notice and docketing requirements of Rule 9024.

#### *Appeal of Sentence*

Subsection (B)(2) contains the timing requirements for Commonwealth notices of appeal.

#### *No Commonwealth Motion to Modify Sentence Filed*

Subsection (B)(2)(a) covers the time for filing a notice of appeal when the Commonwealth has elected not to file a motion to modify sentence with the trial judge. The time for filing the Commonwealth's notice of appeal under this subsection depends on whether the defendant has filed a post-sentence motion. When the defendant files a post-sentence motion, subsection (B)(2)(a)(i) provides that the entry of the order disposing of the defendant's post-sentence motion triggers the 30-day period during which the Commonwealth's notice of appeal must be filed. If no post-sentence motion is filed, it is the entry of the order imposing sentence that triggers the Commonwealth's 30-day appeal period. See Rule 1411(B)(2)(a)(ii).

Given that a defendant has 10 days to file a post-sentence motion under Rule 1410A(1), it is possible that the Commonwealth might file a notice of appeal under subsection (B)(2)(a)(ii) followed by the defendant's filing a timely post-sentence motion. When this occurs, the Commonwealth's notice of appeal is rendered premature, because it is the entry of the order disposing of the defendant's post-sentence motion that becomes the triggering device for the Commonwealth's notice of appeal. In this situation, counsel for the Commonwealth should be aware that Pa.R.A.P. 905(a) addresses this problem. In response to an extensive history of appeals which were quashed because of the premature filing of the notice of appeal, the last sentence of Pa.R.A.P. 905(a) was drafted to create a legal fiction which treats a premature notice of appeal as filed after the entry of the appealable order. For a discussion of this provision, see Darlington, McKeon, Schuckers, and Brown, *Pennsylvania Appellate Practice*, 2d., § 905.3.

#### *Commonwealth Motion to Modify Sentence Filed*

Subsection (B)(2)(b) covers the time for filing the notice of appeal when the Commonwealth has elected to file a motion to modify sentence with the trial judge. As in subsection (B)(2)(a), the time for notice depends on whether the defendant files a post-sentence motion. If the defendant has filed a post-sentence motion, the disposition of the Commonwealth's and the defendant's motion is simultaneous. See Rule 1411(C)(1). If the defendant does

not file a post-sentence motion, the 30-day appeal period begins to run from the entry of the order disposing of the Commonwealth's motion pursuant to the time limit of subsection (C)(2).

#### *Committee Explanatory Reports:*

Final Report explaining the new rule published with the Court's Order at 27 Pa.B. 4553 (September 6, 1997).

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

#### *Commonwealth Challenges to Sentences; Preservation of Sentencing Issues; Vacation of Sentence*

On August 22, 1997, upon the recommendation of the Criminal Rules Committee,<sup>2</sup> the Supreme Court of Pennsylvania adopted Pa.R.Crim.P. 1411 (Procedures for Commonwealth Challenges to Sentence; Sentencing Appeals), amended Rule 1410 (Post-Sentence Motion; Appeal), and approved a revision to the Comment to Pa.R.Crim.P. 1409 (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition), effective January 1, 1998.<sup>3</sup> The changes provide procedures for Commonwealth sentencing challenges and make it clear that judges may not vacate sentence in order to extend the time for consideration or reconsideration of a post-sentence motion or a Commonwealth motion to modify sentence.

#### *A. Overview*

When the Court adopted present Rule 1410 (Post-Sentence Motion; Appeals) in 1993, the Court rescinded former Rule 1410 (Motion to Modify Sentence), a rule which historically applied to both the Commonwealth and defendants. Present Rule 1410, however, does not address Commonwealth sentencing challenges or the Commonwealth's right to appeal. See the "Timing" section of the Rule 1410 Comment. In short, since 1994, the Rules of Criminal Procedure have been silent on what procedures the Commonwealth should follow to challenge a sentence, and over time, the Committee has received numerous inquiries from judges and prosecutors asking whether the time limits of present Rule 1410 apply to Commonwealth sentencing challenges.

A separate but related problem brought to our attention was that some judges appeared to be unaware that the absolute time limits for disposition of the post-sentence motion under Rule 1410 may not be extended by granting reconsideration pursuant to Pa.R.A.P. 1701(b)(3) or vacating sentence by any other means. See the "Disposition" section of the Rule 1410 Comment.

To address these two problematic areas, new Rule 1411 provides procedures for Commonwealth sentencing challenges, with correlative amendments to Rule 1410, and both Rules 1410 and 1411 expressly prohibit a judge from vacating sentence during the rule's dispositional period.

#### *B. Summary of Changes*

##### *1. New Rule 1411 (Procedures for Commonwealth Challenges to Sentence; Sentencing Appeals)*

New Rule 1411 provides detailed procedures for Commonwealth sentencing challenges, particularly as to the timing of Commonwealth appeals of sentencing issues. Rule 1411 makes it clear that, as to sentencing challenges, the Commonwealth has the same options that the defendant does under present Rule 1410, see *Commonwealth v. Jarvis*, 663 A.2d 790 (Pa. Super. 1995), and sets forth the Commonwealth's time for appeal relative to whether the defendant files a post-sentence motion. The rule sets specific time limits for the disposition of the Commonwealth's motion to modify sentence, limits which must be met or the Commonwealth's motion will be

denied by operation of law. The judge may not vacate sentence pending disposition or pending reconsideration of that disposition.

2. *Amendments to Rule 1410 (Post-Sentence Motion; Appeals)*

In addition to clarifying amendments to Section A, Timing, necessitated by the interplay between new Rule 1411 and Rule 1410, the amendments to Rule 1410 make it clear that the judge may not vacate sentence pending disposition of the post-sentence motion or pending reconsideration of that disposition. See Rule 1410B(3).

The Comment to Rule 1410 has been revised to address all of the changes discussed above. In addition, the "Miscellaneous" section of the Rule 1410 Comment has been revised to make it clear that in order to preserve sentencing issues for appeal, they must be raised with the sentencing judge either at the time of sentencing, or in a post-sentence motion. See *Commonwealth v. Jarvis*, 663 A.2d 790 (Pa. Super. 1995).

3. *Comment Revision to Rule 1409 (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition)*

Rule 1409 was amended in 1996 to provide separate sentencing procedures for revocation proceedings. We have added a cross-reference to new Rule 1411 in the Comment to make it clear that Rule 1411 does not apply to revocation proceedings.

4. *Relationship of Criminal Rule Changes to Revision of Note to Pa.R.A.P. 1701(b)(3)*

The Note to Rule of Appellate Procedure 1701 contained an out-of-date cross-reference to former Rule 1410. At the Committee's request, the Appellate Court Rules Committee recommended to the Court that this portion of the Note be deleted and a new paragraph added to explain that the procedures permitted by Pa.R.A.P. 1701(b)(3) do not apply to post-trial criminal practice under Rules 1410 and 1411: a judge may not vacate sentence or "grant reconsideration" in order to extend the absolute time limits of the post-sentence procedures governed by these two rules.

C. *Correspondence Received in Response to Publication of the Proposal*

The Committee received several comments in response to the proposal. After review, we concluded that no modification of the proposal, as published, was warranted. Subsequent to our review of the comments received in response to publication, the Court directed that new Rule 1411(A)(1) be revised to make it clearer that when the Commonwealth chooses not to file a motion to modify sentence but only to appeal a sentencing issue, the issue must be preserved at the time of sentencing.

D. *Discussion*

*NOTE:* Section D departs from the Committee's traditional format for the discussion of rule changes. The changes are discussed below in individual annotations, which appear as separate paragraphs within the rules, in bold and italics.

1. *New Rule 1411. Procedures for Commonwealth Challenges to Sentence; Sentencing Appeals.*

(A) *Commonwealth Challenges to Sentence*

Because there was considerable confusion among prosecutors and judges concerning the applicability of Rule 1410 to Commonwealth sentencing challenges, the Committee agreed that there should be a separate rule, and

that the new rule should make it clear that the Commonwealth has the same options as to sentencing challenges that the defendant does, options analyzed at length in the *Comment* to Rule 1411 and in the "Miscellaneous" section of the *Comment* to Rule 1410.

(1) The Commonwealth may challenge a sentence by filing a motion to modify sentence, by filing an appeal on a preserved issue, or by filing a motion to modify sentence followed by an appeal.

(2) Sentencing issues raised by the Commonwealth at the sentencing proceeding shall be deemed preserved for appeal whether or not the Commonwealth elects to file a motion to modify sentence on those issues.

(B) *Timing*

(1) Motion for Modification of Sentence. A Commonwealth motion for modification of sentence shall be filed no later than 10 days after imposition of sentence.

(2) *Appeal of Sentence.*

(a) Appeal Directly from Order Imposing Sentence.

Subsection (B)(2)(a) applies when the Commonwealth has preserved the sentencing challenge at the sentencing hearing, see subsections (A)(1) and (2), above, and seeks review of the sentence at the appellate level only. The triggering event for the Commonwealth's 30-day appeal period is defined by whether the defendant files a post-sentence motion.

(i) If the defendant has filed a post-sentence motion, and the Commonwealth elects to challenge the sentence by filing an appeal directly from the order imposing sentence, notice of the Commonwealth's appeal shall be filed within 30 days of the entry of the order disposing of the defendant's post-sentence motion pursuant to Rule 1410B(3).

(ii) If the defendant has not filed a post-sentence motion, the Commonwealth's notice of appeal shall be filed within 30 days of the entry of the order imposing sentence.

(b) Appeal following Disposition of Commonwealth Motion to Modify Sentence.

Subsection (B)(2)(b) applies when the Commonwealth has filed a motion to modify sentence no later than 10 days after imposition of sentence. See subsection (B)(1). The judge's disposition of the motion triggers the Commonwealth's 30-day appeal period. The time limit for the disposition of the Commonwealth motion, however, depends on whether the defendant has filed a post-sentence motion, as provided in the following subsections.

(i) If the defendant has filed a post-sentence motion, the Commonwealth's notice of appeal shall be filed within 30 days of the entry of the orders disposing of the Commonwealth's and the defendant's motions pursuant to subsection (C)(1).

Subsection (C)(1) requires that the judge decide a Commonwealth motion to modify simultaneously with the defendant's post-sentence motion.

(ii) If the defendant has not filed a post-sentence motion, the Commonwealth's notice of appeal shall be filed within 30 days of the entry of the order disposing of the Commonwealth's motion pursuant to subsection (C)(2).

(C) *Trial Court Action; Disposition*

If the attorney for the Commonwealth files a timely motion for modification of sentence pursuant to subsection (A)(1), the judge shall dispose of the motion as provided in this section.

The judge is expressly prohibited from vacating sentence pending disposition of the motion, including any reconsideration of a disposition. Similar language has been included in the amendments to Rule 1410. See Rule 1410B(3) and the first paragraph of the "Disposition" section of the Rule 1410 Comment.

(1) If the defendant has filed a post-sentence motion, the judge shall not vacate sentence but shall decide the Commonwealth's motion and the defendant's post-sentence motion simultaneously. The Rule 1410B(3) time limits for deciding the defendant's post-sentence motion, including the automatic denial provisions, shall apply to the disposition of the Commonwealth's motion. The starting date for disposition of both motions shall be the date on which the defendant filed the post-sentence motion.

The Rule 1410B(3) time period for disposition of the Commonwealth's motion to modify sentence is triggered by the date on which the defendant files a post-sentence motion pursuant to Rule 1410A(1). Once the disposition period on the defendant's post-sentence motion begins to run, it becomes the disposition period for the Commonwealth's motion to modify sentence, regardless of which motion is filed first. If the judge grants the defendant a 30-day extension as permitted under Rule 1410B(3)(b), the total dispositional period, as extended, applies to the simultaneous disposition of the Commonwealth's motion to modify sentence. If the judge fails to decide the Commonwealth's motion by the expiration of the disposition period, the Commonwealth's motion is deemed denied by operation of law, and the clerk of courts must enter an order pursuant to section D, below.

(2) If the defendant has not filed a post-sentence motion, the judge shall not vacate sentence but shall decide the Commonwealth's motion within 120 days of the filing of the motion. If the judge fails to decide the Commonwealth's motion within 120 days, the motion shall be deemed denied by operation of law.

Although the Committee considered several approaches to this provision, we concluded that when a defendant has not filed a post-sentence motion, a 120-day period allowed ample time for the resolution of a Commonwealth motion. Unlike Rule 1410B(3)(b), therefore, no extension of this disposition period is permitted.

#### (D) *Entry of Order by Clerk of Courts*

Subsection (D) is a simplified version of its counterpart in Rule 1410. See also Rule 1410A(4).

(1) When the Commonwealth's motion for modification of sentence is denied by operation of law, the clerk of courts shall forthwith:

(a) enter an order on behalf of the court denying the Commonwealth's motion for modification of sentence by operation of law, and

(b) furnish a copy of the order, by mail or personal delivery, to the attorney for the Commonwealth, the defendant, and defense counsel.

(2) An order entered by the clerk of courts pursuant to this section shall not be subject to reconsideration.

#### *Comment:*

Annotation note: those paragraphs which are self-explanatory have not been annotated.

New Rule 1411 was promulgated to clarify the procedures for Commonwealth challenges to sentences in light of the post-sentence procedures adopted in 1993. See Pa.R. Crim.P. 1410. This rule does not address any other type of Commonwealth challenge or Commonwealth appeals generally.

The next several paragraphs, tailored for Commonwealth challenges, derive from similar language in the Rule 1410 Comment, as revised. They are intended to make it clear that, unless a discretionary sentencing issue is raised at the sentencing hearing, it must be raised in a motion to modify sentence in order to preserve it for appellate review.

Historically, the Commonwealth has been required to raise a discretionary sentencing issue at the sentencing hearing or in a post-trial motion to modify sentence in order to preserve the issue for appellate review. *Commonwealth v. Eyster*, 585 A.2d 1027 (Pa. Super. 1991) (en banc), appeal denied 602 A.2d 857 (Pa. 1992). Challenges to the legality of a sentence, however, are not waived if the Commonwealth fails to timely file a motion for modification. See *Commonwealth v. Smith*, 598 A.2d 268 (Pa. 1991).

Under new Rule 1411, the Commonwealth's motion for modification of sentence is optional, as long as any discretionary sentencing issue is properly preserved at the time sentence was imposed. Before forgoing trial court review and proceeding with a direct appeal, the attorney for the Commonwealth must therefore be sure that the record created at the sentencing proceeding is adequate for appellate review of the issue, or the issue may be waived. See *Commonwealth v. Jarvis*, 663 A.2d 790 (Pa. Super. 1995), at n.1.

As a general rule, a motion for modification of sentence gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. See, e.g., *Commonwealth v. Jones*, 554 A.2d 50 (Pa. 1989) (sentencing court can, sua sponte, correct an illegal sentence even after the defendant has begun serving the original sentence) and *Commonwealth v. Cole*, 263 A.2d 339 (Pa. 1970) (inherent power of the court to correct obvious and patent mistakes).

Once a sentence has been modified or reimposed pursuant to a motion to modify sentence under this rule or Rule 1410B(1)(a)(v), a party wishing to challenge the decision on the motion does not have to file an additional motion to modify sentence in order to preserve an issue for appeal, as long as the issue was properly preserved at the time the sentence was modified or reimposed.

#### *Trial Court Action*

Section (c) sets forth the procedures for trial court action on the Commonwealth's motion for modification. Key to the timing of the judge's decision on the Commonwealth's motion is whether the defendant files a post-sentence motion.

#### *Rule 1410 Motion Filed*

Under subsection (C)(1), if the defendant has filed a post-sentence motion, the judge is not permitted to vacate sentence and must decide the defendant's post-sentence motion and the Commonwealth's motion simultaneously. The date on which the defendant's post-sentence motion is filed, see Rule 1410A(1), triggers the time limit within which the judge must also dispose of the Commonwealth's

motion, regardless of which motion is filed first. If the judge fails to decide the Commonwealth's motion within this time limit, the motion is deemed denied by operation of law. See Rule 1410B(3).

*Rule 1410 Motion Not Filed*

The purpose of the next paragraph is to make it clear that any reconsideration must take place within the 120-day time limit, and that the procedural exceptions provided in Pa.R.A.P. 1701(b)(3) do not apply to Rule 1411 sentencing challenges.

When the defendant has not filed a post-sentence motion, the disposition of the Commonwealth's motion is governed by subsection (C)(2). The judge may not vacate sentence, but has 120 days to decide the Commonwealth's motion or the motion is deemed denied by operation of law. If the judge decides the motion within the 120-day limit and then agrees to reconsider, the reconsideration must be resolved within the original 120-day time limit. The judge may not vacate sentence in order to reconsider the motion or otherwise use the reconsideration period to extend the 120-day time limit. It follows that even if the defendant has filed a notice of appeal, the procedural exceptions provided in Pa.R.A.P. 1701(b)(3) do not apply to challenges to sentences. See also the Rule 1410 Comment under "Disposition."

*Entry of Order by Clerk of Courts*

Under subsection (D)(1), when a Commonwealth motion to modify sentence has been denied by operation of law, the clerk of courts must enter an order on behalf of the court and furnish copies to the attorney for the Commonwealth, the defendant, and defense counsel. The clerk of courts' order is ministerial and not subject to reconsideration. See subsection (D)(2). The clerk of courts must also comply with the notice and docketing requirements of Rule 9024.

*Appeal of Sentence*

Paragraph (B)(2) contains the timing requirements for Commonwealth notices of appeal.

*No Commonwealth Motion to Modify Sentence Filed*

Paragraph (B)(2)(a) covers the time for filing a notice of appeal when the Commonwealth has elected not to file a motion to modify sentence with the trial judge. The time for filing the Commonwealth's notice of appeal under this subsection depends on whether the defendant has filed a post-sentence motion. When the defendant files a post-sentence motion, subsection (B)(2)(a)(i) provides that the entry of the order disposing of the defendant's post-sentence motion triggers the 30-day period during which the Commonwealth's notice of appeal must be filed. If no post-sentence motion is filed, it is the entry of the order imposing sentence that triggers the Commonwealth's 30-day appeal period. See Rule 1411(B)(2)(a)(ii).

The next paragraph was included because the Committee anticipates that the situation in question—the Commonwealth files an appeal and then the defendant files a post-sentence motion—may arise fairly frequently.

Given that a defendant has 10 days to file a post-sentence motion under Rule 1410A(1), it is possible that the Commonwealth might file a notice of appeal under subsection (B)(2)(a)(ii) followed by the defendant's filing a timely post-sentence motion. When this occurs, the Commonwealth's notice of appeal is rendered premature, because it is the entry of the order disposing of the defendant's post-sentence motion that becomes the triggering device for the Commonwealth's notice of appeal. In

this situation, counsel for the Commonwealth should be aware that Pa.R.A.P. 905(a) addresses this problem. In response to an extensive history of appeals which were quashed because of the premature filing of the notice of appeal, the last sentence of Pa.R.A.P. 905(a) was drafted to create a legal fiction which treats a premature notice of appeal as filed after the entry of the appealable order. For a discussion of this provision, see Darlington, McKeon, Schuckers, and Brown, Pennsylvania Appellate Practice, 2d., § 905.3.

*Commonwealth Motion to Modify Sentence Filed*

Subsection (B)(2)(b) covers the time for filing the notice of appeal when the Commonwealth has elected to file a motion to modify sentence with the trial judge. As in subsection (B)(2)(a), the time for notice depends on whether the defendant files a post-sentence motion. If the defendant has filed a post-sentence motion, the disposition of the Commonwealth's and the defendant's motion is simultaneous. See Rule 1411(C)(1). If the defendant does not file a post-sentence motion, the 30-day appeal period begins to run from the entry of the order disposing of the Commonwealth's motion pursuant to the time limit of subsection (C)(2).

*2. Rule 1410. Post-Sentence Procedures; Appeal.*

*A. Changes to the Text of Rule 1410*

*Annotation note:* Because of the length of Rule 1410, only those portions of the rule and Comment necessary to explain the changes are included. Asterisks indicate omitted text.

*A. TIMING.*

(1) Except as provided in Section D, a written post-sentence motion shall be filed no later than 10 days after imposition of sentence.

(2) If the defendant files a timely post-sentence motion, the notice of appeal shall be filed within 30 days of the entry of the order deciding the motion, or, if the judge fails to decide the motion, within 30 days of the entry of the order denying the motion by operation of law.

Under subsection A(3), when a defendant chooses to appeal from the order imposing sentence, rather than to file a post-sentence motion, the time for appeal is 30 days from the imposition of sentence, unless the Commonwealth has filed a motion to modify sentence, in which event it is the disposition of the Commonwealth's motion which triggers the defendant's appeal period. See subsection A(4). See also Rule 1411(D), which insures that the defendant will receive a copy of the clerk of courts' order denying a Commonwealth motion by operation of law.

(3) If the defendant does not file a post-sentence motion, *the defendant's* notice of appeal shall be filed within 30 days of imposition of sentence, *except as provided in subsection A(4).*

(4) *If the Commonwealth files a motion to modify sentence pursuant to Rule 1411, the defendant's notice of appeal shall be filed within 30 days of the entry of the order disposing of the Commonwealth's motion.*

\* \* \* \* \*

*B(3) Time Limits for Decision on Motion.*

*The judge shall not vacate sentence pending decision on the post-sentence motion, but shall decide the motion as provided in this subsection.*

Subsection 1410B(3) has been amended to state that the judge "shall not vacate sentence pending decision on the post-sentence motion... ." Although this was the

original intent of Rule 1410, the Committee agreed that the rule must be explicit on the issue in order to remove any confusion generated by Pa.R.A.P. 1701(b)(3).

(a) Except as provided in subsection (3)(b), the judge shall decide the post-sentence motion, including any supplemental motion, within 120 days of the filing of the motion. If the judge fails to decide the motion within 120 days, or to grant an extension as provided in subsection (3)(b), the motion shall be deemed denied by operation of law.

(b) Upon motion of the defendant within the 120-day disposition period, for good cause shown, the judge may grant one 30-day extension for decision on the motion. If the judge fails to decide the motion within the 30-day extension period, the motion shall be deemed denied by operation of law.

New Rule 1411(C)(2) does not permit any extension of the 120-day disposition period for a Commonwealth motion to modify sentence. However, if the defendant has filed a post-sentence motion and the judge grants the defendant an extension pursuant to subsection B(3)(b) above, the total disposition period, as extended, would apply to the simultaneous disposition of the Commonwealth's motion to modify sentence. See Rule 1411(C)(1).

(c) When a post-sentence motion is denied by operation of law, the clerk of courts shall forthwith enter an order on behalf of the court, and shall forthwith furnish a copy of the order by mail or personal delivery to the attorney for the Commonwealth, the defendant(s), and defense counsel that the post-sentence motion is deemed denied. This order is not subject to reconsideration.

The Rule 1410B(3) time period for disposition of the defendant's post-sentence motion is triggered by the date on which the defendant files a post-sentence motion pursuant to Rule 1410A(1). Once the dispositional period begins to run, it will apply to any timely filed Commonwealth motion to modify sentence, regardless of which motion is filed first. See Rule 1411(C)(1). If the judge fails to decide either motion within this period, the motion is deemed denied by operation of law. If the judge fails to decide the defendant's post-sentence motion, the clerk of courts must enter an order pursuant to Rule 1410 B(3)(c), above. If the judge fails to decide the Commonwealth's motion to modify sentence, the clerk must enter an order pursuant to Rule 1411(D). If the judge fails to decide both motions, the clerk of courts must enter two orders on behalf of the court.

#### (4) Contents of Order.

An order denying a post-sentence motion, whether signed by the judge or entered by the clerk of courts, shall include notice to the defendant of the following:

(a) the right to appeal and the time limits within which the appeal must be filed;

(b) the right to assistance of counsel in the preparation of the appeal;

(c) the rights, if the defendant is indigent, to appeal in forma pauperis and to proceed with assigned counsel as provided in Rule 316; and

(d) the qualified right to bail under Rule 4010.B.

#### B. Changes to the Rule 1410 Comment

The "Timing" section has been revised to explain the addition of subsection A(4) and to provide a cross-reference to new Rule 1411.

#### TIMING

Section A contains the timing requirements for filing the optional post-sentence motion and taking an appeal. Under subsection A(1), the post-sentence motion must be filed within 10 days of imposition of sentence.

When a defendant files a timely post-sentence motion, the 30-day period for the defendant's direct appeal on all matters in that case—including all issues related to any informations and any charges consolidated against the defendant for trial—is triggered by the trial judge's decision on the post-sentence motion or the denial of the motion by operation of law. The appeal period runs from the entry of the order. As to the date of entry of orders, see Pa.R.A.P. 108. No direct appeal may be taken by a defendant while his or her post-sentence motion is pending. See subsection A(2).

If no timely post-sentence motion is filed, the defendant's appeal period runs from the date sentence is imposed. See subsection A(3). *Under subsection A(4), however, when the defendant has not filed a post-sentence motion but the Commonwealth files a motion to modify sentence under Rule 1411, it is the entry of the order disposing of the Commonwealth's motion that commences the 30-day period during which the defendant's notice of appeal must be filed. See Rule 1411(B)(2)(b).*

All references to appeals in this rule relate to the defendant's right to appeal. The rule does not address or alter the Commonwealth's right to appeal. *For Commonwealth challenges to sentences, see Rule 1411.*

The "Disposition" section has been revised to underscore the now-express prohibition in subsection B(3) against vacating sentence pending disposition of the post-sentence motion. This Comment revision also reiterates that a sentence may not be vacated during any reconsideration of the judge's decision on the post-sentence motion.

#### DISPOSITION

Under subsection B(3), once the defendant makes a timely written post-sentence motion, the judge retains jurisdiction for the duration of the disposition period. *The judge may not vacate the order imposing sentence pending decision on the post-sentence motion. This is so whether or not the Commonwealth files a motion to modify sentence. See Rule 1411. [It is not necessary for the judge to vacate the sentence imposed.]*

Subsection B(3)(b) permits one 30-day extension of the 120-day time limit, for good cause shown, upon motion of the defendant. In most cases, an extension would be requested and granted when new counsel has entered the case. Only the defendant or counsel may request such an extension. The judge may not, sua sponte, extend the time for decision: a congested court calendar or other judicial delay does not constitute "good cause" under this rule.

The possibility of an extension is not intended to suggest that 120 days are required for decision in most cases. The time limits for disposition of the post-sentence motion are the outer limits. Easily resolvable issues, such as a modification of sentence or a guilty plea challenge, should ordinarily be decided in a much shorter period of time.

*If the trial judge decides the motion within the time limits of this rule, the judge may reconsider that decision, but [grants reconsideration on the post-sentence motion pursuant to 42 Pa.C.S. § 5505 or Pa.R.A.P. 1701,] the judge may not vacate the sentence pending*

reconsideration, Rule 1410B(3). [the] The reconsideration period may not be used to extend the timing requirements set forth in section B(3) for decision on the post-sentence motion: the time limits imposed by subsections B(3)(a) and B(3)(b) continue to run from the date the post-sentence motion was originally filed. The trial judge's reconsideration must therefore be resolved within the 120-day decision period of subsection B(3)(a) or the 30-day extension period of subsection B(3)(b), whichever applies. If a decision on the reconsideration is not reached within the appropriate period, the post-sentence motion, including any issues raised for reconsideration, will be denied pursuant to subsection B(3)(c).

\* \* \* \* \*

#### Miscellaneous

Correspondence with the Committee noted that Rule 1410 did not specify how to preserve a discretionary sentencing issue for appeal if no post-sentence motion will be filed. (Rule 1410B(1)(c) only addresses issues raised "before or during trial.") The "Miscellaneous" section of the Rule 1410 Comment has therefore been revised, citing *Commonwealth v. Jarvis*, 663 A.2d 790 (Pa. Super. 1995), to make it clear that in order to forgo a post-sentence motion on a discretionary sentencing issue, the issue must be preserved on the record at the sentencing proceeding.

\* \* \* \* \*

Issues [raised] properly preserved at the sentencing proceeding need not, but may[, ] be raised again in a motion to modify sentence in order to preserve them for appeal. In deciding whether to move to modify sentence, counsel [should] must carefully consider whether the record created at the sentencing proceeding is adequate for appellate review of the issues, or the issues may be waived. See *Commonwealth v. Jarvis*, 663 A.2d 790 (Pa. Super. 1995). See also Rule 1405.C(4). As a general rule, the motion to modify sentence under subsection B(1)(a)(v) gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. See, e.g., *Commonwealth v. Jones*, 554 A.2d 50 (Pa. 1989) (sentencing court can, sua sponte, correct an illegal sentence even after the defendant has begun serving the original sentence) and *Commonwealth v. Cole*, 263 A.2d 339 (Pa. 1970) (inherent power of the court to correct obvious and patent mistakes).

The qualifier at the end of the next paragraph is a logical extension of the holding in *Commonwealth v. Jarvis*, supra.

Once a sentence has been modified or reimposed pursuant to a motion to modify sentence under subsection B(1)(a)(v) or Rule 1411, [however,] a party wishing to challenge the decision on the motion does not have to file an additional motion to modify sentence in order to preserve an [the] issue [(s)] for appeal, as long as the issue was properly preserved at the time sentence was modified or reimposed.

The following paragraph explains the Rule 1411 procedures and their impact on the timing of a defendant's notice of appeal.

*Commonwealth challenges to sentences are governed by Rule 1411. If the defendant files a post-sentence motion, the time limits for decision on the defendant's motion*

*govern the time limits for disposition of the Commonwealth motion to modify sentence, regardless of which motion is filed first. See Rule 1411(C)(1). If the defendant elects to file an appeal and the Commonwealth files a motion to modify sentence, decision on the Commonwealth's motion triggers the defendant's 30-day appeal period. See Rule 1410A(4).*

The next paragraph discusses how the defendant should proceed under subsection A(4) in the event that the defendant files a premature notice of appeal, i.e. before the Commonwealth files a motion to modify sentence.

*Given that the Commonwealth has 10 days to file a motion to modify sentence under Rule 1411(B)(1), it is possible that the defendant might elect to file a notice of appeal under Rule 1410A(3) followed by the Commonwealth's filing a timely motion to modify sentence. When this occurs, the defendant's notice of appeal is rendered premature, because the entry of the order disposing of the Commonwealth's motion to modify sentence then becomes the triggering device for the defendant's notice of appeal. In this situation, counsel for the defendant should be aware that Pa.R.A.P. 905(a) addresses this problem. In response to an extensive history of appeals which were quashed because of the premature filing of the notice of appeal, the last sentence of Pa.R.A.P. 905(a) was drafted to create a legal fiction which treats a premature notice of appeal as filed after the entry of the appealable order. For a discussion of this provision, see Darlington, McKeon, Schuckers, and Brown, Pennsylvania Appellate Practice, 2d., § 905.3.*

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

<sup>2</sup>The Committee's proposal was published for comment at 26 Pa.B. 1343 (March 30, 1996).

<sup>3</sup>The Supreme Court also approved a correlative revision to the Note to Pa.R.A.P. 1701 (Effect of Appeal Generally).

[Pa.B. Doc. No. 97-1446. Filed for public inspection September 5, 1997, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 67—TRANSPORTATION

### DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 82]

#### Determining Cause to Initiate Examination

The Department of Transportation (Department), Bureau of Driver Licensing, under the authority contained in 75 Pa.C.S. §§ 1508 and 1519 (relating to examination of applicant for driver's license; and determination of incompetency), as amended by the act of October 7, 1996 (P. L. 688, No. 118) promulgates its guidelines for determining cause to initiate the examinations prescribed under 75 Pa.C.S. § 1519(a).

This policy statement delineates the Department's policy on its method of balancing the need for promoting the safety of the general motoring public with the individual operator's need for independence and autonomy occasioned by the operation of a motor vehicle.

Questions, suggestions or comments on the Department's policy may be directed to Larry Jones, Manager, Driver Safety Division, Bureau of Driver Licensing, Riverfront Office Center, 4th Floor, 1101 South Front Street, Harrisburg, PA 17104, (717) 787-7740.

BRADLEY L. MALLORY,  
Secretary

*(Editor's Note: The regulations of the Department are amended by adding a statement of policy in §§ 82.1—82.8 to read as set forth in Annex A.)*

**Fiscal Note:** 18-343. No fiscal impact; (8) recommends adoption.

#### Annex A

### TITLE 67. TRANSPORTATION

#### PART I. DEPARTMENT OF TRANSPORTATION

##### Subpart A. VEHICLE CODE PROVISIONS

#### ARTICLE IV. LICENSING

### CHAPTER 82. GUIDELINES FOR DETERMINING CAUSE TO INITIATE EXAMINATION—STATEMENT OF POLICY

Sec.	
82.1.	Medical program.
82.2.	Medical reports.
82.3.	Recall the driving privilege.
82.4.	Restore the driving privilege.
82.5.	Add or delete medical restriction.
82.6.	Additional examination.
82.7.	No action.
82.8.	Other reports.

#### § 82.1. Medical program.

(a) *Scope/minimum standards.* Drivers in this Commonwealth shall meet minimum standards to be qualified to drive. The medical program balances public safety with the individual's need for independence and autonomy.

(b) *Medical Advisory Board.* Medical standards are developed in conjunction with the Medical Advisory Board to insure that the Commonwealth does not restrict the independence and autonomy of the individual driver. At the same time, the Medical Advisory Board's standards are designed to identify and recall the driving privilege of the individuals who represent an appreciable safety risk.

(c) *Physical examination and medical reporting.* The driver's first interaction with the medical program begins with the physical examination necessary for the issuance of the learner's permit. In addition, the Department administers a medical reporting program which includes reports from the medical community and reports from others.

#### § 82.2. Medical reports.

(a) *Medical Unit.* The Department's Medical Unit receives over 40,000 reports each year from the medical community regarding individuals who have a medical condition which may affect their ability to drive safely.

(b) *Reports.* Those reports originate from physicians, nurses, hospitals, emergency rooms, trauma units, rehabilitation facilities and other care takers.

(c) *Processing of reports by Medical Unit.* When these reports are received, they are reviewed and evaluated on a case by case basis by the Medical Unit. The Medical Unit reviews the information provided in relation to the medical regulations formulated by the Medical Advisory Board.

(d) *Action by the Medical Unit.* Upon careful evaluation of the information, the Medical Unit takes one of the following actions.

- (1) Recall the driving privilege.
- (2) Restore the driving privilege.
- (3) Add medical restrictions to the driving privilege.
- (4) Delete medical restrictions from the driving privilege.
- (5) Request additional examinations, such as a medical examination or a driver's test.
- (6) Take no action.

#### § 82.3. Recall the driving privilege.

(a) *Medical Unit recall of license.* When a physician provides clear information indicating that the person does not meet the medical regulations for safe driving, the Medical Unit recalls the driving privilege.

(b) *Example.* For example, when the physician notifies the Department that a patient has an uncontrolled seizure disorder and provides clear, specific information including the last seizure date, the Medical Unit makes an informed decision as to the disposition of the case based on the medical regulations. The Medical Unit has sufficient information to determine if the recall of the driving privilege is warranted.

#### § 82.4. Restore the driving privilege.

(a) *Restoration.* When a physician provides clear information indicating that the person does meet the medical regulations for safe driving, the Medical Unit restores the driving privilege.

(b) *Example.* For example, when the physician notifies the Department that a patient with an uncontrolled seizure disorder is controlled on medication and has been seizure free for 6 months, the Medical Unit makes an informed decision as to the disposition of the case based on the medical regulations. The Medical Unit has sufficient information to determine if the restoration of the driving privilege is warranted.

**§ 82.5. Add or delete medical restriction.**

(a) *Addition or deletion of information.* When the physician submits information which, when compared to the medical regulations, will result in a restriction being added or deleted from the driver's license, the Medical Unit adds or deletes the restriction.

(b) *Example.* For example, a driver may develop cataracts and the driver's visual acuity may decline to a level where the driver must be restricted to driving in daylight hours only. In the same manner, if the driver later has surgery to remove the cataracts, the restrictions may be removed.

**§ 82.6. Additional examination.**

(a) *When additional exam is required.* When a physician submits information indicating that the driver may have a condition which affects the ability to drive safely, but the Medical Unit has insufficient information to compare the patient's condition with the Medical Advisory Board's medical regulations, the Medical Unit requires the driver to have a physician complete additional medical examination forms or the driver may be required to complete a driver's examination.

(b) *Example.* For example, the Medical Unit receives a report from an emergency room physician stating that an individual had a seizure. The report contains no other information regarding the condition. The Medical Unit cannot determine from that information whether or not the person has an uncontrolled seizure disorder. The seizure may have represented a single incident as a result of a transient illness, an allergic reaction or some other cause. The Medical Unit requires that the driver have a Convulsive Disorder Form completed.

(c) *Failure to respond.* If the driver does not respond to the Department's examination requirement within 30 days, the driver is sent a notice of suspension for not complying with this requirement. This suspension is for an indefinite period of time until the driver complies with the Department's requirement. This suspension may be avoided or restored upon receipt of the requested information.

**§ 82.7. No action.**

(a) *When no action is warranted.* When a physician provides information about a medical condition that does not affect the ability to drive, the Medical Unit takes no action.

(b) *Example.* For example, when a physician notifies the Medical Unit that an individual had a seizure as a result of a prescribed change in medication, but the previous medication that was effective in controlling the seizure has already been reinstated, the driver can continue to drive safely. The Medical Unit reviews this information in relation to the medical regulations and takes no action.

**§ 82.8. Other reports.**

(a) *Reports.* In addition to physician reports, the Medical Unit annually receives approximately 2,000 police

reports, 500 accident reports and 500 reports from concerned family members regarding individuals who may have a medical condition that affects the individual's ability to drive.

(b) *Evaluation.*

(1) These reports are also evaluated on a case by case basis. The Medical Unit carefully scrutinizes these reports for validity.

(2) To investigate the validity of the report, the Medical Unit frequently contacts the source of the report by the telephone, especially in the case of reports from family members, to ask for more information or to discuss the case to determine validity. When the report is from a friend or neighbor, additional precautions are taken. The Medical Unit recognizes that while some reports that come from these individuals are made out of legitimate concern, others may be the result of malice. Neighbors occasionally have disagreements that result in animosity and hostility. On the other hand, for those individuals with no family, neighbors are often the primary caregiver. The Medical Unit takes every possible safeguard to ensure that these reports are legitimate.

(c) *Legitimate concern determined.* If the Medical Unit determines that the report reflects a legitimate concern regarding a medical condition that affects the ability to drive safely, the Medical Unit requires the driver to have a physician complete additional medical examination forms or the driver may be required to complete a driver's examination. Under no circumstances does this type of report result in the automatic recall of the driving privilege.

(d) *Example.* For example, when a report is received from a daughter stating that she has noticed her mother's attention wandering and has seen her appear to lose awareness of her surroundings, the Medical Unit contacts the daughter to discuss her observations with her. At that time, the Medical Unit discovers that the daughter is concerned because her mother has had several unreported accidents in the last 6 months and feels that she may be an unsafe driver.

(e) *Additional examination forms or driver's exam.* If the report is determined to be valid, the driver is required to have a physician complete additional medical examination forms or the driver may be required to complete a driver's examination.

(f) *Failure to respond.* If the driver does not respond to the Department's examination requirement within 30 days, the driver is sent a notice of suspension for not complying with this requirement. This suspension is for an indefinite period of time until the driver complies with the Department's requirement. This suspension may be avoided or restored upon receipt of the requested information.

[Pa.B. Doc. No. 97-1447. Filed for public inspection September 5, 1997, 9:00 a.m.]



# 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 August 26, 1997.

#### BANKING INSTITUTIONS

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-11-97	The Peoples State Bank East Berlin Adams County	1345 Baltimore St. Hanover York County	Opened
8-18-97	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	Rossmoyne Business Ctr. 4902 Louise Drive Mechanicsburg Cumberland County	Opened
8-22-97	Keystone Savings Bank Bethlehem Northampton County	3933 Freemansburg Rd. Bethlehem Northampton County	Approved
8-22-97	Summit Bank Bethlehem Northampton County	Laneco Store Stefko Boulevard Shopping Center 1880 Stefko Boulevard Bethlehem Northampton County	Approved
8-22-97	Peoples Thrift Savings Bank Norristown Montgomery County	1535 Locust Street Philadelphia Philadelphia County	Approved

#### SAVINGS ASSOCIATIONS

No activity.

#### CREDIT UNIONS

##### Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
8-20-97	Incol Credit Union Old Forge Lackawanna County	To provide for an amendment to Article 8—field of membership.	Approved and Effective

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-1448. Filed for public inspection September 5, 1997, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### FY 1997-98 Family Savings Account Program Workshop

Act 23 of 1997 provides \$1.25 million for the Family Savings Account (FSA) Program. The FSA Program is a community building initiative established for the purpose of promoting self-sufficiency through asset development

for lower income Pennsylvanians through a matched savings program. The matched savings can be used to help finance the purchase of a new home, pay for education expenses, entrepreneurial or other activities based on an approved plan, which includes participation in a minimum of four workshops in basic economic literacy.

The FSA Program is a key component of Governor Ridge's Project for Community Building. The FSA Program will stimulate economic self-sufficiency by helping participants to focus on long and short term financial skills while encouraging savings and asset development that will empower individuals as well as economically strengthen communities in this Commonwealth.

Service Providers will be limited to those organizations with the ability to enroll a minimum of 100 savers. Savers will be limited to those persons whose income at the time of enrollment is not more than 200% of the official poverty line established by the Federal Office of Management and Budget.

The Department of Community and Economic Development, Community Empowerment Office, has scheduled a workshop on October 7, 1997, in Harrisburg for the purpose of providing FSA Program information to interested applicants. Application information, including the Single Application for Assistance and FSA Program Guidelines, will be provided at the workshop. Community Empowerment Office staff will be available to provide instruction and guidance on the specifics of the proposal writing process to help applicant agencies prepare and write technically acceptable proposals.

Interested applicants are encouraged to attend this workshop. Applicants can register for the workshop to be held at Harristown #2, 333 Market Street, First Floor,

Honors Room, Harrisburg, PA from 9:30 a.m. to 2:30 p.m. on October 7, 1997, by contacting Elizabeth Hoch, Community Empowerment Office, at (717) 787-4140 or through e-mail: ehoch@doc.state.pa.us by October 2, 1997.

Workshop space is limited to 175 persons. No more than two persons should attend from each organization. Space will be filled on a first-come, first-serve basis. There is no registration fee for this workshop; however, preregistration is requested. Persons with a disability who wish to attend the workshop and require an auxiliary aid, service or other accommodation to participate in the workshop, should contact the Community Empowerment Office to discuss how we may best accommodate their needs.

SAMUEL A. MCCULLOUGH,  
*Secretary*

[Pa.B. Doc. No. 97-1449. Filed for public inspection September 5, 1997, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

### APPLICATIONS RECEIVED UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### [National Pollution Discharge Elimination System Program (NPDES)]

#### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

#### (Part I Permits)

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standard and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

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. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

The application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file and may be inspected and arrangements made for copying at the office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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*Southeast Regional Office: Regional Manager, Water Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6130.*

**PA 0057231.** Sewage, **Archie F. Shearer**, 2715 Strasburg Road, Coatesville, PA 19320, Sadsbury Township, **Chester County**.

This application is for issuance of an NPDES permit to discharge treated sewage from a single residence sewage treatment plant in Sadsbury Township, Chester County. This is a new discharge to Buck Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 400 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

**PA 0054704.** Sewage, **Tri-County Respite**, 7 Maple Street, Quakertown, PA 18951.

This application is for renewal of an NPDES permit to discharge treated sewage from Rockridge Personal Care Home in East Rockhill Township, **Bucks County**. This is an existing discharge to unnamed tributary to Tohickon Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of .0077 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Phosphorus (as P)	0.5	1.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Total Residual Chlorine		
(Years 1 and 2)	1.0	1.5
(Years 3, 4 and 5)	0.05	0.12
Oil and Grease	15	30

The EPA waiver is in effect.

**PA 0029521.** Sewage, **Pennridge School District—Elementary School**, 1506 North Fifth Street, Perkasio, PA 18944-2207.

This application is for renewal of an NPDES permit to discharge treated sewage from Bedminster Elementary School in Bedminster Township, **Bucks County**. This is an existing discharge to Deer Run.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	15	30
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Total Residual Chlorine		
Years 1 and 2	1.0	1.5
Years 3, 4 and 5	0.2	0.5

The EPA waiver is in effect.

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*Northeast Region: Environmental Protection Manager, Water Management, 90 East Union Street, 2nd Floor, Wilkes-Barre, PA 18701, (717) 826-2553.*

**PA 0010987.** Sewerage, **Tobyhanna Army Depot**, Environmental Management Division, Tobyhanna, PA 18466-5086.

This proposed action is for renewal of an NPDES permit to discharge treated industrial waste and sewage into Hummler Run and to discharge stormwater run-off into Hummler Run Barney's Lake, Oakes Swamp and Cross Keys Run in Coolbaugh Township, **Monroe County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the proposed downstream potable water supply (PWS) considered during the evaluation is assumed to be located at the point of discharge.

The proposed effluent limits for Outfall 001 (Sewage Treatment Plant effluent discharging to Hummler Run) based on a design flow of 0.802 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	50.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Phosphorus as "P"	1.0	2.0
Nitrite plus Nitrate-N	10.0	20.0
Dissolved Oxygen	a minimum of 7.0 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—9.0 standard units at all times	
Total Chlorine Residual		
1st Month through 36th Month	monitor and report	
37th Month through expiration date	.03	.07
Total Cadmium	monitor and report	
Hexavalent Chromium	monitor and report	
Total Copper	monitor and report	
Total Lead	monitor and report	
Total Nickel	monitor and report	
Total Silver	monitor and report	
Total Zinc	monitor and report	
Free Cyanide	monitor and report	
Total Phenols	monitor and report	
2-Chlorophenol	monitor and report	
2-Nitrophenol	monitor and report	
Phenol	monitor and report	
Chloroform	monitor and report	

The proposed effluent limits for Outfall 002 (Coal Pile Run-off discharging to Hummler Run via Barney's Lake) based upon a 10 year, 24-hour storm event are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
Total Suspended Solids	35.0	70.0
Total Iron	3.5	7.0
Total Manganese	2.0	4.0
pH	6.0—9.0 standard units at all times	

The proposed effluent limits for Outfall 101 (Metal Finishing Wastewater Pretreatment Plant discharging to Sanitary Sewer) are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
Total Cadmium	0.26	0.69
Total Chromium	1.71	2.77
Total Copper	2.07	3.38
Total Silver	0.24	0.43
Total Nickel	2.38	3.98
Total Cyanide	0.65	1.20
Total Toxic Organics		2.13

Outfalls SW-I through SW-VI are stormwater outfalls.

*Other Conditions:* Water Quality Based Effluent Limitations for Total Cadmium, Hexavalent Chromium, Total Copper, Total Lead, Total Silver, Total Zinc, Free Cyanide and Total Phenols; Site Specific Data Collection; Site Specific Criteria; Alternative Method Detection Limits; 95.4 Time Extensions; and Analytical Methods.

The EPA waiver is in effect.

Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.

**PA 0011169.** Industrial waste, SIC: 3351, **Brush Wellman, Inc.**, P. O. Box 973, Reading, PA 19603.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of the Schuylkill River, in Perry Township, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Pottstown Borough Authority located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed Interim effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S.TU.)		6.0—9.0 inclusive	
Total Beryllium		monitor and report	
Hexavalent Chromium		monitor and report	
Total Copper	0.62	1.3	1.55
Total Lead		monitor and report	
Bis (2-Ethylhexyl) Phthalate		monitor and report	
Total Manganese		monitor and report	
Total Suspended Solids	10.0	20.0	25.0
Oil and Grease	15.0		30.0
Nitrate		monitor and report	
Nitrite		monitor and report	
Total Dissolved Solids		monitor and report	
Sulfate		monitor and report	
MBAS		monitor and report	

The proposed Final effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S. U.)		6.0—8.5 inclusive	
Total Beryllium	0.004	0.008	0.01
Hexavalent Chromium	0.013	0.026	0.033
Total Copper	0.015	0.030	0.038
Total Lead	0.004	0.008	0.01
Bis (2-Ethylhexyl) Phthalate	0.003	0.006	0.008
Total Manganese	1.34	2.67	3.35
Total Suspended Solids	10.0	20.0	25.0
Oil and Grease	15.0		30.0
Nitrate	10.0	20.0	25.0
Nitrite	1.0	2.0	2.5
Total Dissolved Solids	500.0	1,000.0	1,250.0
Sulfate	250.0	500.0	625.0
MBAS		monitor and report	

The proposed Interim effluent limits for Outfall 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S. U.)		6.0—9.0 inclusive	
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH <sub>3</sub> -N	20.0		40.0
Fecal Coliform	200.0		
Total Lead		monitor and report	
Total Zinc		monitor and report	
Dissolved Oxygen		5.0 mg/l (minimum)	
Total Residual Chlorine	1.5		2.5
Nitrate		monitor and report	
Nitrite		monitor and report	

The proposed Final effluent limits for Outfall 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S. U.)		6.0—8.5 inclusive	
CBOD <sub>5</sub>	10.0	15.0	20.0

## NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	10.0	15.0	20.0
NH <sub>3</sub> -N	3.0		6.0
Fecal Coliform	200.0		
Total Lead	0.004		0.008
Total Zinc	0.1		0.2
Dissolved Oxygen		5.0 mg/l (minimum)	
Total Residual Chlorine	1.5		2.5
Nitrate	10.0		20.0
Nitrite	1.0		2.0

The proposed Interim effluent limits for Outfall 003 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S. U.)		6.0—9.0 inclusive	
Temperature		110°F	
Total Manganese		monitor and report	
Nitrate		monitor and report	
Nitrite		monitor and report	
Total Beryllium		monitor and report	
Total Copper	1.0	2.0	2.5
Total Lead		monitor and report	
Total Dissolved Solids		monitor and report	
Total Suspended Solids		monitor and report	
Osmotic Pressure		monitor and report	

The proposed Final effluent limits for Outfall 003 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S. U.)		6.0—8.5 inclusive	
Temperature		110°F	
Total Manganese	1.337	2.67	3.34
Nitrate	10.0	20.0	25.0
Nitrite	1.0	2.0	2.5
Total Beryllium	0.004	0.008	0.01
Total Copper	0.015	0.03	0.038
Total Lead	0.004	0.008	0.01
Total Dissolved Solids	500.0	1,000.0	1,250.0
Total Suspended Solids	10.0	20.0	25.0
Osmotic Pressure		monitor and report	

The proposed Interim effluent limits for Outfall 004 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S. U.)		6.0—9.0 inclusive	
Temperature		110°F	
Total Suspended Solids	30.0	60.0	75.0
Nitrate		monitor and report	
Nitrite		monitor and report	
Total Iron		monitor and report	
Total Copper	1.0	2.0	2.5
Total Dissolved Solids		monitor and report	

The proposed Final effluent limits for Outfall 004 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S. U.)		6.0—8.5 inclusive	
Temperature		110°F	
Total Suspended Solids	10.0	20.0	25.0
Nitrate	10.0	20.0	25.0
Nitrite	1.0	2.0	2.5
Total Iron	1.26	2.58	3.23
Total Copper	0.015	0.03	0.038
Total Dissolved Solids	500.0	1,000.0	1,250.0

The EPA waiver is in effect.

**PA 0080519.** Sewage, SIC: 49, **Antrim Township Board of Supervisors**, Box 130, 10655 Antrim Church Road, Greencastle, PA 17225-0130.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Conococheague Creek, in Antrim Township, **Franklin County**.

The receiving stream is classified for warm water fish, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the proposed downstream potable water supply intake considered during the evaluation was Hagerstown located in Hagerstown, Maryland. The discharge is not expected to impact any potable water supply.

The interim effluent limits for Outfall 001 for a design flow of 0.7 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N		monitor and report	
Total Phosphorus		monitor and report	
Total Residual Chlorine		monitor and report	
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms			
(5-1 to 9-30)		200/100ml as a geometric average	
(10-1 to 4-30)		51,500/100ml as a geometric average	

The proposed final effluent limits for Outfall 001 for a design flow of 1.2 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N		monitor and report	
Total Phosphorus	2.0	XXX	4.0
Total Nitrogen	8.0	XXX	16.0
Total Residual Chlorine	0.5	XXX	1.6
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		48,000/100 ml as a geometric average	

The EPA waiver is not in effect.

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

**PA 0098299.** Sewage, **Donegal Inn, Inc.** P. O. Box B, Donegal, PA 15628-1097.

This application is for renewal of an NPDES permit to discharge treated sewage from Laurel Highlands Lodge STP in Donegal Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tributary of Four Mile Run, which are classified as a trout stream fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Latrobe Municipal Authority.

*Outfall 001:* existing discharge, design flow of .002 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	7.5			15.0
Fecal Coliform				
(5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		2,000/100 ml as a geometric mean		
Total Residual Chlorine				
1st Month—36th Month		monitor and report		
37th Month—expiration		1.4		3.3
Dissolved Oxygen		not less than 5.0 mg/l		
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

*Northwest Regional Office: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*

**PA 0210323.** Sewage, **James P. Balich**, 9539 Old Waterford Road, Erie, PA 16409.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage to Walnut Creek in Greene Township, **Erie County**. This is an existing discharge.

The receiving water is classified for cold water fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Pennsylvania/Canada border in Lake Erie.

The proposed effluent limits for Outfall 001, based on average design flow of 0.0004 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	0.5	1.2
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

#### **Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges**

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management, and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA, Region III, Regional Administrator has waived the right to review or object to these proposed permit actions under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Operations indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the name, address and telephone number of the writer and a brief statement to inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program Managers will make a final determination regarding the proposed permit action. 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 permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on the Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

*Southcentral Regional Office: Water Management Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.*

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0009423	Borough of Everett Area Municipal Authority 100 Mechanic Street Everett, PA 15537	Bedford W. Providence Township	John's Run	TRC



**DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

**Applications received for industrial waste and sewerage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

*Southcentral Regional Office: Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.*

**New Holland Borough Authority**, Sewage, 12 North Railroad Avenue, New Holland, PA 17557 in New Holland Borough, **Lancaster County** to re-rate the wastewater treatment plant was received in the Southcentral Region on August 18, 1997.

**A. 2197410.** Sewage, submitted by **Carlisle Suburban Authority**, 240 Clearwater Drive, Carlisle, PA 17013 in North Middleton Township, **Cumberland County** to construct a relief sewer line between manholes 1—19 to use during a storm event to reduce the frequency of overflows was received in the Southcentral Region on August 14, 1997.

**A. 0597405.** Sewage, submitted by **Gregory N. Miller**, Hickory Grove Park, Box 14, Alum Bank, PA 15521 in West St. Clair Township, **Bedford County** to construct a small flow treatment facility to serve their single family residence was received in the Southcentral Region on August 19, 1997.

The proposed discharge limits for Outfall No. 001 are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)		0.06	
Total Iron (mg/l)	3.5		7
Oil and Grease (mg/l)	15		30
TSS (mg/l)	30		60
Acidity (mg/l)	monitor only		
Alkalinity (mg/l)	greater than acidity		
pH	6 to 9 at all times		
TDS (mg/l)	monitor only		
Chloride (mg/l)	monitor only		
Manganese	monitor only		

The EPA waiver is in effect.

**INDIVIDUAL PERMITS (PAS)**

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

**A. 6797202.** Industrial waste, submitted by **Di-Chem Concentrate, Inc.**, 509 Fishing Creek Road, Lewisberry, PA 17339-9517 in Fairview Township, **York County** to construct a wastewater treatment system to use for pre-treatment was received in the Southcentral Region on August 18, 1997.

**A. 3697406.** Sewage, submitted by **East Lampeter Sewer Authority**, 2205 Old Philadelphia Pike, Lancaster, PA 17602 in East Lampeter Township, **Lancaster County** to construct the Southridge Farm Pumping Station and Sewer Extension was received in the Southcentral Region on August 18, 1997.

**DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER FROM OIL AND GAS ACTIVITIES**

*Southwest Regional Office: Regional Oil and Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**PA 0095273.** Industrial waste, SIC: 1381, **Castle Gas Company**, 3829 Willow Avenue, Pittsburgh, PA 15234.

This application is for issuance of an NPDES permit to discharge treated industrial waste water to Blacklick Creek in Burrell Township, **Indiana County**. This is an existing discharge.

The receiving stream is classified for trout stocking and the Statewide list. For the purpose of evaluating effluent requirements for TDS, and phenolics, the existing downstream water supply considered during the evaluation is located in Saltsburg, PA, approximately 28.03 miles downstream of the discharge point.

Where indicated, the EPA, Region III, Regional 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 Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. 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 Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water 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 appealable to the Environmental Hearing Board.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated 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.

*Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.*

*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 825-2511.*

*Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6942.*

*Crawford County Conservation District, District Manager, 1012 Water Street, Meadville, PA 16335, (814) 724-1793.*

**NPDES Permit PAS102302-2.** Stormwater. **Woodland Chase**, Universal Development, 1607 Motor Inn Drive, Girard, OH 44420 has applied to discharge stormwater from a construction activity located in Vernon Township, **Crawford County**, to UNT to Van Horne Run.

*Jefferson County Conservation District, District Manager, 180 Main Street, Brookville, PA 15825, (814) 849-7463.*

**NPDES Permit PAS103311.** Stormwater. **National Fuel Gas Supply**, 1100 State Street, Erie, PA 16501 has applied to discharge stormwater from a construction activity located in Snyder Township, **Jefferson County**, to Rattle Snake Creek.

*Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, (610) 820-3398.*

**NPDES Permit PAS10Q096-2.** Stormwater. **Wegmans Food Markets**, 1500 Brooks Avenue, Rochester, NY 14692 has applied to discharge stormwater from a construction activity located in the City of Allentown, **Lehigh County**, to Little Lehigh Creek.

*Monroe County Conservation District, District Manager, 8050 Running Valley Road, Stroudsburg, PA 18360, (717) 629-3060.*

**NPDES Permit PAS10S055.** Stormwater. **Pa. American Water Company**, 20 East Union Street, Wilkes-Barre, PA 18701 has applied to discharge stormwater from a construction activity located in Coolbaugh Township and Mount Pocono Borough, **Monroe County**, to Tobyhanna Creek and UNT's.

*Montgomery County Conservation District, District Manager, 1015 Bridge Road, Collegetown, PA 19426, (610) 489-4506.*

**NPDES Permit PAS10T091.** Stormwater. **Oxford Land Development LTD**, 521 Stump Road, Montgomeryville, PA 18936 has applied to discharge stormwater from a construction activity located in Horsham Township, **Montgomery County**, to Park Creek.

**NPDES Permit PAS10T092.** Stormwater. **Quaker Group Development**, LP, 593 Bethlehem Pike, Montgomeryville, PA 18936 has applied to discharge stormwater from a construction activity located in Upper Providence Township, **Montgomery County**, to Schuylkill River.

**NPDES Permit PAS10T093.** Stormwater. **Gwynedd Glen Inc.**, 484 Norristown Road, Blue Bell, PA 19422 has applied to discharge stormwater from a construction activity located in New Hanover Township, **Montgomery County**, to a branch of Swamp Creek.

*Northampton County Conservation District, District Manager, Greystone Building, R. R. 4, Nazareth, PA 18064, (610) 746-1971.*

**NPDES Permit PAS10U077.** Stormwater. **Leo Nagle**, 1405 Blue Valley Drive, Pen Argyl, PA 18072 has applied to discharge stormwater from a construction activity located in Washington Township, **Northampton County**, to Martins Creek.

**NPDES Permit PAS10U078.** Stormwater. **Karen Finnigan**, TATT, Inc., 29 North New Street, Nazareth, PA 18064 has applied to discharge stormwater from a construction activity located in Upper Nazareth Township, **Northampton County**, to Monocacy Creek.

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#### Public Hearing

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The Department of Environmental Protection (Department) Water Management Program will be holding a fact finding hearing on the following Stormwater NPDES permit applications:

Shared Medical Systems Corporation—SMS Corporate III—PAS10-G275

Great Valley School District—Great Valley High School Campus—PAS10-G277

General Real Estate Development Corporation—Malvern Woods—PAS10-G279

The hearing is scheduled for October 1, 1997, at 7 p.m. at Chester County Conservation District Office, Government Services Center, Conference Room 380, 601 Westtown Road, West Chester, PA 19382-4519, Chester County. The hearing is being held to solicit pertinent comments on these applications. The applications are for stormwater construction activities, with a discharge to the Valley Creek Watershed. A copy of the applications are available for review in the Southeast Regional Office's Record Management Section, (610) 832-6268. Those interested in reviewing the applications should call to schedule a date to review the files. The project sponsors are:

Shared Medical Systems Corporation, 51 Valley Stream Parkway, Malvern, PA 19355;

General Real Estate Development, Inc., 921 Briarwood Circle, West Chester, PA 19380;

Great Valley School District, P. O. Box 617, Devault, PA 19432

Comments received will be considered by DEP in completing its review and prior to taking final action concerning the applications. The hearing will not be a question and answer session.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program at the above address. The notice should include your name, address and phone number, whether you are opposed or in favor of the project and a brief statement about your presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to the Department may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

## SAFE DRINKING WATER

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

*Southeast Regional Office: Sanitarian Regional Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.*

**A. 0997513.** Public water supply. **Milford Township Water Authority**, Harold B. Koenig, P. O. Box 516, Spinnertown, PA 18951. This proposal involves the construction of Well No. 2 to augment Milford Township Water Authority's water supply system in Milford Township, **Bucks County**.

**A. 4697510.** Public water supply. **Superior Water Company**, Robert A. Braglio, 1030 West Germantown Pike, Fairview Village, PA 19409. This proposal involves the construction of a 254,000 gallon storage tank at Superior Water Company's Winding Creek III site in Douglass Township, **Montgomery County**.

### HAZARDOUS SITES CLEAN-UP

#### Under the act of October 18, 1988

### Proposed Interim Response Under the Hazardous Sites Cleanup Act

#### Gettysburg Foundry Site

##### Operable Unit 1

#### Cumberland Township, Adams County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1304) will begin an interim response on the property known as the Gettysburg Foundry Site (Site) located approximately 5 miles south of Gettysburg on Business Route 15 (Emmitsburg Road) in Cumberland Township, Adams County.

The site, in operation from 1957 to March, 1997, manufactured aluminum castings. During the process of melting aluminum material in the furnace, combined pieces of dirt, steel and aluminum would rise to the surface of the melted material. This "dross" was skimmed off and sent to another part of the plant for handling. At that time, the steel was removed by magnets and the rest

of the material was screened to remove dirt and dust from the aluminum. The aluminum was sent back to the furnace, and the dirt and dust (referred to as aluminum dross fine waste) was disposed in two onsite pits. This waste is approximately 37% salt, and also contains elevated levels of lead and aluminum. Baghouse dust from the facility's air pollution control device was also mixed in with the dross fines and disposed in the pits. The dust is characteristically hazardous under TCLP for cadmium. The waste in the pits is in the groundwater. In addition to the pits, there are piles of waste that contain much of the same material as the pits. There are approximately 200 drums, which reportedly contain draw bench sludge, on a cement pad at the site. These drums are covered with plastic, but are in deteriorating condition and some are leaking.

There is a threat to the public health and the environment from the continued release and threat of release of contaminants from the waste pits, the waste piles and the groundwater at the site.

#### Proposed Response

The Department considered two alternatives: 1) no action; and 2) securing the site to prevent direct contact threats from the waste. The Department prefers the second alternative which is protective of human health and the environment.

#### Alternative 1—No Action

This alternative involves taking no action to remove, remediate or contain the contaminated media at the site. This alternative is not protective of human health and the environment, and does not comply with Applicable, Relevant and Appropriate Requirements (ARARs). This response would not be cost effective since the cost of the final remedy might increase if there was a further release of waste from the Site.

#### Alternative 2—Securing the Site

This alternative involves securing the site and the waste at the site. Areas of concern would be fenced, or existing fencing would be repaired, to prevent trespassers from entering the site. Also, waste which is exposed to the environment or which is in deteriorating containers would be secured. The waste piles would be covered, and drummed waste would be sampled and overpacked. Surface water controls would be implemented to prevent contact of surface water with the waste and the transportation of contamination offsite.

This alternative is protective of human health and the environment. Securing the site would prevent direct contact threats from the waste, and securing the waste would prevent further releases to the environment until a final remedial action can be taken.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA. The publication of this notice starts the administrative record period under HSCA. The administrative record that contains information about this site and which supports the Department's decision to perform this action at Gettysburg Foundry Site is available for public review and comment at the Department's Southcentral Regional Office, located at One Ararat Boulevard, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 657-4125. A copy of the administrative record is also available at the Adams County Public Library at 140 Baltimore Street, Gettysburg, PA, and may be reviewed during regular library hours.

The administrative record will be open for comment from the date of publication of this notice in the *Pennsyl-*

*vania Bulletin* and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before December 5, 1997, by mailing them to Barbara Faletti at One Ararat Boulevard, Harrisburg, PA 17110.

The public will have an opportunity to present oral comments regarding the proposed response action at a public hearing. The hearing has been scheduled for Wednesday, October 8, 1997, at 7 p.m. at the Adams County Library, 140 Baltimore Street, Gettysburg, PA. Persons wishing to present formal oral comments at the hearing should register before 4 p.m. Friday, October 3, 1997, by calling Mary Ann Fischer at (717) 541-7969. If no person registers to present oral comments by October 3, 1997, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should also contact Mary Ann Fischer at the same number. If a hearing is not requested, a public meeting will still be held on October 8, 1997.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Mary Ann Fischer at (717) 541-7969, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDICATION

##### Under Act 2, 1995

##### Preamble 1

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#### **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 and 303 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 identifies 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 or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known 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 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 and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, contact 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 has received the following Notices of Intent to Remediate:

*Southeast Regional Office: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane. Conshohocken, PA 19428, (610) 832-5950.*

**Joseph L. Wesley (Amquip Corp.)**, Bensalem Township, **Bucks County**. Darryl D. Borrelli, Manko, Gold & Katcher, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004 has submitted a Notice of Intent to Remediate site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead. The applicant proposes to remediate the site to meet the Statewide health and background standards. A final report was simultaneously submitted.

*Southcentral Regional Office: Environmental Cleanup Program Manager; One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Trailer Village Mobile Home Park**, East Hempfield Township, **Lancaster County**. Trailer Village Mobile Home Park, 2801 Columbia Avenue, Lancaster, PA, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX, PHCs, PAHs and free-phase kerosene. 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 *Hempfield-Mountville Merchandiser* on August 27, 1997.

*Northwest Regional Office: Craig Lobins, Acting Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.*

**Poplar Thruway Services (dba The Fuel Stop)**, Route 832 at I-90, Fairview, PA, **Erie County**, McKean Township, has submitted a Notice of Intent to Remediate Groundwater. The site has been found to be contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDICATION

##### Under Act 2, 1995

##### Preamble 2

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

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection 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 a site-specific standard or who intend to remediate a site in 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 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 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 and 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 cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified below, a municipality 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 below. During this comment period a municipality may request that the person identified below, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, contact 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.

*Southeast Regional Office: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.*

**One & Olney Square Shopping Center**, City of Philadelphia, **County of Philadelphia**. Michael Gonshor, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet site-specific and Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Inquirer* on August 11, 1997.

**Bond Shopping Center**, Upper Darby Township, **Delaware County**. Michael Gonshor, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA, 19406, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet site-specific standards for soils and Statewide health standards for groundwater. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Times* on August 8, 1997.

*Northwest Regional Office: Craig Lobins, Acting Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.*

**Tic Toc Food Mart**, 1001 Mt. Jackson Road, New Castle, PA, **County of Lawrence**, North Beaver Township, has submitted a Notice of Intent to Remediate groundwater. The site has been found to be contaminated with BTEX. The applicant proposes to remediate the site to meet the Site Specific Standard. The Notice of Intent to Remediate was published in the *New Castle News* on August 5, 1997.

## SOLID AND HAZARDOUS WASTE RESIDUAL WASTE PROCESSING FACILITIES

**Registration 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, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

**General Permit Registration No. WMGR011R015. Envirocycle**, 1602 Colchester Drive, Lancaster, PA 17603. Registration to operate under General Permit WMGR011 for the processing of spent ethylene glycol base antifreeze in mobile processing units for the purpose of reconditioning spent antifreeze generated by coolant or heating systems. Registration effective on August 15, 1997.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Closure Plan submitted under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for closure of a solid waste processing disposal area or site.**

*Regional Office: Northeast Regional Office, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2516.*

**I. D. 301312UNP. Keystone Cement Company**, P. O. Box A, Route 329, Bath, PA 18014-0058. A Closure Plan application for the existing unpermitted Cement Kiln Dust (CKD) Pile, located in East Allen Township, **Northampton County**. The application was received in the Regional Office on July 30, 1997 and was found to be administratively complete on August 12, 1997.

## AIR POLLUTION

### OPERATING PERMITS

**Construct, modify or activate air contaminant sources**

**25 Pa. Code § 129.1**

### Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permits).

Copies of the Title V application, proposed permit and other relevant information are available for public inspection and additional information may be obtained by contacting the regional office noted below.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall

include the name, address and telephone number of the persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, Attn: Michael Safko, (717) 826-2531.*

**39-00025. Lehigh Cultured Marble, Inc.** (111 Lehigh Street, Macungie, PA 18062) located in Macungie Borough, **Lehigh County**. The facility's major source of emissions include a marble casting area which primarily emit styrene and methylene chloride.

*Southcentral Regional Office: Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, Attn: Kanubhai L. Patel, (717) 657-4587.*

**67-05045. Glen-Gery Corporation** (1090 East Boundary Avenue, York, PA 17403) located in Spring Garden Township, **York County**. The facility's major source(s) of emissions include two kilns, which are primary emitters of Hydrogen Fluoride (HF).

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#### **Notice of Intent to Revise Municipal Solid Waste (MWS) Landfill Operating Permit**

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Under section 111(d) of the 1990 Clean Air Act Amendments, the United States Environmental Protection Agency promulgated Emission Guidelines (EG) for existing MSW landfills to control the emission of landfill gases. (See 61 FR 9905, March 12, 1996). A MSW landfill is considered an existing MSW landfill if the facility began construction, modification or reconstruction before May 30, 1991; or received waste on or after November 8, 1987, or has additional capacity available for the future deposition of waste control of landfill gases from existing landfills using best demonstrated technology.

The Commonwealth's State Plan for implementing the EG was submitted to the EPA on July 1, 1997. In accordance with the 111(d) plan, the Department of Environmental Protection will enforce the requirements of the EG through the issuance of Federally Enforceable State Operating Permits (FESOPS) to designated MSW landfills. Therefore, in accordance with the plan, the operating permit issued to the landfills identified below, will be revised to incorporate the requirements of the EG. This revised permit will serve as the enforcement mechanism for the EG requirements.

Copies of the proposed permit amendments and other relevant information are available for public inspection and additional information may be obtained by contacting the Regional Office.

Interested persons may submit written comments, suggestions or objections concerning the proposed permit amendments to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, along with the reference number of the proposed permit. The commenta-

tor should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, Attn: James Parette, (717) 826-2531.*

**54-322-001A. Pine Grove Landfill, Inc.** (R. D. 4, Box 447, Shultz Road, Pine Grove, PA 17963) located in Pine Grove Township, **Schuylkill County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

**48-322-001. Grand Central Sanitary Landfill, Inc.** (1963 Pen Argyl Road, Pen Argyl, PA 18072) located in Plainfield Township, **Northampton County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

**35-322-003. Empire Sanitary Landfill, Inc.** (P. O. Box 28, Taylor, PA 18517) located in Taylor Borough, **Lackawanna County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

**48-322-003. Chrin Brothers Sanitary Landfill, Inc.** (635 Industrial Drive, Easton, PA 18042) located in Williams Township, **Northampton County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

**48-322-022. City of Bethlehem Landfill** (10 East Church Street, Bethlehem, PA 18018) located in Lower Saucon Township, **Northampton County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

**35-322-001. Keystone Sanitary Landfill, Inc.** (P. O. Box 249, Dunham Drive, Dunmore, PA 18512) located in Dunmore Borough, **Lackawanna County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

**35-322-002. Keystone Sanitary Landfill, Inc.** (P. O. Box 249, Dunham Drive, Dunmore, PA 18512) located in Dunmore Borough, **Lackawanna County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

**35-0018. Environmental and Recycling Services, Inc.**, Zapco Energy Tactics Corporation (124 Sills Road, Yaphank, NY 11980) located in Taylor Borough, **Lackawanna County**. This facility has been identified as an emitter of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

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**Operating Permit applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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*Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**15-309-013A.** The Department intends to issue an operating permit to **Refractory Minerals, Inc.** located in Avondale, **Chester County** for a Gas Fired Dryer.

**23-301-116.** The Department intends to issue an operating permit to **Brandywine Veterinary Clinic** located in Chadds Ford, **Chester County** for a Crematory Incinerator.

*Southcentral Regional Office: Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587.*

**29-302-028.** The Department intends to issue an Air Quality Operating Permit to **Mellott Wood Preserving Company, Inc.** (P. O. Box 209, Needmore, PA) for a wood-fired boiler in Belfast Township, **Fulton County**.

**36-320-026D.** The Department intends to issue an Air Quality Operating Permit to **R. R. Donnelley & Sons Company** (216 Greenfield Road, Lancaster, PA 17601) for a three-unit printing press controlled by a thermal oxidizer in Lancaster, **Lancaster County**.

#### PLAN APPROVALS

#### Plan Approval applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.*

**PA10-042A.** Operation of a ring mill, aluminum scrap shredder (10,000 lbs/hour capacity), by **Keystone Aluminum, Inc.** (126 Myoma Road, Mars, PA 16046), in Adams Township, **Butler County**.

**PA10-309A.** Construction of a slag processing facility (300 TPH—replacing existing slag operation), by **Heckett MultiServ** (P. O. Box 198, Lyndora, PA 16045) in Butler, **Butler County**, on the Armco Butler Works Property.

**10-308-016A.** Installation of pollution control equipment (modify charging hood, adding main door hood and ducting, adding semi-automatic baghouse shaker control and door closing system to Aluminum melting furnace baghouse) by **Keystone Aluminum, Inc.** (126 Myoma Road, Mars, PA 16046), in Adams Township, **Butler County**.

**PA16-128A.** Construction of an enclosed style gas flaring station and a gas utilization facility by **County Landfill, Inc.** (P. O. Box 237, Leeper, PA 16233) in **Clarion County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY

##### (RACT)

##### Public Hearing

The Department of Environmental Protection (Department) will hold a public hearing on September 30, 1997, at 9 a.m. in the Allegheny Conference Room at its Southwest Regional Office, 400 Waterfront Drive, Pittsburgh.

The hearing is to take testimony concerning the Department's intent to issue NOx and VOC Emission Reduction Credits (ERCs) to PPG Industries, Inc. ERCs were generated from the shutdown of PPG Works #5, previously located in Ford City, Armstrong County (ERC-03-019), and PPG Works #25, previously located in Greensburg, Westmoreland County (ERC-65-464). The Department intends to transfer the NOx and VOC emis-

sions from these facilities from the Pennsylvania area source emissions inventory to the point source emissions inventory in order to satisfy the "surplus" requirement of 25 Pa. Code § 127.207(1)(i).

The Department also intends to take testimony concerning our intent to issue a Reasonably Available Control Technology (RACT) Plan Approval (PA-65-000-851) to Newcomer Products, Inc. Newcomer operates a powdered metal facility in Derry Township, Westmoreland County. RACT for this facility has been determined to be a change in solvent, and the installation of a spray dryer.

The Department also intends to take testimony concerning our intent to issue a RACT Operating Permit (PA-32-000-040A) to GPU Generation Corporation's Seward Station, located in East Wheatfield Township, Indiana County. RACT for this station has been determined to be the operation of Unit #15 with Selective Non-Catalytic Reduction, the operation of Unit #14 with Low NOx Burners, and the operation of Unit #12 with bias firing and a 50% capacity limitation.

The Department also intends to take testimony concerning our intent to issue RACT Operating Permits to GPU Generation Corporation's Conemaugh Station, located in West Wheatfield Township, Indiana County (32-000-059), Homer City Station, located in Center Township, Indiana County (32-000-055), and Keystone Station, located in Plum Creek Township, Armstrong County (03-000-027), Duquesne Light's Elrama Station, located in Union Township, Washington County (63-000-014), and Ebensburg Power Company's Ebensburg Cogeneration Plant located in Cambria Township, Cambria County (11-000-318). RACT Operating Permits will establish final RACT emission limitations and permit conditions.

Those wishing to present testimony during the hearing should contact Community Relations Coordinator, Betsy Mallison, at (412) 442-4182 by September 29 to register.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Betsy Mallison or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those who are unable to attend the hearing, but wish to comment, should provide written comments to Barbara Hatch, Air Pollution Control Engineer, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Comment period is open for 30 days after the appearance of this public notice.

Copies of the ERC Applications, the proposed ERC Registrations, the RACT Proposals, RACT Plan Approvals, and Proposed RACT Operating Permits are available for review from 8 a.m. to 4 p.m. in the Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made by calling (412) 442-4000.

## MINING

### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

#### 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 Con-

rol 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 such 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 such 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 below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. Such 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 Chs. 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

*Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.*

#### *Coal Applications Received*

**32970109. P & N Coal Company, Inc.** (P. O. Box 332, 240 West Mahoning Street, Punxsutawney, PA 15767), commencement, operation and restoration of bituminous strip mine in Banks Township, **Indiana County**, affect-

ing 62.3 acres, receiving stream unnamed tributaries of Brady Run and unnamed tributaries of Horton Run to Brandy Run and Horton Run to Cush Creek to West Branch Susquehanna River, application received August 18, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**03960108. Dutch Run Coal, Inc.** (A02-366, Shelocta, PA 15774). Application received to revise permit, to include an insignificant boundary correction for an access road as well as a stream encroachment, on a bituminous surface/auger mining site located in Plumcreek Township, **Armstrong County**, affecting 39.6 acres. Receiving streams unnamed tributary to Crooked Creek. Application received August 11, 1997.

**26910115R. Amerikohl Mining, Inc.** (P. O. Box 427, Acme, PA 15610). Renewal application received for continued reclamation of a bituminous surface mine located in Upper Tyrone Township, **Fayette County**. Receiving streams unnamed tributary to Galley Run and unnamed tributary to Jacobs Creek and Jacobs Creek. Renewal application received August 18, 1997.

*Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.*

**17870104. Al Hamilton Contracting Company** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Pike Township, **Clearfield County** affecting 68.2 acres, receiving streams unnamed tributaries to West Branch Susquehanna River, application received July 21, 1997.

**17950115. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), revision to an existing bituminous surface mine permit to change the permit acreage from 100.2 to 111.0 acres, Greenwood Township, **Clearfield County**, receiving streams unnamed tributaries to Watts Creek, Watts Creek to Little Clearfield Creek to Clearfield Creek to West Branch Susquehanna River, application received July 28, 1997.

**17860140. Beth Contracting, Inc.** (R. D. 1, Box 208C, Glen Campbell, PA 15712), renewal of an existing bituminous surface mine permit in Beccaria Township, **Clearfield County** affecting 323 acres, receiving streams unnamed tributary to Cofinan Run and an unnamed tributary to Muddy Run, application received July 29, 1997.

**14960101. Bern Coal, Inc.** (P. O. Box 47, Gillingham Rd., Lecontes Mills, PA 16850), transfer of an existing bituminous surface mine permit from Chestnut Ridge Coal Co., Snow Shoe Township, **Centre County** affecting 48.5 acres, receiving streams unnamed tributary to Black Moshannon Creek, unnamed tributaries to North Fork Beech Creek, application received July 30, 1997.

**17930103. Junior Coal Contracting, Inc.** (R. D. 3, Box 225A, Philipsburg, PA 16866), revision to an existing bituminous surface mine permit for an increase in acreage from 272.1 to 309.9 acres, Decatur and Woodward Townships, **Clearfield County**, receiving streams unnamed tributaries to Beaver Run, Beaver Run, Little Beaver Run, application received August 5, 1997.

**17970112. Cougar Contracting, Inc.** (P. O. Box 217, Houtzdale, PA 16651), commencement, operation and restoration of a bituminous surface mine-auger permit in Bigler Township, **Clearfield County** affecting 86 acres, receiving streams unnamed streams to Muddy Run, application received August 7, 1997.



*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**24970102. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824), commencement, operation and restoration of a bituminous surface strip operation in Fox Township, **Elk County** affecting 230.5 acres. Receiving streams two unnamed tributaries to Brandy Camp Creek and an unnamed tributary to McCauley Run. Application received August 7, 1997.

**33930111. Falls Creek Energy Company, Inc.** (R. D. 6, Box 231, Kittanning, PA 16201), revision to an existing bituminous surface strip and auger operation in Young, Bell and McCalmont Townships, **Jefferson County** affecting 212.0 acres. Receiving streams unnamed tributaries to Elk Run. Revision to include an additional 1.7 acres to the previously approved permit area. Application received August 12, 1997.

**33860109. Ed Hanslovan Coal Company, Inc.** (R. D. 2, Box 230, Morrisdale, PA 16858), revision to an existing bituminous surface strip and auger operation in Washington Township, **Jefferson County** affecting 157.0 acres. Receiving streams unnamed tributaries to Rattlesnake Creek. Revision to include auger mining within the confines of the approved surface mine permit area. Application received August 13, 1997.

*McMurray District Office*

**32850701. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728), to renew the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County**, no additional discharges. Application received July 24, 1997.

**26970701. Matt Canestrone Contracting, Inc.** (P. O. Box 234, Belle Vernon, PA 15012), to operate the LaBelle Site in Luzerne Township, **Fayette County** for a new refuse reprocessing facility, to an unnamed tributary to the Monongahela River. Application received July 28, 1997.

**32971303. Urey Coal Company** (222 Forest Ridge Road, Indiana, PA 15701), to operate the Penn View Mine in West Wheatfield Township, **Indiana County** permit application for a new bituminous underground mine, to an unnamed tributary to Blacklick Creek. Application received August 4, 1997.

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

**40940204C. Northampton Fuel Supply Co., Inc.** (7500 Old Georgetown Road, Bethesda, MD 20814), correction to an existing coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 48.0 acres, receiving stream Sugar Notch Run. Application received August 11, 1997.

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

*Noncoal Permits Received*

**40970302. Kaminski Brothers, Inc.** (226 New Boston Road, Pittston, PA 18640-9611), commencement, operation and restoration of a quarry operation in Jenkins Township, **Luzerne County** affecting 102.27 acres, receiving stream Gardner Creek. Application received August 12, 1997.

**7973SM2C4. Better Materials Corporation** (P. O. Box 196, Penns Park, PA 18943), renewal of NPDES Permit #PA0043901 in Wrightstown Township, **Bucks County**, receiving stream unnamed tributary to Neshaminy Creek. Application received August 18, 1997.

## APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

### ENCROACHMENTS

The following Dam Safety and Encroachment permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department).

In addition to permit applications, the Bureau of Dams, Waterways and Wetlands (BDWW) and the Regional Office Soils and Waterways Sections have assumed primary responsibility for processing requests for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), for projects requiring both a Dam Safety and Encroachments Permit, and a United States Army Corps of Engineers (ACOE) permit. Section 401(a) of the Federal Water Pollution Control Act requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1301—1303, 1306 and 1307, as well as relevant State requirements. Initial requests for 401 Certification will be published concurrently with the BDWW permit application. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Bureau or Field Office indicated as the responsible office.

### Applications filed 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.

*Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.*

**E64-184.** Encroachment. **Chip Schulz**, 566 Halls Mill Road, Freehold, NJ 07728. To maintain a previously constructed pond in which 0.33 acre of wetland and 230 L. F. of the channel of a tributary to the east branch of the Lackawanna River (HQ-CWS) were excavated. This project is located along the south side of S. R. 0370, 0.5 mile east of S. R. 0670 (Orson, PA Quadrangle N: 11.6 inches; W: 7.6 inches) in Preston Township, **Wayne County**. The applicant is proposing to provide 0.66 acre of replacement wetlands (Philadelphia District, Army Corps of Engineers).

*Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, (717) 657-4590.*

**E06-498.** Encroachment. **CF Farms Partnership**, Merle Denlinger, P. O. Box 216, Elverson, PA 19520. To relocate approximately 600 feet of the channel of a tributary to the Conestoga River at a point approximately 300 feet downstream of Route 23 (Elverson, PA Quadrangle N: 5.5 inches; W: 15.5 inches) in Caernarvon Township, **Berks County**.

**E22-371.** Encroachment. **Hersheypark**, Jeffrey Budgeon, 100 W. Hersheypark Drive, Hershey, PA 17033. To construct and maintain a roller coaster along and across the channel of Spring Creek at a point at

Hersheypark (Hershey, PA Quadrangle N: 6.5 inches; W: 4.5 inches) in Derry Township, **Dauphin County**.

**E34-088.** Encroachment. **Tuscarora Township Supervisors**, Ronald Page, R. R. 1, Honeygrove, PA 17035. To repair an eroded bridge pier and to maintain an existing bridge across the channel of Tuscarora Creek at a point at Route T-309 (McCoysville, PA Quadrangle N: 3.5 inches; W: 10.5 inches) in Tuscarora Township, **Juniata County**.

**E36-640.** Encroachment. **Philp Garland**, Crosswinds Association Derel Co. Inc., 336 W. King Street, Lancaster, PA 17603. To remove sediment deposits from approximately 170 feet of a tributary to the Little Conestoga Creek, beginning at the outlet of the pipe culvert under Tupelo Street in the Crosswinds development located west of SR 501 (Lititz, PA Quadrangle N: 2.5 inches; W: 8.25 inches) in Warwick Township, **Lancaster County**.

**E07-282.** Encroachment. **George Henry**, 901 Lilly Avenue, Hollidaysburg, PA 16648. To place fill in the floodway of the Beaverdam Branch of the Juniata River for the purpose of constructing a 10,000 square foot building and associated site work required to develop a commercial property located along SR 2014 on the north side of the river adjacent to the Conrail complex (Hollidaysburg, PA Quadrangle N: 9.4 inches; W: 1.0 inch) in Hollidaysburg Borough, **Blair County**.

**E21-268.** Encroachment. **Lisburn Fire Company**, Jake Bliet, 1800 Main Street, Mechanicsburg, PA 17055. To construct and maintain a 5-foot wide, 60-foot span foot bridge across a mill race to provide access to an existing ball field located 300 feet west of Yellow Breeches Creek just upstream of PA 114 bridge in Lisburn Village (Lemoyne, PA Quadrangle N: 7.75 inches; W: 4.55 inches) in Lower Allen Township, **Cumberland County**.

**E21-270.** Encroachment. **UGI Utilities**, Nina Harpoth, 1500 Paxton Street, P. O. Box 3565, Harrisburg, PA 17105. To construct and maintain a 12-inch diameter concrete encased natural gas line across the bed of Conodoguinet Creek located about 950 feet downstream of PA 34 bridge (Carlisle, PA Quadrangle N: 20.7 inches; W: 7.3 inches) in North Middleton Township, **Cumberland County**.

**E28-245.** Encroachment. **Larry Little**, 7985 Tomstown Road, Waynesboro, PA 17268 and Leroy Benschoff, 7982 Tomstown Road, Waynesboro, PA 17268. To remove the existing inadequately sized culvert and to construct and maintain a bridge with a 20-foot overall span with an underclearance of 4 feet and placement of 18-inch rock riprap with a length of 33 feet across an unnamed tributary to West Branch Antietam Creek located 1,600 feet northeast of Quincy High School (Waynesboro, PA Quadrangle N: 12.2 inches; W: 9.78 inches) in Quincy Township, **Franklin County**.

*Northcentral Region, Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Suite 101, Williamsport, PA 17701.*

**E08-325.** Encroachment. **Litchfield Township Supervisors**, R. R. 2, Box 467, Athens, PA 1810. To remove the existing structure and to construct and maintain a 14.25 feet by 9.61 feet CMP arch culvert, 47 feet long in Parks Creek under Parks Hollow Road (T-901) approximately 0.25 mile south of the intersection of SR 1043 with T-901 (Litchfield, PA Quadrangle N: 22.3 inches; W: 11.5 inches) in Litchfield Township, **Bradford County**. Estimated stream disturbance is approximately 70 feet with no

wetland impacts; stream classification is Warm Water Fishery.

**E41-410.** Encroachment. **Pa. Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove an existing bridge and to construct and maintain a 16 foot by 7 foot reinforced concrete box culvert with associated concrete headwalls in Bottle Run located approximately 250 feet south on SR 3019 from the SR 3014 and SR 3019 intersection (Cogan Station, PA Quadrangle N: 2.8 inches; W: 11.2 inches) in Old Lycoming Township, **Lycoming County**. This project proposes to impact approximately 75 linear feet of stream which is classified as Warm Water Fishery.

**E55-148.** Encroachment. **Pa. Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To construct and maintain 250 linear feet of R-8 riprap on the left bank of Silver Run with the associated channel realignment of 175 linear feet located approximately 2,000 feet north on SR 2012 from the SR 11/15 (Dalmatia, PA Quadrangle N: 14.3 inches; W: 0.2 inch) in Union Township, **Snyder County**. Estimated stream disturbance is 275 linear feet; stream classification is Warm Water Fishery.

**E59-350.** Encroachment. **Delmar Township Supervisors**, R. R. 5, Box 70A, Wellsboro, PA 16901. To remove and maintain gravel from five gravel bars for a period of 5 years and to install three log deflectors filled with riprap in Wilson Creek along RT 287 approximately 0.3 mile south of the intersection of RT 287 with SR 3008 (Antrim, PA Quadrangle N: 6.4 inches; W: 8.1 inches), (the centroid of the work is) in Delmar Township, **Tioga County**. Estimated stream disturbance is approximately 2,000 feet with no wetland impact; stream classification is Cold Water Fishery.

**E59-351.** Encroachment. **Donald L. Tice**, 8141B Roosevelt Highway, Mainesburg, PA 16932-8141. To construct and maintain an 8 1/2 foot and 7 foot diameter double barrel culvert approximately 12 feet long, a cement splash guard underneath and beneath the culverts and riprap wingwalls in Elk Run Creek approximately 600 feet west of the intersection of RT 6 with SR 2033 on private property (Roseville, PA Quadrangle N: 8.5 inches; W: 7.9 inches) in Sullivan Township, **Tioga County**. Estimated stream disturbance is approximately 35 feet with no wetland impact; stream classification is Stocked Trout Fishery.

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**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.**

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*Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*

**E20-447.** Encroachment. **Sally B. Schramm**, 24095 Lakeview Drive, Union City, PA 16438. To maintain a commercial boat dock with the measurements of approximately 72 feet in length and 4 feet wide on Lake Canadohta. The dock is located on the east shore of Lake Canadohta approximately 650 feet south of the confluence of East Shreve Run and Lake Canadohta (Lake Canadohta, PA Quadrangle N: 10.78 inches; W: 11.62 inches) located in Bloomfield Township, **Crawford County**.

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**ACTIONS**


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**FINAL ACTIONS TAKEN UNDER THE  
PENNSYLVANIA CLEAN STREAMS  
LAW AND THE FEDERAL CLEAN  
WATER ACT**

[National Pollution Discharge Elimination System  
Program (NPDES)]

**DISCHARGE OF CONTROLLED INDUSTRIAL  
WASTE AND SEWERAGE WASTEWATER**
**(Part I Permits)**

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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**Actions under The Clean Streams Law (35 P. S.  
§§ 691.1—691.1001).**


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*Southeast Regional Office: Regional Manager; Water Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.*

**NPDES Permit No. PA 0054534.** Sewage. **Floyd G. Hersh, Inc.**, 5275 McLean Station Road, Green Lane, PA 18054, Marlborough Township, **Montgomery County**.

The following notice reflects changes to the notice published in the May 3, 1997, *Pennsylvania Bulletin*:

Effluent limitation for Total Residual Chlorine has been revised from 0.5 mg/l to 1.0 mg/l (Average Monthly).

*Northcentral Regional Office: Department of Environmental Protection, 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.*

**Permit No. WQM 1795408-A19.** Sewerage. **Bradford Township/Guelich**, P. O. Box 79, Woodland, PA 16881. Granted permission to construct a single residence sewage system located in Bradford Township, **Clearfield County**.

**Permit No. WQM 0897405.** Sewerage. **Mary Sollick**, 11291 Sycamore Street, Apt. 36, Clarkston, WA 99403. Permission to construct sewage treatment facility located in Franklin Township, **Bradford County**.

**Permit No. WQM 1795408-A18.** Sewerage. **Bradford Township/Hoover**, P. O. Box 79, Woodland, PA 16881.

Granted permission to construct a single residence sewage system located in Bradford Township, **Clearfield County**.

**Permit No. WQM 4197402.** Sewerage. **Old Lycoming Township Authority**, 1951 Green Avenue, Williamsport, PA 17701. Permission granted to construct gravity sanitary sewers and appurtenances in Antes Addition of Old Lycoming Township and the Fairlawn area of Lycoming Township.

**Permit No. WQM 4197405.** Sewerage. **Judson A. Bower**, 232 Brentwood Drive, Cogan Station, PA 17728. Applicant has been granted approval to construct a single residence sewage treatment facility, located in Woodward Township, **Lycoming County**.

**Permit No. WQM 4107406.** Sewerage. **Ralph Roy**, R. D. 2, Box 173, Linden, PA 17744. Applicant has been granted approval to construct a single residence sewage treatment facility located in Woodward Township, **Lycoming County**.

**Permit No. WQM 4197401.** Sewerage. **Williamsport Sanitary Authority**, 253 West Fourth Avenue, Williamsport, PA 17701. Construction of a relief sewer was granted to the Locust Street CSO Chamber. The facility is located in Williamsport, **Lycoming County**.

**Permit No. WQM 1797402.** Sewerage. **John Glenn Sanitation**, P. O. Box 683, Philipsburg, PA 16866. Construction of a small flow treatment plant to serve an office building and shop which was approved in Act 537, system consists of oil/water separator serving the truck wash followed by three 1,000 gallon septic tanks. Location of system is Decatur Township, **Clearfield County**.

**Permit No. WQM 6097401.** Sewerage. **Buffalo Township Municipal Sewer Authority**, R. R. 2, Box 284A, Lewisburg, PA 17837. Construction of a wastewater collection system for the Village of Buffalo Cross Roads and the Village of Vicksburg. The project also includes expansion of the existing wastewater treatment facility. Location is Buffalo Township, **Union County**.

**Permit No. WQM 5597403.** Sewerage. **Harry and Mary Reigel**, R. D. 3, Box 172H, Selinsgrove, PA 17870. Approval was given to construct a single family residence treatment system. Location is Union Township, **Snyder County**.

**Permit No. WQM 5397402.** Sewerage. **Perry and Randy Godshall**, 830 Kulp Road, Perkiomenville, PA 18074. Permission to construct a single residence sewage treatment facility located at Hector Township, **Potter County**.

**Permit No. 1795408-A20.** Sewerage. **Bradford Township/Bush**, P. O. Box 79, Woodland, PA 16881. Permission to construct a single residence sewage treatment facility located at Bradford Township, **Clearfield County**.

**Permit No. 5597401.** Sewerage. **Middleburg Municipal Authority**, 13 North Main Street, Middleburg, PA 17842. Permission to construct extended aeration treatment facility and storage unit. Location is Middleburg Borough, **Snyder County**.

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

**NPDES Permit No. PA0028452.** Sewage. **Dunkard-Bobtown Municipal Authority**, P. O. Box 352, Bobtown, PA 15315 is authorized to discharge from a

facility located at Dunkard-Bobtown STP, Dunkard Township, **Greene County** to Dunkard Creek.

**NPDES Permit No. PA0032671.** Sewage. **Meredith Miller**, 2313 Country Place, Export, PA 15632 is authorized to discharge from a facility located at Meadows Mobile Home Park STP, Washington Township, **Westmoreland County** to Pine Run.

**NPDES Permit No. PA0096067.** Sewage. **Mt. Pleasant Area School District**, R. D. 4, Box 2222, Mount Pleasant, PA 15666 is authorized to discharge from a facility located at Westmoreland Homesteads Sewage Treatment Plant, Mt. Pleasant Township, **Westmoreland County** to Sewickley Creek.

**NPDES Permit No. PA0097047, Amendment No. 1.** Sewage. **Redevelopment Authority of the County of Westmoreland County** is authorized to discharge from a facility located at Nike Site No. 37, Sewickley Township, **Westmoreland County**.

**NPDES Permit No. PA0097535, Amendment No. 1.** Sewage. **TransTechnology Corporation**, Breeze Industrial Products Area, 100 Aero-Seal Drive, Saltsburg, PA 15681 is authorized to discharge from a facility located at Breeze Industrial Products Sewage Treatment Plant, Conemaugh Township, **Indiana County**.

**NPDES Permit No. PA0205711.** Sewage. **Ernest F. Buck**, 1601 North Road, McDonald, PA 15057 is authorized to discharge from a facility located at Buck Single Residence Sewage Treatment Plant, North Branch and North Roads, North Fayette Township, **Allegheny**

**County** to unnamed tributary of North Branch Robinson Run.

**NPDES Permit No. PA0217646.** Sewage. **Dunbar Borough Sanitary Authority**, R. D. 2, Box 234, Dunbar, PA 15431 is authorized to discharge from a facility located at Dunbar Borough Sanitary Authority Wastewater Treatment Plant, Dunbar Borough, **Fayette County** to Dunbar Creek.

**Permit No. 0296405, Amendment No. 1,** Sewerage, **Franklin Park Borough**, 2428 Rochester Road, Sewickley, PA 15143-8606. Modification of the Sanitary Sewer Line Crossings of Interstate 79 located in the Borough of Franklin Park, **Allegheny County** to serve the Fish Run Sewerage Facilities.

**Permit No. 6595406, Amendment No. 1,** Sewerage, **Redevelopment Authority of the County of Westmoreland**, 601 Courthouse Square, Greensburg, PA 15601. Construction of a Sewage Treatment Plant located in the Township of Sewickley, **Westmoreland County** to serve the Nike Site No. 37.

#### INDIVIDUAL PERMITS

##### (PAS)

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

*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS101308	John J. Kovatch, Jr. One Industrial Complex Nesquehoning, PA 18240	Carbon Nesquehoning Borough	First Hollow Run
PAS101311	Big Boulder Corporation P. O. Box 707 Blakeslee, PA 18610-0707	Carbon Kidder Township	Tributary to Big Boulder Lake
PAS10N018	Williams Garden Center R. R. 1, Box 1410 Gouldsboro, PA 18444	Lackawanna Covington Township	Emerson Run
PAS10N020	Frank Hubbard 4210 Birney Avenue Moosic, PA 18507	Lackawanna Moscow Borough	Tributary to Roaring Brook
PAS10N021	Greenview Development Scranton Life Building Scranton, PA 18503	Lackawanna Throop Borough	Lackawanna River
PAS10Q096-1	Wesmans Food Markets Inc. 1500 Brooks Avenue Rochester, NY 14692	Lehigh Allentown	Little Cedar Creek
PAS10Q108	Shepard Oakes UCC Church 4308 Glenwood Drive Emmaus, PA 18049	Lehigh Lower Macungie Twp.	Little Lehigh Creek
PAS10Q118	Thomas Hess 1929 Tilghman Street Suite A Allentown, PA 18102	Lehigh Upper Macungie Twp.	Little Lehigh Creek
PAS10Q119	Pointe West Associates 8013 Beth-Bath Pike P. O. Box 86 Bath, PA 18014	Lehigh Upper Macungie Twp.	Jordan Creek

## NOTICES

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<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10Q120	Lower Macungie Township 3400 Brookside Road Macungie, PA 18062	Lower Macungie Twp. Lehigh	Little Lehigh Creek
PAS10Q121	Novak Ventures 1664 Jonathan Lane Bethlehem, PA 18015	Lehigh South Whitehall Twp.	Cedar Creek
PAS10Q122	Parkland School District 1210 Springhouse Road Allentown, PA 18104-2119	Lehigh South Whitehall Twp.	Jordan Creek
PAS10Q124	TCAS Inc 1209 Hausman Road Allentown, PA 18104	Lehigh South Whitehall Twp.	Little Cedar Creek
PAS10Q125	Fred J. Saindl 3150 Coffeetown Road Orefield, PA 19609	Lehigh Lower Macungie Twp.	Little Lehigh Creek
PAS10Q126	Clair N. Stanley 3810 Huckleberry Road Allentown, PA 18104-9790	Lehigh Whitehall Township	Lehigh River
PAS10Q127	Western Lehigh Valley Corporation 740 Hamilton Mall Allentown, PA 18104-2488	Lehigh North Whitehall Twp.	Tributary to Jordan Creek
PAS10Q128	Neil Eichelberger 3824 Route 309 Ovefield, PA 18069	Lehigh North Whitehall Twp.	Jordan Creek
PAS10Q131	Albert Khalil 1160 Howertown Road North Catasauqua, PA 18032	Lehigh Lowhill Twp.	Tributary to Jordan Creek
PAS10Q132	Roberto and Eileen Fischmann 3003 West Turner Street Allentown, PA 18104	Lehigh Upper Macungie Twp.	Little Lehigh Creek
PAS10Q133	Angelo Villani 221 West Langhorn Avenue Bethlehem, PA 18017	Lehigh Lower Macungie Twp.	Little Lehigh Creek
PAS10Q134	Lehigh Valley Hospital P. O. Box 689 Allentown, PA 18105-1556	Lehigh Salisbury and South Whitehall Twps.	Little Lehigh Creek
PAS10Q136	PA Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Lehigh South Whitehall and Upper Macungie Twps.	Little Cedar Creek
PAS10Q119-1	Pointe West Associates, Inc. 8013 Beth-Bath Pike P. O. Box 86 Bath, PA 18014	Lehigh Upper Macungie Twp.	Lehigh County
PAS10Q137	Phoenix Company, Inc. Front and Chapel Streets P. O. Box 70 Catasauqua, PA 18032-0070	Lehigh Upper Macungie Twp.	Little Lehigh Creek
PAS10Q139	Estates at Trexler Park P. O. Box 509 Allentown, PA 18105-0509	Lehigh City of Allentown	Little Lehigh Creek
PAS10R024	Luzerne County Convention Center Auth. 54 West Union Street Wilkes-Barre, PA 18711	Luzerne Wilkes-Barre Twp.	Coal Brook

**INDIVIDUAL PERMITS  
(PAR)**

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

The following parties have submitted Notices of Intent (NOIs) for Coverage under (1) General NPDES Permit(s) to discharge wastewater into the surface 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 Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania. 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 general permit. The Department of Environmental Protection approves the following coverages under the specified General Permit.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

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 Type*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
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
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 Sewage Sludge By Land Application to Agricultural Land, Forest, A Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

*Facility Location  
County and  
Municipality*

<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
PAR804825	Strick Corp Van Division R. R. 8, Box 281 Danville, PA 17821	Intermittent drainage to Beaver Run	Northcentral (717) 327-3664
PAR324802	Construction Specialties Inc. P. O. Box 380 Muncy, PA 17756	Turkey Run	Northcentral (717) 327-3664
PAR214801	Advance Concrete Systems R. D. 2, Box 147A Middleburg, PA 17842	Unnamed tributary to Tuscarora Creek	Northcentral (717) 327-3664
PAR608321	Jack W. Swaney Saxonburg Boulevard P. O. Box 152 Mars, PA 16046	Bull Creek	Department of Environmental Protection Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
PAR508301	Waste Management Disposal Services of PA, Inc. 851 Robison Road East Erie, PA 16509	Unnamed Tributary to Walnut Creek	Department of Environmental Protection Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
PAR208325	McInnes Steel Company 441 East Main Street Corry, PA 16407	Hare Creek	Department of Environmental Protection Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Clearfield Bradford Twp.	PAG044953	Ivan and Sherry Hoover 610 Cambria Drive Clearfield, PA 16830	Moravian Run	Northcentral (717) 327-3664
Potter Roulette Twp.	PAG044947	Edward C. Blimline R. D. 1, Box 232 Roulette, PA 16746	Unnamed Tributary Allegheny River	Northcentral (717) 327-3664
Bradford Franklin Twp.	PAG044955	Mary Sollick 11291 Sycamore St., Apt. 36 Clarkston, WA 99403	Towanda Creek	Northcentral (717) 327-3664
Snyder Union Twp.	PAG044957	Harry and Mary Reigel R. D. 3, Box 172H Selinsgrove, PA 17870	Unnamed Tributary to Penns Creek	Northcentral (717) 327-3664
Lycoming Woodward Twp.	PAG044951	Judson A. Bower 232 Brentwood Drive Cogan Station, PA 17728	Unnamed Tributary to Pine Run	Northcentral (717) 327-3664
Lycoming Woodward Twp.	PAG044952	Ralph Roy R. D. 2, Box 173 Linden, PA 17744	Daugherty Run	Northcentral (717) 327-3664
Clearfield Bradford Twp.	PAG044961	Jeff Bush R. R. 1, Box 228 Woodland, PA 16881	Coffee Town Run CWF Moravian Run	Northcentral (717) 327-3664 Northcentral (717) 327-3664
Potter Sharon Twp.	PAG044956	Conrad J. Scholl P. O. Box 306 Shinglehouse, PA 16748	Unnamed Tributary Oswayo Creek	Northcentral (717) 327-3664
Snyder Franklin Twp.	PAG044958	Warren E. Smith, Jr. R. D. 2, Box 180 Middleburg, PA 17842	Unnamed Tributary to Middle Creek	Northcentral (717) 327-3664
Millcreek Twp. Erie County	PAG058308	Timothy D. Ruth Director of Environmental Oper. United Refining Co. of PA P. O. Box 599 Warren, PA 16365	Unnamed Tributary to Walnut Creek	Department of Environmental Protection Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Green Twp. Erie County	PAG058307	Timothy D. Ruth Director of Environmental Oper. United Refining Co. of PA P. O. Box 599 Warren, PA 16365	Unnamed Tributary to Four Mile Creek	Department of Environmental Protection Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942

### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan revision approval granted August 14, 1997 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

*Regional Office: Water Management Program Manager, Southcentral Region, One Ararat Boulevard, Harrisburg, PA 17110.*

Location: **East Pennsboro Township, Cumberland County**, 98 South Enola Drive, Enola, PA 17025. The approved plan revision (DEP Code No. A3-21909-139-3) provides for the replacement of the Enola Creek Trunk from MH MV 8 to MH 53R and existing sewer line along SR 1004 from MH 473 to DMH 67. The existing 8-inch lines will be replaced with 10-inch and 12-inch lines.

Any required NPDES Permits or WQM permits must be obtained in the name of the municipality.

### SAFE DRINKING WATER

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

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

**Permit No. 6596501.** Public water supply. **Bell Township Supervisors**, c/o Municipal Authority of Westmoreland County, Box 730, Greensburg, PA 15601.

*Type of Facility:* Lincoln Heights Pump Station.

*Permit to Operate Issued:* August 15, 1997.

**Permit No. 6590504.** Public water supply. **Municipal Authority of Westmoreland County**, Box 730, Greensburg, PA 15601.

*Type of Facility:* Truxall Water System.

*Permit to Operate Issued:* August 15, 1997.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 3

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

For further information concerning the final report, please contact the Environmental Cleanup Program 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.

*Southeast Regional Office: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.*

**Joseph L. Wesley (Amquip Corp.)** Bensalem Township, **Bucks County**. Darryl D. Borrelli, Manko, Gold & Katcher, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead. The report is intended to document remediation of the site to meet Statewide health and background standards.

**Northeast Fence & Ironworks**, City of Philadelphia, **Philadelphia County**. Gary R. Brown, P. E., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site soils contaminated with PCBs, heavy metals and petroleum hydrocarbons; and groundwater contaminated with heavy metals. The report is intended to document remediation of the site to meet site-specific standards.

*Southcentral Regional Office: Environmental Cleanup Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**DeGol Carpet**, Duncansville Borough, **Blair County**. DeGol Carpet, 851 Old Route 220 North, Duncansville, PA 16635, has submitted a Final Report concerning

remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the background standard.

## SOLID AND HAZARDOUS WASTE

### LICENSE TO TRANSPORT HAZARDOUS WASTE

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

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

**Clean Streams, Inc.**, P. O. Box 3059, Munster, IN 46321; License No. **PA-AH 0441**; renewal license issued August 20, 1997.

**CWM Holdings, Inc.**, 3956 State Route 412, Vickery, OH 43464; License No. **PA-AH 0502**; renewal license issued August 20, 1997.

**Robbie D. Wood, Inc.** P. O. Box 125, Dolomite, AL 35061; License No. **PA-AH 0504**; renewal license issued August 21, 1997.

**Amended license issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

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

**Sani Mobile Environmental, Inc.**, 7887 Grenache Street, Anjou, Quebec H1J1C4; License No. **PA-AH 0335**; amended license issued August 21, 1997.

### BENEFICIAL USE DETERMINATIONS

**Approval of Determination of Applicability 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, 14th Floor, Market Street State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

**General Permit Determination of Applicability No. WMGR017D004, Pole Company, Inc.**, 200 E. Front Street, Nanticoke, PA 18634 under permit WMGR017 for the beneficial use of drinking water sludge generated by water supply treatment facilities for application upon agricultural lands as a soil additive. The determination of applicability was approved by Central Office on August 18, 1997.

**Permit 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, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

**General Permit No. WMGR051. Summit Anthracite, Inc.**, 45 South Center Street, Good Spring, PA 17981. A permit for beneficial use of waste sludge and filter cake from a permitted wastewater treatment facility treating wastes from a textile dyeing and finishing plant for use as a soil additive and soil conditioner on land bonded by a mining permit. The permit was issued by Central Office on August 19, 1997.

Persons interested in reviewing the permit may contact the General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

#### RESIDUAL WASTE PROCESSING FACILITIES

**Application denied 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, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

**General Permit Application: Medifor-X Corp.**, 1 Shelter Rock Lane, Danbury, CT 06810. An infectious waste general permit application for processing of infectious waste by thermal treatment. The application was denied by Central Office on July 31, 1997.

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

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

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

**Permit ID No. 101467, Tri-Valley Transfer Station**, Chambers of Pennsylvania, Inc., Route 7, Box 302, Kittanning, PA 16201. Operation of a municipal waste transfer station in North Buffalo Township, **Armstrong County**. Permit modification changing ownership of the facility issued in the Regional Office on August 12, 1997.

#### PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

##### INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.**

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

**Abington Memorial Hospital**, 1200 Old York Road, Abington, PA 19001; License No. **PA-HC 0095**; renewal license issued August 21, 1997.

**Bio-Haz Solutions, Inc.**, 3157 Pelham Place, Doyles-town, PA 18901; License No. **PA-HC 0191**; renewal license issued August 21, 1997.

**Omega Medical Laboratories, Inc.**, 2001 State Hill Road, Wyomissing, PA 19610; License No. **PA-HC 0042**; renewal license issued August 21, 1997.

**Medical Waste Systems, Inc.**, d/b/a Biosystems, Inc., 380 Constance Drive, Warminster, PA 18974; License No. **PA-HC 0073**; amended license issued August 25, 1997.

**Med-Trac, Inc.**, 715 William Pitt Way, Pittsburgh, PA 15238; License No. **PA-HC 0086**; amended license issued August 25, 1997.

**Weavertown Transport Leasing, Inc.**, 206 Weavertown Road, Canonsburg, PA 15317; License No. **PA-HC 0020**; amended license issued August 25, 1997.

## AIR POLLUTION

### PLAN APPROVALS

**Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate and operate air contamination sources and associated air cleaning devices.**

*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.*

Plan approval extensions were issued to **Slippery Rock University** (Slippery Rock, PA 16057) for the following sources:

- 10-302-030A—Boilers #3, 4, 5
- 10-302-036—Boilers #1 & 2

**10-318-014A.** The Department has issued a Plan Approval extension to **NAPCO, Incorporated** (125 McFann Road, Valencia, PA 16059) for a coil coating line in Middlesex Township, **Butler County**.

Plan approval extensions were issued to **MacMillan Bloedel Clarion LP** (P. O. Box 340, Shippensburg, PA 16254) for the following sources:

- 16-316-004A—Refiner start up dumps and cyclone
- 16-316-005A—1st stage dryer and cyclone
- 16-316-006A—Material handling and fabric collector
- 16-316-007A—Board cooling vents

## MINING

### APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable 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).

*Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.*

*Coal Applications Issued:*

**329970103. General Mining, Inc.** (R. D. 2, Box 194, Avonmore, PA 15618), commencement, operation and restoration of a bituminous strip-auger mine in Young Township, **Indiana County**, affecting 113.0 acres, receiving stream Marshall Run to Blacklegs Creek, application received March 13, 1997, permit issued August 15, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**26820129. Wise Mining Company** (R. D. 1, Box 15, Lake Lynn, PA 15451). Permit revised to add 11 acres to the permit boundaries at a bituminous surface mining operation located in Springhill Township, **Fayette County**, now affecting 36.1 acres. Receiving streams unnamed tributary to Grassy Run, to Grassy Run, to the Cheat River. Application received August 20, 1996. Revision issued August 6, 1997.

**65840119R. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Renewal permit issued for continued operation and reclamation of a bituminous surface auger mine (with limestone removal and a portable crusher) located in Derry Township, **Westmoreland County**, affecting 630.3 acres. Receiving streams unnamed tributaries to Stony Run and McGee Run. Renewal application received July 7, 1997. Renewal permit issued August 8, 1997.

**65850102R. V. P. Smith Co., Inc.** (P. O. Box 242, Ligonier, PA 15658). Renewal issued for continued operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 182 acres. Receiving streams unnamed tributary to McGee Run. No overburden or coal removal activities may commence until proper amount of bond is submitted. Application received June 5, 1997. Renewal issued August 15, 1997.

**26920105T. Twilight Industries, Division of U. S. Natural Resources, Inc.** (212 State Street, Belle Vernon, PA 15012). Transfer issued for continued operation and reclamation of a bituminous surface mine located in Jefferson Township, **Fayette County**, affecting 148 acres. Site previously permitted to Bart Bertocci Contractors, Inc. Receiving streams unnamed tributaries to Washington Run and unnamed tributaries to Little Redstone Creek. Application received June 3, 1997. Transfer permit issued August 15, 1997.

*Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.*

**17870114. M & M Construction Co., Inc.** (R. R. 1, Box 66, Morrisdale, PA 16858), major permit modification to apply biosolids to enhance vegetation on an existing bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 338.5 acres, application received January 21, 1997, permit issued July 19, 1997.

**17920119. Junior Coal Contracting, Inc.** (R. R. 3, Box 225-A, Philipsburg, PA 16866), revision to an existing bituminous surface mine permit to change permit acreage from 103.4 to 120.7 acres, Sandy Township, **Clearfield County**, receiving streams unnamed tributaries to Clear Run and Slab Run to Sandy Lick Creek to Redbank Creek to the Allegheny River, application received May 27, 1997, permit issued July 31, 1997.

**57960201. Falcon Coal & Construction Co.** (P. O. Box 207, Mildred, PA 18632), commencement, operation

and restoration of a Coal Refuse Reprocessing permit in Cherry Township, **Sullivan County** affecting 12.1 acres, receiving streams Birch Creek to Loyalsock Creek to West Branch of the Susquehanna River, application received October 29, 1996, permit issued July 30, 1997.

**41870101. Fisher Mining Company** (460 Market Street, Williamsport, PA 17701), renewal of an existing bituminous surface mine permit for reclamation only, Pine Township, **Lycoming County** affecting 132.8 acres, receiving streams Buckeye Run to Otter Run, Otter Run to Little Pine Creek; Shingle Mill Branch to English Center Run; English Center Run to Little Pine Creek; Little Pine Creek to Pine Creek, Pine Creek to West Branch Susquehanna River, application received March 28, 1997, permit issued August 6, 1997.

**Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), revision to an existing bituminous surface mine permit for a reduction in permit acreage from 131.3 to 103.3, Jordan Township, **Clearfield County**, receiving streams unnamed tributaries to Potts Run to Clearfield Creek to the West Branch Susquehanna River, application received June 5, 1997, permit issued August 4, 1997.

**17900105. Southwest Reclamation, Inc.** (P. O. Box 128, Clearfield, PA 16830), revision to an existing bituminous surface mine permit for a change in permit acreage from 79.4 to 86.4 acres, Huston Township, **Clearfield County**, receiving streams Horning Run to Bennett Branch and Bennett Branch and Bennett Branch to Sinnemahoning Creek to the West Branch of the Susquehanna River, application received October 21, 1996, permit issued August 6, 1997.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**61920101. D. W. L. Coal Company** (1201 West Main Street, Grove City, PA 16127), renewal of an existing bituminous strip operation in Cherry Valley Borough and Scrubgrass and Venango Townships, **Venango and Butler Counties** affecting 40.5 acres. This renewal is issued for reclamation only. Receiving streams two unnamed tributaries to Little Scrubgrass Creek. Application received June 19, 1997. Permit issued August 11, 1997.

**10920106. BMB Management, Inc.** (R. D. 6, Friendship Plaza, Kittanning, PA 16201), renewal of an existing bituminous strip and tippel refuse disposal operation in Clay Township, **Butler County** affecting 80.2 acres. This renewal is issued for reclamation only. Receiving streams unnamed tributary to Stoney Run and two unnamed tributaries to Pine Run. Application received June 3, 1997. Permit issued August 6, 1997.

*McMurray District Office*

**10841302. BethEnergy Mines, Inc.** (P. O. Box 143, Eighty-Four, PA 15330), to renew the permit for the Fawn Mine No. 91 in Clinton Township, **Butler County**, no additional discharges. Permit issued August 14, 1997.

**17901601. Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), to renew the permit for the DuBois Tipple in Sandy Township, **Clearfield County**, no additional discharges. Permit issued August 21, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

*Noncoal Permits Issued*

**03970301. Seven Sisters Mining Co., Inc.** (200 U. S. Route 22, Delmont, PA 15626). Permit issued for commencement, operation and reclamation of a large noncoal (sand, gravel and topsoil) surface mining site located in South Bend Township, **Armstrong County**, affecting

36.2 acres. Receiving streams Crooked Creek to the Allegheny River. Application received February 21, 1997. Permit issued August 13, 1997.

**63960301. Dick Corporation** (P. O. Box 10896, Pittsburgh, PA 15236-0896). Permit revised to change name from Dick Enterprises, Inc. to Dick Corporation, for a noncoal surface mining operation located in Hanover Township, **Washington County**, affecting 33.2 acres. Receiving streams unnamed tributary to Kings Creek, Kings Creek to the Ohio River. Application received June 2, 1997. Revision issued August 15, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

*Small Noncoal Permits Issued*

**03962301. Thomas L. Huff** (R. R. 1, Smicksburg, PA 16256). Permit issued for commencement, operation and reclamation of a general small noncoal (shale) mine located in Wayne Township, **Armstrong County**, affecting 1.0 acre. Receiving streams Little Mahoning Creek. Application received December 16, 1996. Permit issued August 5, 1997.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

*Noncoal Issued*

**37960303. Grant R. Wright, Inc.** (376 North Tower Road, Fombell, PA 16123), commencement, operation and restoration of a sand and gravel operation in Union Township, **Lawrence County** affecting 146.0 acres. Receiving streams Mahoning River. Application received October 15, 1996. Permit issued August 8, 1997.

**43970301. Larry G. Temple** (228 Georgetown Road, Hadley, PA 16130), commencement, operation and restoration of a sand and gravel operation in Sandy Lake Township, **Mercer County** affecting 28.0 acres. Receiving streams none. Application received April 28, 1997. Permit issued August 6, 1997.

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

**8073SM1C3. Kibblehouse Quarries, Inc.** (1128 Crusher Road, Perkiomenville, PA 18074), correction to an existing quarry operation in Marborough Township, **Montgomery County** affecting 75.9 acres, receiving stream Unami Creek. Correction issued August 18, 1997.

**01870301C2. Tarmac America** (P. O. Box 468, Hanover, PA 17331), renewal of NPDES Permit #PA0593931 in Oxford, Conewago and Berwick Townships, **Adams County**, receiving stream North Stream, Beaver Creek and Conewago Creek. Renewal issued August 19, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

*Coal Applications Withdrawn*

**63840102. Pennweir Construction Company** (401 Pennsylvania Avenue, Weirton, WV 26062). Revision withdrawn requesting addition of biosolids to an existing bituminous surface mine with coal refuse disposal located in Jefferson Township, **Washington County**, affecting 267.9 acres. Receiving streams Parmer Run to Cross Creek to Ohio River and unnamed tributary to Scott Run. Revision application received May 27, 1997. Revision application withdrawn August 4, 1997.

## ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment Approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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 proves a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications filed 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 sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402) 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: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.*)

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

**E15-539.** Encroachment Permit. **Philadelphia Suburban Water Company**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010. To install and maintain a 20-inch potable water main across an unnamed tributary to Valley Creek (EV). The site is located approximately 1,100 feet west of the intersection of Conestoga Road (S. R. 401) and Phoenixville Pike, (Malvern, PA Quadrangle N: 9.9 inch; W: 10.5 inch) in East Whiteland Township, **Chester County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E46-747.** Encroachment Permit. **William P. Gross**, Gross Equipment Company, Inc., 1200 Route 100, Bechtelsville, PA 19505. To perform the following activities associated with the proposed 9 Golf Hole expansion at the existing Gilbertsville Golf Club. The activities include:

1. The installation of three golf cartway bridges having a span of 37 feet, 16 feet and 35 feet which span the channel of Minister Creek and will impact 0.03 acre of wetland in area E/F.
2. To modify, operate and maintain two existing bridges across Minister Creek.

3. To install, operate and maintain a 27 inch diameter CPP culvert with flared end section in and along an unnamed tributary to Minister Creek for golf cart passage.

4. To construct, operate and maintain two 15 inch diameter CPP outfall structures to convey stormwater runoff.

5. To grade and place fill along the floodway of Minister Creek to accommodate the construction of golf holes number 1 and 9. (Tees and Greens)

The site is located southeast of the intersection of Swamp Pike Road and Lutheran Road, (Sassamanville, PA Quadrangle N: 8.75 inch; W: 10.5 inch) in New Hanover Township, **Montgomery County**.

*Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.*

**E45-322.** Encroachment. **Stephen E. and Betty Jean Barachie**, R. R. 1, Box 1083, Kunkletown, PA 18058-1083. To give its consent to expand the reservoir surface area of a nonjurisdictional dam to approximately 0.2 acre by removing a 1,100 S. F. portion of land separating two bodies of water and to backfill and eliminate an adjacent 0.025 acre pond. The project is located on Bauer Creek, on the north side of Township Road T428 (Scheller Hill Road), approximately 0.15 mile east of the intersection of T428 and T437 (Pohopoco Mountain, PA Quadrangle N: 6.75 inches; W: 4.5 inches) in Polk Township, **Monroe County**.

*Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, (717) 657-4590.*

**E07-280.** Encroachment. **Hollidaysburg Borough Council**, Randell Manning, Municipal Building, 401 Blair Street, Hollidaysburg, PA 16648. To construct and maintain a two span pedestrian bridge having one span of 82.0 feet and another span of 40.0 feet with a maximum underclearance of about 15.5 feet across the Beaverdam Branch of the Juniata River and to excavate about 26.4 cubic yards of stream bank material in the channel and above the normal water level at the bridge site as part of developing the Hollidaysburg Canal Basin Park in the floodplain of the River (Hollidaysburg PA Quadrangle N: 9.3 inches; W: 2.8 inches) in Hollidaysburg, Borough, **Blair County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E21-263.** Encroachment. **East Pennsboro Township**, Robert Gill, 98 S. Enola Drive, Enola, PA 17025. To place fill in 3.14 acres of wetland in order to construct the relocation of Center Street (SR 1015, Section 004) located about 1,500 feet south of PA 944 (Harrisburg, PA Quadrangle N: 6.1 inches; W: 9.6 inches) in East Pennsboro Township, **Cumberland County**. The applicant will provide 3.14 acres of replacement wetlands. This permit also includes 401 Water Quality Certification.

**E22-367.** Encroachment. **John Rautzahn**, Pennsylvania Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove two deteriorated structures and to construct and maintain a bridge having a span of 12 feet and an underclearance of 5 feet-2 inches and a bridge having a span of 12 feet and an underclearance of 6 feet-6 inches across the channel of a tributary to Swatara Creek at a point at Rt. 230 (Middletown, PA Quadrangle N: 13.2 inches; W: 12.0 inches) in Londonderry Township, **Dauphin County**.

This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E36-632.** Encroachment. **Bart Township**, Ray Marvin, 46 Quarry Road, Quarryville, PA 17566. To remove the existing structure, construct and maintain a steel I-beam bridge having a clear span of 69 feet with an average underclearance of 17.4 feet across the West Branch Octoraro Creek on Hollow Road (T-367) (Gap, PA Quadrangle N: 3.7 inches; W: 12.2 inches) in Bart Township, **Lancaster County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E38-115.** Encroachment. **Pine Meadows Golf Course**, Adam Moyer, P. O. Box 247, Myerstown, PA 17067. To construct and maintain two golf cart bridges having a clear span of 90 feet each with average underclearances of 13 feet each across the Little Swatara Creek for access to a future 9-hole golf course (Fredericksburg, PA Quadrangle N: 6.5 inches; W: 7.0 inches) in Bethel Township, **Lebanon County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E44-080.** Encroachment. **Constance Goss**, Box 772, R. D. 1, Milroy, PA 17063. To maintain a single span bridge having a span of 31.6 feet and an underclearance of 9.0 feet across Laurel Creek and having been constructed under emergency permit EP44-96-03 and located along SR 1001 about 1,600 feet south of its intersection with Township Road T-464 (Burnham, PA Quadrangle N: 15.1 inches; W: 8.5 inches) in Armagh Township, **Mifflin County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-597.** Encroachment. **Steven Poplaski**, 546 Mountain Road, Dillsburg, PA 17019. To fill a de minimis area of wetlands less than or equal to 0.05 acre for construction of a single family residence on Lot No. 12 located within the Beavertown Heights subdivision (Dillsburg, PA Quadrangle N: 18.0 inches; W: 9.0 inches) in Carroll Township, **York County**. This permit also includes 401 Water Quality Certification.

**E67-599.** Encroachment. **John Rautzahn**, Pennsylvania Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To construct and maintain 16-foot span  $\times$  6-foot rise cast-in-place concrete box extensions of 16 linear feet onto the upstream end and 17 linear feet onto the downstream end of the existing 16'  $\times$  6' box culvert for widening of SR 0030 from a four-lane to a six-lane highway at Section 001 over Willis Run (West York, PA Quadrangle N: 17.1 inches; W: 2.4 inches) in West Manchester Township, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E36-631.** Encroachment. **Southridge Farm Partnership**, David Charles, 26 Millersville Road, Lancaster, PA 17603. To construct and maintain 200 l.f. of 48-inch reinforced concrete pipe culvert in a tributary to Mill Creek under Southrun Drive for access within the Southridge Farm development. Two hundred-sixty feet of the intermittent tributary will be relocated into a parabolic swale, beginning at the outlet of the pipe culvert. An 8-inch sanitary sewer line, a 4-inch sewer force main and an 8-inch waterline will be constructed and maintained under the tributary at Southrun Drive. The development

is located along Millport Road (T-541) (Lancaster, PA Quadrangle N: 5.0 inches; W: 1.5 inches) in East and West Lampeter Townships, **Lancaster County**. This permit also includes 401 Water Quality Certification.

**E67-598.** Encroachment. **Chanceford Township**, Clifton Baldwin, Muddy Creek Road, P. O. Box 115, Brogue, PA 17309. To remove an existing structure and to construct and maintain a 13-foot × 5-foot box culvert on Otter Creek located on Short Cut Road approximately 0.5 mile north of Cannery Road (Safe Harbor, PA Quadrangle N: 2.7 inches; W: 17.2 inches) in Chanceford Township, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

*Northcentral Region, Water Management—Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.*

**E08-316.** Encroachment. **Fulmer, Honchell and Schmeckenbecher**, Real Estate Partnership, R. R. 6, Box 6167A, Towanda, PA 18848-6167. To place and maintain 0.02 acre of fill for a parking lot in the floodway of Laning Creek. This project is located on the south side of Route 6 about 1.5 miles east of the Towanda bridge (Towanda, PA Quadrangle N: 3.5 inches; W: 6.2 inches) in Wysox Township, **Bradford County**. This permit was issued under section 105.13(e) "Small Projects."

**E08-319.** Encroachment. **DCNR**, Bureau of State Parks, P. O. Box 8451, Harrisburg, PA 17105. To remove the existing structure and to construct and maintain a single span steel stringer bridge 51 feet in length and average underclearance of 10.6 feet over Mill Creek at the spillway of Stephen Foster Lake (East Troy, PA Quadrangle N: 9.2 inches; W: 3.8 inches) in West Burlington Township, **Bradford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E12-102.** Encroachment. **Steven S. Troncone**, 605 East Second St., Emporium, PA 15834. To construct, operate and maintain a private road within the floodway of Driftwood Branch, Sinnamahoning Creek that will provide access to a seasonal dwelling. The road shall be constructed with a length of 500 feet, a width 16-feet and a maximum height of 6 feet above the existing elevations that is located along the southern right-of-way of SR 0120 approximately 2,904 feet east of the intersection of SR 0155 and SR 0120 (Cameron, PA Quadrangle N: 22.1 inches; W: 11.5 inches) in Shippen Township, **Cameron County**. This permit was issued under section 105.13(e) "Small Projects."

**E18-235.** Encroachment. **Croda Inc.**, P. O. Box 178, Draketown Rd., Mill Hall, PA 17751. To place and maintain fill in 1.13 acres of palustrine emergent wetlands, to place and maintain fill in 0.43 acre of palustrine forested open water wetlands, to maintain 0.26 acre of wetland replacement encroaching in the floodway of Bald Eagle Creek, for the purpose of expanding existing chemical plant operations. The company property encompasses 12.9 acres of land with 8.9 acres currently developed. The fill site is located on the western side of company property located along Draketown Road (T-373) approximately 0.30 mile from the intersection with SR 150 (Mill Hall, PA Quadrangle N: 20.5 inches; W: 13.5 inches) in Bald Eagle Township, **Clinton County**. Off-site mitigation for impacts will be replaced within the floodway of Bald Eagle Creek located along Lusk Run Road (SR 2020) approximately 1.0 mile from the intersec-

tion with SR 150 (Mill Hall, PA Quadrangle N: 22.5 inches; W: 17.0 inches) in Bald Eagle Township, **Clinton County**.

**E41-403.** Encroachment. **East Lycoming School District**, Cemetery St., Hughesville, PA 17737. To construct and maintain an 8 foot wide covered footbridge with a clear span of 34.5 feet and underclearance of 4.5 feet across Laurel Run at a point about 1,500 feet upstream of its confluence with Muncy Creek in Van Rensselaer Park (Picture Rocks Borough and Wolf Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E47-060.** Encroachment. **Valley Township Municipal Authority**, P. O. Box 307, Danville, PA 17821. To place and maintain about 4 feet of fill in the flood fringe of Mause Creek for additional treatment units and an office building at an existing wastewater treatment plant. This project is located next to Route 54 about 2 miles north of Route 11 (Riverside, PA Quadrangle N: 20.5 inches; W: 1.3 inches) in Valley Township, **Montour County**. This permit was issued under section 105.13(e) "Small Projects."

**E49-205.** Encroachment. **Northumberland County Commissioners**, 201 Market St., Sunbury, PA 17801. To remove the existing structure and to construct and maintain a single cell concrete box culvert with a 20 foot clear span and a 10 foot rise under fill with the associated precast reinforced concrete inlet and outlet end sections in Millers Run located approximately 100 feet southwest of the intersection of SR 2016 and T-764 (Shamokin, PA Quadrangle N: 16.2 inches; W: 11.7 inches) in Ralpho Township, **Northumberland County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E55-145.** Encroachment. **Middleburg Municipal Authority**, 13 North Main St., Middleburg, PA 17842. To construct, operate and maintain a publicly owned waste water treatment plant within floodplains and wetlands associated to Middle Creek. The proposed work shall consist of excavating, filling, regrading and stabilizing within the 100-year floodplain of Middle Creek. The project is located along the northern right-of-way of SR 0522 approximately 2,000 feet east of intersection of SR 0522 and East Market St. (Middleburg, PA Quadrangle N: 7.7 inches; W: 5.6 inches) in Middleburg Borough, **Snyder County**.

**E59-336.** Encroachment. **Jackson Township Supervisors**, P. O. Box 48, Millerton, PA 16936. To construct and maintain a corrugated metal pipe arch with a span of 103 inches, a rise of 71 inches and a length of 60 feet, plus the associated approach fill located at the intersection of T-703 and T-709 (Jackson Summit, PA Quadrangle N: 10.8 inches; W: 4.1 inches) in Jackson Township, **Tioga County**.

*Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*

**E10-264.** Encroachment. **Treesdale Golf and Country Club**, One Arnold Palmer Drive, Gibsonia, PA 15044. To fill 0.425 acre of seven separate wetland areas and to construct and maintain two bridges across two separate wetland areas for the construction of the third nine holes of the Treesdale Golf and Country Club Golf Course approximately 4,000 feet southwest of the intersection of S. R. 228 and S. R. 3015 (Mars/Valencia Road) (Mars, PA Quadrangle N: 9.3 inches; W: 1.1 inches) located in Adams Township, **Butler County**.

**E16-098.** Encroachment. **Pennsylvania Electric Company**, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640-0001. To rehabilitate and maintain the existing 115 kv aerial electric transmission line across the Clarion River approximately 600 feet downstream of Piney Dam (DEP File No. D16-019) (Clarion, PA Quadrangle N: 12.3 inches; W: 8.4 inches) located in Paint and Piney Townships, **Clarion County**.

**E20-443.** Encroachment. **Estate of Ivor J. Lee, II**, c/o William T. Jordan, Esq., 966 South Main Street, Meadville, PA 16335. To maintain 1.10 acres of wetland fill through an approximately 30-acre wetland system and a 36-inch diameter culvert in the old Erie Canal between Aldina Drive and S.R. 618 approximately 3,000 feet north of S. R. 6 (Conneaut Lake, PA Quadrangle N: 20.8 inches; W: 9.2 inches) located in Sadsbury Township, **Crawford County**.

**E25-551.** Encroachment. **Pennsylvania Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To install concrete streambed paving 1-foot below the existing streambed, rock riprap scour protection and to maintain the existing concrete Arch having a span of 18 feet and a maximum underclearance of 12.25 feet across Goodban Run on S.R. 3021, Segment 0020, Offset 2414 approximately 1 mile east of S.R. 98 (Edinboro North, PA Quadrangle N: 15.2 inches; W: 11.2 inches) located in Franklin Township, **Erie County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E43-258.** Encroachment. **Pennsylvania Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To install concrete streambed paving 1-foot below the existing streambed, rock riprap scour protection and to maintain the existing bridge having a clear span of 18 feet and an underclearance of 5.3 feet across Pine Run on S. R. 0062, Segment 0050, Offset 1269 approximately 1,000 feet west of S. R. 518 (Sharon East, PA Quadrangle N: 19.5 inches; W: 16.7 inches) located in the City of Sharon, **Mercer County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E43-259.** Encroachment. **Pennsylvania Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To install concrete streambed paving 1-foot below the existing streambed, rock riprap scour protection and to maintain the existing bridge having a clear span of 12 feet and an underclearance of 5.75 feet across a tributary to Little Shenango River (Sankeys Run) on S. R. 4019, Segment 0050, Offset 0000 approximately 0.7 mile east of S. R. 358 (Greenville East, PA Quadrangle N: 5.6 inches; W: 12.9 inches) located in Hempfield Township, **Mercer County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E61-206.** Encroachment. **Pennsylvania Electric Company**, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640-0001. To rehabilitate and maintain the existing 115 kv aerial electric transmission line across Sugar Creek approximately 2,000 feet downstream of S. R. 322 near the village of Wyattville (Utica, PA Quadrangle N: 12.65 inches; W: 2.85 inches) located in the Borough of Sugarcreek, **Venango County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E62-331.** Encroachment. **Pennsylvania Department of Transportation, District 1-0**, 1140 Liberty Street,

Franklin, PA 16323. To remove the existing bridge and to construct and maintain a prestressed concrete adjacent box beam bridge having a normal span of 34.9 feet and an average underclearance of 5.4 feet on a 60 degree skew across Andrews Run on S. R. 3007, Segment 0260, Offset 0000 approximately 1.4 miles south of S. R. 27 (Pittsfield, PA Quadrangle N: 11.9 inches; W: 1.4 inches) located in Pittsfield Township, **Venango County**.

#### ENVIRONMENTAL ASSESSMENT

*Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**EA59-006C0.** Environmental Assessment. **Ed Signor** (Box 89, Arnot, PA 16911). To construct and maintain a nonjurisdictional dam across a tributary to Sand Run (CWF) for the purpose of recreation and is located approximately 2,900 feet southwest of the intersection of T-670 and S. R. 2016 in Maple Hill (Cherry Flats, PA Quadrangle N: 11.3 inches; W: 7.0 inches) in Covington Township, **Tioga County**.

*Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, (717) 657-4590.*

**EA34-001.** Environmental Assessment. **Texas Eastern Transmission Corporation**, John Gillespie, P. O. Box 1642, Houston, TX 77251. To remove fill material in a restored wetland area along approximately 180-foot section of Lick Run located in Lack Township, **Juniata County** (Blairs Mills, PA Quadrangle N: 19 inches; W: 4.0 inches). This Environmental Assessment was issued under section 105.15(3)b. 401 Water Quality Certification is issued for this Environmental Assessment.

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### SPECIAL NOTICES

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#### Proposed Consent Order and Agreement

##### Oliver Site

##### Waterford Township, Erie County

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. § 6020.1113), notice is hereby provided that the Department of Environmental Protection (Department) has entered into an agreement with the Waterford Recreation Association (Association) concerning the Oliver Site located in Waterford Township, Erie County.

In the past, wastes containing hazardous substances were disposed at the Oliver Site, and these substances have contaminated the environment at the Site. The Department has incurred more than \$1 million in costs at the Oliver Site, and the Department estimates that it will cost approximately \$3 million more to clean up the Site. Some of the cleanup has been completed by responsible persons for the Oliver Site under the direction of the Department. The Department is currently negotiating with another responsible person to finish the cleanup of the Site.

The Association intends to obtain ownership of the approximately 52 acre property located within the Oliver Site (property), to develop and manage the property for softball, baseball and other recreational uses by the public, without profit to the Association. Upon obtaining ownership of the property, the Association shall grant the Department, and its designated agents, access to the property to finish the cleanup of the Oliver Site. The Association shall also help maintain the cleanup of the property at the Oliver Site.

The specific terms of this agreement are set forth in the Consent Order and Agreement between the Department and the Association. The Department will receive and consider comments on this Consent Order and Agreement for 60 days from the date of this Public Notice. The Department may withdraw its consent if the comments disclose facts or considerations which indicate that this agreement is inappropriate, inadequate, or not in the public interest. This agreement shall become final upon the Department filing its responses to any significant comments to the Consent Order and Agreement.

Comments on the Consent Order and Agreement may be submitted, in writing, to Robert J. Kimball, Project Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335-3481. Copies of the Consent Order and Agreement and further information may be obtained by contacting Robert Kimball at (814) 332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 654-5984.

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### **Settlements Under the Hazardous Sites Cleanup Act**

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#### **Industrial Solvents and Chemical Company Site Newberry Township, York County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.101—6020.1305), has entered into a number of consent decrees with multiple parties regarding the Department's costs incurred for conducting response activities at the Industrial Solvents and Chemical Company (ISCC) site. These consent decrees were reached as part of the Department's cost recovery litigation in *PADEP v. Columbia Leather and Coatings Company, Inc. et al.* (Civil Action No. 1:CV-96-1502).

The ISCC site is a 9-acre parcel of land in Newberry Township, York County, adjacent to Interstate 83. The surrounding area is primarily rural, although residential, commercial and industrial developments are located within a close vicinity of the site. A number of private residential wells have been contaminated by hazardous substances migrating from the ISCC site.

ISCC was involved in the reprocessing of used solvents. Because of violations of hazardous waste requirements, the Department on July 6, 1989, terminated ISCC's authority to operate a hazardous waste treatment and storage facility. The site was abandoned in 1990 when ISCC declared bankruptcy. A total of 996 potentially responsible parties for the hazardous substances located at the ISCC site were identified by the Department.

Because of the threat to human health and the environment posed by the ISCC site, the site was placed on the Pennsylvania Priority List for Remedial Response on October 26, 1991. The Department and a group of approximately 135 cooperating potentially responsible parties have conducted a number of interim actions at the site to address the release or threat of release of hazardous substances. To date, the Department has incurred costs of approximately \$3.3 million to implement and/or oversee these interim actions. A final remedial action for the groundwater and soil at the ISCC site will be selected by the Department and implemented in the future.

On August 28, 1997, the Department lodged with the Court in the *Columbia Leather* matter a total of 12 proposed consent decrees, two of them involving multiple

parties. Under one of these multiple party consent decrees, 13 parties responsible for more than 5,000 gallons of hazardous substances at the ISCC site [Dri-Print Foils, Inc.; Fuller Company; Kelly Springfield Tire Company (a division of Goodyear Tire and Rubber Company); Kerr Group, Inc.; Lyon Metal Products, Inc.; Mohawk Flush Doors (Nortek, Inc.); Quality Chemicals, Inc.; Quebecor Printing Memphis, Inc.; Specialty Screw Machine Products, Inc.; Thomson 60 Case LLC; TR-Metro Chemical Inc.; Verla International, Ltd. and VIZ Manufacturing Company] will pay the Department \$533,535 to reimburse the Department for its response costs at the ISCC site.

Under the second multiple party consent decree, 52 de minimis parties [Advanced Industrial Services, Inc.; ADVO, Inc.; American Technology Corp.; Amphenol Corporation; Best Merchandise Corp. (F/k/a Arthur Matney Co., Inc.); Metalcast Div. of Anchor Fence, Inc.; Anne Arundel County, Md.; Battenfeld Blowmolding Division of Battenfeld Gloucester-Engineering Co., Inc.; Bromante Corp.; C-B Tool Co.; Champion International Corp.; Columbia Products, Inc.; C. W. Hayden Co., Inc.; DENTSPLY International, Inc.; Display Craft Manufacturing Co.; Dryden Oil Company Inc.; Dunlap-Mellor and Company, Inc.; Electron Energy Corporation; Erie Engineered Products, Inc. (as successor to Metricase Corp.); Fenner Manheim; Five Star Group, Inc.; Fleming Companies, Inc.; Globe Screen Print; Gunnebo Fastening Corp.; Industrial Finishing Products, Inc.; King Industries, Inc.; Larson-Juhl (f/k/a American Moulding); Lucent Technologies (as a successor to AT&T Corp.); Luxo Corporation; Metraplex Corporation; Novamet Specialty Products Corporation; Owens Corning; Pepsi-Cola Operating Company of Chesapeake & Indianapolis; Rearden Metal Products, Inc.; Royer Industries, Inc.; Sal Chemical Co., Inc.; Sandvik Process Systems, Inc.; Schweitzer-Mauduit International; Sheetz, Inc.; Simon Ladder Towers, Inc.; The Southland Corporation; S&S Industries, Inc.; Statton Furniture Mfg Co.; Tec Inc.; UIDC Management, Inc.; Universal Security Instruments, Inc.; Cooper Industries, Inc. (on behalf of Wagner Lighting); Washington Aluminum Co.; York Container Company; and York Industrial Tool Inc.] will pay the Department \$555,965 to resolve the Department's response costs claims. A number of parties to both of these multiple party consent decrees will also be resolving their liability to the Department for natural resource damages relating to the ISCC site.

The Department has also lodged with the Court proposed consent decrees with American Inks & Coatings Corporation (\$11,078), Berkley Products Company (\$18,426), Biddle Sawyer, Inc. (\$37,514), Boulden, Inc. (\$154,280), Davis & Hemphill, Inc. (\$63,900), Mid-State Trading Company (\$13,976), Pride Solvents & Chemical Company (\$68,080), Ross Technology Corporation (\$10,181), Safeguard Chemical Company (\$121,279), and Stambaugh's Air Service, Inc. (\$4,833). Under all of the proposed consent decrees that are subject to this notice the Department will receive a total of \$1,593,047.

This notice is provided under section 1113 of HSCA (35 P.S. § 6020.1113). The proposed consent decrees are subject to final approval by the Court in the *Columbia Leather* matter. The proposed consent decrees that contain the specific terms of the settlements are available for public review and comment. The proposed consent decrees can be examined from 8 a.m. to 4 p.m. at the Department's office at One Ararat Boulevard, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 657-4592. A public comment period on the proposed consent decrees will extend for 60 days from today's date. Persons may

submit written comments regarding the proposed consent decrees to the Department by November 5, 1997, by submitting them to Barbara Faletti at the above address.

[Pa.B. Doc. No. 97-1450. Filed for public inspection September 5, 1997, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "June 1997 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will be adding its revised documents to the Web throughout 1997.

#### *Ordering Paper Copies of DEP Technical Guidance*

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Nina Huizinga at (717) 783-8727.

#### *Final Technical Guidance—New Guidance*

DEP ID: 580-2200-008 Title: Guidelines for Use of Internal Combustion Motors in Underground Mines other than Coal Description: This document establishes procedures and criteria for the approval and use of internal combustion motors in underground mines other than coal mines. Effective Date: 8/11/97 Page Length: 3 pages Location: Volume 9, Tab 6 Contact: Matt Bertovich at (412) 439-7304.

#### *Final Technical Guidance—Substantive Revisions to Existing Guidance*

DEP ID: 563-2100-216 Title: Permit Renewals Description: This document describes the procedures and guidelines to be utilized by the Bureau of Mining and Reclamation and District Mining Operations for the renewal of coal mine permits. Effective Date: 6/30/97 Page Length: 8 pages Location: Volume 12, Tab 55 Contact: Dottie Shellehamer at (717) 787-5103.

DEP ID: 383-3301-205 Title: Laboratory Reporting Instructions for Radiological Contaminants in Drinking Water Distribution Systems Description: This document establishes uniform instructions and protocol for implementing the drinking water reporting requirements for radiological self-monitoring data. Effective Date: 7/28/97 Page Length: 22 pages Location: Volume 19, Tab 02B Contact: Joe Hoffman at (717) 787-5017.

#### *Final Technical Guidance—Minor Revisions to Existing Guidance*

The Bureau of Mining and Reclamation has made formatting changes, but no substantive changes to the following documents. Persons who have questions or comments should contact Dottie Shellehamer at (717) 787-5103.

DEP ID	Title
563-2000-203	Noncoal Underground Mine Permit Application
563-2112-603	Evaluation and Approval of Innovative Mining and Reclamation Techniques
563-2112-607	Marketing of Anthracite Coal Reject Materials

#### *Notice of Intent to Rescind Technical Guidance*

DEP ID: 383-0810-111 Title: Public Water Supply Manual, Part I Background: Part I is a compilation of all the summaries of key requirements. The summaries of key requirements are available as individual documents. Additional summaries are added as new rules and regulations are adopted, making a consolidated document inefficient. Rescission Date: December 31, 1997 Contact: Trudy J. Troutman at (717) 787-0122.

DEP ID: 363-2139-002 Title: Land Acquisition Policies Background: The Bureau of Waterways Engineering (BWE) uses these policies (DEP ID: 310-2139-002) to acquire land when the Bureau constructs flood protection projects. This same document is also listed under the Bureau of Water Quality Protection (BWQP) as 363-2139-002. However, since BWQP's Division of Waterways, Wetlands and Erosion Control does not acquire land as part of its program, BWQP is eliminating the duplicate listing. Rescission Date: September 6, 1997 Contact: Ken Reisinger at (717) 787-6827.

#### *Notice of Intent to Develop Technical Guidance*

Draft Title: Section 268(b): Criteria for Extending Distances Between Shelter Holes under section 702 Background: Technical guidance is necessary to ensure that reasonable and consistent standards exist for the review and approval of variance requests permitted under section 268(b) of the Pennsylvania Bituminous Coal Mine Act and submitted under section 702 concerning the extension of the distance between shelter holes. This guidance will establish these standards and, at the same time, will align Federal and State requirements. Anticipated Effective Date: January 1, 1998 Anticipated Draft Development Date: October 1, 1997 Proposed Development and Review Process: The technical guidance will be developed internally by DEP staff with input from potentially affected parties including labor, industry and affiliated unions, organizations and associations. The draft will be announced in the *Pennsylvania Bulletin* and in DEP's *UPDATE* newsletter for public comment. Contact: Joseph A. Scaffoni at (412) 439-7469.

#### *Notice of Intent to Develop Large Document and Addition to the Web in Stages*

DEP ID: 363-0400-001 Title: Chapter 105 Program Manual Background: The Division of Waterways, Wetlands and Erosion Control in the Bureau of Water Quality Protection intends to develop this manual to provide a comprehensive source of program information, references, experiences and general guidance, memoranda of understanding and other materials. The program will place this large document on DEP's World Wide Web site in stages. At this point, the program is placing an



abstract of the intended contents and a table of contents on the web. Contact: Ken Reisinger at (717) 787-6827.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 97-1451. Filed for public inspection September 5, 1997, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Count Cashula Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15), and the provisions of 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 Count Cashula.

2. *Price:* The price of a Pennsylvania Count Cashula instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Count Cashula instant lottery game ticket will contain one play area featuring one "Lucky Symbol" area and three "Your Symbols" areas. The play symbols and their captions located in the "Lucky Symbol" area and the "Your Symbols" area are: Spider Symbol (SPIDR), Pumpkin Symbol (PUMKN), Bat Symbol (BAT), Cat Symbol (CAT), Candelabra Symbol (CNDLBRA), Toad Symbol (TOAD), Skull Symbol (SKULL) and Witch Symbol (WITCH).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the play area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THREE DOL), \$4<sup>00</sup> (FOUR DOL), \$5<sup>00</sup> (FIVE DOL), \$6<sup>00</sup> (SIX DOL), \$13\$ (THTN DOL), \$31\$ (THTYONE), \$131 (ONHNTON) and \$1,313 (OTTHTTN).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$4, \$5, \$6, \$13, \$31, \$131 and \$1,313. The player can win up to three times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania Count Cashula instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$1,313 (OTTHTTN) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$1,313.

(b) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play

symbol and a prize play symbol of \$131 (ONHNTON) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$131.

(c) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$31\$ (THTYONE) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$31.

(d) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$13\$ (THTN DOL) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$13.

(e) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$6<sup>00</sup> (SIX DOL) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(f) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$5<sup>00</sup> (FIVE DOL) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$4<sup>00</sup> (FOUR DOL) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$3<sup>00</sup> (THREE DOL) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$1<sup>00</sup> (ONE DOL) appears under the "Your Symbols" play symbol that matches the "Lucky Symbol" play symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *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>Match the Winning Symbols To Any of Your Symbols, With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
\$1	\$1	1:15	272,000
\$1 x 2	\$2	1:16.67	244,800
\$2	\$2	1:23.08	176,800
\$1 x 3	\$3	1:75	54,400
\$1 + \$2	\$3	1:150	27,200
\$3	\$3	1:150	27,200

<i>Match the Winning Symbols To Any of Your Symbols, With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
\$1 + \$6 x 2	\$13	1:750	5,440
\$3 + \$5 x 2	\$13	1:1,500	2,720
\$4 x 2 + \$5	\$13	1:250	16,320
\$13	\$13	1:1,500	2,720
\$5 + \$13 x 2	\$31	1:500	8,160
\$31	\$31	1:750	5,440
\$131	\$131	1:10,000	408
\$1,313	\$1,313	1:240,000	17

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Count Cashula, prize money on winning Pennsylvania Count Cashula 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 Count Cashula 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.

1. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the *Pennsylvania Code* (relating to State Lotteries) and the provisions contained in this notice.

12. *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 Count Cashula or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 97-1452. Filed for public inspection September 5, 1997, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

#### Northampton County Project Reference No. 08430AG2106

The Department of Transportation will retain an engineering firm to perform final design and services during construction (consultation during construction and shop drawing review) for S.R. 0611, Section 01B, the replacement of the Frey's Run Bridge spanning Frey's Run, in Northampton County.

The proposed bridge replacement is located 0.8 miles north of the Bucks County line and 6.3 miles south of the City of Easton on S.R. 0611 in Williams Township. This project on S.R. 0611, which is a two (2) lane, principle

arterial highway, extends north and south through Northampton County from one thousand (1000') feet north of the S.R. 0611 and Royal Manor Road (T-418) intersection to one thousand (1000') feet south of the S.R. 0611 and Coffeetown Road (T-409) intersection. The estimated construction cost is \$0.8 million.

The selected firm will be required to perform field surveys; final roadway design; erosion and sedimentation control plans; maintenance and protection of traffic plans; right-of-way plans; coordination with utility companies; hydrologic and hydraulic analysis; roadway and structure borings; final structure/roadway design; and preparation of plans, specifications and estimates.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting acceptable letters of interest:

- a. Experience in roadway and bridge design.
- b. Ability to expedite project
- c. Project team composition.
- d. Past performance.
- e. Current Workload.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103, Attention: Mr. David A. Earp, P.E.

Any technical questions concerning the requirements for this project should be directed to Mr. Donald E. Lerch, P.E., District 5-0, at (610) 791-6019 or Mr. David A. Earp, P.E., District 5-0, at (610) 791-6021.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### Westmoreland County Project Reference No. 08430AG2107

The Department of Transportation will retain an engineering firm to perform preliminary design work for S.R. 0066, Section R10, the replacement of the existing Apollo Bridge, a 704 foot six (6) span Pony Truss structure carrying S.R. 0066 over the Kiskiminetas River connecting Westmoreland and Armstrong Counties at Apollo. The estimated construction cost is \$10.5 million.

The Department intends to use the Modified Turnkey concept for this project. The Department will advertise for

a contractor to complete the design and construct the project based on the approved conceptual design.

The selected firm will be required to define the line and grade sections; provide the conceptual design for the bridge; obtain all permits; prepare a Categorical Exclusion Evaluation; prepare a Right-of-Way Plan; perform utility coordination tasks; and provide project management.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting acceptable letters of interest:

- a. Project team composition.
- b. Project team experience.
- c. Maintaining schedule and budget.
- d. Past performance.
- e. Current workload.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Jeffrey S. Thompson, P.E., Engineering District 12-0, P.O. Box 459, N. Gallatin Avenue, Extension, Uniontown, PA 15401.

Any technical questions concerning the requirements for this project should be directed to Mr. Jeffrey S. Thompson, P.E., Engineering District 12-0, at (412) 439-7134.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### **General Requirements and Information**

Firms interested in providing the above work and services are invited to submit two copies of a Letter of Interest and required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to:

Mr. Charles W. Allwein, P.E., Chief  
 Consultant Selection Committee  
 7th Floor, Forum Place,  
 555 Walnut Street  
 Harrisburg, Pennsylvania 17101-1900

The Letter of Interest and required information must be received within thirteen (13) calendar days of this Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 P.M. prevailing time of the thirteenth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual,

firm, or corporate which is permitted under the state law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The Act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof.

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each Letter of Interest must include the following information and the information must be packaged and presented in the following order:

1. Transmittal Letter (Maximum of two (2) typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional Engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm.

2. Project Organization Chart (one page, one side)

This Chart should show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team).

The Standard Form 255 must be signed, dated, and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. Under Item 4 of this form, Column A should include the number of subconsultant personnel and Column B should include the number of prime consultant personnel to be assigned to work on this project reference number.

If a Disadvantage Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

#### 4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, must accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the Letter of Interest, the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the Bureau of Design and appropriate Engineering District/Central Office Bureau.

These Forms shall be assembled with the prime's first, followed by the subconsultant's in the same order as they appear in Item 6 of Form 255.

#### 5. Workload Projection Graph (Not required for Construction Inspection Services)

A Workload Projection Graph for the prime and each subconsultant should indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graph should be submitted for the office(s) where the work would be performed and should only include the personnel classifications required for providing the advertised services and work.

#### 6. Authorization Letters (if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

#### 7. Registration To Do Business

Firms with out-of-state headquarters or corporations not incorporated in Pennsylvania must include, with each Letter of Interest, a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The

telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

#### 8. Overhead Rates (one page)

This page must show the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Account must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

#### 9. Additional Information

Additional information, not to exceed ten (10) one sided pages or five (5) double sided pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-1453. Filed for public inspection September 5, 1997, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, August 22, 1997, and took the following actions:

#### *Regulations Approved:*

Department of Labor and Industry #12-47: Lead Occupation Accreditation and Certification (establishes 34 Pa. Code Chapter 402)

Department of Transportation #18-336: Enhanced Emission Inspection (amends 67 Pa. Code Chapter 177)

Pennsylvania State Police #17-57: Megan's Law (amends 37 Pa. Code Chapter 55)

Department of Community Affairs #5-60: Industrialized Housing and Components (amends 12 Pa. Code Chapter 145)

Insurance Department #11-140: Pennsylvania FAIR Plan (deletes 31 Pa. Code Chapter 111)

Insurance Department #11-142: Certificates of Insurance (amends 31 Pa. Code Chapter 113)

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public Meeting held  
August 22, 1997

*Department of Labor and Industry; Lead Occupation Accreditation and Certification; Doc No. 12-47*

#### Order

On February 28, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking would establish 34 Pa. Code Chapter 402. The authority for this regulation is section 4 of the Lead Certification Act (35 P.S. § 5904). The proposed regulation was published in the March 16, 1996 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 24, 1997.

In 1992, the Federal government enacted the Residential Lead-Based Paint Reduction Act (Federal Act) to develop a national strategy to build the infrastructure necessary to eliminate lead-based paint hazards. The Federal Act directed the Environmental Protection Agency (EPA) to promulgate regulations concerning the training and certification of individuals engaged in lead-based paint activities and the accreditation of training programs. The Federal Act also allows states to administer and enforce the requirements established by the EPA.

In response to the Federal Act, the General Assembly passed the Lead Certification Act to provide the Department with the authority to develop regulations that are no more stringent than the Federal regulations. In this rulemaking, the Department has incorporated the EPA's proposed regulations for the accreditation of training providers and the certification of individuals involved in a lead-based occupation. In addition, the regulation establishes administrative procedures to review applications for accreditation and certification.

We have reviewed this regulation and find it to be in the public interest. The regulation will ensure that only properly trained individuals are involved in the removal of lead-based paint.

*Therefore, it is Ordered That:*

1. Regulation No. 12-47 from the Department of Labor and Industry, as submitted to the Commission on July 28, 1997, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public Meeting held  
August 22, 1997

*Department of Transportation; Enhanced Emission Inspection; Doc. No. 18-336*

#### Order

On March 4, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (PennDOT). This rulemaking would amend 67 Pa. Code by rescinding and reestablishing Chapter 177, Enhanced Emission Inspection Program. The authority for this regulation is

found in sections 4103, 4531, 4701, 4706, 4707 and 6103 of the Vehicle Code, the act of June 17, 1976 (P.L. 162, No. 81) as amended by the acts of November 16, 1994 (P.L. 614, No. 95) and December 15, 1995 (P.L. \_\_\_, No. 72) (75 Pa.C.S. §§ 4103, 4531, 4701, 4706, 4707 and 6103). These regulations are being promulgated under the Federal Clean Air Act, as amended by Pub. L. 101-54, November 15, 1990, 104 Stat. 2399—2712, (42 U.S.C.A. §§ 7401—26718) and Pub. L. 104-59, November 27, 1995, \_\_\_Stat.\_\_\_ (known as the National Highway System Designation Act of 1995) (NHS Act). The proposed regulation was published in the March 16, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 29, 1997.

The Clean Air Act, as amended in 1990, requires the Commonwealth to enhance and expand its current vehicle emission Inspection and Maintenance (I/M) program from the current 11 counties to 25 counties. These proposed amendments implement the emission I/M program requirements with a totally decentralized I/M program which allows privately-owned garages and service stations to conduct emissions tests and to perform any needed vehicle repairs onsite.

We have reviewed this regulation and find it to be in the public interest. This rulemaking is an essential part of the Commonwealth's efforts to achieve compliance with the requirements of the Clean Air Act.

*Therefore, it is Ordered That:*

1. Regulation No. 18-336 from the Department of Transportation, as submitted to the Commission on July 29, 1997, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public Meeting held  
August 22, 1997

*Pennsylvania State Police; Megan's Law; Doc. No. 17-57*

#### Order

On June 4, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania State Police (State Police). It would amend 37 Pa. Code Chapter 55 by adding §§ 55.1—55.6. The authority for this rulemaking is section 9799.1(3) of Act No. 1995-24, as amended (Megan's Law), (42 Pa.C.S. § 9799.1(3)). The proposed regulation was published in the June 22, 1996 edition of the *Pennsylvania Bulletin*, with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 29, 1997.

Section 9799.1(3) of Megan's Law requires the State Police to write regulations regarding neighbor notification of the current address of sexually violent predators. This rulemaking is in response to that mandate.

The final-form regulation defines "neighbor," as those persons occupying both residences and places of employment located within a 250-foot radius of a sexually violent predator's residence, or the 25 most immediate residences or places of employment, or both, in proximity to a sexually violent predator's residence, whichever is greater. In the proposed version, the State Police used a 1,000-foot radius.

Section 55.5 (Notification) provides that law enforcement officers will furnish written notices of the current address of the sexually violent predators to neighbors within 72 hours of receipt. Verbal notification may be given if written notification would delay meeting the 72-hour time requirement.

A new documentation of notification provision (§ 55.6) has been added to the final-form regulation. It requires law enforcement officers to establish general written procedures and policies for providing community notification about sexually violent predators. Recordkeeping requirements include: (1) the dates and times when notifications were given and in what geographic areas; (2) what procedures were employed; and (3) whether verbal notification was necessary. The documentation should also indicate whether follow-up notifications were necessary.

Costs for notification (in dedicated police personnel time spent on notifications and documentation) may be significant, but will ultimately depend on how many offenders are released into society.

We have reviewed this regulation and find it to be in the public interest. These regulatory provisions are necessary to carry out the neighbor notification mandates of Megan's Law. They will also provide guidance to local police departments and the State Police in documenting such notifications. Residents of local communities should benefit from lower incidents of criminal acts by sexually violent predators.

*Therefore, it is Ordered That:*

1. Regulation No. 17-57 from the Pennsylvania State Police, as submitted to the Commission on July 29, 1997, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

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*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public Meeting held  
August 22, 1997

*Department of Community and Economic Development;  
Industrialized Housing and Components; Doc. No. 5-60*

#### **Order**

On August 28, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Community and Economic Development (Department). This rulemaking would amend 12 Pa. Code Chapter 145. The authority for this regulation is section 5 of the Industrialized Housing Act (35 P. S. § 1651.5). The proposed regulation was published in the September 14, 1996 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 24, 1997.

The Department's regulations mandate automatic adoption of the latest edition of model codes, unless a change is authorized through rulemaking. The proposed rulemaking allowed manufacturers an option in selection of stair geometry. In addition to the new stair geometry adopted in the most recent Council of American Building Officials (CABO) One and Two Family Dwelling Code, manufacturers may elect to use the traditional stair geometry contained in the 1992 CABO Code.

The final-form rulemaking allows a similar choice for the Building Officials and Code Administrators International, Inc. (BOCA) Code. Manufacturers may elect the stair geometry in the most recent BOCA Code or the stair geometry adopted in the 1993 BOCA Code. The final-form rulemaking also incorporates several changes to update names, define acronyms, provide for public notice and clarify effective dates through reformatting of sections.

We have reviewed this regulation and find it to be in the public interest. The choice of stair geometry can impact the expense of transporting modules on highways and may add cost to homes through the loss of square footage. An option of traditional or new stair geometry is important to this Commonwealth as a major manufacturer and exporter of industrialized housing.

*Therefore, it is Ordered That:*

1. Regulation No. 5-60 from the Department of Community and Economic Development, as submitted to the Commission on July 24, 1997, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

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*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public Meeting held  
August 22, 1997

*Insurance Department; Pennsylvania FAIR Plan; Doc. No. 11-140*

#### **Order**

On March 17, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking would delete 31 Pa. Code Chapter 111, Pennsylvania Fair Plan. Statutory authority is under the Department's general rulemaking authority and 40 P. S. § 1600.205 which provides authority to promulgate rules and regulations as may be necessary for administration of the FAIR plan. The proposed regulation was published in the March 29, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 23, 1997.

The substance of Chapter 111 is sufficiently addressed in 40 P. S. §§ 1600.101 —1600.502, and the regulations in no manner enhance the statute.

The final-form regulation contains no changes from the proposed regulation. We did not file any comments on the proposed regulation. Furthermore, we did not receive any negative recommendations on the final-form regulation from the House Committee on Insurance or the Senate Banking and Insurance Committee.

*Therefore:*

The Commission will notify the Legislative Reference Bureau that Regulation No. 11-140 from the Insurance Department, as submitted to the Commission on July 23, 1997, was deemed approved under section 5(g) of the Regulatory Review Act on August 13, 1997.

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public Meeting held  
August 22, 1997

*Insurance Department; Certificates of Insurance; Doc. No. 11-142*

### Order

On March 17, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking would amend 31 Pa. Code Chapter 113 (relating to miscellaneous provisions). The authority for this regulation is contained in Section 412 of the Administrative Code of 1929 (71 P.S. § 412) and the Insurance Company Law of 1921 (40 P.S. §§ 361—991). The proposed regulation was published in the March 29, 1997 edition of the *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 23, 1997.

Currently, § 113.31 (relating to general) of the Department's regulations does not allow insurance companies to issue certificates that either enlarge the scope of the insurance policy or that have not been approved by the Department prior to the issuance. This is consistent with section 477b of the Insurance Company Law which prohibits the issuance of certificates without first being approved by the Department. Because § 113.31 duplicates the statute, the Department has deemed it unnecessary.

Section 113.32 (relating to required statement) provides the language to be contained in a certificate of insurance. The Department has deemed this language also to be no longer necessary. Therefore, the Department is deleting the provision.

The final-form regulation contains no changes from the proposed regulation. We did not file any comments on the proposed regulation. Furthermore, we did not receive any negative recommendations on the final-form regulation from the House Committee on Insurance and the Senate Committee on Banking and Insurance.

*Therefore:*

The Commission will notify the Legislative Reference Bureau that Regulation No.11-142 from the Insurance Department, as submitted to the Commission on July 23, 1997, was deemed approved under section 5(g) of the Regulatory Review Act on August 13, 1997.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-1454. Filed for public inspection September 5, 1997, 9:00 a.m.]

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the date indicated, the following final-form regulations for review. The regulations will be considered within 30 days of the receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of a regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
101-3	Pennsylvania Infrastructure Investment Authority Water Pollution Control Revolving Fund	8/22/97
18-341	Department of Transportation Vehicle Equipment and Inspection	8/26/97

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-1455. Filed for public inspection September 5, 1997, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Independence Blue Cross; Non-Group Rate Increase; Filing No. 8-P-97

Independence Blue Cross Filing 8-P-97 requests a rate increase of 13% for its Non-Group Basic Blue Cross Programs and an increase of 25% for its Special Care Program. A January 1, 1998 effective date is proposed.

The proposed rate increase would affect approximately 28,000 policy holders, and would produce additional annual premium income of \$5.0 million.

Copies of the filing are available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1456. Filed for public inspection September 5, 1997, 9:00 a.m.]

### Independence Blue Cross and Pennsylvania Blue Shield; Non-Group Major Medical Rate Increase; Filing No. 9-P-97

By Filing 9-P-97, Independence Blue Cross and Pennsylvania Blue Shield submitted a request to increase the premium rates for their Non-Group Major Medical programs by 11.1%. A January 1, 1998 effective date is proposed.

The proposed rate increase would affect approximately 8,500 policy holders, and would produce additional annual premium income of \$1.0 million.

Copies of the filing are available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Straw-

berry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

GREGORY S. MARTINO,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1457. Filed for public inspection September 5, 1997, 9:00 a.m.]

**Independence Blue Cross; Rate Increase for Medicare Supplement Programs; Security 65 Program: Plans A, B, C and H; Filing No. 10-P-97**

Independence Blue Cross Filing 10-P-97 requests an across the board rate increase of 16.47% for its Security 65 Program Plans A, B, C and H. A January 1, 1998 effective date is proposed.

The proposed rate increase would affect approximately 101,000 policy holders, and would produce additional annual premium income of \$12.0 million.

Copies of the filing are available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

GREGORY S. MARTINO,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1458. Filed for public inspection September 5, 1997, 9:00 a.m.]

**QCC Insurance Company; Non-Group Personal Choice Rate Increase; Filing No. QCC-1-97**

By filing QCC-1-97, QCC Insurance Company submitted a request to increase the premium rates for its Non-Group Personal Choice product by 16.9%. A January 1, 1998 effective date is proposed.

The proposed rate increase would affect approximately 15,000 policy holders, and would produce an additional annual premium income of \$7.8 million.

Copies of the filing are available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

GREGORY S. MARTINO,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1459. Filed for public inspection September 5, 1997, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0221, 760 Penn Avenue, Wilkesburg, PA 15221-2217

*Lease Expiration Date:* July 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,400 net useable square feet of new or existing retail commercial space serving the Wilkesburg area.

*Proposals due:* September 26, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.

**Contact:** Tom Deal, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0287, 728 Broadway, McKees Rocks, PA 15136-2226

*Lease Expiration Date:* August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space fronting Broadway Avenue between Ninth and Sixth Streets in Stowe Township, McKees Rocks.

*Proposals due:* September 26, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.

**Contact:** Bruce VanDyke, (412) 565-5130

Beaver County, Wine & Spirits Shoppe #0412, Northern Lights Shopping Center, 1603 State Street, Baden, PA 15505-1218

*Lease Expiration Date:* August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 to 2,800 net useable square feet of new or existing retail commercial space in a shopping center environment serving the Baden area.

*Proposals due:* September 26, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.

**Contact:** George Danis, (412) 565-5130

Cambria County, Wine & Spirits Shoppe #1105, 903 Lloyd Street, Nanty Glo, PA 15943-1301

*Lease Expiration Date:* July 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space serving the Nanty Glo area.

*Proposals due:* September 26, 1997 at 12 noon



**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.  
**Contact:** Tom Deal, (412) 565-5130

Greene County, Wine & Spirits Shoppe #3001, 675 E. High Street, Waynesburg, PA 15370-1707

*Lease Expiration Date:* August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space serving the Waynesburg area.

*Proposals due:* September 26, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.  
**Contact:** Tom Deal, (412) 565-5130

McKean County, Wine & Spirits Shoppe #4205, 160 Main Street, Eldred, PA 16731-0223

*Lease Expiration Date:* August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,100 net useable square feet of new or existing retail commercial space fronting PA Route 446 in the commercial district of Eldred.

*Proposals due:* September 26, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.  
**Contact:** Bruce VanDyke, (412) 565-5130

Carbon County, Wine & Spirits Shoppe #1307, 49 W. Catawissa Street, Nesquehoning, PA 18240-1520

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,600 to 2,800 net useable square feet of new or existing retail commercial space within 1 mile of the intersection of Routes 54 and 209, Nesquehoning Borough.

*Proposals due:* September 26, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661.  
**Contact:** Willard J. Rhodes, (717) 657-4228

[Pa.B. Doc. No. 97-1460. Filed for public inspection September 5, 1997, 9:00 a.m.]

## PREVAILING WAGE APPEALS BOARD

### Hearing

The Prevailing Wage Appeals Board will hold a hearing regarding PWAB-6G-1996. The grievance is captioned:

Pennsylvania Sate Building and Construction Trades Council AFL-CIO, and Its Affiliated Labor Organizations, Grievant v. Department of Labor and Industry, Prevailing Wage Appeals Board; PWAB-6G-1996.

This notice serves to inform interested parties that the Commonwealth Court of Pennsylvania has remanded the captioned grievance to the Prevailing Wage Appeals Board. To comply with the Court's order dated August 13, 1997, the hearing in the referenced matter will be held on September 15th, 16th and 22nd in Room 326 of the Bureau of Workers' Compensation at 1171 South Cameron Street, Harrisburg. The hearing will begin at 10:30 a.m. on September 15th and 22nd. On September 16th, the hearing will begin at 9:30 a.m.

STAGER SMITH,  
*Chairperson*

[Pa.B. Doc. No. 97-1461. Filed for public inspection September 5, 1997, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Harrisburg, PA 17108:

October 1, 1997	Rose M. Cross (Multiple Service)	1:00 p.m.
October 8, 1997	Douglas Brooks (Refund from Account)	1:00 p.m.
	Margaret Ulrich Martin (Multiple Service)	2:30 p.m.
October 15, 1997	Michael T. Flaherty (Disability Retirement)	1:00 p.m.
October 29, 1997	Harry C. Strine (Graduate Assistant)	1:00 p.m.

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 4 Pa. Code § 250.01, (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.

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 97-1462. Filed for public inspection September 5, 1997, 9:00 a.m.]

# TURNPIKE COMMISSION

## Request for Bids

The Turnpike Commission is requesting sealed bids for Roof Replacement, Sideling Hill Service Plaza, Fulton County. Mandatory Site Inspection: September 17, 1997 at 1 p.m. at Sideling Hill Service Plaza, Milepost 172.36, EB & WB, Fulton County. Open Date: September 29, 1997 at 11 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal forms and conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Department, (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 97-1463. Filed for public inspection September 5, 1997, 9:00 a.m.]

## Request for Proposals

Sealed Proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676)

and publicly opened and read at the date and time indicated below for the following Contract:

Contract No. 97-007-RJ74: Improvements to the Carlisle Interchange in Cumberland Co., PA

Bid Opening Date: October 7, 1997, 11 a.m.

Bid Surety: 5%.

Plans, Specifications and Contract Documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$60 per set by check or P. O. Money Order (No Cash) to the Pennsylvania Turnpike Commission. Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. (Do Not add State tax). No Refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 97-1464. Filed for public inspection September 5, 1997, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

### Reader's Guide

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

⑥ Duration

### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

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BARBARA HAFER,  
*State Treasurer*

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### Commodities

**1132217** Heating. 1 Project furnish and install stoker parts.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, Norristown, Montgomery County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1201157** Photographic equipment—1 lot photo equipment for Commonwealth Media.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1217157** Motor vehicles, trailers and cycles—1 each 1997 model Chevrolet G-2500 van (no substitute).

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1230227** Construction and building materials—78 sheets roofing—Tuff Span panels flashing and accessories; 6,500 each 300 SS Type A 1.5" self tapping fasteners; 2,000 each 300 SS SB2 grommet Sid Cip fasteners; 92 LF 9" x 9" trim (gable end roof panel/fascia trim) color cocoa.

**Department:** Fish and Boat Commission  
**Location:** Bellefonte, Centre City, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1238127** Pumps—1 Sys remove existing emergency generator and replace with a new Kohler Model 6.5RMY natural gas generator or approved equal.

**Department:** Labor and Industry  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1239117** Metal bars, sheets and shapes—2,000 sheets cold roll sheet steel must conform to ASTM A366 size 48" x 96" x 16GA; 3,000 sheets cold roll sheet steel size 48" x 96" x 11GA std. Gauge No. 11.

**Department:** Corrections  
**Location:** Correctional Industries, Pittsburgh, Allegheny County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1262117** Hardware and abrasives—6,500 each collapsible safety hook with 1/4" steel hook and a 10GA bracket, hook will be designed to collapse under heavy load in order to prevent suicide.

**Department:** Corrections  
**Location:** Correctional Industries, Pittsburgh, Allegheny County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**7313870** Communication equipment—18 each display, grayscale, cornerstone duel page 20/92 w/Ocli anti-glare treatment, 20 inch monitor 2040 x 1664 non-interlaced Part No. GS2090A/01; 18 each controller/adaptor card display, PCI Image Accel 2 2040/76 Part No. PCI2004G/22.

**Department:** Liquor Control Board  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8148740** Construction and building materials—2,100 tons bituminous wearing course ID-2, SRL-E, heavy duty; 1,000 tons bituminous wearing course-scratch ID-2, SRL-E heavy duty; 2,750 tons bituminous binder course ID-2 heavy duty; 13,779 lf pavement markings 4" white preformed pavements markings; 6,875 lf pavement markings 4" yellow preformed pavement markings; 1,102 lf pavement markings 6" white preformed pavement markings; 582 LF pavement markings 24" white preformed pavement markings; 18 each traffic legends white preformed legend "Left Arrow" 12'-0" x 3'-0"; 14 each traffic legends white preformed legend "Thru and Right Arrow" 20' x 3' 7"; 2 each traffic legends white preformed legends "Right Arrow" 12'-0" x 3'-0"; 2 each Traffic Legends White Preformed "Thru and Left Arrow" 20' x 3' 7"; 29 each traffic legends white preformed legend "Only" 8".

**Department:** Transportation  
**Location:** Pittsburgh, Allegheny County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8970770** Building and construction—4 each light, traffic signal, portable.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1099157** Building and construction—1 lot furnish and install stage equipment.

**Department:** University of Pittsburgh  
**Location:** Greensburg, Westmoreland County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

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# SERVICES

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## Advertising—01

**1997-EO-01** The purpose of the contracts entered into as a result of the Commission's RFP is to develop and implement a Fish and Boat Commission Voluntary Contribution Program. Potential contractors with the experience and skills (marketing, advertising and the like) are encouraged to submit proposals to the Commission.

**Department:** Fish and Boat Commission  
**Location:** 3532 Walnut Street, P. O. Box 67000, Harrisburg, PA 17106-7000  
**Duration:** Ending December 30, 2002  
**Contact:** Thomas P. Ford, (717) 657-4444

## Computer Related Services—08

**ITQ-681319-Final** The Office of Administration, Office for Information Technology is requesting vendors to submit a response to ITQ-681319-FINAL to provide a wide variety of Year 2000 services/tools. These services will include, but are not limited to assessment, computer programming/analysis support, software tools/services, testing and other Year 2000 related topics. These services/tools are for the Commonwealth's Year 2000 computer initiative. Vendors will be prequalified through the Invitation-To-Qualify (ITQ). Format to continue to provide Year 2000 support to requesting Commonwealth agencies. (Final Year 2000 ITQ Release).

**Department:** Office of Administration  
**Location:** Office for Information Technology, Statewide. Agencies will secure services/tools from pre-qualified vendors identified through ITQ format.  
**Duration:** Initial 2-year with three 1-year renewals  
**Contact:** Heather L. Matulevich, (717) 772- 8046

**PDA 399** Data entry of PA Dog License applications (Form ADLEB37). An estimated 140,000 applications may be data entered.

**Department:** Agriculture  
**Location:** Harrisburg, PA  
**Duration:** 1 year  
**Contact:** Richard Hess, (717) 787-3062

**X101530** Provide software and license for Open/Image Software by Eastman Software and OCR for Forms by Microsystems Technology.

**Department:** Environmental Protection  
**Location:** Harrisburg, PA  
**Duration:** One year from acquisition of software  
**Contact:** Ally Castaneira, (717) 787- 2471

## Construction—09

**080992** 012196—Erie County—SR 90(ITS); 064252—Montgomery County—SR 663(84S); 064270—Montgomery County—SR 76(PM3); 084249—York County—SR 851(004); 095058—Huntingdon County—SR 6522(001); 092117—Blair County—Tyrone RR Park; 124201—Washington County—Donora Ind. Park Access; 111509—Allegheny County—SR 3034(003); 111526—Allegheny County—SR 6279(A02); 084309—York County—SR 214(003); 065287—Philadelphia County—SR 95(H03); 062254—Chester County—SR 322(M00); 011156—Crawford County—SR 0006(02S); 081152—Adams County—SR 2001(002); 122085—Greene County—SR 18(K00).

**Department:** Transportation  
**Location:** Districts 1-0, 6-0, 8-0, 9- 0, 11-0, 12-0  
**Duration:** FY 1997-98  
**Contact:** V. C. Shah, (717) 787-5914

**2-2-00026** This contract will provide manpower, equipment and incidental guiderail material for installation of approximately 15,000 linear feet of strong post and approximately 10,000 linear feet of weak post guiderail at various locations throughout Clearfield County. All guiderail material will be supplied by the Department of Transportation except for the bolts, nuts, washers, rotating brackets, bridge connection plates, anchor bolts, concrete for the end treatment, end anchorage. It will be the contractor's responsibility to pick up the material and deliver it to the work sites. A mandatory prebid meeting (only 1 day) will be held which will include review of the guiderail locations, and a site will be determined for where the guiderail material will be stored. The Department shall be responsible for removal of the cable type guide rail and for any grading of shoulder stabilization prior to the placement of the guiderail by the contractor. All request for bid packages must be received by FAX at (814) 765-0681. Attention: Debbie Swank, (814) 765-0524. This contract shall be for a 1-year period with an option of three 1-year renewals.

**Department:** Transportation  
**Location:** District 0220, Various locations within Clearfield County, PA  
**Duration:** 01/01/98 through 12/31/98: One year with an option of three 1-year renewals  
**Contact:** Debbie Swank, (814) 765-0524

**401-BL-551** Ben Franklin Hall Floor Replacement—work includes demolition, removal and replacement of a portion of the existing basement concrete floor slab in this building. Also includes the removal of existing soil beneath the existing slab and replacement with a controlled fill and grouting of voids beneath a portion of the existing slabs which remain in place. Work shall include all labor, material and tools necessary to perform the work. Plans can be obtained by submitting a nonrefundable \$75 deposit by September 14, 1997 made payable to Reilly Associates, 222 Wyoming Avenue, West Pittston, PA 18643-2822, (717) 654-2473. It is anticipated that bids will be released in mid-September with the project bids to open in mid-October 1997.

**Department:** State System of Higher Education  
**Location:** Bloomsburg University, Bloomsburg, PA 17815  
**Duration:** 3 months  
**Contact:** Joseph C. Quinn, (717) 389-4311

**Contract No. DGS A 109-1ADA** Project title: New Comfort Station. Brief description: provide and install a pre-engineered, pre-fabricated ADA restroom unit complete with an integrated concrete basement/waste treatment system. General construction. Plans deposit: \$25 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Bid date: Wednesday, September 24, 1997 at 2 p.m., (717) 787-3923.

**Department:** General Services  
**Location:** Hairy Johns Picnic Area, Bald Eagle State Forest District 7, Haines Township, Centre County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS A 172-4-ADA** Project title: New Comfort Station. Brief description: provide and install a pre-engineered, pre-fabricated ADA restroom unit complete with an integrated concrete basement/waste treatment system. General construction. Plans deposit: \$25 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Bid date: Wednesday, September 24, 1997 at 2 p.m., (717) 787-3923.

**Department:** General Services  
**Location:** Pine Hill Picnic Area, Rothrock State Forest District 5, West Township, Huntingdon County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS 404-53 Phase 2** Project title: Renovate Founders Hall. Brief description: renovations to the existing Founders Hall Building consisting of general construction, HVAC, plumbing and sprinkler system and electrical construction. Plans deposit: \$40 per set. Payable to: Dynamic Design Engineering, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Dynamic Design Engineering, Inc., 416 Main Street, Suite 200, Johnstown, PA 15901, (814) 536-1651. Bid date: Wednesday, September 24, 1997 at 11 a.m. A walk through has been scheduled for Thursday, September 11, 1997 at 10:30 a.m. Meet in the Conference Room of the McEntire Building, Clarion University of PA, Clarion, PA. Contact: Clare Heidler, (814) 226-2029. All contractors who have secured plans and specifications are invited and urged to attend this walk-through.

**Department:** General Services  
**Location:** Clarion University of PA, Clarion, Clarion County, PA  
**Duration:** 150 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS 414-60 Rebid** Project title: Renovations of Philips Memorial Hall Building. Brief description: work includes selective demolition, asbestos abatement, restoration of existing stone masonry, new masonry, steel framing, roofing, interior partitioning, doors, finishes and auditorium systems; HVAC, plumbing and electrical systems. General, HVAC, plumbing, electrical and fire protection system construction. Plans deposit: \$355 per set. Payable to: Voith & MacTavish Architects. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Voith & MacTavish Architects, 1616 Walnut Street, 24th Floor, Philadelphia, PA 19103-5397, (215) 545-4544. Bid date: Wednesday, October 1, 1997 at 11 a.m. A pre-bid conference has been scheduled for Wednesday, September 17, 1997 at 10 a.m. in Philips Auditorium, West Chester University of PA, West Chester, PA. Contact: Nicole Fisher, (610) 436-2332. All contractors who have secured plans and specifications are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** West Chester University of PA, West Chester, Chester County, PA  
**Duration:** 420 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS 414-61 Phase 1** Project title: Renovate Schmucker Science Center I and II (Renovate Wing II and mechanical/electrical equipment for Wing I). Brief description: renovation of a five-story science lab facility including demolition, new walls/partitions, flooring, ceilings, mechanical systems, electrical systems, roof repair/replacement, ADAAG upgrades. Work includes general, heating, ventilation and air conditioning, electrical and plumbing construction. General, HVAC, plumbing and electrical construction. Plans deposit: \$377 per set. Payable to: The Hillier Group. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: The Hillier Group, The Widener Building, Mezzanine, One South Penn Square, Philadelphia, PA 19107-3502, (215) 636-9999. Bid date: Wednesday, October 8, 1997 at 11 a.m. A pre-bid conference has been scheduled for this project on Monday, September 22, 1997 at 10 a.m. in Room 230 of Schmucker Science Center, Two West Rosedale Avenue and Church Street, West Chester University of PA, West Chester, PA. Contact: David Gulick, (610) 436-2341. All contractors who have secured plans and specifications are invited and urged to attend.

**Department:** General Services  
**Location:** West Chester University of PA, Schmucker Science Center I and II, West Chester, Chester County, PA  
**Duration:** 420 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS 552-27** Project title: Air conditioning and windows in Southside Building. Brief description: work involves the provision of the split system air conditioning, window replacement, demolition, electrical distribution, controls and lighting. General, HVAC, and electrical construction. Plans deposit: \$65 per set. Payable to: Ralph R. Alster, Architect. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Ralph R. Alster, Architect, 300 Mt. Lebanon Boulevard, Suite 220, Pittsburgh, PA 15234-1509, (412) 531-7844. Bid date: Wednesday, October 8, 1997 at 11 a.m. A pre-bid has been scheduled for this project on Tuesday, September 23, 1997 at 10 a.m. in Department of General Services Conference Room, Lakeside Building, Polk Center, Polk, PA. Contact: Donald Wills, IMS, (814) 432-0443. All contractors who have secured plans and specifications are invited and urged to attend.

**Department:** General Services  
**Location:** Polk Center, Polk, Venango County, PA  
**Duration:** 150 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS 577-25** Project title: Expand/upgrade main electrical substation. Brief description: construct a new diesel generator facility with three units rated 1500KW, including switchgear, transformers and 33 KV overhead service. General, HVAC and electrical construction. Plans deposit: \$140 per set. Payable to: STV Group. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: STV Group, 11 Robinson Street, Pottstown, PA 19464, (610) 326-4600. Bid date: Wednesday, October 1, 1997 at 11 a.m. A pre-bid conference has been scheduled for Monday, September 15, 1997 at 10 a.m. Meet at the Main Gate, State Correctional Institution, Graterford, Montgomery County, PA. Contact Mr. Hiltner, (610) 489-4151, ext. 2293. All contractors who have secured plans and specifications are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** State Correctional Institution Graterford, Graterford, Montgomery County, PA  
**Duration:** 270 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS 590-3** Project title: Renovate Education Building No. 2. Brief description: interior building renovations involving general construction, which includes installation of an elevator, ventilation air conditioning, plumbing and electrical construction. General construction, HVAC, plumbing and electrical construction. Plans deposit: \$70 per set. Payable to: Barry E. Isett & Associates, P.C. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Barry E. Isett & Associates, P.C., 828 West Main Street, Norrisstown, PA 19401, (610) 278-0166. Bid date: Wednesday, October 1, 1997 at 11 a.m.

**Department:** General Services  
**Location:** Youth Development Center, Bensalem, Bucks County, PA  
**Duration:** 125 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. DGS A 947-15** Project title: Exterior and Roof Repairs. Brief description: fire retardant treated cedar shingle roofing, terne coated stainless steel flashings and gutters/downspouts. Greenhouse installation, repainting and painting. All work to be completed on 11 buildings. General construction. Plans deposit: \$25.00 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125, (717) 787-3923. Bid date: Wednesday, September 24, 1997 at 11 a.m.

**Department:** General Services  
**Location:** Old Economy Village, Ambridge, Beaver County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. FBP-96-3-0008A** Demolition of existing bridge (steel I-beams, open steel grid deck and stone masonry abutments) and construction of a new bridge (prestressed concrete beams, reinforced concrete deck, abutments and wingwalls). All work is located in Forest District No. 3 approximately 7 miles southwest of Lewistown.

**Department:** Conservation and Natural Resources  
**Location:** Bratton Township, Mifflin County, PA  
**Duration:** Complete all work by October 31, 1998  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-003-102** Maintenance and protection of traffic; demolition; clearing and grubbing; excavating, backfilling and compacting; selected material surfacing; rock (60 C.Y.); erosion and sedimentation control; guide rail; landscaping; reinforced concrete, Class A (103 C.Y.), Class AA (14 C.Y.), Class AAA (22 C.Y.), Class C (30 C.Y.); architectural surface treatment; and prestressed concrete beams.

**Department:** Conservation and Natural Resources  
**Location:** Southwest Madison Township, Perry County, PA  
**Duration:** August 31, 1998  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-211-242** Clearing and grubbing; furnish and install over 6,000 lf of various size and types of pipe, valves, valve pits, valve enclosures and boxes; furnish and install one booster station controls, and appurtenances; tapping into existing systems; all necessary electrical work; and maintenance and protection of traffic. All work is located within Ohio State Park.

**Department:** Conservation and Natural Resources  
**Location:** Stewart Township, Fayette County, PA  
**Duration:** 180 days  
**Contact:** Construction Management Section, (717) 787-5055

**FM-31** Furnish all labor, materials and equipment required to install masonry wall in lobby area at the Pennsylvania State Police, Dublin Station, 3218 Rickert Road, Perkasia, PA 18944. Detailed work schedule and bid must be obtained from facility Management Division (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Dublin Station, 3218 Rickert Road, Perkasia, PA 18944  
**Duration:** 11/01/97 to 06/30/98  
**Contact:** Lester Brightbill or Deshawn Lewis, (717) 783-5484

**SP341737** Placement of stone and riprap in the spillway basin at Cowans Gap State Park. Bidders shall visit the site before bidding.

**Department:** Conservation and Natural Resources  
**Location:** Cowans Gap State Park, HC 17266 Fort Loudon, PA 17224-9801  
**Duration:** Completion time—30 days after Notice to Proceed  
**Contact:** Steve Behe, (717) 485-3948

**MI-701.1, General Construction; MI-701.4, Electrical** Project title: Student Memorial Center Game Room Renovation. Scope of work: Installing a new stage, dance floor, new lighting and reworking existing lighting and a new counter top; interior modifications; and all other associated work. Plans cost: \$15.

**Department:** State System of Higher Education  
**Location:** Millersville University, Student Memorial Center, Millersville, Lancaster County, PA 17551-0302  
**Duration:** December 22, 1997—January 23, 1998  
**Contact:** Bernadette J. Wendler, Dilworth Building, (717) 872-3829

**CAL-700** California University of Pennsylvania of the State System of Higher education is interested in obtaining bids for sprinkler system in our Pollock Maintenance Building. Interested bidders can request the University's project manual from Vickie A. Laubach, Purchasing Agent (412) 938-4430. There will be no charge for the manual. A pre-bid hearing is scheduled for September 11, 1997 at 10 a.m. in Room 117 of the Azorsky Administration Building. Bids are due September 19, 1997 at 2 p.m. in Room 117 Azorsky Administration Building. The System encourages responses from small firms, minority firms, women owned firms and firms which have not previously performed work for the System and will consider joint ventures that will enable these firms to participate in the System's contract.

**Department:** State System of Higher Education  
**Location:** California University of PA, California, PA 15419-1394  
**Duration:** 120 days  
**Contact:** Vickie A. Laubach, (412) 938-4430

## Engineering Services—14

**08430AG2106** To provide for final design and services during construction (consultation during construction and shop drawing review) for S. R. 0611, Section 01B, the replacement of the bridge over Frey's Run in Northampton County, Engineering District 5-0.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** 12 months  
**Contact:** Consultant Agreement Division, (717) 783- 9309

**08430AG2107** To provide for preliminary design work for S. R. 0066, Section R10, the replacement of the existing structure (Apollo Bridge) carrying S. R. 0066 over the Kiskiminetas River connecting Westmoreland and Armstrong Counties at Apollo.

**Department:** Transportation  
**Location:** Engineering District 12-0  
**Duration:** Twenty-four (24) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

## Food—19

**Inquiry No. 22** To provide for bread, rolls, and other related products fresh in the quantities specified on the bid proposal. Copies of bid proposal can be obtained by contacting the hospital's Purchasing Office.

**Department:** Public Welfare  
**Location:** Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498  
**Duration:** October 1, 1997 through June 30, 1998  
**Contact:** T. F. Snyder, Purchasing Agent, (610) 740-3428

## HVAC—22

**Project No. 9813** 3 Phase electrical service, Mansfield IMCOFT.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, Smythe Park, Mansfield, Tioga County, PA  
**Duration:** 1 October 1997—30 June 1998  
**Contact:** Emma Schroff, (717) 861-8518

**0120-014** Maintain mercury and high pressure sodium lights at various locations (including I-90 and I-79) in Erie County. Also, perform required electrical work as requested by Department facilities in Erie County.

**Department:** Transportation  
**Location:** 9031 Peach Street, Waterford, PA 16441  
**Duration:** 12/1997 to 12/2002  
**Contact:** David Stablein, (814) 871-4411

## Janitorial Services—23

**FM-32** Furnish all labor, materials, equipment and materials to perform janitorial services including empty waste baskets; clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, general housecleaning twice a year and shampoo carpets at the DuBois Station, 101 Preston Way, Falls Creek, PA 15840. Detailed work schedule and bid must be obtained from the Facility Management Division (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, DuBois Station, 101 Preston Way, Falls Creek, PA 15840  
**Duration:** 11/01/97 to 06/30/00  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-33** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets; clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year and shampoo carpets at the Pennsylvania State Police Bloomsburg Station, 6850 Lows Road, Bloomsburg, PA 17815. Detailed work schedule and bid must be obtained from the Facility Management Division (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Bloomsburg Station, 6850 Lows Road, Bloomsburg, PA 17815  
**Duration:** 11/01/97 to 06/30/00  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

## Medical Services—29

**SPC 321156** Contractor shall provide legend drugs (prescription medications) and non-legend drugs (non-prescription medications) to the Bensalem Youth Development Center, 3701 Old Trevoise Road, Bensalem, PA 19020—Medical Department. Time, place and frequency of drug deliveries shall be established by the supervisor of the BYDC medical department and the contracted pharmacy. Drugs and related medical/health supplies are to be prepared by the contracted pharmacy at its place of business. BYDC will not provide office space or clerical assistance to the pharmacy. Contracted pharmacy must agree to provide pharmacy services seven days weekly, including delivery of drugs.

**Department:** Public Welfare  
**Location:** Bensalem Youth Development Center, 3701 Old Trevoise Road, Bensalem, PA 19020  
**Duration:** 1/01/98 to 06/30/00  
**Contact:** Mary Jo Scanlon, (215) 953-6405

**Property Maintenance—33**

**33** Complete renovation of all interior walls of the Fort Pitt Museum. Scope of work: remove all existing wallpaper, repair chipped, flaked and/or cracked plaster. Properly prepare wall surfaces, where applicable for replacement of wall coverings. Furnish and install approximately 800 yards of wall covering, furnish/paint 13,500 square feet of interior walls. Furnish and install 50 feet of wood baseboard, furnish and install 1,350 feet of rubber cove molding. Paint and install radiator covers. All work to be completed in 60 days.

**Department:** Historical and Museum Commission  
**Location:** Fort Pitt Museum, Point State Park, 101 Commonwealth Place, Pittsburgh, PA 15222  
**Duration:** 60 working days  
**Contact:** John Connelly, (412) 281-9284

**Project No. 9810** Minor roof repairs.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 835 Fifth Avenue, Coraopolis, Allegheny County, PA  
**Duration:** 1 October 1997—30 June 1998  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 9811** Minor roof repairs, upper and lower roof.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 324 Emerson Street, Pittsburgh, Allegheny County, PA  
**Duration:** 1 October 1997—30 June 1998  
**Contact:** Emma Schroff, (717) 861-8518

**SP No. 337110** Contracted vendor to furnish and install Marmoleum flooring manufactured by Forbo Industries, Inc., as specified by the Commonwealth's representative in a new building currently under construction. Contracted vendor shall be certified by the manufacturer to perform installation of specified product. Contracted vendor shall supply all tools and equipment needed to perform the work being contracted.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Forest District 20, Hillsgrove Ranger Station, Hillsgrove, PA Two (2) miles South of Hillsgrove, PA on PA Route 87 09/30/97 to 06/30/98  
**Duration:** 09/30/97 to 06/30/98  
**Contact:** Joseph A. Fiedor, District Forester, (717) 387-4255

**Service Purchase No. 338357** Recoating of maintenance roof with urethane elastomeric coating, approximately 9,425 square feet. Sealed bids will be received in Nockamixon State Park, 1542 Mountain View Drive, Quakertown, PA 18951, Bucks County, until 2 p.m. prevailing time on September 26, 1997 and then publicly opened and read. Documents concerning all pertinent information must be obtained from the office of the Park Manager at (215) 529-7300.

**Department:** Conservation and Natural Resources  
**Location:** State Parks, Nockamixon State Park, 1542 Mountain View Drive, Quakertown, PA 18951  
**Duration:** November 1, 1997 to December 31, 1997  
**Contact:** Park Office, (215) 529-7300

**1188-W-R** This project will include the replacement of approximately 2,160 square feet of roofing over the Personnel/Training Office Modular Building. The project will require the removal of an existing E.P.D.M. roof and the repair of any structural deck damage. A new rubber (E.P.D.M.) roofing system with all required accessories including replacement gutters and down spouts shall be furnished and installed by the contractor.

**Department:** Corrections  
**Location:** State Correctional Institution at Greensburg, R. D. 10, Box 10, Route 119 South, Greensburg, PA 15601-8999  
**Duration:** November 28, 1997 to June 30, 1999  
**Contact:** Jack Loughry, (412) 837-4397, ext. 339

**Real Estate Services—35**

**4A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania State Police with 7,155 useable square feet of new or existing office/barracks space, parking for 64 vehicles in Somerset County, PA, within a 5 mile radius of the Intersection of Route 31 and I-76. Proposals due: November 3, 1997. Solicitation No: 92528.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17105  
**Duration:** Indeterminate 1997-98  
**Contact:** Doris Deckman or John A. Hocker, (717) 787-4394

**9A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania State Police with 6,278 useable square feet of new or existing office/barracks space, parking for 50 vehicles, within a 3 mile radius of the Intersection of PA Route 29 and SR 4021, in Wyoming County, PA. Proposals due: November 3, 1997. Solicitation No: 92540.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17105  
**Duration:** Indeterminate 1997-98  
**Contact:** Doris Deckman or John A. Hocker, (717) 787-4394

**Sanitation—36**

**Project No. 5555** Pumping of 2—3,000 gallon holding tanks.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, Airport Road, Johnstown, Cambria County, PA  
**Duration:** 1 October 1997—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Service Purchase Contract No. 313165** Collection and removal of solid waste at Evansburg State Park, Collegeville, Montgomery County, PA.

**Department:** Conservation and Natural Resources  
**Location:** Evansburg State Park, Collegeville, Montgomery County, PA 19426. Mailing address: 851 May Hall Road, Collegeville, PA  
**Duration:** October 30, 1999  
**Contact:** Evansburg State Park Office, (610) 409-1150

**SP 290650** Latrine pumping and sewage plant sludge hauling.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of State Parks, Gifford Pinchot State Park, 2200 Rosstown Road, Lewisberry, PA 17339  
**Duration:** December 1, 1997 to December 31, 1999  
**Contact:** Jesse Taylor, (717) 432-5011



**Vehicle, Heavy Equipment—38**

**SPC 342956** Site preparation and installation of electric and woven wire fences around timber sales on the Tiadaghton State Forest. The vendor will provide all materials and labor to construct fences. The seven fence sites are in Lycoming County. Mandatory site inspection is required.

**Department:** Conservation and Natural Resources  
**Location:** Separate areas in Lycoming County, PA  
**Duration:** Through September 30, 1998  
**Contact:** William Spahr, (717) 327-3450

[Pa.B. Doc. No. 97-1465. Filed for public inspection September 5, 1997, 9:00 a.m.]

**Laundry-97** Vendor to provide all parts and labor to repair laundry department equipment used daily at the State Correctional Institution Graterford. This service will be provided on an on-call basis. Equipment to be covered: Thermatic dryers Model TF15523, Model I44CD425, Twinmatic Unipress Model NN PN, Unipress pressers, Prosperity pressers, Ajax pressers, American cascade washers, Hoffman extractor, Troy/Atlas extractor, Pacemaker air compressor, Pellerin Milnor washer/extractor.

**Department:** Corrections  
**Location:** State Correctional Institution Graterford, Box 246, Route 29, Graterford, PA 19426  
**Duration:** 3 years  
**Contact:** Kelly Richardson, Purchasing Agent II, (610) 489-4151

**Miscellaneous—39**

**024-9103** Full onsite maintenance/repair of various models of typewriters for the Department of Community and Economic Development. Majority of equipment is located in the Forum Building, 3rd, 4th, and 5th floors with other equipment located at 100 Pine Street and 300 North 2nd Street, Harrisburg. Models and quantity are as follows: Brother EM-750fx (3); Brother EM-711 (4); Brother EM-530 (11); Brother Perfectype EM2000 (2); Xerox 6020 Memorywriter (7); Xerox 620 (6); Xerox 610 (1); IBM Selectric III (9); IBM Selectric II (21); Adler Satellite 4 (3); Xerox 627 (1); Panasonic KX E700M (3). Maintenance must include all labor, parts and one scheduled cleaning per unit during each contract period. The awarded contract will be for a period of 1 year beginning October 1, 1997, through September 30, 1998, with a renewal option of 3 additional years. Bid must include any price increase for the 3-year renewal option. A list of equipment with serial number and room location will be provided to awarded vendor. Bids must be received by close of business, 5 p.m. on Friday, September 19, 1997.

**Department:** Community and Economic Development  
**Location:** Per instructions above.  
**Duration:** 10/1/97 through 09/30/98 with 3-year renewal option  
**Contact:** Brenda Bubb, (717) 720-1445

**Chaplain-97** State Correctional Institution Graterford requires a bilingual Spanish-speaking Protestant Chaplain to conduct formal religious services, counsel inmates on personal and religious needs, visit inmates in the infirmary and restricted housing units and conduct new reception religion interviews and complete the religious assessment portion of the classification process. This position is part-time and will be approximately 3,040 hours for over a 3 year period.

**Department:** Corrections  
**Location:** State Correctional Institution Graterford, Box 246, Route 29, Graterford, PA 19426  
**Duration:** 3 years  
**Contact:** Kelly Richardson, Purchasing Agent II, (610) 489-4151

**EDURFA** Application guidelines for grants to support Education Mentoring Programs are available upon request. Grants of up to \$20,000 will be awarded on a competitive basis to nonprofit, community-based organizations working in partnership with schools. Education Mentoring grants are designed to start new or expand existing programs which link students with caring, responsible adults. The goal of the Education Mentoring Program is to raise student academic achievement thereby reducing the risk of students dropping out of school. For a copy of the Education Mentoring Program Request for Applications, contact the Bureau of Community and Student Services at 333 Market Street, 5th Floor, Harrisburg, PA 17126-0333, (717) 783-3755; TDD (717) 783-8445. The application is also available through the Department of Education Internet web site (<http://www.state.pa.us>). Applications must be received by the Bureau of Community and Student Services by 4 p.m. on October 3, 1997. This program is one of eight components of the Project for Community Building. The Project for Community Building offers useful tools to local communities that are designed to forge partnerships to develop new and innovative solutions to problems that many communities face.

**Department:** Education  
**Location:** Bureau of Community and Student Services, Director's Office, 333 Market Street, 5th Floor, PA Department of Education, Harrisburg, PA 17126-0333  
**Duration:** Indeterminate 1997-98  
**Contact:** Shirley Gould, (717) 783-3755

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
0027-04	09/01/97	Gorman Graphics	363,449.12
0028-04	09/01/97	Standard Register Co.	279,420.50
0029-03	09/01/97	Digital Ink	95,300.00
0049-04	09/01/97	Digital Ink	64,339.76
1061217-01	08/21/97	Builders Door and Hardware	22,499.00
1088217-01	08/21/97	S. Soski Piroeff, Inc.	13,113.00
5625-01	09/01/97	Trevdan, Inc.	160,552.50
5625-01	09/01/97	Whiteco Supply Co.	10,263.00
5625-01	09/01/97	Pikesville Lumber Co.	20,575.00
5625-01	09/01/97	Lexxer Lumber Co.	50,666.20
6515-07	09/02/97	Red Line Medical	117,891.00
6530-01	09/02/97	Posey Company	81,000.00
6530-01	09/02/97	Jordan-Reses	7,500.00
6530-01	09/02/97	Red Line Medical	32,000.00

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
8141300-01	08/19/97	Romano Paving and Excavating, Inc.	807,860.00
8177130-01	08/25/97	Calcium Chloride Sales, Inc.	7,777.00
8503970-01	08/19/97	Rhomar Industries, Inc.	16,716.00
8970040-01	08/19/97	Francis Ford's, Inc.	349,051.50
8970130-01	08/19/97	Plasterer Equipment, Inc.	46,781.00
8970200-01	08/19/97	Cleveland Brothers Equipment Company, Inc.	112,280.00
8970260-01	08/19/97	Shaul Equipment and Supply Co.	49,761.00
9110-04	08/26/97	G & C Coal Analysis Lab, Inc.	43,260.00

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 97-1466. Filed for public inspection September 5, 1997, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CHS. 165, 168, 183 AND 3040]

### Subsidized Child Day Care Eligibility

#### *Statutory Authority*

The Department of Public Welfare (Department), under the authority of Articles II, IV and VII of the Public Welfare Code (62 P. S. §§ 201—211, 401—493 and 701—703), and Title VI of the Personal Responsibility and Work Opportunity and Reconciliation Act (PRWORA), known as the Child Care and Development Block Grant (CCDBG) (42 U.S.C.A. §§ 9858—9858g), proposes to amend Chapters 165, 168, 183 and 3040 to read as set forth in Annex A.

#### *Purpose*

The purpose of these proposed amendments is to codify regulatory changes in the administration of subsidized child day care for cash assistance and low-income families to implement Title VI of PRWORA, known as the CCDBG and section 408(b) of the Public Welfare Code (62 P. S. § 408(b)), added by section 8 of the act of May 16, 1996 (P. L. 175, No. 35) (Act 35). PRWORA was signed into law by President Clinton on August 22, 1996. Act 35 was signed into law on May 16, 1996, by Governor Tom Ridge.

These proposed amendments will enable the Department to determine a family's eligibility for a child care subsidy: for families receiving Temporary Assistance to Needy Families (TANF) benefits who are involved with job search, education or work activities under the Road to Economic Self-sufficiency through Employment and Training Program (RESET); for families leaving TANF that are making the transition from welfare to work; to provide assistance for families at risk of going on welfare; and to provide assistance for this Commonwealth's low-income working families. The Department must take steps to amend regulations because the child care entitlements for cash assistance families have been revoked. The CCDBG funds are capped and it is necessary to create a program for subsidized child day care that meets the needs of both populations.

In addition, the Department proposes to clarify and strengthen the existing eligibility regulations for the subsidized child day care program. Clarity is needed to help the general population to understand the requirements of being eligible for the subsidized child day care program and the benefit that is associated with being eligible for the program. The Department proposes to strengthen the regulatory requirements to ensure that the most needy individuals are receiving the benefits of subsidized child day care.

#### *Background*

The PRWORA has replaced the 61-year-old Aid to Families with Dependent Children (AFDC) Program with a time-limited cash assistance block grant program known as TANF. The TANF Program began in this Commonwealth on March 3, 1997. Along with the repeal of the AFDC child care portion of the Family Support Act, the Federal welfare law combined four separate Federal funding sources for child care into one block grant known as the Child Care and Development Fund (CCDF). This

repeal ended any child care entitlements to families on cash assistance who work, who are in training, or who were transitioning off welfare. When the CCDBG was signed into law on August 22, 1996, it repealed the child care portion of the Family Support Act. The three child care funding streams for AFDC families who were enrolled in the Job Opportunity and Basic Skills (JOBS) program, the Transitional Child Care (TCC) program, and those families at risk of going on welfare, were combined with funds from the former CCDBG. This new funding stream was called the CCDF. The law under which all of the funds is placed is called the CCDBG.

The new CCDBG program provides states with a unique opportunity to develop a child care system that will serve cash assistance families, families who leave the cash assistance program and low-income working families who need help with child care costs.

The CCDBG allows states to maximize flexibility in developing child care policies and programs that best meet the needs of parents and children and provide a source of child care to parents who are attempting to achieve independence from welfare. Although the CCDBG does not set a time limit for individuals receiving child care benefits, the Department faces the challenge of creating a subsidized child care system that meets the needs of all populations within the fiscal constraints of a block grant.

To meet the challenge of creating a child care system which address the needs of cash assistance and low-income working families, the Department is implementing a consolidated child care system called Child Care Works. Child Care Works will serve cash assistance families, those families transitioning off welfare and low-income working families, with similar rules and procedures. The proposed amendments set forth in Annex A are designed to align regulations between those for families receiving cash assistance and those for families who are not receiving cash assistance. Changes are proposed in these amendments which will help cash assistance families obtain child care benefits and assure that families transitioning from cash assistance have a continuum of benefits, and will assist low-income families in achieving self-sufficiency so that a return to welfare is not their only option.

Through the proposed amendments, Child Care Works will establish similar requirements for cash assistance families and those not on welfare. The need for similar requirements must also reflect that Federal child care entitlements have ended for cash assistance families and for families transitioning off welfare. By strengthening the regulations, the available funding will be directed to this Commonwealth's most needy populations.

The Governor's proposed budget for Fiscal Year 1997-98 together with Child Care Works represent a commitment to expanded child care within the fiscal realities of block grant funding and expanding need for subsidized child day care benefits. The Department's challenge will be to provide child care subsidies to welfare and low-income working families within the constraints of the funding. Proposed amendments not only address the need for similar requirements for both populations, but also include regulatory changes which are designed to contain costs and serve the greatest number of families possible within the available resources. If resources are not adequate to meet the demand, the Department will review

the proposed amendments and may propose other adjustments to the child care delivery system.

In meeting the challenge of serving families in a capped fund environment, and to allow eligible families to understand the child care benefits which they can receive, the Department proposes to amend and clarify the existing regulations for subsidized child day care.

#### *Need for the Amendments*

The Department proposes to amend these regulations to comply with PRWORA which establishes standards for the receipt of cash assistance under TANF and the receipt of child care benefits in a parent-choice system under the CCDBG. These proposals are needed to comply with Federal law to assure Federal financial participation; to establish consistency with the Federally-funded TANF; to fulfill the Department's program direction to achieve a seamless and coordinated child care system for families moving toward self-sufficiency; and to continue the network of subsidized child day care benefits which are accessible and easily understood by this Commonwealth's families who need subsidized care.

#### *Requirements*

The proposed amendments reflect the requirements of the new Federal and State child care welfare reform provisions as well as the Department's plan to develop an integrated child care system which makes sense to families. To achieve the balance of meeting the increase demand for child care benefits with capped funds and to assist families work toward self sufficiency, the regulations contain provisions for expansion of child care benefits and are tempered with provisions structured to effectively manage resources.

Major changes are proposed in Chapter 3040 (relating to subsidized child day care eligibility) which are designed to assist cash assistance and low-income families to receive the same child care benefits and to introduce requirements which assure that the limited resources are directed to the most needy individuals. The proposed changes in the regulations also enhance these families' access to child care.

The proposed regulatory changes include:

- Revising the copay sliding fee scale.
- Lowering the income limit for eligibility from 235% to 185% of Federal Poverty Level.
- Eliminating the waiting list priorities.
- Eliminating any entitlement to child care.
- Eliminating the child care disregard for cash assistance families who are working, and replacing it with a child care allowance.
- Establishing payment for child care for employed TANF clients from the date employment begins until the first pay is received.
- Establishing payment to employed TANF families based on a sliding fee scale.
- Eliminating the TCC program.

### **CHAPTER 168. CHILD CARE**

#### *Purpose*

The Department proposes to remove current regulations pertaining to child care which appear in Chapter 165, and place them with Chapter 168, to be retitled "Child Care." All regulations, current and herein proposed, will be in Chapter 168. This provides consistency

and a central location for all child care regulations rather than having them disbursed throughout different chapters.

#### *General Provisions*

##### *Policy on Child Care (168.1)*

All references in Chapter 168 to the TCC Program are deleted. In § 168.1(a), language is amended to allow payment for child care to enable the caretaker/relative or custodial parent to participate in RESET.

In § 168.1(b), language is amended to read that the County Assistance Office (CAO) shall inform RESET participants about the types, locations of child care provider and upon requests refers the individual to the Local Management Agency (LMA) for help in locating child care arrangements; advance payment requirements; and notification of approval or denial of child care payments. These regulations are currently in Chapter 165.

##### *Definitions (168.2)*

The following changes are proposed to be made:

*Budget group*—Deleted references to the TCC Program and AFDC. Amended language to read, Child Care and TANF.

*Child care allowance*—Deleted handicap reference and amended to read disabled.

*Relative/neighbor care*—Defines care given by a provider that is exempt from certification and cares for three or fewer children.

*Copayment sliding fee scale*—Revised language to read that the copayment is based on family size, income and cost of care.

The following terms are proposed to be deleted: "local market rate"; "month of application"; "OJT"; "principal wage earner"; and "unregulated care."

The following amendments are proposed:

In 168.11(a), amended language to read child care allowances are available for all types of child care. This language currently is in Chapter 165.

In § 168.11(b), added parental access language currently in Chapter 165.

In § 168.11(c), added parent choice language currently in Chapter 165.

In § 168.11(d), added language to payments for children who meet one of the following criteria. Current language in Chapter 165.

In § 168.11(e), amends language and defines eligibility costs. Current language in Chapter 165.

In § 168.11(f), amends language to define who is not eligible for child care. Current language in Chapter 165.

In § 168.11(g), amends language to define breaks in payments for child care.

In § 168.11(h), amends language to read that payment be related to employment or RESET activities. Current language in Chapter 165.

In § 168.11(i), amends language to read that child care payments are made by direct payment to the client, vendor payment, and restricted endorsement. Additional language added to the restricted endorsement check to allow for only one issuance by this method to a provider who is not enrolled in the Child Care Vendor Payment System.

In § 168.11(j), amends language to read that the exception to when child care services are not needed is for participation in RESET activities. Language is also deleted referencing the child at risk due to suspected child abuse.

In § 168.17, amends language to reference the TANF dependent child. Language is deleted referencing the child 13 years of age or older who is under a court order which requires adult supervision.

In § 168.18(a), amends language to reference child care being needed to enable an individual to participate in RESET activities.

In § 168.18(b)(2), deleted language that child care is needed if involved in education and training activities as it duplicated RESET language in the first sentence.

In § 168.18(b)(3), deleted language regarding the child at risk because of suspected child abuse.

In § 168.18(e), added language that child care will not be considered as needed when the biological, adoptive parent, specified relative or legal guardian of the child is the owner/operator of a day care service.

In § 168.20, language amended for the child care copayment, and added "the employed" budget group shall pay the required copayment toward the cost of care.

In § 168.21, language amended to reference the employed budget group.

In § 168.41, for verification requirements, current language from Chapter 165 added. Deleted court order verification and the client's statement regarding suspected child abuse.

In § 168.43, amended language to "disabled" child.

In § 168.44, deleted this section pertaining to verification of a handicapped adult. Reserved this section.

In § 168.45, language deleted on verification of suspected child abuse. Reserved this section.

In § 168.46, language deleted on verification of court ordered supervision. Reserved this section.

In § 168.47, language deleted on verification of income. Reserved this section.

In § 168.49, language changed to reflect copayment language for the employed budget group.

In § 168.50, language deleted on verification of household income. Reserved this section.

*Reporting Requirements*

The following amendment is proposed:

In § 168.61, language revised to read that a budget group shall report child care arrangements and costs monthly. Deleted language on monthly reporting.

*Payment Determination*

The following amendments are proposed:

In § 168.71, language is revised to state that the child care payment is determined for each month.

In § 168.71(1), language is revised to state that the allowable child care cost is the lower of the eligible child care costs, the rate charged the general public or the maximum allowance established by the Department.

In § 168.71(2), language is revised to state that child care payments are made to eligible TANF budget groups in need of child care to:

(i) Participate in RESET. Payment is made up to the maximum allowance.

(ii) Accept and maintain employment. The employed budget group shall pay a required copayment towards the cost of care. The copayment is based on a sliding fee scale as determined by the Department.

*Exception:* The copayment shall be waived for the period covering the first day of employment until receipt of the first pay.

Language added with the steps taken to determine the copayment.

(1) Determine family size.

(2) Determine gross monthly income and FPIG level (reference Chapter 183 (relating to income)).

(3) Determine the family's average monthly cost of care and fee bracket.

(4) Determine the family copayment from the sliding fee scale.

*Child Care Payment Methods*

The following amendments are proposed:

In § 168.81, language is revised to state that child care payments are for expenses incurred in a month and issued as one of the following:

(1) Direct check—language the same except wording on child care vendor file changed to Child Care Vendor Payment System.

(2) Vendor payment—language the same except wording on vendor file changed to Child Care Vendor Payment System.

(3) Restricted endorsement—language is added to state that a restricted endorsement check payment method may only be issued one time to a provider not enrolled in the Department's Child Care Vendor Payment System. For providers that want to have a guaranteed payment and have the check go to the provider, enrollment in the Child Care Vendor Payment System is necessary.

*Restitution*

In § 168.91, language is proposed to state that cash assistance Chapter 255 provisions will apply to a child care payment.

*Appeal and Fair Hearing*

In § 168.101, language is revised to state that cash assistance provisions of Chapter 275 will apply to a child care payment.

*Determination of Need and Amount of Assistance Chapter 183 Income*

In § 183.94(3), language is proposed to be deleted concerning personal expenses. Earned income deductions for child care expenses are proposed to be deleted.

**CHAPTER 3040. SUBSIDIZED CHILD CARE ELIGIBILITY**

These proposed amendments are eligibility requirements for families who are not receiving cash assistance benefits.

*Introduction*

*Purpose (§ 3040.1)*

The Department proposes to amend the purpose statement to more clearly reflect that families must be eligible to receive a subsidy to assist in the cost of child day care. The Department proposes to amend references to family

income and eligibility because there are many other factors in addition to income to determine a family's eligibility for subsidized child day care. The Department states that the benefit offered through the subsidized child day care program is a nonentitlement benefit.

*Definition of "Subsidy" (§ 3040.2)*

The Department proposes to amend the definition of "service." In a parent-choice child day care model, the Department assists in the funding of child day care costs and does not endorse any one type of child day care provider arrangement.

The Department proposes to delete the term "service" throughout the chapter. In a parent-choice delivery system, it is more accurate to say that a family is eligible for a subsidy to assist in the cost of the child day care. The eligibility agent will determine the family eligible for the subsidized child day care program, but it is the parent's responsibility to select a child day care provider for his child.

The Department proposes to amend the regulation by removing the term "caretaker" throughout the regulation. The Department proposes to replace the term "caretaker" with the terms "parent," "family" or "child," whichever is appropriate to the regulation. In the subsidized child day care program, it is the parent who applies for the benefit, the family who is determined to be eligible and the child who actually receives the child day care. The three terms reflect the actual individual or group that is expected to be the actor or recipient of benefits in the regulation.

In § 3040.2(a), the Department proposes to amend and clarify that a subsidy is provided to assist an eligible family in the payment of child day care.

The Department proposes to remove the term "out-of-home" used to describe where subsidized child day care occurs. The Department proposes to expand a family's choices of child day care providers to include care which occurs in the child's home. The proposed expansion of service reflects the Federal funding requirements of the CCDBG. The Department previously proposed changes to Chapter 3040 to include provisions for in-home care, 26 Pa.B. 3433 (July 13, 1996). The requirements included in the previous proposal were described as complicated by reviewers. The Department therefore proposes a more simplified change that would expand the parent's choice in child day care providers. Requirements previously proposed and the comments generated by reviewers will be included in the Parent's In-home Care Handbook and the provider agreement between the LMA, the parent and the provider.

In § 3040.2(b), the Department proposes to amend the section to more accurately reflect that family eligibility for subsidized child day care funding is not based solely on financial criteria, but that the family must meet both financial and nonfinancial criteria to be eligible for the subsidized child day care program. The Department proposes to delete the reference to the Title IV-A supportive service. Title IV-A supportive service is replaced by reference to child care benefits under TANF.

*Definitions (§ 3040.3)*

In § 3040.3, the Department proposes to amend the section to reflect the following changes in terms:

*AFDC—Aid to Families with Dependent Children*—The Department proposes to delete this definition because the AFDC program is deleted.

*AFDC benefit*—The Department proposes to delete this definition because the AFDC program is deleted.

*Adjusted monthly gross income*—The Department proposes to amend the current multiplier from 4.33 to 4.3 to concur with the multiplier used for cash assistance families. This multiplier is used to determine the adjusted monthly income.

*Advance weekly family fee*—The Department proposes to amend the current definition to reflect that an advance weekly fee must be paid to a provider in the first week of child day care.

*CAO—County Assistance Office*—The Department proposes to delete references to the Title IV-A child care program and TCC benefits in the definition.

*Child care special allowances*—The Department proposes to delete this definition because all references to the definition have been deleted with the elimination of Title IV-A.

*Caretaker*—The Department proposes to delete this definition throughout the chapter.

*Confirming notice*—The Department proposes this definition to allow the eligibility agent to substantiate in writing an action taken regarding the family's eligibility for subsidized child day care benefits.

*Cost of care*—The Department proposes to amend the definition to concur with the proposed regulatory text that discusses a daily cost of care.

*County ceiling rate*—The Department proposes this definition to identify the maximum amount the Department will authorize a reimbursement to a provider.

*Education*—The Department proposes this definition as a proposed category of eligibility for minor parents enrolled in an elementary, middle or high school program which leads to a high school diploma. The definition includes minor parents enrolled in a General Education Diploma (GED) program.

*Eligibility agent*—The Department proposes to amend the term eligibility agent to reflect that the eligibility agent determines the family's eligibility for the subsidized child day care program and reimburses the selected child day care provider on behalf of the eligible family.

*Employment*—The Department proposes to amend the definition of employment to add a condition that any person who applies for subsidy must be earning at least the prevailing minimum wage to qualify for subsidy. The Department also recognizes that the Department of Labor and Industry grants certain exceptions for employed individuals to receive subminimum wage, such as laborers on a farm.

*Family*—The Department proposes to amend the definition of "family" to be more encompassing. It does not state which individuals are included in family. The proposed definition will read, "A group of individuals who reside in a common dwelling." The determination of individuals included in the family is in the body of the regulation in § 3040.28.

*Fiscal year*—The Department proposes this definition to define the period of time beginning July 1 of any calendar year and ending June 30 of the following calendar year.

*Fraud*—The Department proposes this definition to define conditions related to false information. The consequences of fraud are addressed in the regulations related to Overpayment, Repayment and Disqualification (§§ 3040.91—3040.94).

*Full-day enrollment*—The Department proposes this definition to include any time the child receives care by the provider for five or more continuous hours per day.

*Income*—The Department proposes to amend the current definition of “income” by removing reference to the caretaker.

*Legal guardian*—The Department proposes this definition to indicate that an individual other than the child’s biological step or adoptive parent or specified relatives must demonstrate that custody of a child has been granted by a court in order to be eligible for subsidy benefits.

*Live-in companion*—The Department proposes this definition to indicate an individual who is free to marry under Commonwealth law and who resides in the common dwelling with the child’s parent.

*Minor*—The Department proposes to include this definition to define an individual under 18 years of age.

*Parent*—The Department proposes to define parent to reflect the relationship between the child who is in need of child day care benefits and the person who is providing a dwelling for the child. The current regulation refers to the caretaker as the person who applies for subsidized child day care funding. Many individuals find the term caretaker to be confusing and it is often reversed with the term caregiver or the provider of child day care.

*Partial redetermination*—The Department proposes to define partial redetermination to acknowledge the eligibility agent’s option to complete less than a full determination. A partial redetermination is an eligibility review conducted in lieu of a full redetermination.

*Part-day enrollment*—The Department proposes to amend the definition of “part-time” to “part-day” and the term “service site” is amended to “provider.” Each of the amendments more accurately relates to benefits available to a child for whom eligibility has been established. The term “attendance” is amended to “enrollment,” to be consistent with payment practice.

*Profit from self-employment*—The Department proposes to define profit to add clarity because the current regulations do not include the term.

*Provider*—The Department proposes to amend the definition of “provider” to define that a provider is an organization or individual who delivers child day care. The second sentence in the definition is deleted to eliminate confusion.

*Prospective employment or prospective education*—The Department proposes to amend the term prospective training and add the term prospective education. Training is deleted as an eligibility criterion.

*Reimbursable daily rate*—The Department proposes to define “reimbursable daily rate” to describe that a rate will be the cost of care or the county ceiling rate, whichever is less, minus the assessed subsidized fee.

*School-age child*—The Department proposes to define who may be considered a school- age child.

*Self-employment*—The Department proposes to define “self-employment” to add a provision which requires self-employed individuals to demonstrate a profit which equals, or is greater than, the minimum wage to be eligible for subsidized child day care.

*Service site*—The Department proposes to delete the term “service site”. The term “service site” is replaced by the term “provider” in the regulation.

*Service type*—The Department proposes to amend the definition to more accurately reflect the types of care

which are actually being offered by providers who participate in the subsidized day care system.

*Specified relative*—The Department proposes a definition for “specified relative” to include any blood relative except second, third, and like cousins. The relationship may be one prefixed by grand, great-grand or great, great-grand. Blood relatives include those of half-blood; any blood relative of the adoptive parent, in the case of adoption the biological parent and their blood relatives are not included; a spouse of any person named in the above group.

*Suspended subsidy*—The Department proposes to define “suspended subsidy” to indicate when a temporary lapse of subsidy may occur and does not affect the family’s eligibility status.

*TANF—Temporary Assistance for Needy Families*—The Department proposes to define “TANF” to identify families eligible for cash assistance benefits. TANF replaces the term “Aid to Families with Dependent Children (AFDC).”

*TCC—Transitional Child Care Program*—The Department proposes to delete the definition of “TCC” because the TCC program is eliminated.

*Training program*—The Department proposes to delete the definition of “training program” because this criteria of eligibility no longer exists for families receiving subsidized day care under this chapter.

*Unit of care*—The Department proposes to define unit of care to describe what is included when a child receives a subsidy benefit.

*Unemancipated minor*—The Department proposes to delete the term “unemancipated minor” because the term is incorporated with the definition of “minor.”

*Waiting list*—The Department proposes to amend the term “waiting list” to state that a child included in a family determined eligible for subsidy may be placed on a waiting list.

*Wrap-around day care program*—The Department proposes to define “wrap-around day care program” to describe part-day service reimbursement conditions for eligibility agents.

#### *Subsidy goal (§ 3040.4)*

The Department proposes to amend the title of this section from “service goal” to “subsidy goal” to more accurately reflect the actual benefit which is provided to the family.

### GENERAL REQUIREMENTS

#### *Provision of subsidy (§ 3040.11)*

In § 3040.11(d), the Department proposes to amend the first sentence of the section to more accurately state the Department’s responsibility to provide subsidy for children from eligible families. The Department proposes to delete the second sentence; this language is more appropriately placed in the contract which governs the relationship between the eligibility agent and the Department.

In § 3040.11(e), the Department proposes a regulation that prohibits families from receiving subsidized child day care benefits if there is an adult available in the child’s home to provide care during the hours for which subsidy is requested.

In § 3040.11(f), the Department proposes a regulation which enables the Department to direct funding from different sources through contract language with the



eligibility agent. This provision will allow the Department to direct funding to special groups of families. For example, a special group of families may be those who are transitioning off cash assistance or special needs children.

*Notice of nondiscrimination; civil rights compliance (§ 3040.12)*

In § 3040.12(a), the Department proposes to delete the term "provider." The regulation refers only to the eligibility agent. It is the eligibility agent who determines eligibility and manages the subsidized child day care program on behalf of the Department.

In § 3040.12(b), the Department proposes to delete references to discriminatory practices. The Department's contract with the eligibility agent addresses the requirements for all applicable civil rights laws and regulations.

*Family file (§ 3040.14)*

In § 3040.14(2), the Department proposes to delete the sectional reference to "caretaker files" and proposes that the regulation will discuss a "family file." The reason for this change is because the entire family is considered in the determination of eligibility.

*Confidentiality (§ 3040.16)*

In § 3040.16(b), the Department proposes to permit the eligibility agent to share information on a subsidized family with the local CAO. This exchange of information is proposed to better enable the Department to authorize subsidized child day care benefits to families moving from welfare dependency.

*Additional conditions or additional charges (§ 3040.17)*

In § 3040.17(b), the Department proposes to delete all current allowable additional charges that a provider will be permitted to assess a subsidy-eligible family. A general statement is proposed to permit the provider to charge additional fees as long as the same fee is charged to nonsubsidy children. The proposed change will allow parents a greater choice of child day care providers.

In § 3040.17(c), the Department proposes an amendment which permits providers participating in the subsidized day care system to assess the family a fee for child care costs in excess of the assessed subsidized weekly fee when a family chooses a child day care provider whose daily rate exceeds the Department's county ceiling rate. This requirement will no longer restrict parents from selecting a provider who charges a rate which exceeds the county ceiling. This proposed provision will extend the same benefits to low-income families that cash assistance families currently have and will continue to have.

In § 3040.17(d), the Department proposes to limit the number of days to a total of 30 for which it will continue subsidized payment when a child is absent from a provider in 1 fiscal year. Suspended days referenced in § 3040.52(d) may not be considered days of absence.

*Citizenship (§ 3040.18)*

The Department proposes to amend the citizenship requirement to include the phrase "under the color of law" which is a more precise definition.

*Subsidy Disruption (§ 3040.19)*

In § 3040.19(a) and (b), the Department proposes an amendment to clarify that disruption can occur either with the provider or with the funding.

In § 3040.19(c) and (d), the Department proposes an amendment which addresses the possibility of shortfalls in subsidized funding from State or Federal sources. If a

shortfall occurs, the eligibility agent would suspend subsidized payment for children enrolled in subsidy. The proposed amendment identifies that children of families with higher incomes will be suspended first, because families with higher incomes are the closest to being self-sufficient. The Department also proposes that children suspended will be placed on a waiting list for subsidized benefits according to the date of the child's enrollment into subsidized child day care.

*Limitations and benefits (§ 3040.21)*

The Department proposes to add a new section to specifically define benefits and limitations on subsidized day care which have not been previously outlined in regulations. Benefits and limitations are currently included in the contract language between the Department and the eligibility agent.

In § 3040.21(a) and (b), family benefit limits are proposed that are linked to family income. The Department proposes to limit annual subsidized benefits to no more than 100% of the family's gross annual income depending upon the number of children receiving subsidy. In addition, the number of units of care are proposed to which a child will be entitled over the course of a fiscal year. A parent's right of provider choice is formally established.

In § 3040.21(c), the Department proposes to prohibit payment to any individual who operates a child day care facility.

*Grandfathering provisions (§ 3040.22)*

A section is proposed to allow for continuum of subsidy for a period not to exceed 1 year subsequent to the implementation date of this chapter. Two groups of families will become ineligible after 1 year. They are: families with incomes between 186% and 235% of the Federal Poverty Level (FPL); and families enrolled in an approved training program.

*Composition of a family (§ 3040.28)*

The Department proposes a section that identifies individuals who will be included in the family for purposes of determining eligibility. The proposed change defines the family, starting with the child who is in need of child day care. This proposed change is similar to the requirement used for families who receive cash assistance benefits.

The Department proposes to exempt former TANF families from meeting the provisions of this section for 6 months to ensure a seamless transition from receiving TANF child care benefits to meeting the provisions in this section.

The Department proposes additional amendments to revise the family definition. Persons in the family of a minor parent, including the minor parent's parents shall be included in the family when determining eligibility for subsidized child care. The proposal states that the income of a minor parent's parents is also included in calculating the minor parent's eligibility for subsidized day care. Because the Department recognizes the importance of child care subsidies for minor parents, it proposes to exclude a portion of the family income. This exclusion is defined at Appendix A, Part II.

#### ELIGIBILITY REQUIREMENTS

*General requirements regarding family eligibility (§ 3040.31)*

In § 3040.31(1), the Department proposes that a parent must apply for subsidy in his county of residence. The

proposed change reflects the requirement of a § 3040.31a(1), which was published previously as a statement of policy.

In § 3040.31(4), the Department proposes an exemption from the financial eligibility condition imposed by this section for a parent who formerly received TANF and has obtained employment that results in exceeding the TANF income limits. The eligibility agent has 90 days to meet with a parent that formerly received TANF to assess continuing need for child care subsidy and to inform the parent of the requirements for continuing eligibility in the subsidized child day care program.

In § 3040.31(5)—(8), the Department proposes amendments that require release statements to obtain information, Social Security numbers of each family member, documentation that child support has been sought prior to determination of eligibility and documentation of legal guardianship.

*Financial eligibility (§ 3040.32)*

In § 3040.32(a)(2), the Department proposes to amend the length of time that gross anticipated earned income may be used by the eligibility agent in establishing eligibility for a newly employed family members. The time is extended from 6 to 8 weeks to allow families more time to gather the required information and documentation.

In § 3040.32(b), the Department proposes to delete the subsection. The regulation is proposed in § 3040.34 (relating to nonfinancial eligibility).

In § 3040.32(c), the Department proposes to add provisions which will require a family to pursue all potential sources of income to which it is entitled, excluding TANF benefits.

In § 3040.32(d), the Department proposes a requirement that the parent must document all income deductions listed in Appendix A, Part II. Also, the Department proposes to delete the description of an unemancipated minor.

In § 3040.32(f), the Department proposes a maximum family income eligibility ceiling of 185% of the FPL. The Department proposes to reduce the income limit to reflect the Department's intent to limit subsidized day care to those families who are most in need of child care subsidy. The proposed 185% limit is consistent with other programs within the Department.

*Documentation of self-employed income (§ 3040.33)*

The Department proposes to amend and to clarify this section to include a statement that only documented profit from self-employment may be used as an income inclusion. The Department proposes a requirement that the family must produce Schedule C, or any other Internal Revenue Service (IRS) income tax return forms, which enables an eligibility agent to determine income. The Department proposes to include standards which require self-employed individuals to file quarterly tax statements with the IRS if the individual has been self-employed for less than one year.

*Nonfinancial eligibility (§ 3040.34)*

In § 3040.34(a), the Department proposes a statement that the family must meet the nonfinancial requirements for subsidized child day care based on employment, education status and need for child care in order to be eligible for subsidy.

In § 3040.34(b)(1), the Department proposes to delete the minimum number of hours and days for which child

care is needed. Instead, the Department proposes that the family's need for child care must coincide with the family's hours of employment or education. The Department proposes to provide the authorization of subsidized child care for actual days the parent is not available to care for the child because he is employed or enrolled in an educational program.

In § 3040.34(b)(2), the Department proposes to delete the provision that if child care is needed for 3 or 4 days per week, that the child may have 5 days of care.

In § 3040.34(b)(4), the Department proposes to increase the number of hours a parent must be employed to be eligible for subsidized day care. Future increases in the number of hours a parent must work will correspond with increases in TANF legislation.

In § 3040.34(b)(5)—(8), the Department proposes to expand nonfinancial eligibility requirements to include documentation of citizenship and Social Security numbers of all family members. This information for identification purposes is required by other State agencies. The Department proposes that the parent must provide proof of his identity to the eligibility agent. The Department proposes to expand this section of the regulation also to allow parents whose employment ends between the hours of 2 a.m. and 9 a.m. the option of enrolling the child during hours that permit the parent uninterrupted sleeping time in order to continue work. The parent may choose child care during work hours or sleeping time. This provision supports shift work.

In § 3040.34(b)(9), the Department proposes a requirement that foster parents who apply for subsidized child day care for a foster child must submit approval from the foster care placement agency for the child to attend a child day care program because the foster parent is not available to care for the child. This provision is proposed to ensure that the foster care agency is aware of who is caring for the child and agrees that child care is appropriate for the child.

In § 3040.34(c) and (d), the Department proposes regulations requiring that family members and self-employed parents document pertinent information about employment status.

*Inability to be employed or continue participation in an education program (§ 3040.36)*

In § 3040.36(a) and (b), the Department proposes to amend the current requirements regarding verification of disability and eligibility based on disability of the parent to:

—Reduce the continuation of eligibility from 1 year to 6 months for a parent who becomes disabled. Experience over the past 2 years has shown that most parents who are disabled are able to return to work or training within 6 months. The number of times a parent may claim disability is unlimited.

—Expand this section to recognize the eligibility of a two-parent household if one parent is disabled, unable to work or to participate in training and is unable to care for the children. The disabled parent must receive or seek income because of the disability.

*Attendance requirements (§ 3040.37)*

In § 3040.37(b), the Department proposes to amend the section and reduce the number of consecutive days for which a child may be absent from the provider and remain eligible for the subsidized child day care program. The proposed reduction is from 20 to 10 consecutive

enrollment days, except under any of the conditions found in § 3040.52(d) (relating to eligibility agent responsibilities).

In § 3040.37(c), the Department proposes to subsidize absences up to 30 units of care in a fiscal year. This is proposed to limit the Department's payment on days when the child does not attend child day care.

*Prospective employment or prospective education program for new parent applicants (§ 3040.38)*

The Department proposes to no longer consider the parents' participation in training as a basis of need for child day care for parents applying for subsidy under this chapter. The Department considers the Office of Income Maintenance to be the primary source for the authorization of training and supportive services such as child care for the individual participating in training that leads to employment for cash assistance families. Currently, a small number of families participating in the subsidized child day care program are enrolled in training.

In § 3040.38(c), the Department proposes to increase the maximum time a parent is allowed to verify income from employment. The proposed increase is from 6 weeks to 8 weeks. In addition, the Department proposes to delete the requirement that a new application and fee agreement must be completed at the time income is verified.

In § 3040.38(d), the Department proposes an amendment for a parent who starts a new job and will not receive a paycheck within 30 days. The Department proposes to not include earnings from the new job until the paycheck is received.

In § 3040.38(e), the Department proposes to allow up to 30 calendar days during which subsidized child day care may be used by a parent seeking employment once the parent has exhausted all available TANF benefits.

*Title IV-A child care benefits (§ 3040.39)*

The Department proposes to delete this section because the Title IV-A child care benefits have been repealed under the CCDBG. Child care benefits for families on cash assistance or TANF are covered in Chapter 168.

**ELIGIBILITY DETERMINATION PROCESS**

*General requirements in the eligibility determination process (§ 3040.51)*

In § 3040.51(b), the Department proposes to amend the maximum period of subsidized child day care eligibility from 12 months to 6 months to provide greater assurances that only eligible families receive the benefits.

In § 3040.51(c), the Department proposes that the eligibility agent will conduct at least a partial redetermination for each reported change in eligibility status. The redetermination must occur within 20 calendar days of the date the eligibility agent is notified of the change.

*Eligibility agent responsibilities (§ 3040.52)*

In § 3040.52(a)(2), the Department proposes a requirement which establishes the need for some form of personal identification of the person who signs the application when a face-to-face interview is conducted. At the face-to-face meeting, the eligibility agent will have an opportunity to provide consumer education on the selection of child care.

In § 3040.52(b)(2)(iii)—(v), the Department proposes requirements to shorten normal frequency of redetermination from 12 months to 6 months. The Department proposes to shorten further the frequencies of determina-

tions to 3 months for self-employed individuals who have been self-employed for less than 1 year, individuals whose disability will end prior to 6 months, a family member whose employment is seasonal or temporary, or a parent whose education program ends prior to 6 months.

In § 3040.52(c)(7), the Department proposes to include a continuing eligibility requirement for minor parents on break from an education program. This will permit a child of a minor parent to continue to receive subsidy during breaks which do not exceed 30-calendar days.

In § 3040.52(d)(1), the Department proposes that the eligibility agent may suspend the child's receipt of subsidy under special circumstances. The suspension of subsidy allows families to continue to be eligible for subsidized child care up to the 91st day of suspension.

*Parent rights and responsibilities (§ 3040.53)*

In § 3040.53(a), the Department proposes to require one face-to-face meeting between the parent and the eligibility agent prior to the child's enrollment in subsidized child day care.

In § 3040.53(h), the Department proposes to include language regarding accurate and complete eligibility information.

*Waiting list (§ 3040.54)*

In § 3040.54, the Department proposes to delete the current priorities for subsidy. The Department proposes to delete four waiting list categories and proposes a single eligibility category with a waiting list established on a first-come, first-served basis determined by the date and time the child was determined eligible. The Department proposes to assure that all low-income families eligible for subsidy have some indication of when they will receive subsidized day care benefits and receive equal access to subsidy. The reason the Department proposes to delete all priorities is because the AFDC and TCC programs are eliminated. The Department proposes to lower income limits from 235% of FPL to 185% of FPL and the Department proposes to no longer recognize training, with the exception of minor parents attending high school or GED program, as a nonfinancial eligibility criteria.

*Maintaining a waiting list (§ 3040.55)*

In § 3040.55(a), the Department proposes to amend the normal eligibility period from 12 months to 6 months for families who remain on a waiting list. This proposal is made to assure accountability.

In § 3040.55(b), the Department proposes to delete the current requirement because it refers to a waiting list criterion effective for the year 1992. The Department proposes to include a statement that a redetermination completed during the enrollment process will not affect a child's placement on the waiting list.

In § 3040.55(b), the Department proposes to amend the subsection regarding subsidy for an additional child in a family currently receiving subsidy. The additional child will be placed on the waiting list according to the date and time care is requested. This proposal is made to ensure, because of capped funds, that subsidized child day care benefits are available to a greater number of families. Children new to a family will not automatically begin to receive subsidized child day care.

In § 3040.55(c), the Department proposes that a child may not remain on the waiting list for more than 30 calendar days from the date funding becomes available. This proposal is included to prevent the delay of access to subsidized funding by children who are placed lower on the waiting list.

*FEES**General requirements regarding fee payment (§ 3040.61)*

In § 3040.61(a), the Department proposes to add a general statement that the eligibility agent determines the weekly family fee during the eligibility process and that the parent is responsible for paying the fee to the provider when his child is enrolled in subsidy.

In § 3040.61(c), the Department proposes to delete the biweekly fee payment provision. A family with only one child who is enrolled in part-day school-age care during the school year will pay a weekly fee. This proposal is made to assure fee equity for all families on the basis of the frequency and amount of payment. The weekly family fee is based on the family's annual income.

In § 3040.61(h), the Department proposes to amend language that specifies how payment of a delinquent family fee is to be applied. In addition, the Department proposes to amend the language regarding the third notice for delinquent fee payment and allow the parent to continue to receive subsidy if an appeal is filed timely.

In § 3040.61(i)(2), the Department proposes a requirement for the eligibility agent to send the provider a copy of each advance notice of adverse action issued to a family whose child is enrolled at the provider. This proposal is made to keep the provider informed of actions that may affect the child's enrollment at the provider.

In § 3040.61(j), the Department proposes to amend the regulation to state that a family ineligible because of nonpayment of fees cannot apply for subsidized day care for a period of 90 days from the date the delinquent fee is paid.

*Weekly family fee (§ 3040.63)*

In § 3040.63(a), the Department proposes to amend the use of the conversion chart in Appendix B and proposes use of the conversion chart issued by the Department annually based on the FPIG.

In § 3040.63(a)(1), the Department proposes the term "consecutive" when referring to income obtained within the most recent 6-week period.

In § 3040.63(c), the Department proposes to amend the method of computing the weekly family fee. The Department proposes a fee that is based on the cost of care, income and family size. The Department is proposing a change to a structured family copay sliding fee scale because it is committed to supporting families in the transition from receiving a subsidy to maintaining child care payments without a subsidy. The proposed family fee scale will prepare families to buy child care within the private market without a State subsidy by linking responsibility for payment with level of income and child care choices. The proposed family fee also recognizes the wide range of child care available and the variable costs associated with it.

The Department's proposed fee structure is based on a "standard" provider cost range of \$275 to \$375 per month. The standard provider cost range of \$325 per month is based on the average Statewide monthly cost of care for all types of care. The ranges are set at levels below and above the \$325 average cost. The Department will adjust these costs annually. The proposed fee scale ties the amount of family income spent on child care to the FPL for a family of a given size.

The Department has had the same parent copay formula schedule since 1992. Since that time, we recognize that costs of child care are increasing and the cost of care

has increased for many nonsubsidy-eligible parents. The Department proposes to increase the amount of the parent's weekly copay to reflect a more realistic contribution towards the rising cost of child care and to prepare parents to pay for child care after they are no longer eligible for subsidy.

The current fee scale copayment is low compared to other states. The current copayment ranges from 3% to 11% of family gross income. The Department proposes to extend the range from 3% to 14.5% of gross income. Those families at 100% of FPL and below will not pay more than 10% of their income while families above 100% of FPL will pay an increased percentage of their income graduating up to 14.5% when their income is 185% of FPL.

In determining the cap of 14.5%, the Department considered several alternatives. The Department considered a fee scale that moved to 100% of cost of care as the parent's income increased to the 185% FPL. The Department rejected this consideration because the requirement would be overly burdensome for low-income families. Likewise, the Department considered and rejected percentages of family income higher than 14.5%.

In § 3040.63(7), the Department proposes a provision for parents who wish to utilize child care providers whose costs are outside the standard child care cost range. Parents who wish to use a provider with lower costs will be entitled to a copayment less than the standard fee, while those who choose a provider with higher costs will be required to copay more than the standard fee. Deviations from the standard fee are in like dollar amounts which are based on the family's FPIG level by family size.

*NOTIFICATION REQUIREMENTS**General requirements regarding notification (§ 3040.71)*

In § 3040.71(a), the Department proposes to include reference to a completed application. An application is not legally effective until it is signed and dated; the current wording is not specific to the Department's intent.

In § 3040.71(b), the Department proposes to delete the eligibility agent's oral notification regarding an eligibility determination. Written notices of determinations resulting in eligibility and ineligibility are proposed to make the eligibility determination process more consistent.

In § 3040.71(f), the Department proposes a requirement that the eligibility agent shall confirm in writing with each parent, when a parent withdraws a child from the subsidized program. This is proposed to provide consistency in the notification process and to provide the eligibility agent with a documented record of the parent's decision in the event of a later appeal.

*Content of a written notice of adverse action (§ 3040.72)*

In § 3040.72(a)(5), the Department proposes a requirement that a parent who requests continuation of subsidized funding pending the result of an appeal hearing will be required to repay all subsidy paid on his behalf if the eligibility agent's action is upheld by the Bureau of Hearings and Appeals. Currently, parents may request continued funding during the time their appeal is pending and suffer no financial penalty if the decision denies the appeal.

*Appeal: continuation of subsidy denied (§ 3040.74)*

This section identifies the circumstances under which a parent who appeals may not have subsidy continued for a child.

In § 3040.74(b), the Department proposes an appeal provision that permits appeal of a termination that is the result of an eligibility agent's inadequate funding (relating to subsidy disruption § 3040.19), but subsidy will not continue pending a hearing.

In § 3040.74(c), the Department proposes a requirement that a former TANF family, who has been receiving subsidized benefits while continuing to seek employment, has the right to appeal subsidy termination but cannot receive continued subsidized benefits pending an appeal hearing.

*Filing an appeal: eligibility agent responsibilities (§ 3040.76)*

In § 3040.76(e), the Department proposes to add that an adverse action regarding continued eligibility can be taken before the normal 10-day notice when funding is insufficient to maintain subsidized care.

*Departmental actions (§ 3040.77)*

In § 3040.77(a), the Department proposes to amend this subsection with a provision that an appeal hearing will be rescheduled if neither the parent who has requested the hearing nor the eligibility agent appears. Current regulation specifies that another action is taken by the Bureau of Hearings and Appeals if one or the other of the two parties do not appear at the scheduled time.

In § 3040.77(b), the amendment proposes a second option regarding implementing final administrative action. The Department proposes that the eligibility agent may implement the ordered administrative action on the first day of the service week following receipt of the ordered action. In addition, the regulation proposes a parent will not be permitted to receive any further subsidized child day care benefits until repayment of the full amount of the continued subsidy has been made.

*Continuing subsidy and fee payment during an appeal (§ 3040.78)*

In § 3040.78(b), the Department proposes an amendment that requires subsidy repayment by the parent upon loss of an appeal and identifies the period for which repayment applies. At this section and § 3040.91(f), the parent is advised of repayment responsibilities.

In § 3040.78(c), the Department proposes which prohibits a parent from having an increased fee held in abeyance until an appeal decision is rendered, if the eligibility agent established the family income which led to the fee increase in conformance with the income determination formula described in § 3040.63 (relating to determining a weekly family fee). The parent will be required to pay the increased fee during the appeal process.

**OVERPAYMENT, REPAYMENT AND DISQUALIFICATION**

In §§ 3040.91—3040.94, the Department proposes to include new requirements which address the overpayments of subsidized child care benefits, repayment of those benefits, and sanctions for families who have received subsidized child care in error by referencing Chapter 258. These sections are added to allow the Department improved accountability for public funds by having the opportunity to repay subsidized child care benefits which were distributed to a family who was not entitled to receive them. Also, these requirements are based on Chapter 255 (relating to restitution).

*Appendix A*

**PART I. INCOME INCLUSIONS**

In Section L, the Department proposes to amend the term "workmen's" compensation and replace that term with "workers" compensation.

In Section R, the Department proposes to amend the regulation regarding lump sum cash inclusion. The proposed amendment qualifies lump sum cash as more than \$100 monthly. The provision regarding lump sum cash is expanded to include divorce settlements and gifts.

In Section S, the Department proposes to amend the requirement to indicate that a lump sum cash lottery winning is modified to include receipt of amounts more than \$100.

In Section T, the Department proposes an amendment regarding identification of profit from self-employment. This requirement is reflective of Chapter 183 which governs eligibility requirements for cash assistance recipients.

In Section U, the Department proposes an amendment regarding room and board. This is reflective of Chapter 183.

**PART II. INCOME DEDUCTIONS**

In Section C, the Department proposes an amendment to include medical expenses based on the monthly expenses and/or monthly payment plan.

In Section D, the Department proposes that an amount of \$300 per month per family member will be deducted from the total monthly income of the family of a minor parent.

**PART III. INCOME EXCLUSIONS**

At Section C, the Department proposes an amendment to include withdrawals from a credit union or brokerage deposits as exclusions from income. These withdrawals are to be treated as bank deposit withdrawals.

*Affected Groups and Organizations*

Groups and individuals affected by these proposed amendments include families who are receiving TANF benefits and parents who are applying for or receiving subsidized child day care. These individuals include cash assistance recipients and persons transitioning from cash assistance. The other groups affected by these proposed amendments include eligibility agents, child care providers and other organizations and groups.

*Accomplishments/Benefits*

These proposed amendments will satisfy the mandates of PRWORA which eliminates the TCC program and Title IV-A child care entitlements and requires the creation of a child care delivery system which will meet the needs of both the welfare families and nonwelfare families. The proposed amendments will assist working families to move from the TANF into the subsidized day care system, to have continued assistance with the cost of child care, to create purchasing power for all low-income families and to make the transition to economic independence. Children, families, and the child care provider community will all benefit from the proposed child care delivery system that provides consumer education and resource and referral services to help families make good choices, promotes continuity of care, and provides support for families to become self-sufficient.

The proposed amendments also strengthen and clarify the eligibility requirements which will ensure that the

limited resources will be directed to the most needy families. For the first time, the Department is also proposing to define the benefit which an eligible child may receive. In addition, the proposed amendments establish consequences for families who provide false information or incomplete information for establishing eligibility for the subsidized child day care program.

*Fiscal Impact*

*Public Sector*

*Commonwealth*—The implementation for the subsidized day care program is cost neutral for State Government, however, the increased amount of revenue available to the subsidized child day care program will serve approximately 3,421 additional children on an annual basis because the increase in fees will result in more funds for program expansion. The buying power of the funding allocated for the subsidized child day care program will be increased to assist a greater number of families with their child care costs.

*Political Subdivisions*—Local governments will not have increased costs due to these proposed amendments.

*Private Sector*

The proposed amendments are not expected to increase costs in the private sector.

*General Public*

Some family fees will increase because of changes in the method of fee determination and because the family will assume a greater percentage of the cost of care. Because the family contribution toward the cost of care will increase, funds that would have been used for the family will be available to other families seeking care.

*Subsidized Child Day Care*

<i>Proposed Family Size</i>	<i>Annual Income</i>	<i>Annual Actual Cost of Care</i>	<i>Current Fee</i>	<i>Proposed Fee</i>
3	\$15,576	\$666/month	\$15/week	\$25/week

*Paperwork Requirements*

If the Department's proposals are adopted, current eligibility forms and informational pamphlets for families will need to be revised. Additional reporting requirements were implemented under PRWORA. Paperwork will be increased for the low-income family and the eligibility agent. The proposed amendments change the time frame for a redetermination of eligibility from once every 12 months to once every 6 months.

If the Department's proposals are adopted, there may be a slight decrease in the amount of paperwork that is currently completed to maintain a waiting list for individuals who are employed and have incomes greater than 185% of the FPIG. The proposed amendments reduce the maximum income limit from 235% of the FPIG to 185% of the FPIG. Currently, this group of individuals is determined to be eligible for the program and maintained on a waiting list although funding is not available for their enrollment into the subsidized child day care program.

If the Department's proposals are adopted, the eligibility agent will need to complete paperwork and follow-up activities related to child support actions and identification and verification of suspected fraud.

*Effective Date*

These proposed amendments will take effect upon publication in the *Pennsylvania Bulletin* as final rule-making.

*Sunset Date*

No sunset date applies to these proposed amendments. However, the Department will review FPIG factors and average Statewide cost of care in relationship to the calculation of the family fee contribution on an annual basis.

*Public Hearings*

A public hearing will be held on September 24, 1997, from 12 noon to 4 p.m. in the auditorium of the State Museum of Pennsylvania, 3rd and North Streets, Harrisburg, PA. Individuals who wish to testify must notify Cynthia Patnode at (717) 787-1551 to schedule a time to testify.

*Public Comment Period*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to the Department of Public Welfare as follows: comments on Chapter 3040 are to be directed to Jolene Gregor, Policy Specialist, P. O. Box 2675, Harrisburg, PA 17105, (717) 787-8691; comments on Chapter 165, 168 and 183, are to be directed to David C. Florey, Director, Bureau of Employment and Training Programs, Room 428, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-8613. All comments must be submitted within 30-calendar days of the date of publication of this notice in the *Pennsylvania Bulletin*. Comments received within 30-calendar days will be reviewed and considered in the preparation of the final-form regulations. Comments received after the 30-day comment period will be considered for any subsequent revisions to the regulations.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 25, 1997, the Department submitted a copy of the proposed amendment to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Aging and Youth Committee and the Senate Committee on Public Health and Welfare. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the agency in compliance with Executive Order 1996-1. A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed amendments, it will notify the Department within 10 days of the close of the Committee's comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulations, of objections raised by the Department, the General Assembly and the Governor.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-438. No fiscal impact; (8) recommends adoption.

Annex A  
**TITLE 55. PUBLIC WELFARE**  
**PART II. PUBLIC ASSISTANCE MANUAL**  
**Subpart C. ELIGIBILITY REQUIREMENTS**  
**CHAPTER 165. EMPLOYMENT AND TRAINING PROGRAM**  
**GENERAL PROVISIONS**

**§ 165.2. Definitions.**

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

\* \* \* \* \*

[ *Full-time child care*—Child care of at least 5 hours per day.

*Guaranteed child care*—An arrangement made by the Department to reimburse or to pay for child care during the period the individual is participating in the ETP. ]

\* \* \* \* \*

[ *Part-time child care*—Child care of less than 5 hours per day. ]

\* \* \* \* \*

**SPECIAL ALLOWANCES FOR SUPPORTIVE SERVICES**

**§ 165.42. Advance payment of special allowances for supportive services.**

(a) [ **Special allowances for supportive services, including child** ] Child care[ , ] shall be paid in advance of the date that payment is required by the provider, consistent with the requirements and time frames in § 165.45 (relating to time frames for authorization of payment of special allowances for supportive services).

\* \* \* \* \*

**§ 165.44. Verification for special allowances for supportive services.**

\* \* \* \* \*

[ (c) *Special requirements related to child care.*

(1) Child care costs shall be verified through a collateral contact by the CAO with the child care provider, by a written statement signed by the provider or on a form specified by the Department.

(2) When a special allowance for child care is authorized based on a collateral contact or a written statement from the provider, verification of the charge for child care on a form specified by the Department shall be submitted to the CAO within 30 days of the first day child care costs were incurred. The CAO shall assist the client, as needed, to obtain a completed verification form from the provider.

(3) Verification of factors other than cost relating to the need for child care shall consist of collateral contacts with, or written statement from employers, prospective employers, physicians, licensed psychologists, school officials, or training providers or copies of court orders or pay stubs. The client's statement regarding suspected child abuse is ac-

ceptable evidence. Information previously verified need not be repeated unless it is subject to change. ]

**§ 165.46. Types of special allowances for supportive services.**

[ (a) *Child care.*

(1) Payment for child care is made to enable the caretaker/relative or custodial parent to participate in an approved education or training activity or to apply for employment.

(2) The CAO shall promptly inform an ETP participant who is in need of child care about the following:

(i) The types and locations of child care providers reasonably accessible to the participant.

(ii) The assistance available to help the participant select an appropriate child care provider.

(iii) The assistance available on request to help the participant obtain a child care provider.

(iv) That child care payments shall be paid in advance of the date that payment is required by the provider, consistent with the requirements and time frames in § 165.45 (relating to time frames for authorization of payment of special allowances for supportive services), to ensure that the participant will have access to the child care provider of the participant's choice.

(3) Special allowances for child care are available for the following types of providers, including the following:

(i) Center-based care.

(ii) Group family day care.

(iii) Family day care.

(iv) Department of Education administered day care.

(v) Unregulated care.

(4) Child care payments may be made only to a person or business entity who allows parental access to the child while a child is in care without the need for prior notification and who provides care in accordance with applicable Federal, State and local law.

(5) The caretaker/relative shall have the right to choose from any type of child care that is available under this chapter and the right to choose any child care provider who meets the requirements of this chapter.

(6) Payments are made for care of a child who is one of the following:

(i) Twelve years of age or younger, living in the home of the parent or caretaker/relative and receiving Cash Assistance, or who would be eligible to receive Cash Assistance except for the receipt of SSI or foster care under Title IV-E of the Social Security Act (42 U.S.C.A. §§ 670—677).

(ii) Thirteen years of age or older if it has been verified by a physician or licensed psychologist that the child is not physically or mentally capable of caring for himself or it is verified that the child is under a court order requiring adult supervision, the child is living in the home of the parent or caretaker/relative and is receiving Cash Assistance,

or who would be eligible to receive Cash Assistance except for the receipt of SSI or foster care under Title IV-E of the Social Security Act.

(7) Payment is made for the eligible cost of child care up to the maximum allowance established by the Department in § 168.1 (relating to policy on TCC Program) or the rate charged the general public, whichever is less, per child. Recipients receiving special allowances for child care before implementation of the maximum allowances continue to receive payment for actual reasonable costs incurred for child care. Eligible costs include charges for days on which the child does not attend due to illness, vacation, or the like. Charges for transporting the child to or from care are included if not levied as a separate charge by the provider.

(8) Payment for providing care of children will not be made to the following persons or business entities owned by:

- (i) A biological or adoptive parent of the child.
- (ii) A legal guardian of the child.
- (iii) A stepparent of the child living in the home.
- (iv) Persons receiving AFDC as essential persons.
- (v) Other members of the budget group of which the child is a member.

(9) Payment for child care shall be made for persons awaiting entry into, or during breaks in, approved education training or employment for one of the following:

- (i) Up to 2 weeks.
- (ii) Up to 30 days when it is verified that the arrangements would otherwise be lost in the interim period.

(10) Payment of child care shall be reasonably related to the hours of employment or ETP participation, including travel time.

(11) Payment for child care may be made by one of the following:

- (i) Direct payment to the recipient when the provider is unregulated or is regulated but is not enrolled in the Department's child care vendor payment system.
- (ii) Vendor payment to a regulated provider who has signed the Department's vendor payment agreement and who is enrolled in the Department's child care vendor payment system.
- (iii) Restricted endorsement check to the recipient and provider.

(iv) The earned income deductions in §§ 183.94(3) and 183.95(2) (relating to AFDC earned income deductions; and GA earned income deductions) for employed clients, except that clients earning wages in a work experience training activity may receive payment for the difference between the child care deduction and the maximum child care allowance established by the Department in § 168.1 when the cost of child care exceeds the deductions in §§ 183.94(3) and 183.95(2).

(12) Child care services are not considered as needed when an unemployed biological or adoptive parent, specified relative or legal guardian is in the home unless that person is physically or mentally incapable of providing care or is involved in educa-

tion, training, job search or employment related activities, or the child is at risk due to suspected child abuse or the custodial parent is participating in a Single Point of Contact or Department of Education Pregnant and Parenting Youth Program.

(13) Preexpenditure approval is required unless the child care is for a job interview and the client is unable to contact the worker prior to the scheduled interview. ]

[ (b) ] (a) \*\*\*  
 \* \* \* \* \*

[ (c) ] (b) \*\*\*  
 \* \* \* \* \*

[ (d) ] (c) \*\*\*  
 \* \* \* \* \*

CHAPTER 168. [ TRANSITIONAL ] CHILD CARE  
GENERAL PROVISIONS

§ 168.1. Policy on [ TCC Program ] child care.

(a) [ The TCC Program provides payments which subsidize the cost of child care for eligible budget groups, for 12 consecutive months, which is 24 semi-monthly periods, beginning with the day following the effective date of discontinuance of the AFDC cash payment. ] Payment for child care may be made to enable the caretaker/relative or custodial parent to participate in RESET. To qualify for a child care payment, the individual shall be found eligible to receive cash assistance, including persons who do not receive a cash payment due to the minimum monthly check requirement.

(b) [ A budget group shall be notified in writing of its potential eligibility for TCC at the time AFDC cash payments are discontinued. This notice shall describe the Program, the steps to be taken to request benefits, the rights and responsibilities under the Program and the reasons for which benefits could be denied or discontinued. ] The CAO shall promptly inform a RESET participant who is in need of child care about the following:

(1) Upon request, the types and locations of child care providers reasonably accessible to the participant and, in addition, refer the client to the local management agency for help in locating day care arrangements.

(2) The assistance available to help the participant select an appropriate child care provider.

(3) The assistance available on request to help the participant obtain a child care provider.

(4) The child care payments shall be paid in advance of the date that payment is required by the provider, consistent with the requirements and time frames in § 165.42 (relating to advance payment of special allowances for supportive services), to ensure that the participant will have access to the child care provider of the participant's choice. The advance payment requirement does not apply to vendor payments for child care.

(c) [ A request for TCC benefits will be acted upon within 15 calendar days from the date the request is received.



(d) A TCC payment may be authorized during the 12-month period of eligibility retroactive to the date of initial eligibility upon receipt of the required information and verification.

(e) Rights and responsibilities of a TCC applicant or recipient, including the provisions under Chapters 105 and 107 (relating to safeguarding information; and nondiscrimination), are the same as established for Cash Assistance with the exceptions listed in this chapter.

(f) Current child care fee, maximum child care allowance and income eligibility tables for TCC are available upon request at CAOs. ] The CAO shall inform applicants and recipients, in writing and orally, of the availability of child care allowances at application, reapplication and whenever the EDP is developed or revised.

(d) The notification of approval or denial of child care payments will be done in accordance with § 165.43 (relating to special allowances for supportive services and time frames for eligibility determinations).

(e) Authorization of payment for child care will be done based on time frames consistent with § 165.45 (relating to time frames for authorization of special allowances for supportive services).

(f) The child care copayment sliding fee scale, as set forth in Chapter 3040, Appendix B (relating to family copayment scale), and the maximum child care allowances are available upon request at the CAO.

§ 168.2. Definitions.

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

**Average child care costs**—The average monthly cost of care is the sum of the actual child care costs, per child, divided by the number of children in care.

**Budget group**—A group of persons receiving [ TCC ] child care payments who live together and meet the definition of [ an AFDC ] a TANF filing unit as defined in § 171.21 (relating to policy). A child receiving SSI benefits and for whom [ TCC ] child care payments are requested is included in the budget group.

\* \* \* \* \*

**Child with a disability**—A child prevented from caring for himself because of a physical or mental incapacity.

**Copayment sliding fee scale**—A scale based on family sizes, income and cost of care from which a determination of the child care copayment is made.

**EDP—Employment Development Plan**—A noncontractual agreement completed by the client and the employment and training worker which establishes an employment goal with specific time frames and activities to achieve the goal and describes services to be provided by the Department and the activities to be undertaken by the recipient.

\* \* \* \* \*

**Full-time employment**—Employment which averages at least 30 hours per week in a calendar month.

[ **Handicapped child**—A child who is prevented from caring for himself because of a physical or mental incapacity.

**Local market rate**—The cost charged for providing regulated child care services within a specified geographic area. ]

**Maximum [ TCC ] child care allowance**—The ceiling set by the Department for payment of child care services to budget groups eligible for [ the TCC Program ] child care payment.

[ **Month of application**—The calendar month in which the request for TCC benefits is received. ]

\* \* \* \* \*

[ **OJT—On-The-Job Training**—Training in the private or public sector while the participant is engaged in productive work, which provides knowledge or skills essential to the full and adequate performance of the job. ]

\* \* \* \* \*

**Preexpenditure approval**—Approval by a person specified by the Department prior to the recipient's incurring an expense for child care.

[ **Principal wage earner**—The term as defined in Chapter 153 (relating to deprivation of support or care). ]

**RESET**—The Road to Economic Self-sufficiency through Employment and Training Program.

\* \* \* \* \*

**Relative/neighbor care**—Care given by a person who is exempt from certification and cares for three or fewer children.

\* \* \* \* \*

[ **Sliding fee scale**—A listing of family sizes and income, in graduated steps, from which a determination of the child care fee is made. ]

\* \* \* \* \*

[ **TCC**—Transitional child care.

**TCC service month**—A calendar month in which child care expenses were paid or incurred and for which a TCC payment is requested or authorized.

**Unregulated care**—Child care given by a person or entity which is not licensed by or registered with the Department or approved by the Department of Education. ]

**TANF—Temporary Assistance for Needy Families Program**—A Federal nonentitlement program under 42 U.S.C.A. §§ 601—609 which provides cash assistance to unemployed individuals who are working toward self-sufficiency. Eligibility for TANF is determined by the local CAO.

**Vendor payment**—A child care payment made by the Department directly to a [ regulated ] child care provider who has signed the Child Care Vendor Program Enrollment Request Agreement and is enrolled in the child care vendor [ file ] payment system.

**ELIGIBILITY REQUIREMENTS**

**§ 168.11. General requirements.**

[To receive a TCC payment, the budget group shall meet the eligibility conditions of the following chapters:

- (1) Chapter 142 (relating to monthly reporting) with the exceptions specified in § 168.61 (relating to reporting requirements).
- (2) Chapter 147 (relating to residence).
- (3) Chapter 149 (relating to citizenship and alienage).
- (4) Chapter 155 (relating to enumeration).
- (5) Chapter 255 (relating to restitution) with the exceptions specified in § 168.91 (relating to restitution).
- (6) Chapter 275 (relating to appeal and fair hearing and administrative disqualification hearings) with the exceptions specified in § 168.101 (relating to appeal and fair hearing). ]

(a) Special allowances for child care are available for the following types of child care:

- (1) Center-based care.
- (2) Group family day care.
- (3) Family day care.
- (4) Relative/neighbor care.

(b) Child care payments may be made only to a person or business entity who allows parental access to the child while a child is in care without the need for prior notification and who provides care in accordance with applicable Federal, State and local law.

(c) The caretaker/relative shall have the right to choose from any type of child care that is available under this chapter and the right to choose any child care provider who meets the requirements of this chapter.

(d) Payments are made for care of a child who is one of the following:

(1) Under 13 years of age, living in the home of the caretaker/relative and receiving cash assistance, or who would be eligible to receive cash assistance except for the receipt of SSI or foster care under Title IV-E of the Social Security Act (42 U.S.C.A. §§ 670—677).

(2) Thirteen years of age or older if it has been verified by a physician or licensed psychologist that the child is not physically or mentally capable of caring for himself, the child is living in the home of the parent or caretaker/relative and is receiving cash assistance, or who would be eligible to receive cash assistance except for the receipt of SSI or foster care under Title IV-E of the Social Security Act.

(e) Payment is made for the actual cost of child care up to the maximum allowance established by the Department or the rate charged the general public, whichever is less. Eligible costs include charges for days on which the child does not attend due to illness, vacation or other circumstances as deemed appropriate by the Department. Charges

for transporting the child to or from care are included if not levied as a separate charge by the provider.

(f) Payment for providing care of children will not be made to the following persons or business entities owned by:

- (1) A biological or adoptive parent of the child.
- (2) A legal guardian of the child.
- (3) A stepparent of the child living in the home.
- (4) Persons receiving TANF as essential persons.
- (5) Other members of the budget group of which the child is a member.

(g) Payment for child care shall be made for persons awaiting entry into, or during breaks in, approved work-related activities or employment for one of the following:

- (1) Up to 2 weeks.
- (2) Up to 30 days when it is verified that the arrangements would otherwise be lost in the interim.

(h) Payment of child care shall be reasonably related to the hours of employment or RESET participation, including travel time.

(i) Payment for child care may be made by one of the following methods:

- (1) Direct payment to the client when the child care provider is not enrolled in the Department's child care vendor payment system.
- (2) Vendor payment to the child care provider when the provider is enrolled in the Department's child care vendor payment system.

(3) Restricted endorsement check made payable to the client and child care provider when it has been demonstrated that the client failed to use a prior child care payment for its intended purpose.

(j) Child care services are not considered as needed when an unemployed biological or adoptive parent, specified relative or legal guardian is in the home unless that person is physically or mentally incapable of providing care, or is participating in RESET, or the custodial parent is participating in a Department of Education pregnant and parenting youth program.

(k) Preexpenditure approval is required unless the child care is for a job interview and the client is unable to contact the worker prior to the scheduled interview.

**§ 168.12. [ Income eligibility limitations ] (Reserved).**

[When the gross income of the budget group equals or exceeds 185% of the Federal Poverty Income Guideline as published annually by the Federal government for the appropriate family size, payment will not be made for child care. The budget group is and remains eligible for the TCC Program, but the required fee is set at the full cost of child care. ]

**§ 168.13. [ Resources ] (Reserved).**

[Resources are not considered in determining eligibility or payments under the TCC Program. ]

§ 168.14. [ Request for benefits ] (Reserved).

[ The budget group shall request TCC benefits by submitting the TCC Program Request for Benefits form within the 12-month period of eligibility. ]

§ 168.15. [ Discontinuance of AFDC ] (Reserved).

[ (a) An AFDC payment to the budget group shall have been discontinued due to new employment, increased income from employment, increased hours of employment—over 100 hours per month—by the principal wage earner in an unemployed parent case or the expiration of the earned income incentives specified in § 183.94(2) (relating to AFDC earned income incentive deduction).

(b) A budget group that is not eligible for AFDC payments as a result of OJT income is authorized to receive TCC payments if other conditions of eligibility are met.

(c) A budget group is not eligible for TCC if one of the following applies:

(1) A discontinuance of AFDC payments is requested, even though the budget group remains eligible for an AFDC payment.

(2) An AFDC payment is not received due to the \$10 monthly minimum check requirement.

(3) The AFDC payment is suspended as a result of excess income in the budget month which results in temporary ineligibility for 1 month as specified in § 183.105(2) (relating to increases in income). ]

§ 168.16. [ Prior receipt of AFDC ] (Reserved).

[ A budget group shall have received an AFDC payment in at least 3 of the 6 months immediately preceding the month payments were discontinued. A month in which the AFDC payment was received fraudulently is not counted in this determination. Prior receipt of AFDC is determined as follows:

(1) A month in which the budget group received a full or partial AFDC payment is counted.

(2) A month in which the budget group did not receive an AFDC payment due to the \$10 minimum monthly check requirement is counted.

(3) A month in which the budget group did not receive an AFDC payment because the case was suspended for 1 month as a result of excess income in the budget month which resulted in temporary ineligibility is counted. ]

§ 168.17. Eligible children.

The budget group includes a child who meets one of the following [ conditions ] criteria. The child is one of the following:

(1) [ Would qualify as an AFDC ] A TANF dependent child under Chapter 153 (relating to deprivation of support or care) and § 145.43(a)(1) (relating to requirements) [ , if financially eligible.

(2) Would qualify ] or qualifies as [ an AFDC ] a TANF dependent child under Chapter 153 and § 145.43(a)(1) except for receipt of SSI or foster care benefits [ , and following conditions: ].

(2) Meets one of the following conditions:

\* \* \* \* \*

[ (iii) Is 13 years of age or older and is under a court order which requires adult supervision. ]

§ 168.18. Need for child care.

(a) Child care must be needed to enable a member of the budget group to [ retain employment ] participate in RESET activities.

(b) Child care services will not be considered as needed when an unemployed biological or adoptive parent, specified relative or legal guardian of the child is in the home, unless one of the following applies:

\* \* \* \* \*

[ (3) The child is at risk because of suspected child abuse. ]

\* \* \* \* \*

(e) Child care will not be considered as needed when the biological or adoptive parent, specified relative or legal guardian of the child is the owner/operator of a day care service, which includes day care center, group home, family day care home or relative/neighbor care.

§ 168.19. Child care arrangements.

Payment for child care will be made when the child care arrangements are as follows:

\* \* \* \* \*

(2) The person or entity providing child care may not be one of the following:

\* \* \* \* \*

(ii) A member of the TANF budget group [ that is requesting or receiving TCC benefits for the child ].

\* \* \* \* \*

§ 168.20. Child care [ fee ] co-payment.

The Employed budget group shall pay the required [ fee ] copayment toward the cost of child care.

§ 168.21. Reasons for ineligibility.

Ineligibility will result when:

(1) The budget group is employed and fails to pay the required [ fee ] copayment toward the cost of child care. The budget group is ineligible until overdue [ fees ] copayments are paid or satisfactory arrangements to pay overdue [ fees ] copayments are made with the provider.

(2) [ The specified relative willfully and without good cause voluntarily terminates employment. Good cause determinations are made in accordance with Chapter 165 (relating to Employment and Training Program). The budget group is ineligible for the remainder of the 12-month period. If the specified relative loses a job with good cause and subsequently finds another job, a TCC payment may be authorized for the remainder of the 12-month period. ] The budget group is employed full-time and selects child care which costs more than the budget group's total gross monthly income as follows:

(i) Total costs exceed 100% of gross monthly income when care is for one or two children.

(ii) Total costs exceed 150% of gross monthly income when care is for three children; thereafter, add 50% to the gross monthly income limit for each additional child.

[ (3) The specified relative fails, without good cause, to cooperate with the Department in establishing payments and enforcing child support obligations. Good cause determinations are made in accordance with Chapter 187 (relating to support from relatives). The budget group is ineligible for the remainder of the 12-month period. ]

VERIFICATION

§ 168.41. Verification requirements.

The applicant or recipient is required, as a condition of eligibility, to cooperate in providing necessary information and verification. [ Verification consists of documentation specified by the Department. Verification already available in the case record is not required to be repeated unless the information is subject to change or the verification is outdated. The Department will assist in securing necessary verification when needed. ]

(1) Before authorizing the initial child care payment, the CAO shall determine the following:

- (i) Whether the child care is necessary to participate in RESET.
- (ii) The expected charge.
- (iii) The date the service is needed by the participant.
- (iv) The date that payment for the service is required under the provider's usual payment policy or practice.

(2) When verification provided to the CAO indicates a change in eligibility, payment shall be reduced, terminated or increased, as appropriate, upon issuance of a confirming notice to the participant, in accordance with § 133.4(c) (relating to procedures).

(3) Child care costs shall be verified monthly through a contact by the CAO with the child care provider, by a written statement signed by the provider or on a form specified by the Department.

(4) When a child care allowance is authorized based on a contact with or by a written statement from the provider, verification of the charge for child care on a form specified by the Department shall be submitted to the CAO within 30 days of the first day child care costs were incurred. The CAO shall assist the client, as needed, to obtain a completed verification form from the provider. Failure to provide verification within the specified time period could result in nonauthorization of the child care payment.

(5) Verification of factors other than cost relating to the need for child care shall consist of collateral contacts with, or written statements from, employers, prospective employers, physicians, licensed psychologists, school officials, or training providers or pay stubs. Information previously verified need not be repeated unless it is subject to change.

§ 168.42. [ Verification of eligibility months ] (Reserved).

[ Case record data will be used to verify receipt of an AFDC payment in 3 of the preceding 6 months. A client's statement of receipt in another state will be verified with the appropriate state agency. If verification cannot be obtained, the client's statement is accepted. ]

§ 168.43. Verification of a [ handicapped ] child with a disability.

\* \* \* \* \*

§ 168.44. Verification of [ a handicapped ] an adult with a disability.

\* \* \* \* \*

§ 168.45. [ Verification of suspected child abuse ] (Reserved).

[ The statement of the client, caseworker or other professional is acceptable evidence. Suspected child abuse will be reported in accordance with 23 Pa. C.S. Chapter 63 (relating to the Child Protective Services Law) as defined in Chapter 3490 (relating to child protective services—child abuse). ]

§ 168.46. [ Verification of court ordered supervision ] (Reserved).

[ A copy of the court order which confirms that the child is under court ordered supervision is required. ]

§ 168.47. [ Verification of income ] (Reserved).

[ Verification of income requirements are found in § 183.5 (relating to income verification). ]

§ 168.49. Verification of payment of [ fees ] copayment for the employed budget group.

\* \* \* \* \*

§ 168.50. [ Verification of household composition ] (Reserved).

[ A signed statement from the client on the Request for Benefits Form, the Monthly Report Form or another signed, written statement from the client which identifies the persons living in the household is required. ]

REPORTING REQUIREMENTS

§ 168.61. Reporting requirements.

The budget group shall, [ at a minimum, report income, household composition ] report child care arrangements and child care costs monthly.

[ (1) The budget group will be enrolled in the Monthly Reporting System as set forth in Chapter 142 (relating to monthly reporting) with the exceptions noted in this chapter. The child care costs which the recipient submits with the monthly reporting form are used to determine the amount of the payment for the TCC service month. The income information which the recipient submits with the monthly reporting form is used to determine the child care fee for the following TCC service month.

(2) Submission of a Late/Incomplete Notice (L/IN) or Monthly Reporting Form (MRF) by the extended due date will not result in the imposition of penalties. Failure to submit a complete L/IN or MRF by the extended due date will not result in termination of TCC eligibility.

(i) If the TCC method of payment as defined in § 168.81 (relating to payment methods) is not a vendor payment, the TCC payment is not issued. A retroactive TCC payment will be authorized at any time within the 12-month period of eligibility for any service month in which the MRF or L/IN is received after the extended due date if the client submits a completed MRF with required verification. When the 12-month period of eligibility has expired, a retroactive TCC benefit may be authorized if the completed MRF with required verification is received on or before the deadline designated for the last month of eligibility for reactivating terminated cases.

(ii) If the TCC method of payment as defined in § 168.81 is a vendor payment, a TCC payment will be issued to reimburse the vendor for services provided up to the L/IN extended due date. ]

\* \* \* \* \*

[ TCC ] PAYMENT DETERMINATION

§ 168.71. Monthly payment determination.

The amount of the [ TCC ] child care payment is [ calculated ] determined for each [ TCC service ] month.

(1) [ The payment amount is calculated by subtracting the child care fee from the allowable child care cost as follows: ] The allowable child care payment is the lowest of the actual child care costs, the rate charged the general public or the maximum allowance established by the Department.

[ (i) The child care fee is determined in accordance with § 168.74 (relating to determining monthly child care fee).

(ii) The allowable child care cost is the lower of the actual child care costs determined under § 168.72 (relating to determining monthly child care costs), the rate charged the general public or the maximum TCC allowance, per child, whichever is less. ]

(2) [ When the first or last month of eligibility is not a full calendar month, the TCC payment is prorated for the number of calendar days for which the budget group is eligible. ] Child care payments may be made for TANF eligible budget groups in need of child care to participate in RESET as follows:

(i) *Unpaid work.* For participants in unpaid work activities, payment is made for actual child care costs up to the maximum allowance established by the Department.

(ii) *Paid work.* For participants in paid work activities, payment is made for actual child care costs up to the maximum allowance established by the Department less the family copayment as determined in § 168.74 (relating to determining monthly child care copayment).

(iii) *Exception.* The copayment shall be waived for the period covering the first day of employment until the date income is adjusted to the grant.

(3) Corrective or delayed payments are issued consistent with the requirements in Chapters 175 and 227 (relating to allowances and benefits; and central office disbursement).

§ 168.72. Determining monthly child care costs.

The actual child care expenses reported and verified as paid or incurred in the [ TCC service ] month are considered. [ Child care expenses paid or incurred while a person is a recipient of Cash Assistance are not considered. ] Actual child care costs include the following:

(1) A charge for child care provided during the hours of [ employed budget group member's work or work-related ] RESET activities, and related travel time.

\* \* \* \* \*

§ 168.73. [ Determining countable income ] (Reserved).

[ The gross earned and unearned income of the budget group is considered when determining eligibility and the amount of monthly TCC payments. Countable income is determined as follows:

(1) *Earned income.* Gross earned income specified under §§ 183.21 and 183.22 (relating to gross earned income; and profit from self-employment) is counted except in the following situations:

(i) Earned income received while a recipient of Cash Assistance.

(ii) The gross earnings of a child, if the conditions set forth in § 183.81 (relating to income exemptions) are met.

(2) *Unearned income.* Unearned income specified under §§ 183.31—183.35 and 183.39 is counted except in the following situations:

(i) Unearned income received while the person is a recipient of Cash Assistance.

(ii) Unearned income received as a dividend or interest as specified under § 183.31.

(3) *Restricted income.* Income specified under §§ 183.52 and 183.54 (relating to nonservice connected veterans benefits; and income of a child).

(4) *Contractual or intermittent income.* The income received under a contract of employment or intermittent income, such as certain interest, dividend and royalty payments, is determined in accordance with § 183.64 (relating to income averaging).

(5) *Profit from self-employment.* Profit from self-employment is determined in accordance with § 183.65 (relating to profit). ]

§ 168.74. Determining monthly child care [ fee ] copayment.

The [ fee ] copayment is determined for a [ TCC service ] month based upon gross monthly income [ and ], budget group size and cost of care. Gross monthly income is determined based on anticipated or actual amounts as [ set forth ] determined in [ this section ] accordance with Chapter 183 (relating to

income). [ (1) ] The [ fee ] copayment is prospectively determined [ using anticipated income ] for the initial 2 [ service ] months[, the month of application and the following month. Anticipated income is the amount of income reasonably expected to be received in a calendar month]. Thereafter, the monthly reporting process applies.

[ (2) ] The fee is determined using actual income after the initial 2 service months. Actual income is the amount of income received in a TCC service month. Income received while a person is a recipient of Cash Assistance is not considered. The actual income reported on the MRF for the prior service month is used to set the fee for the following service month.

(3) If retroactive benefits are requested for 1 or more service months, the fee for each retroactive service month will be determined using the actual income received in each service month. ]

§ 168.75. [ Additions to the budget group ] (Reserved).

[ A person who enters the household is added to the TCC budget group if required under § 168.2 (relating to definitions). A person who enters the household will affect the TCC payment and fee calculation as follows:

(1) *Eligible child.* The child shall meet the eligibility conditions in this chapter to receive TCC payments.

(i) A payment is authorized for the child effective with the date the request for benefits is received.

(ii) The change in the child care fee is effective with the following TCC service month consistent with § 168.74(2) (relating to determining monthly child care fee).

(iii) A payment will be authorized retroactively to the date the child entered the home upon receipt of the required information and verification.

(2) *Others.* A change in the budget group is considered to have occurred if the person has resided in the home for at least 15 calendar days in a TCC service month. A person residing in the home for less than 15 calendar days in a TCC service month is not considered a member of the budget group for that service month.

(i) The increase in budget group size or countable income is effective with the TCC service month in which the change occurred.

(ii) The change in the child care fee is effective with the following TCC service month consistent with § 168.74(2). ]

§ 168.76. [ Deletions to the budget group ] (Reserved).

[ A person who leaves the budget group will affect the TCC payment and fee calculation as follows:

(1) *Eligible child.* A TCC payment for the child care is discontinued effective with the date the child left the home. The change in the child care fee is effective with the following TCC service month consistent with § 168.74(2) (relating to determining monthly child care fee).

(2) *Others.* A change in the budget group is considered to have occurred if the person has been out of the home for at least 15 calendar days in a TCC service month. A person out of the home for less than 15 calendar days in a TCC service month is considered a member of the budget group for that service month.

(i) The decrease in budget group size or countable income is effective with the TCC service month in which the change occurred.

(ii) The change in the child care fee is effective with the following TCC service month consistent with § 168.74(2). ]

#### CHILD CARE PAYMENT METHODS

##### § 168.81. Payment methods.

The Department [ will ] may make a [ TCC payment as a partial reimbursement of ] child care payment for child care expenses [ paid or ] incurred in a [ TCC service ] month.

[ (1) ] A [ TCC ] child care payment [ will ] may be issued as one of the following:

[ (i) ] (1) A direct check to the client when the child care provider is [ either unregulated or regulated but ] not enrolled in the Department's child care vendor [ file ] payment system.

[ (ii) ] (2) A vendor payment to the child care provider when the provider is [ regulated and ] enrolled in the Department's child care vendor [ file ] payment system.

[ (iii) ] (3) A restricted endorsement check made payable to the client and the child care provider when it has been demonstrated that the client failed to use a [ prior TCC ] child care payment for its intended purpose.

[ (2) ] A retroactive TCC payment will be issued as a direct check to the client as reimbursement for out-of-pocket expenses if verification confirms that the client paid the provider directly for the full cost of care. ]

#### RESTITUTION

##### § 168.91. Restitution.

The Cash Assistance provisions of Chapter 255 (relating to restitution) apply to a recipient of [ TCC with the following exceptions:

(1) Failure to use a TCC payment for its intended purpose does not constitute an overpayment.

(2) The provision for recoupment of overpayments does not apply to a TCC payment. ] a child care payment.

#### APPEAL AND FAIR HEARING

##### § 168.101. Appeal and fair hearing.

The Cash Assistance provisions of Chapter 275 (relating to appeal and fair hearing) apply to an applicant or recipient of [ TCC ] a child care payment with one exception: The requirement for an advance notice of adverse action will not apply to a change in the method of payment, unless the change would result in a discontinuance, suspension, reduction or termination of benefits or would force a change in child care arrangements.

**Subpart D. DETERMINATION OF NEED AND  
AMOUNT OF ASSISTANCE**

**CHAPTER 183. INCOME**

**INCOME DEDUCTIONS**

**§ 183.94. AFDC earned income deductions.**

For expenses related to employment of each individual in the AFDC budget group, subject to limitations in § 183.97 (relating to ineligibility for disregards from earned income for AFDC and GA), disregard in the following order:

\* \* \* \* \*

**[ (3) *Personal expenses.* The actual cost of care of dependent children or incapacitated individuals living in the same home and receiving AFDC, if no other sound plan can be made for their care, up to a maximum of:**

**(i) One hundred seventy-five dollars per month per child 2 years of age or older or incapacitated individual when the client is employed full-time.**

**(ii) One hundred fifty dollars per month per child 2 years of age or older or incapacitated individual when the client is employed part-time.**

**(iii) Two hundred dollars per month per child under age 2, regardless of whether the client is employed full-time or part-time. ]**

**PART V. CHILDREN, YOUTH AND FAMILIES  
MANUAL**

**Subpart B. ELIGIBILITY FOR [ SERVICES ]  
SUBSIDY**

**CHAPTER 3040. SUBSIDIZED CHILD DAY CARE  
ELIGIBILITY**

**INTRODUCTION**

**§ 3040.1. Purpose.**

This chapter establishes the requirements which shall be met by **[ income- ]** an eligible **[ families ]** family to receive **subsidy to meet the cost of child day care [ service subsidized with ]**. The subsidy is a **nonentitlement benefit made available through limited** Federal and State funds.

**§ 3040.2. Definition of [ service ] subsidy.**

(a) **Subsidy is provided to assist an eligible family in the payment of child day care.** Child day care **[ service ]** is **[ out-of-home ]** care provided for part of the 24-hour day. Subsidized child day care **[ service ]** is available to a child from birth to the date of the child's 13th birthday.

(b) A **[ caretaker ]** family shall **[ be employed, self-employed or receiving training ]** meet both **financial and nonfinancial criteria** to be eligible for subsidized child day care **[ service ]**. A family **[ that ]** in which a parent is **[ eligible for Title IV-A supportive services which include child day care ]** receiving TANF is not eligible for Federal or State funds related to subsidized child day care **[ service ]**. Subsidized child day care **[ service ]** may not be **[ provided ]** used for a **child care arrangement** as a substitute for a publicly-funded educational **[ programs ]** program, such as kindergarten, or other specialized treatment **[ programs ]** program. **[ This service is ]** Subsidized child day

**care may be** provided in certified day care centers and group day care homes, registered family day care homes and those exempt under Chapters 3270, 3280 and 3290 (relating to the operation of child day care centers; group day care homes; and family day care homes).

(c) Special conditions pertain to a developmentally disabled child who has reached his 13th birthday. **[ That child ]** A family continues to be eligible for **[ care ]** subsidy if **[ the child's ]** a child in the family has a developmental age **[ is ]** of less than 13 years **[ old and if the caretaker continues to be eligible for service ]**. The child may remain **[ in service ]** eligible for subsidy until the child's developmental age reaches 13 years or until the child's chronological age reaches 18 years, whichever occurs first, if the developmental disability is documented by a licensed or certified psychologist, a licensed physician or by another specialist licensed or certified in the area of the disability. "Developmental disability" and "individual assessment" are defined in Chapter 3300 (relating to specialized day care services for children with disabilities).

**§ 3040.3. Definitions.**

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

**[ AFDC—Aid to Families with Dependent Children—A Federal program matched with State funds which provides Cash Assistance to families which include dependent children who are deprived of the care and support of one or both parents due to absence, incapacity or unemployment.**

**AFDC benefit—The semi-monthly Cash Assistance check received by a family. ]**

**Adjusted monthly gross income—**Family income for a 4-week period adjusted to reflect months which are longer than 4 weeks. The Department uses **[ 4.33 ] 4.3** as the adjusted number of weeks in a calendar month.

**Advance weekly family fee—**A **[ one-time ]** fee assessed to the **[ caretaker ]** parent which is equivalent to **[ the weekly family fee ] 1 weekly family fee shall be paid in advance of the first week of child day care.**

**Adverse action—**A Departmental action which forms the basis for an appeal by the **[ caretaker ]** parent.

**Annual income—**The **[ family ]** family's adjusted monthly gross income multiplied by 12 months.

**Appeal—**A written request by a **[ caretaker ]** parent or a person acting on behalf of the **[ caretaker ]** parent indicating disagreement with a Departmental decision affecting the family's eligibility for subsidized child day care **[ services ]** and requesting an opportunity to present the case for hearing under Chapter 275 (relating to appeal and fair hearing) **and this chapter.**

**Application—**A **[ caretaker's ]** parent's signed, dated request for subsidized child day care completed on a form approved by the Department.

**CAO—County Assistance Office—**The local office of the Department responsible for the determination of eligibility and service delivery in the Cash, Food Stamp and Medical Assistance Programs. **[ CAO services include the determination of eligibility and delivery of service for Title IV-A child care special allowances and TCC benefits.**

**Child care special allowances**—Title IV-A child care special allowances, determined and administered by the local CAO. The term includes supportive service benefits for the actual cost of child care within established limits, when the care is needed to enable an eligible family member to participate in an approved education or training activity or to apply for employment.

**Caretaker**—The applicant for day care service with whom the child lives who is the individual responsible for documenting family eligibility for subsidized child day care service. ]

**Confirming notice**—Written correspondence issued by the eligibility agent to substantiate an action regarding subsidized child care benefits. The notice includes appeal procedures.

**Cost of care**—The [ weekly ] daily amount that the child day care provider charges for each service type of child care [ , or the Department's ceiling rate, whichever is less ].

**County ceiling rate**—The maximum amount set for each county by the Department for subsidized child day care payment to a provider.

\* \* \* \* \*

**Education**—Enrollment in an elementary school, middle school or high school program which will lead to a high school diploma. The term includes enrollment in a GED program.

**Eligibility agent**—The entity, prime contractor or contractually designated subcontractor, with authority delegated by the Department to [ provide or ] purchase subsidized child day care [ service, to ] and determine a [ caretaker's ] family's eligibility [ and to enforce the collection of fees ].

**Eligibility determination**—A decision regarding a family's ability to [ receive ] meet the requirements of the subsidized child day care [ service ] program.

**Eligibility redetermination**—Periodic decisions regarding a family's continuing ability to [ receive ] meet the requirements of the subsidized child day care [ service ] program.

**Employment**—The condition of working for another person for income equal to or greater than the Federal or State minimum hourly wage standards, whichever is higher, established for the job. The income of employes receiving tips as part of their income, tips and hourly wages combined, shall equal or exceed the minimum wage. [ The term also includes a caretaker who is enrolled in the On-The-Job Training component of the Joint Training and Partnership Act Program. ] Laborers on a farm and individuals granted a subminimum wage exception by the Department of Labor and Industry are not subject to the minimum wage clause.

\* \* \* \* \*

**Family**—[ The caretaker, the caretaker's spouse or live-in companion and unemancipated minor children who occupy a common residence. Unborn children are not included in the family. An unemancipated minor who is the caretaker of his unemancipated minor child is a separate family. A foster child is a separate family. A child who re-

ceives AFDC benefits is a separate family when the child lives with a grandparent who does not receive assistance and who is caring for the child because the child's parent is alcohol- or drug-dependent. ] A group of individuals who reside in a common dwelling.

**Fiscal year**—A period of time beginning July 1 of any calendar year and ending June 30 of the following calendar year.

**Fraud**—Intentional provision of false information to the eligibility agent. Knowingly given by a parent, for the purpose of receiving funding for child day care; or willful withholding of information which leads to an overpayment for child day care.

**Full-day enrollment**—Care provided at a provider for 5 or more continuous hours per day.

**Income**—Periodic revenues, receipts or returns from labor, property or business. Income from employment or income profit from self-employment is considered in determining [ the caretaker's and ] the family's eligibility for subsidized child day care [ service ]. The term also includes cash or contributions which are not the result of employment or self-employment and which are received in exchange for work listed in Appendix A, Part I (relating to sources of earned or unearned income to be included, deducted and excluded in determining monthly gross income).

**Legal guardian**—An adult who is not the child's biological, adoptive, step or foster mother or father, or specified relative and who has been granted legal custody of a child by a court.

**Live-in companion**—An individual who is free to marry under Pennsylvania law and who resides in the common dwelling with the child's parent.

**Minor**—An individual under 18 years of age who is not emancipated by marriage or by the court and who is dependent on the income of the parent, the parent's spouse or the live-in companion of the parent.

**Parent**—A biological, adoptive, step or foster mother or father; a specified relative; or a legal guardian. Any of the individuals known as parent must live in the family's common dwelling and be responsible for the child for whom the subsidy is requested.

**Partial redetermination**—A face-to-face or telephone review of eligibility that does not include a review of all eligibility factors.

**Part-[ time attendance ] day enrollment**— [ Attendance ] Child care at a [ service site ] provider for fewer than 5 hours per day, or part of a child day care wrap-around program.

**Profit from self-employment**—The income that remains after the allowable costs of doing business are subtracted from the total gross receipts.

**Prospective employment or prospective [ training ] education**—Employment or [ training ] education verified by the employer or [ trainer ] school official to begin within 30 calendar days of the day that the [ caretaker ] parent signs and dates the application for subsidized child day care. The term does not include job-seeking.



*Provider*—An organization or individual who directly delivers the child day care [ service ]. [ The term may include the prime contractor, the contractually designated subcontractor or another licensed or registered child day care service site. ]

*Reimbursable daily rate*—The cost of care or the county ceiling rate, whichever is less, less the assessed weekly family fee.

*School-age child*—A child enrolled in a public or private school system from first grade to the expiration of subsidy-eligible age. The term does not include a child enrolled in kindergarten, K-3, K-4 or any other prekindergarten program.

*Self-employment*—Operating one's own business, trade or profession for [ income ] profit equal to or greater than the hourly Federal or State minimum wage, whichever is higher.

[ *Service site*—The child day care center, group child day care home or family child day care home where care is delivered to the child. To receive subsidized child day care funds, a service site will be certified by the Department or shall be exempt from the requirement for Departmental certification under Chapters 3270, 3280 and 3290 (relating to child day care centers; group day care homes; and family day care homes). ]

*Service type*—One or more of the following types of child care which may be offered [ at ] by a [ service site ] provider: infant [ / ] care, young toddler care, older toddler care, preschool care, young school-age [ care (all year or summer only) ], older school-age or special needs care. The care may be offered on a full-[ time ] day or part-day basis; or in the case of school-age care during the school year or enrollment in a wrap-around program, on a part-day basis.

*Specified relative*—Any blood relative except second, third, and the like, cousins. The relationship may be one prefixed by grand, great-grand, or great, great-grand. Blood relatives include those of half-blood. Any blood relative listed in the preceding sentences of the adoptive parent. In the case of adoption, the term excludes the biological parent and the biological parents' relatives. The term includes a spouse of any person named in the group listed in this definition.

*Subsidized child day care*—[ A day ] Day care [ service to children ] paid for in part [ or in full ] with State or Federal funds.

*Suspended subsidy*—A temporary lapse of subsidized funding for a child which does not affect the family's eligibility status.

[ *TCC—Transitional Child Care Program*—A Department Title IV-A benefit which provides, within established limits, a subsidy to eligible families for the actual cost of child care. Eligibility for TCC benefits is determined by the local CAO. ]

*TANF—Temporary Assistance for Needy Families Program*—42 U.S.C.A. §§ 601—619—A Federal nonentitlement program which provides cash assistance to unemployed individuals who are working toward self-sufficiency. Eligibility for TANF is determined by the local CAO.

[ *Training program*—An instructional program which enables the caretaker to establish a basic level of education, to establish basic skills in the English language or to attain skills which qualify the individual for a specific job. The term may include programs which lead to an associate degree but does not include programs which lead to a Baccalaureate or graduate degree ]

*Unit of care*—An enrolled day of care with a single provider for any part of the 24-hour day.

[ *Unemancipated minor*—An individual under 18 years of age who occupies the common family residence and who is dependent on the income of the caretaker and the spouse or companion of the caretaker. ]

*Waiting list*—A list maintained by the eligibility agent which contains the names of [ caretakers who are ] families and their children determined to be eligible to receive subsidized child day care [ service ], but [ who are not yet receiving the service ] for whom subsidy is not currently available.

*Weekly family fee*—The family's copayment for 1 week of subsidized child day care [ service ].

*Wrap-around day care program*—A service which complements part-day publicly funded programs, such as Head Start, by providing care during hours of the day that the part-day program does not cover.

§ 3040.4. [ Service ] Subsidy goal.

The goal of subsidized child day care [ service ] is to enable [ the income-eligible caretaker to be employed or to receive training ] a parent of a family eligible for subsidy under this chapter to maintain employment or to be enrolled in an education program.

#### GENERAL REQUIREMENTS

§ 3040.11. Provision of [ service ] subsidy.

(a) A [ caretaker ] parent has the right to apply for subsidized child day care [ service for the child in the caretaker's care ].

(b) Subsidized child day care [ service ] may be provided only [ to persons ] for a child whose family is determined eligible by the eligibility agent and only up to the limits of available subsidized day care funds.

\* \* \* \* \*

(d) The Department has the responsibility to assure that subsidized child day care is [ provided only ] authorized to fund only a child of an eligible [ families ] family. [ The Department will exercise its responsibility to monitor eligibility determinations completed by its eligibility agents. ]

(e) Subsidized child day care is available only to provide care for children from a family where no other adult is available in the child's home during the hours of the day for which a parent requests subsidized child day care.

(f) The Department will identify, through its contracts with eligibility agents, criteria to be used to access available funding.

§ 3040.12. Notice of nondiscrimination; civil rights compliance.

(a) [ A provider or ] An eligibility agent may not discriminate against applicants for or recipients of Federal or State subsidized funds on the basis of age, race, sex, color, religious creed, national or ethnic origin, ancestry, sexual preference or handicap.

[ (b) Discriminatory practices are specifically prohibited with respect to intake and application procedure, case assignments if applicable, methods of determining eligibility and the amount of the assessed family fee. ]

(b) [ (c) A provider or ] An eligibility agent is required to offer [ service ] child care subsidy within the provisions of applicable civil rights laws [ , ] and regulations and amendments or revisions made thereto, as follows:

\* \* \* \* \*

§ 3040.14. [ Caretaker files ] Family file.

An eligibility agent shall establish and maintain a separate family file for each [ caretaker who requests service ] parent who applies for subsidized child day care.

(1) The family file shall contain documents pertaining to eligibility determination, redetermination, subsidy authorization, fee agreements, [ service agreements and ] written notices required by this chapter and copies of all material submitted by the parent to verify eligibility and to document a child's disability.

(2) A [ caretaker may ] parent has a right to examine the caretaker's own family file.

§ 3040.15. Record retention and disposition.

An eligibility agent shall retain [ caretaker ] family files, completed application forms and [ corresponding ] written notices, and books, records and other fiscal and administrative documents pertaining to subsidized child day care. Records will be retained as follows:

(1) For 4 years from the end of the fiscal year in which child day care [ service activities have ] subsidy has been provided.

\* \* \* \* \*

§ 3040.16. Confidentiality.

(a) The Department safeguards the use and disclosure of information on applicants for and recipients of subsidized child day care [ service ]. Agents of the United States, the Commonwealth and the Department who are responsible for review, evaluation or audit functions will have access to, and the right to the use and disclosure of, information on applicants or recipients of subsidized child day care [ service ]. This use and disclosure is confined to the agent's responsibility to carry out review, evaluation or audit functions. Disclosure of information beyond the scope of review, evaluation or audit functions performed by the agents requires the [ caretaker's ] parent's informed and written consent.

(b) Subsidized child day care information in the family file may be disclosed to the local CAO to ensure that funds are authorized appropriately.

§ 3040.17. Additional conditions or additional charges.

(a) Additional conditions [ or charges ] are prohibited as stated in this section. The eligibility agent [ or the provider ] may not:

(1) Impose eligibility conditions other than conditions listed in this chapter, which may include priorities for, [ service ] subsidy, categories of need or required fees.

(2) Require the [ caretaker ] parent to [ accept ] select a particular [ service site ] provider or combination of [ service sites ] providers as a condition of eligibility.

[ (3) Impose additional charges for services which are not required as a condition of licensure or registration, with the exception of additional charges permitted in subsection (b). ]

(4) Impose additional charges for services not addressed under the stated terms of a subsidized contract with the Department. ]

(b) Additional charges are permitted [ as follows: ] by the provider if the same additional charges are also assessed to nonsubsidy eligible families, and the subsidy-eligible family is informed of the additional charges prior to implementation.

[ (1) The provider may impose additional charges for additional program service if:

(i) The service is optional for the child.

(ii) The provider offers alternative care at the service site at no additional charge at the time the optional service is rendered away from the service site.

(2) The provider may impose additional charges for meals or snacks, or both, if:

(i) A caretaker is given the written option of providing his own meals or snacks.

(ii) The cost of meals or snacks is not included in the daily rate.

(3) The provider may impose additional charges when the caretaker's use of the service exceeds the hours of care stated in writing at the time of enrollment. ]

(c) If a subsidy-eligible parent chooses a provider whose published daily rate exceeds the Department's daily ceiling rate, the provider may assess a fee for an amount that represents the difference between the Department's daily ceiling rate and the provider's published daily rate for the type of care being requested.

(d) If a child's absences exceed 30 total enrollment days in a fiscal year, the parent is responsible to pay the provider's published daily rate for each day of absence starting with the 31st absent day. Suspended days of service as referenced in § 3040.52(d) (relating to eligibility agent responsibilities) are not considered days of absence.

§ 3040.18. Citizenship.

[ A caretaker ] An applicant for subsidized child day care service shall be a citizen of the United States [ or

shall be ], an alien lawfully admitted for permanent residence or otherwise permanently residing under color of law.

§ 3040.19. [ Service ] Subsidy disruption.

(a) If a [ caretaker's service ] child's care at a [ subsidized child day care service site ] provider is disrupted due to the provider's loss of the Department's certification or [ due to the provider's financial difficulty ] any other reason which prevents the child's continued care, the [ caretaker ] child is eligible for [ service ] subsidy at another [ available subsidized child day care service site ] provider.

(b) If a [ caretaker ] child loses [ service ] care as a result of circumstances referenced in subsection (a), and if funding for subsidized child day care [ service ] is not immediately available [ at ] for another [ service site ] provider, the [ caretaker ] child's subsidy shall be [ placed on ] suspended and the child shall be returned to the waiting list [ of the service site of the caretaker's choice ] according to the date of initial eligibility for subsidized child day care until another provider has been selected and subsidy is available to support care at the selected provider.

(c) If the eligibility agent cannot continue to subsidize the number of children enrolled in subsidized child day care due to a shortfall in State or Federal funding or management of funding by the eligibility agent, subsidy to a child will be suspended. Families with the highest income will be suspended first.

(d) A child whose subsidy has been suspended under this section will be placed on the waiting list according to the date of the child's enrollment in the subsidized child day care program.

§ 3040.20. Limitations and benefits.

(a) A parent's selection of child care providers is limited as follows:

(1) Total child care costs may not exceed 100% of gross annual income when care is needed for one or two children.

(2) Total child care costs may not exceed 150% of gross annual income when care is needed for three children. For each additional child, 50% is added to the gross annual income limit.

(b) A subsidy-eligible child may receive the following benefits:

(1) One unit of care in a 24-hour period.

(2) A maximum of 262 units of care in a fiscal year to include:

(i) A maximum of 15 units of care for provider closures.

(ii) A maximum of 30 units of care for absence from the provider.

(3) Care from a provider eligible to participate in the subsidized child day care program, and who agrees to comply with the Department's standards for provider participation.

(c) A child may not receive subsidy if the child's parent is the operator of a registered family day care home, a certified group day care home or day

care center (see Chapter 3270, 3280 or 3290 (relating to child day care centers; group child day care homes; and family child day care homes)) or is the operator of a legally unregulated day care home.

§ 3040.20a. Grandfathering provisions.

A child who is enrolled in the subsidized child day care program prior to January 1, 1998, may continue to receive subsidized child day care until December 30, 1999, without regard to the eligibility conditions established in this chapter, if:

(1) The family income is between 186 and 235% of the FPIG. If the family income during this period exceeds 235% of the FPIG, the child is ineligible for subsidy. The parent of a child grandfathered under this section shall be required to pay the family fee established for a family of its size at 185% of FPIG effective January 1, 1998.

(2) The family eligibility was established based on the parent's participation in an approved training program and gross family income does not exceed 235% of the FPIG. If the training program which established eligibility is completed prior to December 30, 1999, and, if at that time the parent does not meet the employment requirements, the family is ineligible for subsidy.

§ 3040.28. Composition of a family.

(a) A family may include:

(1) The child for whom subsidized child day care is requested; the child's parent; the parent's spouse or live-in companion; biological, step or adoptive minor siblings of the child; and biological, step or adoptive minor children of the parent or live-in companion, or both.

(2) The child, the child's parent who is a minor, the child's grandparent, the grandparent's spouse or live-in companion and other minor children of the grandparent or live-in companion.

(b) A foster child may be counted as either a separate family or as part of the foster family for purposes of determining family size.

(c) A parent who formerly received TANF shall be exempt from subsection (a)(1) for 6 months from the date TANF benefits were exhausted. The 6-month period will begin the day after TANF eligibility ends.

(d) An individual may not be included in more than one family.

ELIGIBILITY REQUIREMENTS

§ 3040.31. General requirements regarding family eligibility.

[ To be eligible ] For a child to receive subsidized child day care [ service ], the family or parent shall [ meet the following requirements ]:

(1) [ The family shall reside ] Reside in this Commonwealth. The parent shall apply in his county of residence. In counties where there is more than one eligibility agent for the county, the parent shall apply to the eligibility agent who is assigned the responsibility for the zip code of the family's residence.

(2) **[ A family shall be ]** Be financially eligible as required by § 3040.32 or § 3040.33 (relating to **[ documentation of ]** financial eligibility; and documentation of self-employed income).

(3) **[ A family shall be ]** Be nonfinancially eligible as required by § 3040.34 (relating to **[ documentation of ]** nonfinancial eligibility).

(4) **Meet employment or education requirements.** A parent entering the subsidized child day care program from the TANF Program shall be employed. A former TANF parent will be assigned a redetermination date 6 months from the day following the date TANF ends. The eligibility agent shall contact the parent within 90 days of the date TANF ends to discuss eligibility criteria for the subsidized child day care program.

(5) **Provide a signed release of information statement for each family member 18 years of age or older permitting the eligibility agent to obtain verification of information provided regarding eligibility requirements.**

(6) **Provide a Social Security number, or evidence of application for a Social Security number, for each family member.**

(7) **Provide documentation that child support has been sought prior to the determination of eligibility for subsidized child day care including:**

(i) **Establishing paternity for a child when a court order regarding support is not available.**

(ii) **Initiating a support action against biological parents by a legal guardian.**

(8) **Provide documentation of legal guardianship.**

§ 3040.31a. **[ General requirements regarding family eligibility—statement of policy ]** (Reserved).

**[ A family shall apply in its county of residence to be determined eligible for the subsidized child day care program. In counties where there is more than one eligibility agent for the county, the family shall apply to the eligibility agent who is assigned the responsibility for the zip code of the family's residency. ]**

§ 3040.32. **[ Documentation of financial ]** Financial eligibility.

(a) The **[ caretaker ]** parent shall provide documentation of earned income for employed **[ or training ]** family members as follows:

(1) **[ Paystubs ]** **Income documentation** for any 4 consecutive weeks within the most recent 6 week period. **[ Paystubs ]** **Documentation** shall indicate the gross earned income **for the 4-week period.**

(2) If **[ paystubs are ]** **income documentation** is not available at the time of application **because the employed family member has not been employed for 4 weeks**, written documentation of anticipated gross earned income from the employer is sufficient evidence of earnings. The documentation is satisfactory until, but not after, the **[ caretaker ]** **family member** has been employed for **[ 6 ]** 8 consecutive weeks.

(3) If **[ the ]** income is received in cash, written employer documentation of gross earned income for 4 consecutive weeks within the most recent 6-week period is sufficient evidence.

**[ (b) The caretaker shall provide documentation of employment for employed family members. Documentation of employment shall be dated and signed with the name and title of an approved representative of the employer and includes the following:**

(1) **The name of the employer—the legal entity or the business.**

(2) **The days of the week the family member is employed.**

(3) **The starting and ending hours of each day the family member is employed.**

(4) **Information which details the frequency of pay. ]**

**[ (c) ]** (b) The eligibility agent shall require, and the **[ caretaker ]** parent shall provide, documentation of all **[ other ]** unearned family income. See Appendix A, Part I (relating to sources of earned or unearned income to be included **[ , deducted and excluded in determining monthly gross income ]**) which lists the sources of unearned income which are **[ assessed ]** to be included when computing the adjusted monthly gross income.

**[ (d) The earned income of unemancipated minors is not included for purposes of documenting financial eligibility. An individual 18 years of age or older but under 22 years of age who is enrolled in an educational program leading to a degree or diploma may be considered an unemancipated minor if the individual is wholly or partly dependent upon the income of the caretaker and the spouse or companion of the caretaker. That individual may or may not live in the common family residence on a full-time basis. ]**

(c) The parent shall seek all available income listed in Appendix A, Part I (relating to income inclusions). Exception: Financial assistance available to the family through the CAO will not be counted as available income.

(d) The parent shall document all income deductions listed in Appendix A, Part II (relating to income deductions).

(e) The parent shall document all claimed income exclusions listed in Appendix A, Part III (relating to income exclusions).

(f) **Family income may not exceed the Department's maximum gross income ceiling of 185% FPL.**

**§ 3040.33. Documentation of self-employed income.**

(a) *Determining a self-employed status.* **[ For a family member to ]** to be considered self-employed, the family member alone shall assume the responsibility for deductions related to withholding taxes, income taxes and Social Security payments. **Social Security payments shall be made in the proper percentage for self-employed persons.** If another person or entity has that responsibility, the **[ caretaker cannot ]** family member cannot claim a self-employed status.

(b) *Acceptable documentation of income.*

(1) [Acceptable documentation of income from self-employment is a] A copy of the [individual's] family member's Federal income tax return, including Schedule C (pertaining to self-employment), which was filed [at the end of] for the preceding Federal [fiscal] tax year and which documents [the individual's gross earnings] profit for that year. The family member's profit from Schedule C, or other forms or schedules related to income, will be used as income for purposes of determining eligibility for subsidized child day care.

(2) If the [individual] family member cannot [present] provide a Federal income tax return which documents [gross earnings] profit from self-employment, a notarized statement of gross earnings, minus allowable cost of doing business, for the preceding Federal tax period is acceptable and is valid until the next quarterly Federal tax return is filed. At that time, a redetermination of eligibility shall be completed.

(3) An annual Federal income tax return may only be used as income documentation when the family member has been self-employed for more than 1 year in the same business, and is valid only until the next quarterly statement is filed.

§ 3040.34. [Documentation of nonfinancial] Nonfinancial eligibility.

(a) The family shall be nonfinancially eligible based on employment, education and need for child day care.

(b) A [caretaker] parent shall provide the following documentation [of nonfinancial eligibility] for family members [as follows]:

(1) [The service shall be needed at least 3 days which include at least 20 hours per week. To receive service, the hours of need] That child day care shall coincide with the hours of [available service] the parent's employment or education.

[ (2) If service is needed 3 or 4 days per week, a child may be enrolled for 5 days. ]

[ (3) At ] (2) That the parent must indicate that he has worked the number of hours required in paragraph (4) and has at least 4 [20-hour work] weeks of employment within the most recent 6-week period [shall be documented. Documentation shall reference the]. The number of hours and days employed in each week shall be referenced in the documentation provided to the eligibility agent. [The eligibility agent may average the hours of employment or training in the 4-week period. ]

(3) [ (4) Documentation of enrollment in an accredited training program shall be provided. ] That a minor parent is enrolled in an education program and is attending on a full-time basis. Documentation shall be [dated and signed with the name and title of an approved representative of the training program and include] provided to the eligibility agent on a form which contains the following:

(i) The name and address of the [accredited training program or accredited training institution] school or GED program in which the minor parent is enrolled.

[ (ii) The content or course of study of the training and the degree, if any, to be conferred upon completion of the training. ]

[ (iii) ] (ii) The days of the week the [trainee receives training at the program] minor parent attends school or a GED program.

[ (iv) ] (iii) The [training] daily hours, to include daily starting and ending times [of the training], the minor parent attends school or a GED program.

[ (v) The employment for which the trainee is prepared upon completion of the program. ]

[ (vi) ] (iv) The expected [ending date of training] high school graduation date, GED program completion date or date the school year ends.

(v) The name, title and signature of the school official who has completed the form and the date of completion.

(4) That a parent shall meet the following employment criteria:

(i) Until June 30, 1998, the parent shall be employed at least 3 days, which includes at least 20 hours of work per week.

(ii) Beginning on July 1, 1998, and continuing through June 30, 1999, the parent shall be employed at least 3 days, which includes at least 25 hours of work per week.

(iii) Beginning on July 1, 1999, the parent shall be employed at least 3 days, which includes at least 30 hours of work per week.

(5) That all family members are citizens or lawfully admitted aliens.

(6) That the parent shall provide identification to the eligibility agent of one or more of the following:

(i) A Social Security card.

(ii) A driver's license.

(iii) A selective service card.

(iv) A passport.

(v) Military discharge papers.

(vi) A voter's registration card.

(viii) Verifiable photo identification.

(7) That the parent shall provide a Social Security number for each family member.

(8) That the parent shall demonstrate the need for subsidized child day care to permit uninterrupted sleeping time necessary to continue employment. The work shift shall end between the hours of 2 a.m. and 9 a.m.

(9) That the county children and youth agency responsible for foster placement has approved, in writing, the enrollment of a foster child in subsidized child day care.

(c) The parent shall provide documentation of employment for all employed family members on a form which includes the following:

(1) The name and address of the employer, and the legal entity or the business.

(2) The telephone number of the employer.

(3) The employe's job title.

(4) The days of the week the family member is employed.

(5) The starting and ending hours of each day the family member is employed.

(6) Information which details the frequency of pay and gross income.

(7) The name, title and signature of the representative of the employer completing the form and the date of completion.

(8) Other information required by the eligibility agent, if approved by the Department.

(d) A self-employed parent shall provide documentation of employment with a notarized statement which contains the information specified in subsection (c), or sign a document in the presence of the eligibility agent.

§ 3040.34a. [Documentation of nonfinancial eligibility—statement of policy] (Reserved).

[A caretaker is not entitled to receive subsidized child day care on days which the caretaker is not employed or enrolled in a training program.]

§ 3040.35. Factors affecting eligibility status.

The [caretaker] parent shall report financial or nonfinancial changes in the family to the eligibility agent within 10 calendar days following the date of the change. The following changes shall be reported:

(1) Employment status, including changes in the rate of pay or days and hours worked.

(2) [Training status] Education program status.

\* \* \* \* \*

(4) The continuation or completion of [a training program] an education program.

\* \* \* \* \*

(8) [The documented inability to continue employment or training] Disability status.

\* \* \* \* \*

(10) [Residency, within this Commonwealth or out of this Commonwealth] Change of address.

(11) [Migrant status] Legal custody or placement under a court order.

§ 3040.36. Inability to be employed or [in training] continue participation in an education program.

(a) If, during a period of subsidized child day care [service], a single [caretaker] parent, or in a two-parent family, one [caretaker] parent or spouse or live-in companion of the [caretaker] parent, or the [caretaker] parent and the spouse or live-in companion of the [caretaker] parent become unable to continue employment, self-employment or [training] their education and the disability renders the parent unable to care for the child, and [if] the [caretaker] parent requests continuing subsidized child day

care service, the condition causing the inability to be employed, self-employed or in [training] an education program and the inability to care for the child shall be documented with the eligibility agent [.] as follows:

(1) [The documentation shall be written] A medical assessment form shall be completed by a licensed or certified psychologist, a licensed physician or [by a] another specialist licensed or certified [specialist] in the area of the disability.

(2) The [documentation] assessment shall describe the condition causing the inability to be employed, self-employed or in [training] an education program.

(3) The assessment shall describe how the condition causing the inability to be employed, self-employed or in an education program prohibits the parent from providing care for the children for whom subsidy is requested.

(4) The assessment shall describe how long the disability is expected to continue.

(b) Subsidized child day care [service] to a [family] child may continue up to [1 year] 6 months if the conditions stated in subsection (a) are met.

(c) A two-parent family may be eligible for subsidized child day care if one parent is disabled and the disability renders that parent unable to be employed, self-employed or educated, and renders the parent unable to provide child care while the nondisabled parent is working. The condition causing the inability to be employed, self-employed or educated, and the inability to provide child care shall be documented with the eligibility agent as stated in subsection (a).

(d) The disability of a parent in a two-parent household shall be further documented by provision of one of the following income information related to disability payment sources:

(1) Social Security Disability.

(2) Supplemental Security Income (SSI).

(3) Worker's Compensation.

(4) One hundred percent Veterans Disability.

(5) One hundred percent of any other type of work-related disability.

(e) If the disabled parent is not receiving income related to the disability, the disabled parent shall apply for disability benefits. The family shall be determined eligible for subsidized child day care until a final decision is made regarding the disabled parent's eligibility for disability benefits, or for no more than 2 years from the date of the onset of the disability, or subsidized child day care, whichever occurs first.

§ 3040.37. Attendance requirements.

(a) The child is expected to attend day care [at the service site] on all days for which the [caretaker] parent agrees that the child needs care. Those days are specified in writing at the time the [family] child is enrolled in [service] subsidized child day care.

(b) [The Department will not subsidize a] A child whose absence exceeds [20] 10 consecutive enrollment days will be determined ineligible for subsidized

child day care funding. Exception: a child whose absence exceeds 10 consecutive enrollment days for reasons listed in § 3040.52(d) (relating to eligibility agent responsibilities).

(c) The Department will not subsidize absences of more than 30 units of care in a fiscal year for an eligible child.

§ 3040.38. Prospective employment or a prospective [ training ] education program for new parent applicants.

(a) A [ caretaker ] parent or a family member with prospective employment or prospective enrollment in [ a training ] an education program as defined in § 3040.3 (relating to definitions) is eligible to apply for subsidized child day care [ service ] if the following requirements are met:

(1) The employment or [ training ] education program begins within 30 calendar days following determination of [ eligible status ] eligibility.

(2) Written verification is provided [ , signed and dated by a representative of the prospective employer or training program, documenting ] on a form which contains the information indicated in § 3040.34(c) (relating to nonfinancial eligibility), and also documents:

(i) The approximate hours and days of employment or [ training ] education per week for a 4-week period.

(ii) The approximate gross earnings [ , if applicable, ] and first expected pay date in the prospective employment [ or training program ] .

(iii) The anticipated start date of employment or the education program.

[ (b) A training program or a vocational training program shall be accredited by a State or National board of examiners.

(c) A training program is one of the following:

(1) Completion of junior high school.

(2) Completion of high school.

(3) Remedial courses at a secondary or postsecondary level required for entrance into an accredited training program.

(4) A training program at a postsecondary level which leads to a specific job.

(5) General Educational Development (GED) training for 20 or more hours per week.

(6) English as a Second Language training for 20 hours or more per week.

(7) A 2-year associate degree program which qualifies an individual for a specific job. ]

[ (d) ] (b) A [ child may not be enrolled in subsidized child day care service ] child's subsidy may not begin until the [ caretaker or family member ] parent and his spouse or live-in companion begins employment or [ a training ] an education program.

[ (e) Six ] (c) Eight weeks following enrollment of a child based on prospective employment or enrollment in [ a training ] an education program, the [ caretaker ] parent shall provide verification of employment or

[ training ] enrollment in the education program for that [ 6 ] 8-week period. Verification shall be in the form described in §§ 3040.32 and 3040.33 (relating to [ documentation of ] financial eligibility; and documentation of self-employed income), if applicable, and § 3040.34 (relating to [ documentation of ] nonfinancial eligibility). [ Redetermination of the family in this eligibility status requires a new application for service and a new fee agreement. ]

(d) If the parent will not receive payment for employment for more than 30 days from the starting date of employment, eligibility will be established based on the anticipated income as estimated by the employer. Until payment for employment is received, the family will be assessed the minimum weekly fee for a family of its size. When payment for employment is received, the parent shall notify the eligibility agent. Upon receipt of the payment notice from the parent the eligibility agent shall do the following:

(1) Within 10 days complete a partial redetermination of eligibility.

(2) Within 20 days adjust the family fee, if applicable.

(e) A parent who has exhausted all available TANF benefits and who has not yet obtained employment may have 30 calendar days of subsidized child day care while seeking work.

§ 3040.39. [ Title IV-A child care benefits ] (Reserved).

[ (a) A family determined eligible by the local CAO for Title IV- A child care benefits is not eligible to receive subsidized child day care service provided with funds made available under this chapter. Individuals not eligible for service include:

(1) A recipient of AFDC benefits who is participating in an approved education or training activity and who is eligible for Title IV-A child care benefits. Exception: Individuals may receive subsidized child day care services under this chapter until the local CAO implements the vendor payment process for recipients in this category.

(2) A prior recipient of AFDC benefits who is eligible for the Title IV-A TCC Program.

(b) When an individual's 12-month period of TCC eligibility has expired, the individual may be eligible for subsidized child day care service and may be placed in service or as first priority on the waiting list, if the following steps are completed:

(1) The application for placement on the subsidized child day care waiting list is completed before the individual's 12-month period of TCC eligibility ended.

(2) An eligibility determination made according to the requirements of this chapter did not include benefits available under TCC. See Appendix A, Part III (relating to sources of earned or unearned income to be included, deducted and excluded in determining monthly gross income.

(3) The date of enrollment in subsidized child day care service is the day following the date TCC benefits end.

(c) An individual whose 12-month period of TCC eligibility has expired and who has not met the requirements of subsection (b)(1) and (2) shall apply as a private caretaker according to the requirements of this chapter.

(d) A recipient of AFDC benefits who is employed and who is eligible for the Title IV-A earned income child care deduction, as determined by the local CAO is eligible for subsidized child day care service.

(1) The eligibility agent shall perform an eligibility determination to assess the family's eligibility for subsidized child day care service.

(2) On a form approved by the Department, the eligibility agent will notify the CAO of the AFDC-employed recipient's eligibility for subsidized child day care service, the amount of the family fee and the date service will begin. The CAO will complete portions of the form regarding adjustments to be made by the CAO to the individual's AFDC monthly grant as a result of Title XX eligibility.

(3) Upon receipt of the form completed by the CAO, the eligibility agent shall take the following actions:

(i) If the CAO information reflects that the AFDC grant is being reduced, the eligibility agent shall redetermine eligibility based on the new income information reported by the CAO.

(ii) If the CAO information reflects that the AFDC grant is being discontinued and that the family is now eligible for the TCC program, the eligibility agent shall advise the caretaker that the family is ineligible in accordance with paragraph (2). Discontinuation of subsidized day care eligibility shall be in accordance with § 3040.71 (relating to general requirements regarding notification).

(iii) On a form approved by the Department, the eligibility agent will notify the CAO of changes in subparagraph (i) or (ii), to include a change in family eligibility or in the amount of the family fee. ]

**ELIGIBILITY DETERMINATION PROCESS**

**§ 3040.51. General requirements in the eligibility determination process.**

(a) An initial determination of eligibility [ shall ] will be completed before [ service shall ] subsidy will be [ provided ] authorized.

(b) A full redetermination of eligibility shall be completed at least once every [ 12 ] 6 months and prior to the expiration of the current period of eligibility.

(c) A redetermination may be required at any time in a period of eligibility if the eligibility agent receives information that the family's eligible status [ is ] may be altered. See § 3040.35 (relating to factors affecting eligibility status). The eligibility agent shall conduct a partial redetermination for each reported change within 20 calendar days of notification of the change. The eligibility agent may conduct a full redetermination if the information obtained during the partial redetermination gives indication of a change in the family's eligibility status.

**§ 3040.52. Eligibility agent responsibilities.**

(a) *Initial determination of eligibility.*

(1) The eligibility agent shall provide the [ caretaker applicant ] parent with written instructions regarding documents which the [ applicant ] parent shall provide to establish eligibility for subsidized child day care [ service ].

(2) The eligibility agent [ shall arrange ] may require a face-to-face interview with the [ caretaker applicant ] parent or shall arrange to have necessary documents and information mailed by the [ applicant ] parent to the eligibility agent. When a face-to-face interview is conducted, the eligibility agent shall verify the identity of the parent who has signed the application and will note in the family file how the identity was verified.

(3) If the eligibility interview is face-to-face, the eligibility agent shall require the [ applicant ] parent to sign and date an application provided by the Department, at the time of the interview.

(4) If the [ caretaker ] parent mails or delivers the application without a face-to-face interview, the eligibility agent shall stamp the date of receipt on the signed, dated application.

\* \* \* \* \*

(6) The eligibility agent shall [ submit requests for ] obtain verification of [ caretaker eligibility status related to Title IV-A eligibility ] the parent's TANF eligibility status from the local CAO [ on a form approved by the Department ].

(7) The eligibility agent shall determine eligibility within 30 calendar days [ which begin on ] of the date the [ signed, dated ] application, signed and dated by the parent, is received by the eligibility agent.

(8) The eligibility agent shall sign and date the completed application when eligibility has been determined. That date represents the first day of the [ caretaker's ] family's eligibility for the subsidized child day care [ service ] program.

(9) The eligibility agent shall notify the [ caretaker applicant ] parent of the [ caretaker's ] family's eligibility status according to the Department's notification requirements in § 3040.71 (relating to general requirements regarding notification).

(10) The eligibility agent shall conduct a face-to-face interview before authorization of subsidized day care for a child. [ The ] At the time of the interview the, eligibility agent shall inform the [ caretaker applicant ] parent of his rights and responsibilities, as detailed in § 3040.53 (relating to [ caretaker ] parent rights and responsibilities). The parent shall acknowledge, in writing, receipt of the rights and responsibilities information.

(11) This chapter [ shall ] will be made available to the [ caretaker ] parent upon request.



(b) *Subsequent redeterminations of eligibility.*

(1) The eligibility agent shall set a redetermination due date which does not exceed **[ 12 ] 6** months following the most recent date that the **[ caretaker ] family** was determined eligible.

(2) The eligibility agent shall schedule a redetermination, **or partial redetermination**, to occur in less than **[ 12 ] 6** months **[ following the current redetermination ]** if one or more of the following conditions exist **or come to the attention of the eligibility agent:**

\* \* \* \* \*

(iii) **[ A family member is newly employed or newly self-employed and unable to provide the required documentation. ] A family member is self-employed. Eligibility shall be redetermined on a quarterly basis for self-employed individuals.**

(iv) **A family member is disabled and the disability is anticipated to end prior to 6 months.**

(v) **A family member's employment is seasonal or temporary.**

(vi) **A parent's education program ends prior to 6 months.**

**[ (3) The eligibility agent shall establish administrative controls to assure that the caretaker is notified of the responsibility to submit the necessary documentation for a timely redetermination. ]**

**[ (4) ] (3)** The eligibility agent shall notify the **[ caretaker ] parent** in writing of the documents and information required to complete a redetermination of the **[ caretaker's ] family's** eligibility for subsidized child day care **[ service ]**. A copy of that notification shall remain in the **[ caretaker's ] family** file.

**[ (5) ] (4)** The eligibility agent shall notify the **[ caretaker ] parent** of the **[ caretaker's eligible ] family's** eligibility status according to the Department's notification requirements in § 3040.71 **(relating to general requirements regarding notification).**

**(5) The eligibility agent shall verify the Social Security number for any family member who did not have a Social Security number at the time of application.**

(c) *Continuing eligibility.*

(1) The eligibility agent shall supply the **[ caretaker ] parent** with a written statement regarding **[ caretaker ] the parent's** responsibility to report financial or nonfinancial changes to the eligibility agent as detailed **[ at ]** in § 3040.35 (relating to factors affecting eligibility status). **The eligibility agent shall discuss with the parent the specific changes which shall be reported and are listed in § 3040.35 (relating to factors affecting eligibility status).**

(2) The eligibility agent shall evaluate a financial or nonfinancial change reported by the **[ caretaker ] parent** and make a redetermination as necessary within **[ 10 ] 20** calendar days from the date the **[ caretaker ] parent** reports and documents a change.

(3) If, during a period of eligibility, a **[ caretaker ] parent** reports a change in financial or nonfinancial criteria **[ which does not cause a fee or status**

**change ]**, the eligibility agent **[ is not ] shall be** required to complete a full family redetermination **or a partial family redetermination**. The eligibility agent retains, in the family file, the information used in the evaluation, but the eligibility agent and **[ caretaker ] parent** are not required to complete an eligibility determination form. **The original period of eligibility will not be changed as a result of a partial redetermination.**

(4) If a reported change results in the family, **or a child in the family**, becoming ineligible for **[ service ] subsidy**, the eligibility agent shall take the necessary steps to terminate the **[ service ] subsidy** according to § 3040.71 and § 3040.72 (relating to content of a written notice of adverse action).

(5) Eligibility continues for 30 calendar days from **[ the date a training program is completed, ]** the date of involuntary termination from employment **[ or training or ]** the date a strike begins **or the date of graduation from an education program.**

\* \* \* \* \*

**(7) Eligibility for subsidy will continue in the case of regularly scheduled breaks in an education program, if the regularly scheduled break is less than 31 days.**

(d) *Suspended subsidy.*

**(1) Child day care subsidy may be suspended if a child is unable to attend day care for more than 10 consecutive enrollment days and will be absent for no more than 90 consecutive calendar days. On the 91st day of consecutive absence, the child is no longer eligible for subsidy. Subsidy may be suspended for one or more of the following situations:**

**(i) The child is visiting the noncustodial parent.**

**(ii) The child is ill or hospitalized for 5 or more service days.**

**(iii) The child must accompany the parent on a trip because of family illness or emergency, and the illness or emergency is documented.**

**(iv) The child remains at home with his mother during maternity leave.**

**(v) The child day care provider is closed because of licensing requirements.**

**(vi) The child's needs cannot continue to be met by the child day care provider.**

**(vii) The child's needs cannot continue to be met by the child day care provider, and subsidized child day care funds are not available to utilize the newly chosen provider.**

**(viii) The child's parent is a minor parent on break from attendance at elementary school, middle school or high school.**

§ 3040.53. **[ Caretaker ] parent** rights and responsibilities.

(a) A **[ caretaker applicant ] parent** shall provide all documentation required by the eligibility agent prior to **[ being determined eligible or ineligible ] an eligibility determination** for subsidized child day care **[ service ]**.

(b) **[ The caretaker applicant ]** A parent shall sign and date **[ an ]** the application for subsidized child day care **[ service ]**.

(c) A **[ caretaker ]** parent has the right to have the eligibility determination completed within 30 calendar days after the eligibility agent receives the signed and dated **[ caretaker ]** subsidized child day care application.

(d) A **[ caretaker ]** parent has the right to receive written notification regarding **[ a determination of the caretaker's ineligibility for care ]** the family eligibility status.

(e) A **[ caretaker ]** parent has the right to appeal the eligibility agent's determination as provided in § 3040.73 (relating to grounds for appeal).

(f) A **[ caretaker ]** parent shall report financial or nonfinancial changes in **[ a ]** the family which affect eligibility for **[ service ]** subsidy, as required **[ at ]** in § 3040.35 (relating to factors affecting eligibility status) and provide documentation as required by the eligibility agent to verify change.

(g) A parent shall meet at least once face-to-face with the eligibility agent prior to enrollment of a child for subsidized child day care.

(h) A parent shall supply accurate and complete financial and nonfinancial information to determine eligibility for subsidized child day care.

§ 3040.54. **[ Establishing waiting ]** Waiting list **[ service priorities ]**.

**[ (a) ]** After completion of an application and determination of the family's eligibility for **[ service ]** subsidy, **[ a ]** an eligible child shall be placed on a waiting list, if funds for service are not available, based on **[ the following priorities: ]** a first come, first served basis. Placement on the waiting list shall be determined by the date and time eligibility for the child was determined.

**[ (1) A caretaker who is employed, who is moving from welfare dependency, whose income is between 0 and 235% of the FPL and who is not eligible for Title IV-A child care entitlement benefits. Exception: a caretaker who is participating in an approved education or training activity, until the local CAO implements the vendor payment system.**

**(2) A caretaker who is employed and whose income is between 0 and 185% of the FPL.**

**(3) A caretaker who is employed and whose income is between 186 and 235% of the FPL.**

**(4) A caretaker who is in a training status and who is not receiving AFDC benefits.**

**(b) If two or more caretaker applicants achieve the same priority ranking based on the priorities in subsection (a), the date eligibility is determined shall determine the applicant's placement on the waiting list. ]**

§ 3040.54a. **[ Establishing waiting list service priorities—statement of policy ]** (Reserved).

**[ The first priority includes the following individuals:**

**(1) A caretaker who is employed and who currently receives AFDC benefits.**

**(2) A caretaker who is no longer eligible for TCC benefits under the Family Support Act of 1988, due to the expiration of the caretaker's 12-month period of eligibility.**

**(3) A caretaker who receives AFDC benefits and who is participating in an approved educational or training activity through the local CAO, until the CAO implements the vendor payment system. ]**

§ 3040.55. **Maintaining a waiting list.**

(a) A **[ caretaker ]** family with a child remaining on a waiting list prior to **[ service ]** receiving subsidy will be redetermined eligible for **[ service ]** subsidy at least once in a **[ 12 ]** 6-month period. **[ A redetermination shall be completed prior to the use of subsidized child day care service.**

**(b) A caretaker who is on a waiting list prior to July 1, 1992, will retain placement on the waiting list, based on the sole criterion of the initial date eligibility for service was determined. Service priorities may not be applied to a caretaker in this category.**

**(c) The waiting list priority placement of a caretaker initially determined eligible for subsidized child day care service following July 1, 1992, may change based on information, obtained in a redetermination. ] (b) A child may not remain on the waiting list for more than 30 calendar days from the date subsidy is made available by the eligibility agent.**

**[ (d) A child new to a family following the date the caretaker was initially determined eligible for subsidized child day care services is placed on a waiting list according to the caretaker's original date of eligibility if funding for service is not immediately available. ] (c) If a parent requests subsidized child day care for an additional child following the date the family was initially determined eligible for subsidized child care, the child will be placed on the waiting list according to the date and time that the parent requests care for the child.**

#### FEES

§ 3040.61. **General requirements regarding fee payment.**

(a) The eligibility agent determines the weekly family fee during the eligibility process. The parent is responsible for paying the assessed weekly family fee to the provider when a child is enrolled in subsidy. A weekly family fee for service shall be established at an initial determination of eligibility for subsidized child day care **[ service ]** and reestablished at each successive redetermination of eligibility. The weekly family fee covers children in the family who are eligible to receive subsidized child day care. The fee includes all days of the week for which the family has **[ agreed to use the service ]** established a need for child care as described in § 3040.34 (relating to nonfinancial eligibility).

(b) A **[ caretaker admitted for service ]** parent whose child is authorized for subsidy is required to pay a weekly family fee and an equivalent advance

weekly family fee prior to enrollment in [ **service** ] **subsidy**. Only the weekly **family** fee is due thereafter. [ **A caretaker whose only day care child is enrolled in part-time school-age service is required to pay the assessed weekly family fee on a biweekly basis during the school year. This subsection does not apply to a caretaker with two or more children enrolled in child day care and does not apply during summer vacation when the school year has concluded.** ]

(c) If the weekly family fee is increased as a result of a redetermination, the [ **caretaker** ] **parent** shall owe the increased weekly family fee and an advance increased weekly family fee on the first day of the service week following expiration of the notice of **weekly family** fee increase. The increased advance **weekly** family fee is the amount of the difference between the current weekly family fee and the increased weekly family fee.

(d) If the weekly family fee is decreased as [ **a** ] the result of a redetermination, the reduced fee will be effective on the first day of the service week following the date of the redetermination. The decrease between the current advance weekly family fee and the decreased weekly family fee shall be refunded to the [ **caretaker** ] **parent** on the first day of the service week following the redetermination.

(e) The advance weekly family fee and an increased advance weekly family [ **fees are** ] **fee is** refundable at the termination of [ **service** ] **subsidy** if the [ **care-taker** ] **parent** has met applicable requirements in this chapter.

(f) The [ **regular** ] **weekly** family fee [ **for service** ] is due on the first day of the [ **service** ] week.

(g) A **weekly family** fee is delinquent if it is not paid by the [ **end of the 5th** ] **last** day of the [ **service** ] week. On the day that the fee becomes delinquent, the eligibility agent shall notify the [ **caretaker** ] **parent** in writing that action will be taken to terminate [ **service** ] **subsidy** for the child. **When a weekly family fee is delinquent, the first fee paid during any week is applied to the current week's assessed weekly family fee. Subsequent fee payments during that week are applied to the delinquent fee. To remain current regarding the assessed weekly family fee payment, a parent shall pay the current week's fee and the delinquent weekly family fee.**

(h) The following are the responsibilities of the eligibility agent [ **and provider** ]:

(1) The eligibility agent shall assure that required termination notices based on delinquent **weekly family** fees are generated in a timely manner. The eligibility agent shall retain a copy of the termination notice.

(2) The **eligibility agent shall send the provider [ shall receive and retain ]** a copy of [ **termination notices** ] **each advance notice of adverse action issued to a parent whose child is enrolled with the provider.**

(3) If a **weekly family** fee is delinquent, the eligibility agent shall mail to the [ **caretaker** ] **parent**, on a form approved by the Department, a written notice of termination at the end of the [ **5th** ] **last** service day of the service week in which **the weekly family** fee delin-

quency occurred. The written notice shall state that service will terminate in 10 calendar days unless the delinquent **weekly family** fee is paid.

(4) If, during 1 year's eligibility, the [ **caretaker** ] **parent** has been sent two written notices of termination [ **due** ] **relating** to overdue **weekly family** fees and has paid the overdue **weekly** fees prior to [ **service** ] **subsidy** termination, at the time of the third [ **lapsed payment** ] **overdue weekly family fee**, the eligibility agent shall initiate action to terminate [ **the service** ] **child care subsidy** on the basis of habitual delinquency in **weekly family** fee payment. [ **The caretaker may appeal the action but does not have the right to continuing service pending hearing. See § 3040.74 (relating to appeal: continuation of service denied).** ]

(i) If [ **service** ] **subsidy** to a [ **caretaker** ] **child** terminates and **weekly family** fees are owed to the provider, [ **past due fees shall be paid before service to that caretaker may be resumed** ] **the parent is ineligible to reapply for subsidized child day care for 90 calendar days after the delinquent weekly family fees have been paid.**

#### § 3040.62. Availability and use of the FPIG.

(a) The FPIG are published annually in the *Federal Register* and may be obtained from the [ **Department** ] **Department's Office of Children, Youth and Families.**

(b) The eligibility agent shall use the FPIG and a conversion method described [ **at** ] **in** § 3040.63 (relating to [ **computing** ] **determining** a weekly family fee) to [ **arrive at** ] **calculate** a weekly family fee.

(c) Following annual publication of the FPIG, the Department will notify the eligibility agent of changes in the [ **conversion chart** ] **family fee scale chart contained in Appendix B [ (relating to 1995-1996 Federal Poverty Income Guidelines and DPW Conversion Chart) ].** The [ **Department** ] **Department's Office of Children, Youth and Families** will publish updated fee conversion charts in the *Pennsylvania Bulletin* to be recommended for codification [ **at** ] **in** Appendix B.

\* \* \* \* \*

#### § 3040.63. [ **Computing** ] **Determining** a weekly family fee.

(a) The eligibility agent shall use the [ **conversion chart in Appendix B (relating to 1995-1996 Federal Poverty Income Guidelines and DPW Conversion Chart) and fee formula** ] **family fee scale chart in Appendix B issued prior to July 1 of each year by the Department,** when completing an eligibility determination, as follows:

(1) To determine the adjusted monthly gross income, use [ **evidence** ] **documentation** of 4 **consecutive** weeks of income from employment which was obtained within the most recent 6-week period. Include other sources of income referenced in Appendix A (relating to sources of earned or unearned income to be included, deducted and excluded in determining monthly gross income). Following is the conversion method to determine adjusted monthly gross income:

<i>Frequency of income</i>	<i>Conversion method</i>	<b>%FPL</b>	<b>N</b>	<b>+/-</b>
Daily	Multiply the daily income by the number of workdays in a week, then multiply by <b>[ 4.33 ] 4.3</b> for monthly gross <b>income</b> .	<b>60%</b>	<b>8%</b>	<b>\$5</b>
		<b>70%</b>	<b>8.5%</b>	<b>5</b>
		<b>80%</b>	<b>9%</b>	<b>5</b>
		<b>90%</b>	<b>9.5%</b>	<b>5</b>
		<b>100%</b>	<b>10%</b>	<b>5</b>
Weekly	Multiply by <b>[ 4.33 ] 4.3</b> for monthly gross <b>income</b> .	<b>110%</b>	<b>10.5%</b>	<b>5</b>
		<b>120%</b>	<b>11%</b>	<b>5</b>
		<b>130%</b>	<b>11.5%</b>	<b>10</b>
Biweekly (every <b>[ two ] 2</b> weeks)	Divide by 2, then multiply by <b>[ 4.33 ] 4.3</b> for monthly gross <b>income</b> .	<b>140%</b>	<b>12%</b>	<b>10</b>
		<b>150%</b>	<b>12.5%</b>	<b>10</b>
		<b>160%</b>	<b>13%</b>	<b>10</b>
		<b>170%</b>	<b>13.5%</b>	<b>10</b>
		<b>180%</b>	<b>14%</b>	<b>15</b>
Semimonthly (twice a month <b>[ , all public assistance ]</b> )	Multiply by 2 for monthly gross income.	<b>185%</b>	<b>14.5%</b>	<b>15</b>
<b>Lump sum income</b>	<b>Divide by 12 for monthly gross income.</b>			

(2) To convert the adjusted monthly gross income to an annual income, multiply the adjusted monthly gross income by 12. Following is the conversion method to determine annual income:

<i>Frequency of income</i>	<i>Conversion method</i>
Monthly (once a month)	Multiply by 12 for annual <b>income</b> .
Quarterly (as seen in dividends or income tax statements of self-employed persons)	Multiply by 4 for annual <b>income</b> .
Annually (when using previous year's income tax return as documentation)	Use annual figure given in tax return.
Lump sum income	Use the figure given.

**[ (3) Locate the corresponding annual income by family size in Appendix B.**

**(4) Determine whether the annual income for the family size exceeds 235% of the FPL for a family of that size. ]**

(b) If the annual income for the family size exceeds **[ 235% ] 185%** of the FPL, the family is not eligible for subsidized child day care **[ service ]**.

(c) If the annual income for the family size does not exceed **[ 235% ] 185%** of the FPL, the eligibility agent may proceed with the remaining steps of the **weekly family fee** determination process:

(1) Locate, in Appendix B, the **family's** annual gross income **in the most recently distributed FPIG charts** for the **[ appropriate ]** family size, and **identify the FPL level for that income**. The FPIG amounts are published annually in the *Federal Register* with an effective date of July 1 of the year in which they are published. When a family's annual gross income falls between two FPL levels, the highest FPL level will be used as the family's FPL percentage.

(2) **[ The annual gross income for the family size determines the multiplier known as N. That figure is found in column "N" of Appendix B. ]** Using the chart below, determine the multiplier, known as "N," for the family's FPL percentage.

(3) **[ Subtract from the annual gross income 50% of the FPL for the family size. ]** Using the annual gross family income from paragraph (1), determine the lower FPL% for that income in the chart in paragraph (2). Locate the annual income amount for that FPL%. Add \$1 to that income amount. Multiply by "N." This amount is the standard annual family fee.

(4) **[ Multiply the figure calculated in paragraph (3) by the "N" multiplier calculated in paragraph (2) and divide that number by 52. That figure represents the weekly family fee. ]** Divide the annual family fee by 52 to determine the standard weekly family fee.

(5) Round **down** the weekly family fee found in paragraph (4) to the nearest \$5. **[ A fee which exceeds more than one-half of the difference between increments of \$5 should be rounded up to the nearest \$5 amount. A fee which is less than one-half of the difference between increments of \$5 should be rounded down to the nearest \$5 amount. ]**

(6) **[ The fee formula can be represented as follows:**

$$\text{Weekly Family Fee} = \frac{N \times (\text{Annual Gross Family Income} - \frac{1}{2} \text{ FPL})}{52}$$

(7) The fee determination formula represents the Department's weekly family fee. A parent may choose a child day care provider whose rates are higher or lower than the rates included in the range for the standard weekly family fee.

(8) The weekly family fee is based on an "average child care rate." The "average child care rate" is determined by adding the total amount of provider rates for all children for whom the parent is requesting subsidized child day care, and dividing that total by the number of children for whom subsidy is requested.

(9) If the "average child care rate" is less than the Department's standard family fee, the family fee will be reduced by the corresponding amount in the "+/-" column of the chart in paragraph (2) according to the family's FPL.

(10) If the "average child care rate" is greater than the Department's standard family fee, the family fee will be increased by the corresponding amount in "+/-" column of the chart in paragraph (2) according to the family's FPL.

(d) If the weekly family fee exceeds the weekly [ **cost of care** ] **provider rate for care**, the family is not eligible for subsidized child day care [ **service** ].

(e) If [ **computation of** ] the weekly **family fee** [ **yields a** ] is 0 or a negative number, [ **a** ] the minimum fee [ **of \$5** ] **for the family size** shall be assessed.

§ 3040.64. [ **Departmental** ] **The Department's** payment.

If the weekly family fee does not exceed the weekly [ **cost of care and,** ] **provider rate for care**, and if the family annual gross income does not exceed [ **235** ] **185%** of the FPIG, the difference between the weekly cost of care and the weekly family fee represents the Department's copayment for subsidized child day care [ **service** ].

#### NOTIFICATION REQUIREMENTS

§ 3040.71. **General requirements regarding notification.**

(a) The eligibility agent shall notify the [ **caretaker** ] **parent in writing** of the results of the eligibility determination. Notification shall occur within 30 **calendar** days following the date the eligibility agent receives a [ **completed** ] **signed and dated** application from the [ **caretaker** ] **parent**.

(b) The eligibility agent shall notify the [ **caretaker orally or** ] **parent** in writing of an eligibility determination which renders the [ **caretaker** ] **family** eligible for [ **service** ] **subsidy**. The notification shall include the following:

(1) The amount of the **assessed** weekly **family** fee.

(2) The [ **caretaker's** ] **parent's** responsibility to report changes in circumstances cited in §§ 3040.32—3040.34 (relating to [ **documentation of** ] financial eligibility; documentation of self-employed income; and [ **documentation of** ] nonfinancial eligibility).

(c) Eligibility agents shall [ **, by means of** ] **on** a written notice form approved by the Department, notify each [ **caretaker** ] **parent** of a determination or redetermination resulting in ineligibility for subsidized child day care [ **service** ].

(d) At least 10 calendar days before the adverse action is effective, the eligibility agent shall hand deliver or mail the adverse action notice to the [ **caretaker** ] **parent**. The 10-day period begins on the day following the day the written notice is hand delivered or mailed to the [ **caretaker** ] **parent**.

(e) If the 10-day period ends on a holiday or a day when the [ **service site** ] **eligibility agent** is not open for business, the next business day is considered the 10th day.

(f) **The eligibility agent shall, by written notice of the parent, confirm the parent's voluntary withdrawal of a child from subsidized child day care.**

§ 3040.72. **Content of a written notice of adverse action.**

(a) Written notices to [ **applicants** ] **a parent regarding the family's eligibility** for [ **service and to care-**

**takers receiving service which are issued under this section** ] **subsidy** shall be prepared on a form approved by the Department and include the following:

\* \* \* \* \*

(4) A statement explaining the right of the [ **caretaker** ] **parent** to appeal the adverse action and to receive a Departmental hearing. The following information will be included in the statement:

(i) An appeal shall be submitted to the eligibility agent. The appeal shall be in writing and be mailed within 30 calendar days of the date the written notice was mailed or hand delivered to the [ **caretaker** ] **parent**.

(ii) If service is to be continued pending a Departmental hearing decision, a written request for a Departmental hearing shall be postmarked no later than 10 calendar days following the date the written notice was mailed or hand delivered to the [ **caretaker** ] **parent by the eligibility agent**. Exceptions to service continuation are contained [ **at** ] **in** § 3040.74 (relating to appeal: continuation of [ **service** ] **subsidy** denied).

(iii) The [ **exact** ] **specific** date by which the appeal and request for a hearing shall be postmarked or hand delivered to the eligibility agent.

(iv) A request for a Departmental hearing postmarked from the 11th calendar day [ **and to** ] **through** the 30th calendar day from the date the written notice was mailed or hand delivered to the [ **caretaker** ] **parent** will be accepted by the Department's [ **Office** ] **Bureau** of Hearings and Appeals, but [ **service will** ] **subsidy may not** be continued pending the hearing decision. **The parent may reapply for subsidized child day care while awaiting the hearing decision.**

(v) A request for a Departmental hearing postmarked or hand delivered after the date required in subparagraph (iii) may be dismissed by the [ **Office** ] **Bureau** of Hearings and Appeals, under Chapter 275 (relating to appeal and fair hearing and administrative disqualification hearings), without a hearing.

(vi) The conditions specified in § 3040.78 (relating to continuing [ **service** ] **subsidy** and fee payment during an appeal) which become effective if a [ **caretaker** ] **parent** appeals an adverse action.

(5) **A statement of agreement by the parent to repay all subsidy received by the family if subsidized child day care continues while awaiting an appeal decision if the decision is in favor of the eligibility agent/department.**

(b) Following the preparation of a written notice of adverse action, the eligibility agent shall:

(1) Mail or hand deliver, within 1 working day of preparation, the original and one copy of the notice to the [ **caretaker** ] **parent**.

(2) Retain a copy of the notice in the [ **caretaker's** ] **family file**.

§ 3040.73. **Grounds for appeal.**

A [ **caretaker** ] **parent** has the right to request a Departmental hearing to appeal the following:

(1) The denial of [ **service** ] **subsidy**.

(2) The termination of [ **service** ] **subsidy**.

(3) The computation of **[ a ] the weekly family fee amount.**

(4) The eligibility agent's failure to act upon a request for **[ service ] subsidy** within the time limits specified **[ by ] in § 3040.52** (relating to eligibility agent responsibilities).

(5) **[ Service ] Subsidy** disruption, as detailed in § 3040.19 (relating to **[ service ] subsidy** disruption).

§ 3040.74. Appeal: continuation of **[ service ] subsidy** denied.

(a) The **[ caretaker ] parent** has the right to appeal a decision which is based solely on changes in Federal or State law or regulations, but **[ service ] subsidy** will not **[ be continued ] continue** pending a hearing.

(b) The **[ caretaker ] parent** has the right to appeal the termination **[ based on unpaid fees as described in § 3040.61(h)(4) (relating to general requirements regarding fee payment), but service will not be continued ]** of subsidy when the eligibility agent lacks funding to continue subsidy to a child as indicated in § 3040.19(c) (relating to subsidy disruption). However, subsidy will not continue pending a hearing.

(c) A parent eligible for subsidy under § 3040.38(e) (relating to prospective employment or a prospective education program for new parent applicants) has the right to appeal the termination of subsidized child day care, but is not entitled to receive continued subsidy pending the final decision of the Bureau of Hearings and Appeals.

§ 3040.75. Filing an appeal: **[ caretaker responsibility ] parent responsibilities.**

(a) A **[ caretaker requesting to appeal ] parent appealing** an adverse action shall submit a written request to the eligibility agent in accordance with Chapter 275 (relating to appeal and fair hearing and administrative disqualification hearings). The **[ caretaker ] parent** shall specify the reason for the appeal, the current address and a telephone number where the **[ caretaker ] parent** can be reached during the day.

(b) A **[ caretaker ] parent** may have anyone represent him at the hearing, whether or not the representative is an attorney.

(c) If the **[ caretaker ] parent** desires that **[ service ] subsidy** continue pending a **[ Departmental hearing and ] final decision**, the **[ caretaker ] parent** shall submit **[ an ] a written** appeal within the time limits specified in § 3040.72 (relating to content of a written notice of adverse action). The **[ caretaker ] parent** is responsible for timely payment of the weekly family fee which was in effect prior to issuance of the adverse action until a decision is rendered in the appeal hearing.

§ 3040.76. Filing an appeal: eligibility agent **[ responsibility ] responsibilities.**

(a) If the **[ caretaker ] parent** is unable to prepare a written appeal, the eligibility agent shall assist the **[ caretaker ] parent** in preparing a written appeal.

\* \* \* \* \*

(c) The eligibility agent shall forward a copy of the request for appeal to the Department's **[ Office ] Bureau** of Hearings and Appeals within 3 working days from the date the appeal was received.

(d) The eligibility agent may not take the proposed adverse action until 10 calendar days from the date of the delivery or mailing of the adverse action **[ has ] have** elapsed, and then only if the **[ caretaker ] parent** has not filed an appeal. **[ Service ] Subsidy** may be continued only if the **[ caretaker ] parent** meets the requirements in § 3040.78 (relating to continuing **[ service ] subsidy** and fee payment during an appeal).

(e) The eligibility agent may take the proposed adverse action before 10 calendar days have elapsed when a **[ service site ] provider** closes for financial difficulties or loss of certification, or **funding is not available to continue subsidized day care to the child.**

§ 3040.77. Departmental actions.

(a) **[ Unless the appeal is ] If a parent** officially **[ withdrawn ] withdraws an appeal**, the eligibility agent or the Department, if appropriate, shall take part in the scheduled hearing to justify the action to which the **[ caretaker ] parent** objects. If the **[ caretaker ] parent** fails to appear at the hearing, the decision of the eligibility agent or the Department will be sustained by the Department's **[ Office ] Bureau** of Hearings and Appeals. If the eligibility agent or the Department fails to appear at the hearing, the **[ caretaker's ] parent** appeal will be sustained by the Department's **[ Office ] Bureau** of Hearings and Appeals. See Chapter 275 (relating to appeal and fair hearing and administrative disqualification hearings). **If neither the eligibility agent or the parent appears for the hearing, the hearing officer will reschedule the hearing.**

(b) The Department's **[ Office ] Bureau** of Hearings and Appeals will notify the eligibility agent and the **[ caretaker ] parent**, in writing, when disposition of the appeal is made. The eligibility agent shall, and the Department will, implement the final administrative action within the time limit ordered by the Department's **[ Office ] Bureau** of Hearings and Appeals, **or on the first day child care is needed in the week following receipt of the ordered administrative action. If the Bureau of Hearings and Appeals finds in favor of the eligibility agent/Department, and subsidy has been continued pending the hearing, the family may not be subsequently determined eligible for subsidized care in this Commonwealth until the amount of the subsidy received during the period of ineligibility has been repaid.**

(c) The Department's **[ Office ] Bureau** of Hearings and Appeals may conduct a hearing by way of a telephone conference call with the parties to the appeal, including the **[ caretaker ] parent**, the **[ caretaker's ] parent's** authorized representative, the eligibility agent, the Department and the Hearing Officer. The **[ caretaker ] parent** has the right to request a face-to-face hearing instead of a telephone hearing. Face-to-face hearings will be held in locations specified by the Department's **[ Office ] Bureau** of Hearings and Appeals.

\* \* \* \* \*

§ 3040.78. Continuing **[ service ] subsidy** and fee payment during an appeal.

(a) If the [ caretaker ] parent files a timely appeal prior to the date the adverse action is scheduled to take place, [ service ] subsidy continues until the appeal is heard and a final decision is rendered by the Bureau of Hearings and Appeals. The [ caretaker ] parent shall continue to make timely payment of the weekly family fee in effect prior to the adverse action, as referenced [ at ] in §§ 3040.61 and 3040.75(c) (relating to general requirements regarding fee payment; and filing an appeal: [ caretaker responsibility ] parent responsibilities).

(b) If subsidy continues during the appeal process and the Bureau of Hearings and Appeals finds in favor of the Department, the parent will be required to reimburse the Department for the subsidy paid for the child in care from the initial effective date of the adverse action until the date subsidy is discontinued based on the final decision of the Bureau of Hearings and Appeals.

(c) The parent has the right to appeal an increased weekly family fee which occurs as a result of a redetermination of eligibility. The parent shall pay the provider the increased fee pending the final decision of the Bureau of Hearings and Appeals. Payment of the increased fee is required if the eligibility agent has calculated family income using the methods described in § 3040.63 (relating to determining a weekly family fee).

#### OVERPAYMENT, REPAYMENT AND DISQUALIFICATION

##### § 3040.91. Overpayment.

(a) An overpayment exists when a child receives subsidized child day care for which the family is not eligible.

(b) The cause of an overpayment may be classified as:

- (1) Fraudulent misrepresentation by the parent.
- (2) Error by an eligibility agent or parent. Error may result from one of the following:
  - (i) A parent misunderstanding of eligibility requirements or failure to provide information.
  - (ii) An innocent concealment of facts by the parent.
  - (iii) The omission or error of an eligibility agent in obtaining or acting upon information.

(c) The Department is responsible for identification of overpayments and for the recovery of overpayment from a parent. The Office of the Inspector General (OIG) conducts fraud investigations and recovers overpayments for the Department. The OIG has the authority to:

- (1) Refer an overpayment case for criminal prosecution.
- (2) Refer a parent receiving subsidized child day care benefits for an Administrative Disqualification Hearing (ADH) if evidence exists of an intentional program violation.
- (d) A parent who applies for or whose child receives a subsidy for child day care has an obligation to report any changes in family circumstances as required in this chapter. See § 3040.35 (relating to factors affecting eligibility status). The parent is responsible for reporting any changes which apply to the parent and to all other family members.

(e) The eligibility agent has the obligation to explain eligibility requirements to the parent. The eligibility agent shall be alert to change in family circumstances and shall advise the parent on specific reporting requirements appropriate to the situation. The plan for reporting changes will be entered into the family file.

(f) The eligibility agent shall inform the parent that subsidy the child receives during the period of the parent's appeal shall be reimbursed to the Department if the Bureau of Hearings and Appeals denies the parent's appeal.

##### § 3040.92. Repayment requirements.

(a) The eligibility agent shall verify all cases of suspected overpayment. If the parent does not provide information related to the eligibility agent's requests for verification, the parent faces termination of subsidized child day care. If the parent fails to provide verification requested, the eligibility agent shall obtain the information needed without the consent of the parent.

(b) The eligibility agent initially determines suspected fraud. Suspected fraud is determined based on the intent of the parent to receive benefits the child is not entitled to.

(c) The parent shall make repayment when subsidized child day care is provided for which the family was not eligible.

(d) The eligibility agent will have the responsibility for determining ineligibility and eligibility for subsidized child day care. When a voluntary termination of subsidized child day care is requested by the parent, information will be obtained concerning the reasons for termination. The eligibility agent will determine whether the voluntary request for termination is timely or whether overpayment has occurred.

(1) When the voluntary termination is due to additional income, the eligibility agent will follow up to establish the amount and the date of the income increase.

(2) When the voluntary termination is due to termination of employment by the parent, the eligibility agent will establish the date and reason for termination of employment.

(e) If overpayment has occurred in either subsection (d)(1) or (2), repayment will be sought by the eligibility agent. When specific reasons for a voluntary termination due to income or employment termination are not provided by the parent, and all reasonable efforts to obtain the information fail, the eligibility agent will make a notation as a last entry in the family file. The eligibility agent will make this notation so that at any subsequent application, the eligibility agent will be alerted that the situation be addressed through the following action:

- (1) The exploration of possible overpayment.
- (2) A review of the parent's past reporting reliability.

##### § 3040.93. Procedures for the parent to repay an overpayment.

(a) The Department is responsible for determining overpayments.

(1) Eligibility agents have the ongoing responsibility to determine and redetermine eligibility for subsidized child day care. Eligibility agent duties are:

(i) To explore possible overpayment in active and terminated cases.

(ii) To identify possible overpayment.

(iii) To identify the cause of overpayment.

(iv) To recommend to the Department that action to be taken on a referred overpayment.

(v) To furnish the Department with current information which may affect Departmental action on referred overpayment.

(2) The eligibility agent is responsible to investigate any complaint relating to a child receiving subsidized child day care for which the family may not be eligible. The eligibility agent will focus on the facts of the complaint in the investigation.

(b) The eligibility agent will determine if an overpayment has occurred.

(c) The eligibility agent will act to assure the confidentiality of the informant in a complaint investigation.

(d) The eligibility agent will make referrals for overpayment collection. The referrals will be made to the Office of the Inspector General (OIG) under the following guidelines:

(1) Overpayments of \$3,500 or more will be referred by the eligibility agent to the Department for follow-up for collection.

(2) Overpayments of less than \$3,500 will be the responsibility of the eligibility agent for collection.

(e) The eligibility agent will compute the subsidized child day care overpayment claim amount. The Department will verify the computation of subsidized child day care overpayment claims in subsection (c).

(f) The eligibility agent will cooperate in activities involving prosecution of suspected cases of fraud.

(g) The Department is responsible for collecting and settling overpayments identified in subsection (c)(1). The eligibility agent is responsible for collecting and settling overpayments identified in subsection (c)(2). The courts will determine the method of collection if a parent is found guilty of fraud.

(h) The collection of overpayment will be accomplished in the following manner:

(1) Collection from a parent whose child continues to receive subsidized day care is as follows:

(i) The parent will be notified by a letter which indicates that a repayment is required, the amount of the repayment and the options for repayment as follows:

(A) A one-time payment in full of the amount owed.

(B) A partial one-time payment on the full amount of the overpayment and an increase in the weekly family fee to be paid until the repayment is complete.

(C) An increase in the weekly family fee until the repayment is complete.

(ii) If the parent does not select an option identified in paragraph (1)(i), the eligibility agent will automatically implement an increase to the weekly family fee until the repayment is complete. The parent will be notified by a second letter of failure to choose a repayment option, the amount of the increased weekly family fee and the number of weeks the increase payment will be continued. Family fee increases assessed under this subsection will be subject to the following conditions:

(A) Weekly family fee increases implemented to collect overpayments may not exceed an amount greater than 5% of the family's monthly income.

(B) A parent may choose to increase the weekly family fee to repay an overpayment in a shorter period of time.

(C) The eligibility agent will issue an advance notice under § 3040.71 (relating to general requirements regarding notification) before implementation of an increase in the weekly family fee.

(D) The eligibility agent will establish controls to reduce the assessed increased fee upon full repayment of the overpayment claim.

(iii) When an overpayment claim cannot be fully repaid because subsidy is terminated, the eligibility agent will:

(A) Notify the Department of the discontinuance date and the amount recouped.

(B) Document the family record.

(C) Establish controls to identify the outstanding overpayment so repayment may be resumed if the family is determined eligible for subsidized child day care at a later date.

(2) Collection from a family whose child is no longer receiving subsidized child day care services is as follows:

(i) The Department will notify the parent by letter of the overpayment, the amount of the overpayment and require full repayment. This notice will require a response within 10 calendar days.

(ii) If the parent fails to respond, a second letter will be sent which reiterates the information contained in the letter required in subparagraph (i) and requests a response within 10 calendar days.

(iii) If the parent fails to respond to the second letter, the Department may institute civil proceedings. If legal action is initiated the Department will notify the eligibility agent.

#### § 3040.94. Disqualification.

(a) The Office of the Inspector General (OIG) may refer a parent applying for subsidized child day care for an Administrative Disqualification Hearing (ADH) if there is evidence of fraud.

(b) A parent and all eligible children in the family will be disqualified from participation in the subsidized child day care program if one of the following applies:

(1) A Federal or State court finds that the parent committed fraud in its application for or receipt of subsidized child day care.

(2) The parent is found, through an ADH to have committed an Intentional Program Violation (IPV).



(3) The parent signs a disqualification consent agreement as part of a court's deferred adjudication process.

(4) The parent agrees to be disqualified by signing an ADH waiver.

(c) Upon disqualification under subsection (b), a parent and all eligible children will be prohibited from participation in the subsidized child day care program:

(1) For 1 year for the first offense.

(2) Permanently for a second offense.

(d) Disqualification will be imposed within 45 calendar days from one of the following:

(1) The date a court imposed sentence after a finding of guilt or acceptance of plea of nolo contendere or approved a deferred adjudication.

(2) The date the Bureau of Hearings and Appeals rendered an ADH decision against the parent.

(3) The date a parent signed an ADH waiver.

(e) A parent will not have the right to request a Departmental hearing on the conditions underlying any court conviction or ADH decision which led to disqualification from the subsidized child day care program. Facts unrelated to those which led to the court or ADH decision (such as a child's disqualification or whether the disqualification penalty imposed is for a first or second offense) may be appealed.

(g) Upon disqualification, the parent and all eligible children will be prohibited from receiving subsidized child day care for the full period of disqualification regardless of any changes in the family eligibility status.

APPENDIX A

SOURCES OF EARNED OR UNEARNED INCOME TO BE INCLUDED, DEDUCTED AND EXCLUDED IN DETERMINING MONTHLY GROSS INCOME

PART I. INCOME INCLUSIONS.

The following sources of income shall be included in determining total monthly gross income:

\* \* \* \* \*

H. Public assistance or welfare [ payments, such as AFDC ] benefits or retirement benefits [ paid to a retired person or his survivors by a former employer or a union, either directly or through an insurance company ].

\* \* \* \* \*

L. [ Workmen's ] Workers' Compensation received from private or public insurance companies for injuries incurred at work.

\* \* \* \* \*

R. Lump sum cash of more than \$100: inheritances[, ]; life insurance benefits; personal injury and other damage awards and settlements; retroactive benefits such as Retirement, Survivor's or Disability insurance; and delayed Unemployment, divorce settlements, gifts or [ Workmen's ] Workers' Compensation.

S. Lump sum cash lottery winnings or cash prizes of more than \$100.

T. [ Capital assets: tangible or intangible long-term assets. ] Profit from self-employment; total gross receipts minus allowable costs of doing business. The allowable costs of doing business are as follows:

(1) Costs of maintaining a place of business such as rent, utilities, insurance on the business and its property and property taxes.

Note: If a business is operated in a home, the costs of maintaining a place of business are only those costs identified for the part of the home used exclusively for the business.

(2) Interest on the purchase of income-producing equipment and property.

(3) Employe labor costs, such as wage, salaries, taxes, unemployment compensation or Worker's Compensation.

(4) Cost of goods sold, supplies and materials.

(5) Advertising costs.

(6) Accounting and legal fees.

(7) Professional licensing fees and union dues, if necessary to practice a profession or trade.

(8) Transportation costs necessary to produce income.

U. Net income from room rent or room and board defined as gross income received minus \$10 for each room rented and one-half the remainder.

PART II. INCOME DEDUCTIONS.

The following sources of income shall be deducted in determining total monthly gross income:

A. Voluntary or court-ordered support paid out by the [ caretaker ] parent or a family member [ of his family ] to a present or former spouse not residing in the same household.

B. Voluntary or court-ordered child support paid out by the [ caretaker ] parent or family member [ of his family ] to a person not residing in the same household.

C. A medical expense not reimbursed through medical insurance which exceeds 10% of the family monthly gross income. The medical expense must have been incurred within the 90-day period prior to the date the caretaker notifies the eligibility agent of that expense and there must be an expectation that the expense will continue to be incurred for a period of 6 months following the outset of the expense. Medical expenses will be based on the monthly expenses or monthly payment plan, or both. Medical expenses include bills for doctors, hospital costs, dental services, health care premiums, institutional care [ or ], medications, prosthetic devices, durable medical equipment or mental health services.

D. An amount of \$300 per month for each person for which the grandparent is responsible in those households where a minor parent resides. This deduction shall exclude the minor parent and the child in need of subsidized child day care.

PART III. INCOME EXCLUSIONS.

The following sources of income shall be excluded in determining total monthly gross income:

\* \* \* \* \*

B. [ Title IV-A child care benefits, including TCC benefits and Title IV-A earned income child care deductions.

C. ] Tax refunds to include earned income tax credits.

[ D. ] C. Withdrawals of bank, credit union or brokerage deposits.

[ E. ] D. \*\*\*

[ F. ] E. \*\*\*

[ G. ] F. The value of [ the coupon allotment ] benefits under the Food Stamp Act of 1977 (7 U.S.C.A. §§ 2011—2029).

[ H. ] G. \*\*\*

[ I. ] H. \*\*\*

[ J. ] I. \*\*\*

[ K. ] J. \*\*\*

[ L. ] K. \*\*\*

[ M. ] L. \*\*\*

[ N. Any nonmonetary benefits, including the value of rent-free quarters. ]

[ O. ] M. \*\*\*

[ P. ] N. \*\*\*

[ Q. ] O. \*\*\*

[ R. ] P. \*\*\*

[ S. ] Q. \*\*\*

[ T. ] R. \*\*\*

*(Editor's Note: As part of this regulatory package, the Department is proposing to delete the existing text of Appendix B which currently appears at 55 Pa. Code pages 3040-37 and 3040-38, serial pages (217989) and (217990) and replace it with the following new text.)*

APPENDIX B

FAMILY CO-PAYMENT SCALE

(BASED ON THE 1997 FEDERAL POVERTY INCOME GUIDELINES)

FAMILY SIZE = 1		OPTION 1	OPTION 2	OPTION 3
FPIG AND INCOME STANDARDS		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$ 4,734	\$ 5.00	\$ 5.00	\$10.00
70% FPIG =	\$ 5,523	\$ 5.00	\$ 5.00	\$10.00
80% FPIG =	\$ 6,312	\$ 5.00	\$ 5.00	\$10.00
90% FPIG =	\$ 7,101	\$10.00	\$ 5.00	\$15.00
100% FPIG =	\$ 7,890	\$10.00	\$ 5.00	\$15.00
110% FPIG =	\$ 8,679	\$15.00	\$10.00	\$20.00
120% FPIG =	\$ 9,468	\$15.00	\$10.00	\$20.00
130% FPIG =	\$10,257	\$20.00	\$10.00	\$25.00
140% FPIG =	\$11,046	\$20.00	\$10.00	\$25.00
150% FPIG =	\$11,835	\$25.00	\$15.00	\$30.00
160% FPIG =	\$12,624	\$25.00	\$15.00	\$30.00
170% FPIG =	\$13,413	\$30.00	\$20.00	\$35.00
180% FPIG =	\$14,202	\$35.00	\$20.00	\$35.00
185% FPIG =	\$14,597	\$35.00	\$20.00	\$35.00

## PROPOSED RULEMAKING

<b>FAMILY SIZE = 2</b>		<b>OPTION 1</b>			<b>OPTION 2</b>		<b>OPTION 3</b>	
		<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month		
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$ 6,366	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$10.00
70% FPIG =	\$ 7,427	\$10.00	\$10.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$15.00
80% FPIG =	\$ 8,488	\$10.00	\$10.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$15.00
90% FPIG =	\$ 9,549	\$15.00	\$15.00	\$10.00	\$10.00	\$10.00	\$10.00	\$20.00
100% FPIG =	\$10,610	\$15.00	\$15.00	\$10.00	\$10.00	\$10.00	\$10.00	\$20.00
110% FPIG =	\$11,671	\$20.00	\$20.00	\$15.00	\$15.00	\$15.00	\$15.00	\$25.00
120% FPIG =	\$12,732	\$20.00	\$20.00	\$15.00	\$15.00	\$15.00	\$15.00	\$25.00
130% FPIG =	\$13,793	\$25.00	\$25.00	\$15.00	\$15.00	\$15.00	\$15.00	\$35.00
140% FPIG =	\$14,854	\$30.00	\$30.00	\$20.00	\$20.00	\$20.00	\$20.00	\$35.00
150% FPIG =	\$15,915	\$35.00	\$35.00	\$25.00	\$25.00	\$25.00	\$25.00	\$40.00
160% FPIG =	\$16,976	\$35.00	\$35.00	\$25.00	\$25.00	\$25.00	\$25.00	\$40.00
170% FPIG =	\$18,037	\$40.00	\$40.00	\$30.00	\$30.00	\$30.00	\$30.00	\$45.00
180% FPIG =	\$19,098	\$45.00	\$45.00	\$30.00	\$30.00	\$30.00	\$30.00	\$50.00
185% FPIG =	\$19,629	\$50.00	\$50.00	\$35.00	\$35.00	\$35.00	\$35.00	\$50.00

<b>FAMILY SIZE = 3</b>		<b>OPTION 1</b>			<b>OPTION 2</b>		<b>OPTION 3</b>	
		<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month		
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$ 7,998	\$10.00	\$10.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$15.00
70% FPIG =	\$ 9,331	\$10.00	\$10.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00	\$15.00
80% FPIG =	\$10,664	\$15.00	\$15.00	\$10.00	\$10.00	\$10.00	\$10.00	\$20.00
90% FPIG =	\$11,997	\$15.00	\$15.00	\$10.00	\$10.00	\$10.00	\$10.00	\$20.00
100% FPIG =	\$13,330	\$20.00	\$20.00	\$15.00	\$15.00	\$15.00	\$15.00	\$25.00
110% FPIG =	\$14,663	\$25.00	\$25.00	\$20.00	\$20.00	\$20.00	\$20.00	\$30.00
120% FPIG =	\$15,996	\$30.00	\$30.00	\$25.00	\$25.00	\$25.00	\$25.00	\$35.00
130% FPIG =	\$17,329	\$35.00	\$35.00	\$25.00	\$25.00	\$25.00	\$25.00	\$40.00
140% FPIG =	\$18,662	\$35.00	\$35.00	\$25.00	\$25.00	\$25.00	\$25.00	\$45.00
150% FPIG =	\$19,995	\$40.00	\$40.00	\$30.00	\$30.00	\$30.00	\$30.00	\$50.00
160% FPIG =	\$21,328	\$45.00	\$45.00	\$35.00	\$35.00	\$35.00	\$35.00	\$55.00
170% FPIG =	\$22,661	\$55.00	\$55.00	\$45.00	\$45.00	\$45.00	\$45.00	\$55.00
180% FPIG =	\$23,994	\$60.00	\$60.00	\$45.00	\$45.00	\$45.00	\$45.00	\$60.00
185% FPIG =	\$24,661	\$65.00	\$65.00	\$50.00	\$50.00	\$50.00	\$50.00	\$65.00

FAMILY SIZE = 4  FPIG AND INCOME STANDARDS		OPTION 1	OPTION 2	OPTION 3
		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$ 9,630	\$10.00	\$ 5.00	\$15.00
70% FPIG =	\$11,235	\$15.00	\$10.00	\$20.00
80% FPIG =	\$12,840	\$15.00	\$10.00	\$20.00
90% FPIG =	\$14,445	\$20.00	\$15.00	\$25.00
100% FPIG =	\$16,050	\$25.00	\$20.00	\$30.00
110% FPIG =	\$17,655	\$30.00	\$25.00	\$35.00
120% FPIG =	\$19,260	\$35.00	\$30.00	\$40.00
130% FPIG =	\$20,865	\$40.00	\$30.00	\$50.00
140% FPIG =	\$22,470	\$45.00	\$35.00	\$55.00
150% FPIG =	\$24,075	\$50.00	\$40.00	\$60.00
160% FPIG =	\$25,680	\$60.00	\$50.00	\$65.00
170% FPIG =	\$27,285	\$65.00	\$55.00	\$70.00
180% FPIG =	\$28,890	\$70.00	\$55.00	\$75.00
185% FPIG =	\$29,693	\$80.00	\$65.00	\$80.00

FAMILY SIZE = 5  FPIG AND INCOME STANDARDS		OPTION 1	OPTION 2	OPTION 3
		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$11,262	\$15.00	\$10.00	\$20.00
70% FPIG =	\$13,139	\$15.00	\$10.00	\$20.00
80% FPIG =	\$15,016	\$20.00	\$15.00	\$25.00
90% FPIG =	\$16,893	\$25.00	\$20.00	\$30.00
100% FPIG =	\$18,770	\$30.00	\$25.00	\$35.00
110% FPIG =	\$20,647	\$35.00	\$30.00	\$40.00
120% FPIG =	\$22,524	\$40.00	\$35.00	\$45.00
130% FPIG =	\$24,401	\$45.00	\$35.00	\$55.00
140% FPIG =	\$26,278	\$55.00	\$45.00	\$65.00
150% FPIG =	\$28,155	\$60.00	\$50.00	\$70.00
160% FPIG =	\$30,032	\$70.00	\$60.00	\$75.00
170% FPIG =	\$31,909	\$75.00	\$65.00	\$80.00
180% FPIG =	\$33,786	\$85.00	\$70.00	\$85.00
185% FPIG =	\$34,725	\$90.00	\$75.00	\$90.00

## PROPOSED RULEMAKING

<b>FAMILY SIZE = 6</b>		<b>OPTION 1</b>			<b>OPTION 2</b>		<b>OPTION 3</b>	
		<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month		Child Care Cost Ranging Below \$275 Per Month		Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE		WEEKLY FEE		WEEKLY FEE		
60% FPIG =	\$12,894	\$ 15.00		\$10.00		\$ 20.00		
70% FPIG =	\$15,043	\$ 20.00		\$15.00		\$ 25.00		
80% FPIG =	\$17,192	\$ 25.00		\$20.00		\$ 30.00		
90% FPIG =	\$19,341	\$ 30.00		\$25.00		\$ 35.00		
100% FPIG =	\$21,490	\$ 35.00		\$30.00		\$ 40.00		
110% FPIG =	\$23,639	\$ 40.00		\$35.00		\$ 45.00		
120% FPIG =	\$25,788	\$ 50.00		\$45.00		\$ 55.00		
130% FPIG =	\$27,937	\$ 55.00		\$45.00		\$ 65.00		
140% FPIG =	\$30,086	\$ 60.00		\$50.00		\$ 70.00		
150% FPIG =	\$32,235	\$ 70.00		\$60.00		\$ 80.00		
160% FPIG =	\$34,384	\$ 80.00		\$70.00		\$ 85.00		
170% FPIG =	\$36,533	\$ 85.00		\$75.00		\$ 95.00		
180% FPIG =	\$38,682	\$ 95.00		\$80.00		\$100.00		
185% FPIG =	\$39,757	\$105.00		\$90.00		\$105.00		

<b>FAMILY SIZE = 7</b>		<b>OPTION 1</b>			<b>OPTION 2</b>		<b>OPTION 3</b>	
		<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month		Child Care Cost Ranging Below \$275 Per Month		Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE		WEEKLY FEE		WEEKLY FEE		
60% FPIG =	\$14,526	\$ 20.00		\$ 15.00		\$ 25.00		
70% FPIG =	\$16,947	\$ 20.00		\$ 15.00		\$ 25.00		
80% FPIG =	\$19,368	\$ 25.00		\$ 20.00		\$ 30.00		
90% FPIG =	\$21,789	\$ 35.00		\$ 30.00		\$ 40.00		
100% FPIG =	\$24,210	\$ 40.00		\$ 35.00		\$ 45.00		
110% FPIG =	\$26,631	\$ 45.00		\$ 40.00		\$ 50.00		
120% FPIG =	\$29,052	\$ 55.00		\$ 50.00		\$ 60.00		
130% FPIG =	\$31,473	\$ 60.00		\$ 50.00		\$ 70.00		
140% FPIG =	\$33,894	\$ 70.00		\$ 60.00		\$ 80.00		
150% FPIG =	\$36,315	\$ 80.00		\$ 70.00		\$ 90.00		
160% FPIG =	\$38,736	\$ 90.00		\$ 80.00		\$100.00		
170% FPIG =	\$41,157	\$100.00		\$ 90.00		\$105.00		
180% FPIG =	\$43,578	\$110.00		\$ 95.00		\$110.00		
185% FPIG =	\$44,789	\$120.00		\$105.00		\$120.00		

<b>FAMILY SIZE = 8</b>		<b>OPTION 1</b>			<b>OPTION 2</b>	<b>OPTION 3</b>
		<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$16,158	\$ 20.00	\$ 15.00	\$ 25.00	\$ 25.00	\$ 25.00
70% FPIG =	\$18,851	\$ 25.00	\$ 20.00	\$ 20.00	\$ 30.00	\$ 30.00
80% FPIG =	\$21,544	\$ 30.00	\$ 25.00	\$ 25.00	\$ 35.00	\$ 35.00
90% FPIG =	\$24,237	\$ 35.00	\$ 30.00	\$ 30.00	\$ 40.00	\$ 40.00
100% FPIG =	\$26,930	\$ 45.00	\$ 40.00	\$ 40.00	\$ 50.00	\$ 50.00
110% FPIG =	\$29,623	\$ 50.00	\$ 45.00	\$ 45.00	\$ 55.00	\$ 55.00
120% FPIG =	\$32,316	\$ 60.00	\$ 55.00	\$ 55.00	\$ 65.00	\$ 65.00
130% FPIG =	\$35,009	\$ 70.00	\$ 60.00	\$ 60.00	\$ 80.00	\$ 80.00
140% FPIG =	\$37,702	\$ 80.00	\$ 70.00	\$ 70.00	\$ 90.00	\$ 90.00
150% FPIG =	\$40,395	\$ 90.00	\$ 80.00	\$ 80.00	\$100.00	\$100.00
160% FPIG =	\$43,088	\$100.00	\$ 90.00	\$ 90.00	\$110.00	\$110.00
170% FPIG =	\$45,781	\$110.00	\$100.00	\$100.00	\$120.00	\$120.00
180% FPIG =	\$48,474	\$120.00	\$105.00	\$105.00	\$125.00	\$125.00
185% FPIG =	\$49,821	\$135.00	\$120.00	\$120.00	\$135.00	\$135.00

<b>FAMILY SIZE = 9</b>		<b>OPTION 1</b>			<b>OPTION 2</b>	<b>OPTION 3</b>
		<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$17,790	\$ 25.00	\$ 20.00	\$ 20.00	\$ 30.00	\$ 30.00
70% FPIG =	\$20,755	\$ 25.00	\$ 20.00	\$ 20.00	\$ 30.00	\$ 30.00
80% FPIG =	\$23,720	\$ 35.00	\$ 30.00	\$ 30.00	\$ 40.00	\$ 40.00
90% FPIG =	\$26,685	\$ 40.00	\$ 35.00	\$ 35.00	\$ 45.00	\$ 45.00
100% FPIG =	\$29,650	\$ 50.00	\$ 45.00	\$ 45.00	\$ 55.00	\$ 55.00
110% FPIG =	\$32,615	\$ 55.00	\$ 50.00	\$ 50.00	\$ 60.00	\$ 60.00
120% FPIG =	\$35,580	\$ 65.00	\$ 60.00	\$ 60.00	\$ 70.00	\$ 70.00
130% FPIG =	\$38,545	\$ 75.00	\$ 65.00	\$ 65.00	\$ 85.00	\$ 85.00
140% FPIG =	\$41,510	\$ 85.00	\$ 75.00	\$ 75.00	\$ 95.00	\$ 95.00
150% FPIG =	\$44,475	\$ 95.00	\$ 85.00	\$ 85.00	\$105.00	\$105.00
160% FPIG =	\$47,440	\$110.00	\$100.00	\$100.00	\$120.00	\$120.00
170% FPIG =	\$50,405	\$120.00	\$110.00	\$110.00	\$130.00	\$130.00
180% FPIG =	\$53,370	\$135.00	\$120.00	\$120.00	\$140.00	\$140.00
185% FPIG =	\$54,853	\$145.00	\$130.00	\$130.00	\$145.00	\$145.00

## PROPOSED RULEMAKING

<b>FAMILY SIZE = 10</b>		<b>OPTION 1</b>	<b>OPTION 2</b>	<b>OPTION 3</b>
<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$19,422	\$ 25.00	\$ 20.00	\$ 30.00
70% FPIG =	\$22,659	\$ 30.00	\$ 25.00	\$ 35.00
80% FPIG =	\$25,896	\$ 35.00	\$ 30.00	\$ 40.00
90% FPIG =	\$29,133	\$ 45.00	\$ 40.00	\$ 50.00
100% FPIG =	\$32,370	\$ 55.00	\$ 50.00	\$ 60.00
110% FPIG =	\$35,607	\$ 65.00	\$ 60.00	\$ 70.00
120% FPIG =	\$38,844	\$ 75.00	\$ 70.00	\$ 80.00
130% FPIG =	\$42,081	\$ 85.00	\$ 75.00	\$ 95.00
140% FPIG =	\$45,318	\$ 95.00	\$ 85.00	\$105.00
150% FPIG =	\$48,555	\$105.00	\$ 95.00	\$115.00
160% FPIG =	\$51,792	\$120.00	\$110.00	\$130.00
170% FPIG =	\$55,029	\$130.00	\$120.00	\$140.00
180% FPIG =	\$58,266	\$145.00	\$130.00	\$150.00
185% FPIG =	\$59,885	\$160.00	\$145.00	\$160.00

<b>FAMILY SIZE = 11</b>		<b>OPTION 1</b>	<b>OPTION 2</b>	<b>OPTION 3</b>
<b>FPIG AND INCOME STANDARDS</b>		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$21,054	\$ 30.00	\$ 25.00	\$ 35.00
70% FPIG =	\$24,563	\$ 30.00	\$ 25.00	\$ 35.00
80% FPIG =	\$28,072	\$ 40.00	\$ 35.00	\$ 45.00
90% FPIG =	\$31,581	\$ 50.00	\$ 45.00	\$ 55.00
100% FPIG =	\$35,090	\$ 60.00	\$ 55.00	\$ 65.00
110% FPIG =	\$38,599	\$ 70.00	\$ 65.00	\$ 75.00
120% FPIG =	\$42,108	\$ 80.00	\$ 75.00	\$ 85.00
130% FPIG =	\$45,617	\$ 90.00	\$ 80.00	\$100.00
140% FPIG =	\$49,126	\$105.00	\$ 95.00	\$115.00
150% FPIG =	\$52,635	\$115.00	\$105.00	\$125.00
160% FPIG =	\$56,144	\$130.00	\$120.00	\$140.00
170% FPIG =	\$59,653	\$145.00	\$135.00	\$155.00
180% FPIG =	\$63,162	\$160.00	\$145.00	\$165.00
185% FPIG =	\$64,917	\$175.00	\$160.00	\$175.00

FAMILY SIZE = 12  FPIG AND INCOME STANDARDS		OPTION 1	OPTION 2	OPTION 3
		Child Care Costs Ranging From \$275 Through \$375 Per Month	Child Care Cost Ranging Below \$275 Per Month	Child Care Cost Ranging Above \$375 Per Month
PERCENT OF FPIG	ANNUAL INCOME	WEEKLY FEE	WEEKLY FEE	WEEKLY FEE
60% FPIG =	\$22,686	\$ 30.00	\$ 25.00	\$ 35.00
70% FPIG =	\$26,467	\$ 35.00	\$ 30.00	\$ 40.00
80% FPIG =	\$30,248	\$ 45.00	\$ 40.00	\$ 50.00
90% FPIG =	\$34,029	\$ 55.00	\$ 50.00	\$ 60.00
100% FPIG =	\$37,810	\$ 65.00	\$ 60.00	\$ 70.00
110% FPIG =	\$41,591	\$ 75.00	\$ 70.00	\$ 80.00
120% FPIG =	\$45,372	\$ 85.00	\$ 80.00	\$ 90.00
130% FPIG =	\$49,153	\$100.00	\$ 90.00	\$110.00
140% FPIG =	\$52,934	\$110.00	\$100.00	\$120.00
150% FPIG =	\$56,715	\$125.00	\$115.00	\$135.00
160% FPIG =	\$60,496	\$140.00	\$130.00	\$150.00
170% FPIG =	\$64,277	\$155.00	\$145.00	\$165.00
180% FPIG =	\$68,058	\$170.00	\$155.00	\$175.00
185% FPIG =	\$69,949	\$185.00	\$170.00	\$185.00

*(Editor's Note: As part of this regulatory package, the Department is proposing to delete the text of Appendix C which currently appears at 55 Pa. Code pages 3040-39 and 3040-40, serial pages (217991) and 217992.)*

**APPENDIX C. (Reserved)**

[Pa.B. Doc. No. 97-1467. Filed for public inspection September 5, 1997, 9:00 a.m.]



# NOTICES

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Clean Water State Revolving Fund Projects; Public Hearing on Federal FY 1998 and 1999 Project Priority List and FY 1998 Intended Use Plan and Federal Hardship Grants Program for Rural Communities

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (DEP) have prepared a combined Federal fiscal year 1998 and 1999 sewage construction Project Priority List and the fiscal year 1998 Intended Use Plan (IUP) list of municipal sewerage projects to be considered for a construction loan from funds the Commonwealth expects to receive from fiscal year 1998 Federal appropriation acts to capitalize the Clean Water State Revolving Fund (CWSRF) program.

The projects included on the Project Priority List have a project priority rating under DEP's regulations as set forth in Chapter 103 (relating to project priority rating system), and the regulations have been approved by the Environmental Protection Agency (EPA) for such purpose. The Clean Water Act stipulates that states must maintain a Project Priority List of municipal sewerage projects from which to develop the annual CWSRF IUP list of projects to be funded.

Projects listed on the FY 1998 IUP list are on Pennsylvania's CWSRF Project Priority List and are expected to proceed to construction in the near future. Other projects on the Project Priority List are projects that are in development or will be developed for future construction loan consideration. A project removed from an IUP is maintained on the Project Priority List unless otherwise completed.

A project must appear on the approved IUP before it can receive a loan from the CWSRF. The CWSRF IUP was developed in accordance with the ranking criteria listed in section 10(b) of the Pennsylvania Infrastructure Investment Authority Act (35 P.S. §§ 751.1—761.21). These ranking criteria differ somewhat from the DEP regulations set forth in Chapter 103 (relating to project priority rating system), as does the methodology used to evaluate projects. In addition, a project's readiness to proceed and the reasonable availability of alternative funds also have a bearing on project selection for the IUP. Consequently, the rank ordered list of projects on the Project Priority List does not dictate the order in which they will be chosen for inclusion in the IUP.

The FY 1998 CWSRF IUP has 20 municipal sewage construction projects listed with a total dollar value of approximately \$59.1 million. The CWSRF will be capitalized with approximately \$42.5 million of Federal FY 1998

funds from the EPA and \$8.7 million of State funds. Some \$9.7 million of CWSRF loan repayments will be used to allow additional project funding opportunities on the FY 1998 IUP. Some \$1.7 million of the Federal FY 1998 funds will be set aside for program administration costs. A public hearing will be held, as described below. After the public hearing and assessment of the comments received, the final FY 1998 CWSRF IUP will be completed; potentially, it may include other projects from the CWSRF Project Priority List.

In addition, there is available to the Commonwealth from the EPA approximately \$2.8 million under the Federal Hardship Grants Program for Rural Communities. A grant application separate from the CWSRF capitalization grant application will be prepared and submitted to the EPA for these funds. Award of these funds to the Commonwealth requires a match of approximately \$139,000 of State funds. In approving the hardship grants program, Congress intended these grants to be administered in conjunction with the CWSRF loan program for eligible communities for construction of public sewerage projects. Specific eligibility criteria have been published by the EPA to ensure the hardship grants program funds are awarded to small and economically disadvantaged communities.

A rural community can qualify for hardship grant assistance by satisfying all of the following criteria:

- a. A community with a population of 3,000 or fewer residents which lacks access to a centralized wastewater treatment or collection system, or needs improvements to onsite wastewater treatment systems;
- b. The proposed project will improve public health or reduce environmental risk;
- c. The community's per capita income is less than 80% of the national average;
- d. The community's unemployment rate is at least one percentage point above the national average.

The FY 1998 CWSRF IUP includes communities which have met the above hardship criteria. Further discussion of the use of the hardship grant funds is contained in the narrative description portion of the FY 1998 CWSRF IUP.

Federal guidance and regulations on development of the CWSRF Project Priority List and Intended Use Plan direct that the lists be subject to public comment and review before being submitted to the EPA.

DEP has scheduled a public hearing for 10 a.m., October 22, 1997, in the Auditorium of the Rachel Carson State Office Building, located at 400 Market Street, Harrisburg, PA. The hearing is scheduled for the purpose of receiving comments from the public regarding the combined fiscal year 1998/99 CWSRF Project Priority List and the FY 1998 CWSRF IUP and the hardship grants program. Interested persons are invited to express their views on these at the public hearing. Persons wishing to offer comments should contact the Administrative Services Section, Division of Municipal Financial Assistance, Bureau of Water Supply Management, 11th Floor, Rachel Carson State Office Building, P.O. Box 8466, Harrisburg, PA 17105-8466, (717) 787-6744, or by Internet E-mail (Maisano.Tony@a1.dep.state.pa.us) by 4 p.m., October 21, 1997. When written statements are prepared and will be submitted at the hearing, speakers will be asked to

restrict the oral portion of the statement to a summary of the written comments. Speakers will be called to present their comments generally in the order of receipt of the notice of intent to appear at the hearing.

It is not necessary to appear at the public hearing to present comments. Interested persons may submit written comments to DEP at the address shown above. The written comments will be considered equivalent to oral statements presented at the hearing. To be considered by DEP and PENNVEST, the written comments must be received by the Administrative Services Section on or before the date of the hearing.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Maisano at the address noted above or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how DEP may accommodate their needs.

The FY 1998/99 CWSRF Project Priority List and FY 1998 CWSRF IUP list of projects follow this notice. Copies of these lists, as well as the narrative portion of the CWSRF Intended Use Plan, are available for public review in the offices listed at the end of this notice. In addition, based on new or additional information related to project ratings or other relevant factors, prior fiscal year IUP lists have been revised and are available by contacting these same offices.

**Southeast Region:**

Water Management Program Manager  
Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428  
(610) 832-6131

**Northeast Region:**

Water Management Program Manager  
2 Public Square, Wilkes-Barre, PA 18711-0790  
(717) 826-2553

**Southcentral Region:**

Water Management Program Manager  
One Ararat Boulevard, Harrisburg, PA 17110  
(717) 657-4590

**Northcentral Region:**

Water Management Program Manager  
208 West 3rd Street, Williamsport, PA 17701  
(717) 327-3669

**Southwest Region:**

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

**Northwest Region:**

Water Management Program Manager  
230 Chestnut Street, Meadville, PA 16335-3481  
(814) 332-6942

Bureau of Water Supply Management, Division of  
Municipal Financial Assistance,  
Administrative Services Section  
11th Floor, RCSOB, 400 Market Street, Harrisburg, PA 17101  
(717) 787-6744

Pennsylvania Infrastructure Investment Authority  
22 S. Third Street, 4th Floor, Keystone Building,  
Harrisburg, PA 17101  
(717) 787-8137

JAMES M. SEIF,

*Secretary*

*Department of Environmental Protection*

*Vice-Chairperson*

*Pennsylvania Infrastructure Investment Authority*

PAUL K. MARCHETTI,

*Executive Director*

*Pennsylvania Infrastructure Investment Authority*

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY  
 AND DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 CLEAN WATER STATE REVOLVING FUND

**FY 1998 INTENDED USE PLAN PROJECT LIST**

EXPLANATION OF COLUMNAR HEADINGS (EXCEPT THOSE THAT ARE SELF-EXPLANATORY)

NEEDS CATEGORY:

- I — SECONDARY TREATMENT
- II — TREATMENT MORE STRINGENT THAN SECONDARY
- IIIA — INFILTRATION/INFLOW CORRECTION
- IIIB — MAJOR SEWER SYSTEM REHABILITATION
- IVA — NEW COLLECTOR SEWERS AND APPURTENANCES
- IVB — NEW INTERCEPTORS AND APPURTENANCES
- V — CORRECTION OF COMBINED SEWER OVERFLOWS

PROJECT TYPE:

- STP — SEWAGE TREATMENT PLANT
- STPMOD — SEWAGE TREATMENT PLANT MODIFICATION
- INT — INTERCEPTOR
- PS — PUMP STATION
- FM — FORCE MAIN
- SS — SEWER SYSTEM
- SS REH — SEWER SYSTEM REHABILITATION

NPDES PERMIT NUMBER:

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT NUMBER

PROJECT NUMBER:

FEDERAL LOAN PROJECT IDENTIFICATION NUMBER

ELIG. COST:

ESTIMATED LOAN AMOUNT FOR ELIGIBLE PROJECT

**PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 CLEAN WATER STATE REVOLVING FUND  
 FY 1998 INTENDED USE PLAN  
 SEPTEMBER 6, 1997**

APPLICANT INFORMATION		NEEDS CATEGORIES			PROJECT INFORMATION	
chgrow;medBIG BEAVER MA 114 FORREST DRIVE DARLINGTON PA 16115 REGION: SW COUNTY: BEAVER	I: II: IIIA: IIIB:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,654,000 \$1,954,000 \$0 \$3,608,000	PROJECT NO.: CS421961-01 PROJ. TYPE: PS INT SS PROJECT RANKING: 13 HARDSHIP ELIGIBLE: YES NPDES NO.	
CORSICA BORO P. O. BOX 176 CORSICA PA 15829 REGION: NW COUNTY: JEFFERSON	I: II: IIIA: IIIB:	\$469,000 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$939,000 \$0 \$0 \$1,408,000	PROJECT NO.: CS421886-01 PROJ. TYPE: STP,PS,SS PROJECT RANKING: 219 HARDSHIP ELIGIBLE: YES NPDES NO.:	
FALLOWFIELD TWP MA P. O. BOX 55 CHARLEROI PA 15022 REGION: SW COUNTY: WASHINGTON	I: II: IIIA: IIIB:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$4,700,000 \$2,000,000 \$0 \$6,700,000	PROJECT NO.: CS422000-01 PROJ. TYPE: INT SS PS PROJECT RANKING: 100 HARDSHIP ELIGIBLE: NO NPDES NO.:	

APPLICANT INFORMATION			NEEDS CATEGORIES			PROJECT INFORMATION		
FALLS CREEK BORO 117 TAYLOR AVENUE FALLS CREEK PA 15840 REGION: NW COUNTY: JEFFERSON	I: II: IIIA: IIIB:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$3,468,000 \$0 \$0 \$3,468,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421542-01 SS 23 YES 		
FINDLAY TWP DRAWER W CLINTON PA 15026 REGION: SW COUNTY: ALLEGHENY	I: II: IIIA: IIIB:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$207,222 \$0 \$0 \$207,222	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421974-01 SS 93 NO 		
FRANKLIN TWP SUPR RD2 BOX 311 MIDDLEBURG PA 17842 REGION: NC COUNTY: SNYDER	I: II: IIIA: IIIB:	\$142,750 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$410,700 \$64,050 \$0 \$617,500	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS422015-01 STP PS SS 255 NO 		
GIRARD TWP SUPR RR 1 BOX 394 FRENCHVILLE PA 16836 REGION: NC COUNTY: CLEARFIELD	I: II: IIIA: IIIB:	\$226,742 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$526,367 \$56,686 \$0 \$809,795	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421890-01 STP INT SS 293 YES 		
GLASSPORT BORO FIFTH & MONONGAHELA AVE GLASSPORT PA 15045 REGION: SW COUNTY: ALLEGHENY	I: II: IIIA: IIIB:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,419,000 \$0 \$0 \$1,419,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS422005-01 PS SS 162 NO PA0021113		
HUSTON TWP SUPR P. O. BOX 38 PENFIELD PA 15849 REGION: NC COUNTY: CLEARFIELD	I: II: IIIA: IIIB:	\$843,000 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$2,699,465 \$498,000 \$0 \$4,040,465	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421760-01 SS,STP,INT,PS 158 YES 		
JAY TWP SA P. O. BOX 186 WEEDVILLE PA 15868 REGION: NW COUNTY: ELK	I: II: IIIA: IIIB:	\$298,935 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,524,945 \$0 \$0 \$1,823,880	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421976-01 STPMOD SS 39 YES PA0104141		
MAHONING TWP 2685 MAHONING DRIVE EAST LEHIGHTON PA 18235 REGION: NE COUNTY: CARBON	I: II: IIIA: IIIB:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$3,461,476 \$224,400 \$0 \$3,685,876	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421668-01 SS PS INT 119 NO PA0062278		
NESSCOPECK BORO 501 RAVE AVE NESSCOPECK PA 18635 REGION: NE COUNTY: LUZERNE	I: II: IIIA: IIIB:	\$62,036,900 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,265,093 \$0 \$0 \$3,301,993	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421748-01 STPMOD SS 188 NO PA0020745		
NESHANNOCK TWP SEWER DEP 3131 MERCER ROAD NEW CASTLE PA 16105 REGION: NW COUNTY: LAWRENCE	I: II: IIIA: IIIB:	\$0 \$0 \$0 \$788,750	IVA: IVB: V: ELIG. COST:	\$4,325,602 \$3,148,438 \$0 \$8,262,790	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: HARDSHIP ELIGIBLE: NPDES NO.:	CS421916-01 INT SS PS 225 NO 		

**APPLICANT INFORMATION**

OLD LYCOMING TWP A (LYCOMING)  
 1951 GREEN AVE  
 WILLIAMSPORT PA 17701  
 REGION: NC COUNTY: LYCOMING

RICES LANDING BORO  
 BOX 185  
 RICES LANDING PA 15357  
 REGION: SW COUNTY: GREENE

SEWARD/ST CLAIR TWP SA  
 RD 2, BOX 195  
 SEWARD PA 15954  
 REGION: SW COUNTY: WESTMORELAND

SHADE-CENTRAL CITY JA  
 429 SUNSHINE AVENUE  
 CENTRAL CITY PA 15926  
 REGION: SW COUNTY: SOMERSET

SMETHPORT BORO A  
 412 WEST WATER STREET  
 SMETHPORT PA 16749  
 REGION: NW COUNTY: MCKEAN

SUMMERVILLE BORO  
 P. O. BOX 277  
 SUMMERVILLE PA 15864  
 REGION: NW COUNTY: JEFFERSON

SYKESVILLE BORO  
 21 EAST MAIN STREET  
 SYKESVILLE PA 15865  
 REGION: NW COUNTY: JEFFERSON

**NEEDS CATEGORIES**

I: \$386,048 IVA: \$2,476,230  
 II: \$0 IVB: \$814,917  
 IIIA: \$0 V: \$0  
 IIIB: \$0 ELIG. COST: \$3,677,195

I: \$300,000 IVA: \$1,600,000  
 II: \$0 IVB: \$250,000  
 IIIA: \$0 V: \$0  
 IIIB: \$0 ELIG. COST: \$2,150,000

I: \$825,000 IVA: \$2,575,000  
 II: \$0 IVB: \$300,000  
 IIIA: \$0 V: \$0  
 IIIB: \$0 ELIG. COST: \$3,700,000

I: \$0 IVA: \$160,000  
 II: \$0 IVB: \$0  
 IIIA: \$0 V: \$0  
 IIIB: \$740,000 ELIG. COST: \$900,000

I: \$62,168,168 IVA: \$0  
 II: \$0 IVB: \$0  
 IIIA: \$0 V: \$0  
 IIIB: \$0 ELIG. COST: \$2,168,168

I: \$683,000 IVA: \$1,805,000  
 II: \$0 IVB: \$0  
 IIIA: \$0 V: \$0  
 IIIB: \$0 ELIG. COST: \$2,488,000

I: \$61,167,000 IVA: \$3,539,000  
 II: \$0 IVB: \$0  
 IIIA: \$0 V: \$0  
 IIIB: \$0 ELIG. COST: \$4,706,000

**PROJECT INFORMATION**

PROJECT NO.: CS421765-01  
 PROJ. TYPE: SS,INT  
 PROJECT RANKING: 226  
 HARDSHIP ELIGIBLE: YES  
 NPDES NO.: PA0027057

PROJECT NO.: CS422013-01  
 PROJ. TYPE: SS,PS,STP  
 PROJECT RANKING: 283  
 HARDSHIP ELIGIBLE: NO  
 NPDES NO.:

PROJECT NO.: CS421966-01  
 PROJ. TYPE: STP PS INT SS  
 PROJECT RANKING: 56  
 HARDSHIP ELIGIBLE: YES  
 NPDES NO.:

PROJECT NO.: CS421975-01  
 PROJ. TYPE: SS SEWER REHA  
 PROJECT RANKING: 235  
 HARDSHIP ELIGIBLE: NO  
 NPDES NO.:

PROJECT NO.: CS421879-01  
 PROJ. TYPE: STP MOD  
 PROJECT RANKING: 242  
 HARDSHIP ELIGIBLE: YES  
 NPDES NO.:

PROJECT NO.: CS421912-01  
 PROJ. TYPE: STP SS PS  
 PROJECT RANKING: 183  
 HARDSHIP ELIGIBLE: YES  
 NPDES NO.:

PROJECT NO.: CS421589-01  
 PROJ. TYPE: STP,SS,PS  
 PROJECT RANKING: 217  
 HARDSHIP ELIGIBLE: YES  
 NPDES NO.:

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY  
AND DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CLEAN WATER STATE REVOLVING FUND

**FY 1998 AND FY 1999 PROJECT PRIORITY LIST  
IN PRIORITY ORDER**

EXPLANATION OF COLUMNAR HEADINGS (EXCEPT THOSE THAT ARE SELF-EXPLANATORY)

NEEDS CATEGORY:

- I — SECONDARY TREATMENT
- II — TREATMENT MORE STRINGENT THAN SECONDARY
- IIIA — INFILTRATION/INFLOW CORRECTION
- IIIB — MAJOR SEWER SYSTEM REHABILITATION
- IVA — NEW COLLECTOR SEWERS AND APPURTENANCES
- IVB — NEW INTERCEPTORS AND APPURTENANCES
- V — CORRECTION OF COMBINED SEWER OVERFLOWS

PROJECT TYPE:

- STP — SEWAGE TREATMENT PLANT
- STPMOD — SEWAGE TREATMENT PLANT MODIFICATION
- INT — INTERCEPTOR
- PS — PUMP STATION
- FM — FORCE MAIN
- SS — SEWER SYSTEM
- SS REH — SEWER SYSTEM REHABILITATION

NPDES PERMIT NUMBER:

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT NUMBER

PROJECT NUMBER:

FEDERAL LOAN PROJECT IDENTIFICATION NUMBER

ELIG. COSTS:

ESTIMATED LOAN AMOUNT FOR ELIGIBLE PROJECT

**PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CLEAN WATER STATE REVOLVING FUND  
FY 1998 AND FY 1999 PROJECT PRIORITY LIST  
SEPTEMBER 6, 1997**

APPLICANT INFORMATION		NEEDS CATEGORIES				PROJECT INFORMATION	
HIGHLAND TWP (JAMES CITY) P. O. BOX 435 DEYOUNG REGION: NW COUNTY: ELK PA 16725		I: \$0	II: \$200,000	IIIA: \$0	IIIB: \$0	ELIG. COST: \$397,555	PROJECT NO.: CS421551-01 PROJ. TYPE: STP,SS PROJECT RANKING: 1 NPDES NO.: PA0221520
WALKER TWP SUPR R. D. 1 BOX 201 Z THOMPSONTOWN REGION: SC COUNTY: JUNIATA PA 17094		I: \$413,769	II: \$0	IIIA: \$0	IIIB: \$0	ELIG. COST: \$2,815,769	PROJECT NO.: CS421838-01 PROJ. TYPE: STP PS SS PROJECT RANKING: 2 NPDES NO.:
QUINCY SA 7575 MENTZER GAP ROAD WAYNESBORO REGION: SC COUNTY: FRANKLIN PA 17268		I: \$0	II: \$2,100,000	IIIA: \$0	IIIB: \$0	ELIG. COST: \$7,454,000	PROJECT NO.: CS421946-01 PROJ. TYPE: STP PS SS INT PROJECT RANKING: 3 NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

NEW RINGGOLD BORO  
P. O. BOX 181  
NEW RINGGOLD PA 17960  
REGION: NE COUNTY: SCHUYLKILL

NORTH UNION TWP  
BOX 5  
NUREMBERG PA 18241  
REGION: NE COUNTY: SCHUYLKILL

BESSEMER BORO  
P. O. BOX 789  
BESSEMER PA 16112  
REGION: NW COUNTY: LAWRENCE

GEORGES CREEK MA  
R. D. 3 BOX 372  
SMITHFIELD PA 15478  
REGION: SW COUNTY: FAYETTE

NORTH LEBANON TWP MA  
725 KIMMERLINGS ROAD  
LEBANON PA 17046  
REGION: SC COUNTY: LEBANON

DUBLIN TWP SUPR  
HRC 75 BOX 240  
FORT LITTLETON PA 17223  
REGION: SC COUNTY: FULTON

DELANO TWP  
140 HAZLE STREET  
DELANO PA 18220  
REGION: NE COUNTY: SCHUYLKILL

ROSS TWP SA  
P. O. BOX 255  
SWEET VALLEY PA 18656  
REGION: NE COUNTY: LUZERNE

CENTER TWP (ROGERSVILLE)  
P. O. BOX 369  
ROGERSVILLE PA 15359  
REGION: SW COUNTY: GREENE

BIG BEAVER MA  
114 FORREST DRIVE  
DARLINGTON PA 16115  
REGION: SW COUNTY: BEAVER

BLACK CREEK TWP  
BOX 3  
ROCKGLEN PA 18246  
REGION: NE COUNTY: LUZERNE

THOMPSON BORO  
P. O. BOX 89  
THOMPSON PA 18465  
REGION: NE COUNTY: SUSQUEHANNA

CHESTNUT RIDGE AREA JOINT M A  
BOX 7  
ALUM BANK PA 15521  
REGION: SC COUNTY: BEDFORD

I:	\$285,000	IVA:	\$357,000
II:	\$0	IVB:	\$358,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,000,000
I:	\$270,000	IVA:	\$0
II:	\$0	IVB:	\$170,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$440,000
I:	\$2,113,600	IVA:	\$3,521,400
II:	\$1,360,000	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$6,995,000
I:	\$1,160,000	IVA:	\$1,383,000
II:	\$493,000	IVB:	\$228,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,264,000
I:	\$0	IVA:	\$3,736,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,736,000
I:	\$600,000	IVA:	\$2,199,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,799,000
I:	\$658,000	IVA:	\$0
II:	\$0	IVB:	\$1,637,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,295,000
I:	\$300,000	IVA:	\$350,000
II:	\$0	IVB:	\$350,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,000,000
I:	\$754,000	IVA:	\$3,705,000
II:	\$0	IVB:	\$408,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$4,867,000
I:	\$0	IVA:	\$1,654,000
II:	\$0	IVB:	\$1,954,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,608,000
I:	\$1,277,000	IVA:	\$1,674,000
II:	\$0	IVB:	\$365,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,316,000
I:	\$238,844	IVA:	\$462,984
II:	\$0	IVB:	\$102,172
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$804,000
I:	\$4,896,000	IVA:	\$8,896,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$13,792,000

PROJECT NO.: CS421944-01  
PROJ. TYPE: STP INT SS  
PROJECT RANKING: 4  
NPDES NO.:

PROJECT NO.: CS421735-01  
PROJ. TYPE: STP, INT  
PROJECT RANKING: 5  
NPDES NO.:

PROJECT NO.: CS421540-01  
PROJ. TYPE: STP SS PS  
PROJECT RANKING: 6  
NPDES NO.: PA0210471

PROJECT NO.: CS421488-01  
PROJ. TYPE: SS,INT,STP  
PROJECT RANKING: 7  
NPDES NO.:

PROJECT NO.: CS421841-01  
PROJ. TYPE: INT SS PS  
PROJECT RANKING: 8  
NPDES NO.:

PROJECT NO.: CS421813-01  
PROJ. TYPE: STP SS PS  
PROJECT RANKING: 9  
NPDES NO.:

PROJECT NO.: CS421742-01  
PROJ. TYPE: STPMOD ,INT  
PROJECT RANKING: 10  
NPDES NO.:

PROJECT NO.: CS421636-01  
PROJ. TYPE: STP SS INT  
PROJECT RANKING: 11  
NPDES NO.:

PROJECT NO.: CS421487-01  
PROJ. TYPE: SS,INT,STP  
PROJECT RANKING: 12  
NPDES NO.:

PROJECT NO.: CS421961-01  
PROJ. TYPE: PS INT SS  
PROJECT RANKING: 13  
NPDES NO.:

PROJECT NO.: CS421724-01  
PROJ. TYPE: SS STP INT  
PROJECT RANKING: 14  
NPDES NO.:

PROJECT NO.: CS421750-01  
PROJ. TYPE: STP INT SS PS  
PROJECT RANKING: 15  
NPDES NO.:

PROJECT NO.: CS421955-01  
PROJ. TYPE: STP PS INT SS  
PROJECT RANKING: 16  
NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

APPLICANT INFORMATION		NEEDS CATEGORIES		PROJECT INFORMATION	
WILMINGTON TWP SA R. D. 5 BOX 469 NEW CASTLE PA 16105 REGION: NW COUNTY: LAWRENCE	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$68,945 IVB: \$0 V: \$0 ELIG. COST: \$68,945	PROJECT NO.: CS421969-01 PROJ. TYPE: SS PROJECT RANKING: 17 NPDES NO.:		
SPRING TWP SUPR 457 MUSSER LANE BELLEFONTE PA 16823 REGION: NC COUNTY: CENTRE	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$923,000 IVB: \$378,000 V: \$0 ELIG. COST: \$1,301,000	PROJECT NO.: CS421935-01 PROJ. TYPE: INT SS PS PROJECT RANKING: 18 NPDES NO.: PA0020486		
CECIL TWP MA (HEND LAWR) R. D. 3 RTE 50 MUNICIPAL BLDG MCDONALD PA 15057 REGION: SW COUNTY: WASHINGTON	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$123,068 IVB: \$0 V: \$0 ELIG. COST: \$123,068	PROJECT NO.: CS421031-03 PROJ. TYPE: SS,INT,STP PROJECT RANKING: 19 NPDES NO.:		
CLARENDON BORO/MEAD TWP P. O. BOX 335 CLARENDON PA 16313 REGION: NW COUNTY: WARREN	I: \$2,091,492 II: \$0 III: \$0 IIIB: \$0	IVA: \$6,660,108 IVB: \$0 V: \$0 ELIG. COST: \$8,751,600	PROJECT NO.: CS421550-01 PROJ. TYPE: STP,INT,SS PROJECT RANKING: 20 NPDES NO.:		
ABBOTT TWP SUPR R. R. 1 BOX 75C GALETON PA 16922 REGION: NC COUNTY: POTTER	I: \$306,000 II: \$63,000 III: \$0 IIIB: \$0	IVA: \$665,000 IVB: \$0 V: \$0 ELIG. COST: \$1,034,000	PROJECT NO.: CS421645-01 PROJ. TYPE: STP INT SS PROJECT RANKING: 21 NPDES NO.:		
DUNBAR BORO 133 CONNELLSVILLE STREET DUNBAR PA 15431 REGION: SW COUNTY: FAYETTE	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$312,000 IVB: \$45,000 V: \$0 ELIG. COST: \$357,000	PROJECT NO.: CS421491-01 PROJ. TYPE: STP,INT,SS PROJECT RANKING: 22 NPDES NO.: PA0093530		
FALLS CREEK BORO 117 TAYLOR AVENUE FALLS CREEK PA 15840 REGION: NW COUNTY: JEFFERSON	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$3,468,000 IVB: \$0 V: \$0 ELIG. COST: \$3,468,000	PROJECT NO.: CS421542-01 PROJ. TYPE: SS PROJECT RANKING: 23 NPDES NO.:		
SANDYCREEK TWP R. R. 4 BOX 934 FRANKLIN PA 16323 REGION: NW COUNTY: VENANGO	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$2,758,505 IVB: \$0 V: \$0 ELIG. COST: \$2,758,505	PROJECT NO.: CS421826-01 PROJ. TYPE: SS,PS PROJECT RANKING: 24 NPDES NO.:		
NORTH FAYETTE TWP 400 NORTH BRANCH ROAD OAKDALE PA 15071 REGION: SW COUNTY: ALLEGHENY	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$1,182,800 IVB: \$0 V: \$0 ELIG. COST: \$1,182,800	PROJECT NO.: CS421958-01 PROJ. TYPE: SS PROJECT RANKING: 25 NPDES NO.:		
DERRY TWP MA P. O. BOX 250 DERRY PA 15671 REGION: SW COUNTY: WESTMORELAND	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$1,103,250 IVB: \$0 V: \$0 ELIG. COST: \$1,103,250	PROJECT NO.: CS421710-01 PROJ. TYPE: PS, SS PROJECT RANKING: 26 NPDES NO.:		
FRANKLIN TWP MSA 3001 MEADOWBROOK ROAD MURRYSVILLE PA 15668 REGION: SW COUNTY: WESTMORELAND	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$790,000 IVB: \$0 V: \$0 ELIG. COST: \$790,000	PROJECT NO.: CS421956-01 PROJ. TYPE: SS PROJECT RANKING: 27 NPDES NO.: PA0025674		
CENTER TWP SA 224 CENTER GRANGE RD ALIQUIPPA PA 15001 REGION: SW COUNTY: BEAVER	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$450,000 IVB: \$0 V: \$0 ELIG. COST: \$450,000	PROJECT NO.: CS421778-01 PROJ. TYPE: SS PROJECT RANKING: 28 NPDES NO.: PA0037940		
CENTRE HALL/POTTER SA P. O. BOX 497 CENTRE HALL PA 16828 REGION: NC COUNTY: CENTRE	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$4,844,620 IVB: \$0 V: \$0 ELIG. COST: \$4,844,620	PROJECT NO.: CS421768-01 PROJ. TYPE: STP INT SS PROJECT RANKING: 29 NPDES NO.:		



**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

APPLICANT INFORMATION	NEEDS CATEGORIES	PROJECT INFORMATION
PINE GROVE TWP ROUTE 4 BOX 260 A PINE GROVE PA 17963 REGION: NE COUNTY: SCHUYLKILL	I: \$0 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421687-01 PROJ. TYPE: INT, SS PROJECT RANKING: 30 NPDES NO.:
BETHEL TWP R. D. 2 BOX 28 WARFORDSBURG PA 17267 REGION: SC COUNTY: FULTON	I: \$1,178,000 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421595-01 PROJ. TYPE: SS STP PROJECT RANKING: 31 NPDES NO.:
SCHUYLKILL VALLEY SA 375 VALLEY STREET NEW PHILADELPHIA PA 17959 REGION: NE COUNTY: SCHUYLKILL	I: \$2,795,720 II: \$0 III: \$0 IIIB: \$300,000	PROJECT NO.: CS421749-01 PROJ. TYPE: STP INT SS PROJECT RANKING: 32 NPDES NO.:
EAST BETHLEHEM TWP (FREDRICKSTOWN) BOX 44 VESTABURG PA 15368 REGION: SW COUNTY: WASHINGTON	I: \$1,533,000 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421497-01 PROJ. TYPE: STP, INT, PS PROJECT RANKING: 33 NPDES NO.: PA0205753
SHANNOCK VALLEY GEN SERV AUTH P. O. BOX 342 RURAL VALLEY PA 16249 REGION: SW COUNTY: ARMSTRONG	I: \$1,000,000 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421494-01 PROJ. TYPE: STP,INT,SS PROJECT RANKING: 34 NPDES NO.: PA0216984
MAPLETON AREA JMA P. O. BOX 415 HUNTINGDON PA 17052 REGION: SC COUNTY: HUNTINGDON	I: \$0 II: \$1,568,791 III: \$0 IIIB: \$0	PROJECT NO.: CS421877-01 PROJ. TYPE: STP SS PS INT PROJECT RANKING: 35 NPDES NO.:
BIG RUN BORO BOX 5 BIG RUN PA 15715 REGION: NW COUNTY: JEFFERSON	I: \$632,867 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421771-01 PROJ. TYPE: STP SS PROJECT RANKING: 36 NPDES NO.:
WEST BROWNSVILLE BORO 625 MIDDLE STREET WEST BROWNSVILLE PA 15417 REGION: SW COUNTY: WASHINGTON	I: \$0 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421486-01 PROJ. TYPE: INT, PS, SS PROJECT RANKING: 37 NPDES NO.:
SMITHTON BORO MA P. O. BOX 288 SMITHTON PA 15479 REGION: SW COUNTY: WESTMORELAND	I: \$450,000 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421496-01 PROJ. TYPE: STP PS INT SS PROJECT RANKING: 38 NPDES NO.: PA0024881
JAY TWP SA P. O. BOX 186 WEEDVILLE PA 15868 REGION: NW COUNTY: ELK	I: \$298,935 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421976-01 PROJ. TYPE: STPMOD SS PROJECT RANKING: 39 NPDES NO.: PA0104141
NEWTON HAMILTON BORO P. O. BOX 65 NEWTON HAMILTON PA 17075 REGION: SC COUNTY: MIFFLIN	I: \$700,000 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421829-01 PROJ. TYPE: STP, INT,SS PROJECT RANKING: 40 NPDES NO.:
KEATING TWP P. O. BOX 103 EAST SMETHPORT PA 16730 REGION: NW COUNTY: MCKEAN	I: \$0 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421556-01 PROJ. TYPE: SS, PS PROJECT RANKING: 41 NPDES NO.:
PLYMOUTH TWP 5 TOWERS ROAD SHAVERTOWN PA 18708 REGION: NE COUNTY: LUZERNE	I: \$0 II: \$0 III: \$0 IIIB: \$0	PROJECT NO.: CS421940-01 PROJ. TYPE: SS PROJECT RANKING: 42 NPDES NO.:
	IV: \$1,901,000 IVB: \$171,000 V: \$0 ELIG. COST: \$2,072,000	
	IV: \$0 IVB: \$0 V: \$0 ELIG. COST: \$1,178,000	
	IV: \$4,863,169 IVB: \$2,188,601 V: \$0 ELIG. COST: \$10,147,490	
	IV: \$4,122,000 IVB: \$386,900 V: \$0 ELIG. COST: \$6,041,900	
	IV: \$3,162,000 IVB: \$1,500,000 V: \$0 ELIG. COST: \$5,662,000	
	IV: \$1,443,477 IVB: \$0 V: \$0 ELIG. COST: \$3,012,268	
	IV: \$2,099,133 IVB: \$0 V: \$0 ELIG. COST: \$2,732,000	
	IV: \$1,928,000 IVB: \$297,000 V: \$0 ELIG. COST: \$2,225,000	
	IV: \$1,000,000 IVB: \$450,000 V: \$0 ELIG. COST: \$1,900,000	
	IV: \$1,524,945 IVB: \$0 V: \$0 ELIG. COST: \$1,823,880	
	IV: \$650,000 IVB: \$450,000 V: \$0 ELIG. COST: \$1,800,000	
	IV: \$1,120,944 IVB: \$0 V: \$0 ELIG. COST: \$1,120,944	
	IV: \$830,000 IVB: \$0 V: \$0 ELIG. COST: \$830,000	

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

CONEMAUGH TWP SUPR  
R. D. 4 BOX A-20  
JOHNSTOWN PA 15905  
REGION: SW COUNTY: SOMERSET

BURGETTSTOWN SMITH TWP JSA  
P. O. BOX 207  
BURGETTSTOWN PA 15021  
REGION: SW COUNTY: WASHINGTON

CECIL TWP MA (MILLER RUN)  
R. D. 3 MUNICIPAL BUILDING  
MCDONALD PA 15057  
REGION: SW COUNTY: WASHINGTON

PEGASUS SA  
1296 CLAPBOARD RUN ROAD  
JOHNSTOWN PA 15904  
REGION: SW COUNTY: CAMBRIA

WAYNE TWP MA  
1418 WAMPUM AVENUE RT 288  
ELLWOOD CITY PA 16117  
REGION: NW COUNTY: LAWRENCE

PINEY TWP  
R. D. 1 BOX 202  
SLIGO PA 16255  
REGION: NW COUNTY: CLARION

LEACOCK TWP  
16 EAST WESTVIEW DRIVE  
INTERCOURSE PA 17534  
REGION: SC COUNTY: LANCASTER

HAMILTON TWP SUPR (MORRIS RUN)  
R. D.1 BOX 293  
BLOSSBURG PA 16912  
REGION: NC COUNTY: TIOGA

REDSTONE TWP SUPR (REPUBLIC)  
R. D. 1 BOX 515  
GRINDSTONE PA 15442  
REGION: SW COUNTY: FAYETTE

MENALLEN TWP S A  
P. O. BOX 576  
NEW SALEM PA 15468  
REGION: SW COUNTY: FAYETTE

FOREST HILLS MA  
P. O. BOX 111  
SOUTH FORK PA 15956  
REGION: SW COUNTY: CAMBRIA

FOREST HILLS MA (SOUTHFORK)  
BOX 111  
SOUTH FORK PA 15956  
REGION: SW COUNTY: CAMBRIA

MCADOO BORO  
23 NORTH HANCOCK ST  
MCADOO PA 18237  
REGION: NE COUNTY: SCHUYLKILL

I:	\$1,470,970	IVA:	\$2,075,000
II:	\$0	IVB:	\$750,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$4,295,970
I:	\$3,671,737	IVA:	\$3,000,000
II:	\$0	IVB:	\$3,000,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$9,671,737
I:	\$0	IVA:	\$646,000
II:	\$0	IVB:	\$257,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$903,000
I:	\$0	IVA:	\$3,260,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,260,000
I:	\$0	IVA:	\$785,400
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$785,400
I:	\$21,000	IVA:	\$20,850
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$41,850
I:	\$2,500,000	IVA:	\$0
II:	\$0	IVB:	\$500,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,000,000
I:	\$825,508	IVA:	\$1,718,614
II:	\$0	IVB:	\$70,268
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,614,390
I:	\$2,797,000	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,797,000
I:	\$0	IVA:	\$553,000
II:	\$0	IVB:	\$200,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$753,000
I:	\$7,730,000	IVA:	\$7,921,000
II:	\$0	IVB:	\$18,898,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$34,549,000
I:	\$3,500,000	IVA:	\$7,300,000
II:	\$0	IVB:	\$4,000,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$14,800,000
I:	\$4,234,000	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$4,234,000

PROJECT NO.: CS421918-01  
PROJ. TYPE: STP PS INT SS  
PROJECT RANKING: 43  
NPDES NO.:

PROJECT NO.: CS420988-02  
PROJ. TYPE: STP INT SS  
PROJECT RANKING: 44  
NPDES NO.: PA0216216

PROJECT NO.: CS421031-02  
PROJ. TYPE: INT, SS  
PROJECT RANKING: 45  
NPDES NO.:

PROJECT NO.: CS421972-01  
PROJ. TYPE: SS PS  
PROJECT RANKING: 46  
NPDES NO.:

PROJECT NO.: CS421828-01  
PROJ. TYPE: SS INT  
PROJECT RANKING: 47  
NPDES NO.:

PROJECT NO.: CS421825-01  
PROJ. TYPE: STP, SS  
PROJECT RANKING: 48  
NPDES NO.:

PROJECT NO.: CS421839-01  
PROJ. TYPE: STP,INT  
PROJECT RANKING: 49  
NPDES NO.: PA0084212

PROJECT NO.: CS422028-01  
PROJ. TYPE: STP PS SS  
PROJECT RANKING: 50  
NPDES NO.:

PROJECT NO.: CS421504-01  
PROJ. TYPE: SS,INT  
PROJECT RANKING: 51  
NPDES NO.:

PROJECT NO.: CS421620-01  
PROJ. TYPE: SS,INT,PS  
PROJECT RANKING: 52  
NPDES NO.: PA2696402

PROJECT NO.: CS421887-01  
PROJ. TYPE: STP PS INT SS  
PROJECT RANKING: 53  
NPDES NO.:

PROJECT NO.: CS421499-01  
PROJ. TYPE: STP INT SS  
PROJECT RANKING: 54  
NPDES NO.:

PROJECT NO.: CS421747-01  
PROJ. TYPE: STP,INT,SS  
PROJECT RANKING: 55  
NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

APPLICANT INFORMATION	NEEDS CATEGORIES	PROJECT INFORMATION
SEWARD/ST CLAIR TWP SA R. D. 2 BOX 195 SEWARD PA 15954 REGION: SW COUNTY: WESTMORELAND	I: \$825,000 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421966-01 PROJ. TYPE: STP PS INT SS PROJECT RANKING: 56 NPDES NO.:
PORT CLINTON BORO NORTH STREET PORT CLINTON BORO PA 19549 REGION: NE COUNTY: SCHUYLKILL	I: \$1,200,000 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421941-01 PROJ. TYPE: STP INT SS PS PROJECT RANKING: 57 NPDES NO.:
KLINE TWP WOODSIDE TERRACE MCADOO PA 18237 REGION: NE COUNTY: SCHUYLKILL	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421745-01 PROJ. TYPE: SS,INT PROJECT RANKING: 58 NPDES NO.:
BANKS TWP 23 EAST OAK ST TRESCKOW PA 18254 REGION: NE COUNTY: CARBON	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421739-01 PROJ. TYPE: PS SS PROJECT RANKING: 59 NPDES NO.:
GILBERTON BORO MAIN ST MAIZEVELLE GILBERTON PA 17934 REGION: NE COUNTY: SCHUYLKILL	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421744-01 PROJ. TYPE: SS,INT,STP PROJECT RANKING: 60 NPDES NO.:
LONDONDERRY TWP 783 S GEYER CHURCH RD MIDDLETOWN PA 17057 REGION: SC COUNTY: DAUPHIN	I: \$4,140,000 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421574-01 PROJ. TYPE: STP,SS PROJECT RANKING: 61 NPDES NO.: PA0082392
SCOTT TWP SA R. D. 1 BOX 458 OLYPHANT PA 18447 REGION: NE COUNTY: LACKAWANNA	I: \$2,123,000 II: \$879,000 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421672-01 PROJ. TYPE: STP, INT, SS PROJECT RANKING: 62 NPDES NO.: PA0063207
JEFFERSON TWP SA R. R. 4 BOX 179 LAKE ARIEL PA 18436 REGION: NE COUNTY: LACKAWANNA	I: \$0 II: \$3,785,800 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421683-01 PROJ. TYPE: STP INT PS SS PROJECT RANKING: 63 NPDES NO.:
HOPEWELL TWP R. D. 1 BOX 95 JAMES CREEK PA 16657 REGION: SC COUNTY: HUNTINGDON	I: \$461,000 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421571-01 PROJ. TYPE: STP,SS PROJECT RANKING: 64 NPDES NO.: PA0082759
LANCASTER TWP 1240 MAPLE AVENUE LANCASTER PA 17603 REGION: SC COUNTY: LANCASTER	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421514-01 PROJ. TYPE: SS PROJECT RANKING: 65 NPDES NO.:
NORTHERN BLAIR CO RSA R. R. 4 BOX 236A TYRONE PA 16686 REGION: SC COUNTY: BLAIR	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421878-01 PROJ. TYPE: SS PROJECT RANKING: 66 NPDES NO.:
DELMAR TWP (SMITHVILLE) R. D. 5 BOX 70A WELLSBORO PA 16901 REGION: NC COUNTY: TIOGA	I: \$121,235 II: \$19,735 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421758-01 PROJ. TYPE: STP SS PROJECT RANKING: 67 NPDES NO.:
RICE TWP 3000 CHURCH ROAD MOUNTAINTOP PA 18707 REGION: NE COUNTY: LUZERNE	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	PROJECT NO.: CS421901-01 PROJ. TYPE: SS PROJECT RANKING: 68 NPDES NO.:

APPLICANT INFORMATION			NEEDS CATEGORIES			PROJECT INFORMATION		
PENN TWP (GRAMPIAN) R. D. 1 BOX 43 GRAMPIAN PA 16838 REGION: NC COUNTY: CLEARFIELD	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$1,557,000 IVB: \$167,000 V: \$0 ELIG. COST: \$1,724,000		PROJECT NO.: CS421557-01 PROJ. TYPE: INT SS PROJECT RANKING: 69 NPDES NO.:			
AVONDALE BORO P. O. BOX 263 AVONDALE PA 19311 REGION: SE COUNTY: CHESTER	I: \$1,646,000 II: \$0 III: \$0 IIIB: \$0		IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$1,646,000		PROJECT NO.: CS421644-01 PROJ. TYPE: STPMOD PROJECT RANKING: 70 NPDES NO.: PA0025488			
WILKES-BARRE TWP 150 WATSON ST WILKES-BARRE PA 18702 REGION: NE COUNTY: LUZERNE	I: \$0 II: \$0 III: \$400,000 IIIB: \$600,000		IVA: \$1,200,000 IVB: \$600,000 V: \$0 ELIG. COST: \$2,800,000		PROJECT NO.: CS421943-01 PROJ. TYPE: SS INT I/I SSR PROJECT RANKING: 71 NPDES NO.:			
VANDERGRIFT BORO 151 LINCOLN AVENUE VANDERGRIFT PA 15690 REGION: SW COUNTY: WESTMORELAND	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$616,624 IVB: \$0 V: \$0 ELIG. COST: \$616,624		PROJECT NO.: CS422014-01 PROJ. TYPE: SS PROJECT RANKING: 72 NPDES NO.:			
BRANCH TWP P. O. BOX 295 LLEWELLYN PA 17944 REGION: NE COUNTY: SCHUYLILL	I: \$2,500,000 II: \$0 III: \$0 IIIB: \$0		IVA: \$5,300,000 IVB: \$0 V: \$0 ELIG. COST: \$7,800,000		PROJECT NO.: CS421725-01 PROJ. TYPE: STP SS INT PROJECT RANKING: 73 NPDES NO.:			
CONYNGHAM TWP SUPR P. O. BOX 14 WILBURTON PA 17888 REGION: NC COUNTY: COLUMBIA	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$3,535,895 IVB: \$2,366,773 V: \$0 ELIG. COST: \$5,902,668		PROJECT NO.: CS421801-01 PROJ. TYPE: PS,INT,SS PROJECT RANKING: 74 NPDES NO.:			
JEDDO BORO R. D. BOX 1269 FREELAND PA 18224 REGION: NE COUNTY: LUZERNE	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$1,200,000 IVB: \$1,100,000 V: \$0 ELIG. COST: \$2,300,000		PROJECT NO.: CS421891-01 PROJ. TYPE: INT SS PS PROJECT RANKING: 75 NPDES NO.:			
RICHMOND TWP 664 SHAW ROAD MANSFIELD PA 16933 REGION: NC COUNTY: TIOGA	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$897,375 IVB: \$0 V: \$0 ELIG. COST: \$897,375		PROJECT NO.: CS421979-01 PROJ. TYPE: SS PROJECT RANKING: 76 NPDES NO.: PA0021814			
WASHINGTON TWP 13013 WELTY RD WAYNESBORO PA 17268 REGION: SC COUNTY: FRANKLIN	I: \$4,105,000 II: \$0 III: \$0 IIIB: \$0		IVA: \$242,000 IVB: \$0 V: \$0 ELIG. COST: \$4,347,000		PROJECT NO.: CS420865-01 PROJ. TYPE: STP MOD,SS,INT PROJECT RANKING: 77 NPDES NO.: PA0080225			
HAMILTON TWP 272 MUMMERTS CHURCH ROAD ABBOTTSTOWN PA 17301 REGION: SC COUNTY: ADAMS	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$1,100,000 IVB: \$0 V: \$0 ELIG. COST: \$1,100,000		PROJECT NO.: CS421697-01 PROJ. TYPE: SS PROJECT RANKING: 78 NPDES NO.:			
PORTAGE AREA SA 606 CAMBRIA STREET PORTAGE PA 15946 REGION: SW COUNTY: CAMBRIA	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$226,000 IVB: \$900,000 V: \$0 ELIG. COST: \$1,126,000		PROJECT NO.: CS421797-01 PROJ. TYPE: INT SS PS PROJECT RANKING: 79 NPDES NO.:			
JACKSON/EAST TAYLOR SA R. D. 6 BOX 184 JOHNSTOWN PA 15909 REGION: SW COUNTY: CAMBRIA	I: \$0 II: \$0 III: \$0 IIIB: \$0		IVA: \$7,000,000 IVB: \$2,000,000 V: \$0 ELIG. COST: \$9,000,000		PROJECT NO.: CS421752-01 PROJ. TYPE: PS INT SS PROJECT RANKING: 80 NPDES NO.:			
DECATUR TWP SUPR R. D. 2 MCCLURE PA 17841 REGION: SC COUNTY: MIFFLIN	I: \$2,290,339 II: \$0 III: \$0 IIIB: \$0		IVA: \$2,679,478 IVB: \$1,530,183 V: \$0 ELIG. COST: \$6,500,000		PROJECT NO.: CS421831-01 PROJ. TYPE: STP,INT,SS,PS PROJECT RANKING: 81 NPDES NO.:			

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

APPLICANT INFORMATION		NEEDS CATEGORIES			PROJECT INFORMATION	
SEVEN VALLEYS BORO P. O. BOX 277 SEVEN VALLEYS REGION: SC COUNTY: YORK	PA 17360	I: \$300,000 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$1,500,000 IVB: \$800,000 V: \$0	ELIG. COST: \$2,600,000	PROJECT NO.: CS421939-01 PROJ. TYPE: STP CS PROJECT RANKING: 82 NPDES NO.:	
AJR TWP SUPR P. O. BOX 212 McCONNELLSBURG REGION: SC COUNTY: FULTON	PA 17233	I: \$436,000 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$889,000 IVB: \$0 V: \$0	ELIG. COST: \$1,325,000	PROJECT NO.: CS421812-01 PROJ. TYPE: STP SS PROJECT RANKING: 83 NPDES NO.: PA0020508	
SPARTANSBURG BORO BOX 222 SPARTANSBURG REGION: NW COUNTY: CRAWFORD	PA 16434	I: \$0 II: \$490,000 IIIA: \$0 IIIB: \$0	IV: \$834,980 IVB: \$0 V: \$0	ELIG. COST: \$1,324,980	PROJECT NO.: CS421999-01 PROJ. TYPE: SS PROJECT RANKING: 84 NPDES NO.:	
TAYLOR TWP SUPR P. O. BOX 627 HUSTONTOWN REGION: SC COUNTY: FULTON	PA 17229	I: \$593,000 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$505,000 IVB: \$0 V: \$0	ELIG. COST: \$1,098,000	PROJECT NO.: CS421922-01 PROJ. TYPE: STP SS PROJECT RANKING: 85 NPDES NO.:	
PENN TWP (STEPLAND MCBRIDE) 6498 OLD PLANK ROAD BUTLER REGION: NW COUNTY: BUTLER	PA 16001	I: \$1,550,000 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$3,831,820 IVB: \$200,000 V: \$0	ELIG. COST: \$5,581,820	PROJECT NO.: CS421015-03 PROJ. TYPE: STP, SS PROJECT RANKING: 86 NPDES NO.:	
PENN TWP (RENFREW AREA) 6498 OLD PLANK ROAD BUTLER REGION: NW COUNTY: BUTLER	PA 16001	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$579,000 IVB: \$0 V: \$0	ELIG. COST: \$579,000	PROJECT NO.: CS421824-01 PROJ. TYPE: STP, SS PROJECT RANKING: 87 NPDES NO.:	
GULICH TWP P. O. BOX 305 SMITHMILL REGION: NC COUNTY: CLEARFIELD	PA 16680	I: \$371,300 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$1,198,300 IVB: \$106,000 V: \$0	ELIG. COST: \$1,675,600	PROJECT NO.: CS421982-01 PROJ. TYPE: STP PS INT SS PROJECT RANKING: 88 NPDES NO.:	
CONEMAUGH TWP SUPR (TIRE HILL) R. D. 4 BOX A-20 JOHNSTOWN REGION: SW COUNTY: SOMERSET	PA 15905	I: \$750,000 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$2,075,000 IVB: \$750,000 V: \$0	ELIG. COST: \$3,575,000	PROJECT NO.: CS421479-01 PROJ. TYPE: INT, SS, STP PROJECT RANKING: 89 NPDES NO.: PA0217301	
JENNER AREA JSA P. O. BOX 202 JENNERSTOWN REGION: SW COUNTY: SOMERSET	PA 15547	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$2,060,000 IVB: \$500,000 V: \$0	ELIG. COST: \$2,560,000	PROJECT NO.: CS421950-01 PROJ. TYPE: INT, SS, PS PROJECT RANKING: 90 NPDES NO.: PA5672403	
HAZLE TWP SUPR 1060 NORTH PEACE STREET HAZLETON REGION: NE COUNTY: LUZERNE	PA 18201	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$3,118,700 IVB: \$1,200,000 V: \$0	ELIG. COST: \$4,318,700	PROJECT NO.: CS421731-01 PROJ. TYPE: PS SS INT PROJECT RANKING: 91 NPDES NO.:	
BUFFALO TWP MA 707 SOUTH PIKE ROAD SARVER REGION: NW COUNTY: BUTLER	PA 16055	I: \$0 II: \$2,150,000 IIIA: \$0 IIIB: \$0	IV: \$0 IVB: \$6,684,000 V: \$0	ELIG. COST: \$8,834,000	PROJECT NO.: CS421541-01 PROJ. TYPE: STP SS PS PROJECT RANKING: 92 NPDES NO.: PA0221449	
FINDLAY TWP DRAWER W CLINTON REGION: SW COUNTY: ALLEGHENY	PA 15026	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$207,222 IVB: \$0 V: \$0	ELIG. COST: \$207,222	PROJECT NO.: CS421974-01 PROJ. TYPE: SS PROJECT RANKING: 93 NPDES NO.:	
LEHIGH CO A P. O. BOX 3348 ALLEN TOWN REGION: NE COUNTY: LEHIGH	PA 18106	I: \$0 II: \$0 IIIA: \$0 IIIB: \$0	IV: \$0 IVB: \$8,839,900 V: \$0	ELIG. COST: \$8,839,900	PROJECT NO.: CS421872-01 PROJ. TYPE: INT PS PROJECT RANKING: 94 NPDES NO.:	

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

WEST FALLOWFIELD TWP  
 R. D. 1  
 HARTSTOWN PA 16131  
 REGION: NW COUNTY: CRAWFORD

SULLIVAN TWP SUPR  
 P. O. BOX 84  
 MAINESBURG PA 16932  
 REGION: NC COUNTY: TIOGA

HALLSTEAD/GREAT BEND JSA  
 P. O. BOX 757  
 GREAT BEND PA 18821  
 REGION: NE COUNTY: SUSQUEHANNA

ULYSSES MA  
 522 MAIN ST P. O. BOX 392  
 ULYSSES PA 16948  
 REGION: NC COUNTY: POTTER

BENTON TWP SUPR  
 P. O. BOX 29  
 FLEETVILLE PA 18420  
 REGION: NE COUNTY: LACKAWANNA

FALLOWFIELD TWP MA  
 P. O. BOX 55  
 CHARLEROI PA 15022  
 REGION: SW COUNTY: WASHINGTON

MEADVILLE AREA SA  
 984 WATER STREET  
 MEADVILLE PA 16335  
 REGION: NW COUNTY: CRAWFORD

MEADVILLE CITY  
 984 WATER STREET  
 MEADVILLE PA 16335  
 REGION: NW COUNTY: CRAWFORD

SOUTH ANNVILLE TWP  
 R. D. 4 BOX 454  
 LEBANON PA 17042  
 REGION: SC COUNTY: LEBANON

CONESTOGA TWP  
 P. O. BOX 98  
 CONESTOGA PA 17516  
 REGION: SC COUNTY: LANCASTER

FOSTER TWP (AGMAR ESTATES)  
 R. R. 2 BOX 1729  
 FREELAND PA 18224  
 REGION: NE COUNTY: LUZERNE

BERLIN TWP  
 P. O. BOX 61  
 BEACH LAKE PA 18405  
 REGION: NE COUNTY: WAYNE

WAYMART BORO MA  
 P. O. BOX 224  
 WAYMART PA 18472  
 REGION: NE COUNTY: WAYNE

I:	\$450,000	IVA:	\$1,883,568
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,333,568
I:	\$364,910	IVA:	\$711,445
II:	\$74,741	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,151,096
I:	\$0	IVA:	\$900,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$900,000
I:	\$0	IVA:	\$0
II:	\$410,000	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$410,000
I:	\$0	IVA:	\$0
II:	\$1,641,000	IVB:	\$181,000
IIIA:	\$0	V:	\$0
IIIB:	\$3,290,000	ELIG. COST:	\$5,112,000
I:	\$0	IVA:	\$4,700,000
II:	\$0	IVB:	\$2,000,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$6,700,000
I:	\$13,822,700	IVA:	\$2,810,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$16,632,700
I:	\$0	IVA:	\$0
II:	\$10,410,203	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$10,410,203
I:	\$0	IVA:	\$3,300,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,300,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$1,725,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,725,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$1,080,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,080,000
I:	\$0	IVA:	\$0
II:	\$850,000	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$850,000
I:	\$450,000	IVA:	\$0
II:	\$0	IVB:	\$88,000
IIIA:	\$94,000	V:	\$0
IIIB:	\$0	ELIG. COST:	\$632,000

PROJECT NO.: CS421905-01  
 PROJ. TYPE: STP SS  
 PROJECT RANKING: 95  
 NPDES NO.:

PROJECT NO.: CS421936-01  
 PROJ. TYPE: STP SS  
 PROJECT RANKING: 96  
 NPDES NO.:

PROJECT NO.: CS421817-01  
 PROJ. TYPE: SS,PS  
 PROJECT RANKING: 97  
 NPDES NO.: PA0060518

PROJECT NO.: CS421968-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 98  
 NPDES NO.: PA0045993

PROJECT NO.: CS421986-01  
 PROJ. TYPE: STP INT SS REH  
 PROJECT RANKING: 99  
 NPDES NO.:

PROJECT NO.: CS422000-01  
 PROJ. TYPE: INT SS PS  
 PROJECT RANKING: 100  
 NPDES NO.:

PROJECT NO.: CS421957-01  
 PROJ. TYPE: STP PS SS  
 PROJECT RANKING: 101  
 NPDES NO.:

PROJECT NO.: CS420559-02  
 PROJ. TYPE: STP MOD, PS  
 PROJECT RANKING: 102  
 NPDES NO.: PA0026271

PROJECT NO.: CS421815-01  
 PROJ. TYPE: PS,SS  
 PROJECT RANKING: 103  
 NPDES NO.:

PROJECT NO.: CS421837-01  
 PROJ. TYPE: SS, PS  
 PROJECT RANKING: 104  
 NPDES NO.:

PROJECT NO.: CS421888-01  
 PROJ. TYPE: INT PS  
 PROJECT RANKING: 105  
 NPDES NO.: PA0020435

PROJECT NO.: CS421740-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 106  
 NPDES NO.:

PROJECT NO.: CS421903-01  
 PROJ. TYPE: STPMOD SSREH  
 PROJECT RANKING: 107  
 NPDES NO.: PA0046353

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

MANOR TWP  
 26 MILLERSVILLE RD  
 LANCASTER PA 17603  
 REGION: SC COUNTY: LANCASTER

NORTHEASTERN SCHUYLKILL JMA  
 R. D. 2 BOX 105-A  
 BARNESVILLE PA 18214  
 REGION: NE COUNTY: SCHUYLKILL

PARRYVILLE BORO  
 R. R. 3 BOX 3431  
 PALMERTON PA 18071  
 REGION: NE COUNTY: CARBON

MT POCONO MA  
 1 POCONO BLVD  
 MT POCONO PA 18344  
 REGION: NE COUNTY: MONROE

RYAN TWP  
 P. O. BOX 203 A  
 BARNESVILLE PA 18214  
 REGION: NE COUNTY: SCHUYLKILL

CENTRAL CARBON MA  
 P. O. BOX 29  
 LEHIGHTON PA 18235  
 REGION: NE COUNTY: CARBON

PULASKI TWP  
 MUNICIPAL BLDG R. D. 1  
 PULASKI PA 16143  
 REGION: NW COUNTY: LAWRENCE

CORNWALL BORO MA  
 P. O. BOX 667  
 CORNWALL PA 17016  
 REGION: SC COUNTY: LEBANON

FRANKLIN TWP  
 900 FAIRYLAND ROAD  
 LEHIGHTON PA 18235  
 REGION: NE COUNTY: CARBON

JIM THORPE BORO  
 101 CENTER AVENUE  
 JIM THORPE PA 18229  
 REGION: NE COUNTY: CARBON

ARARAT TWP  
 R. R. 1 BOX 23E  
 THOMPSON PA 18465  
 REGION: NE COUNTY: SUSQUEHANNA

MAHONING TWP  
 2685 MAHONING DRIVE EAST  
 LEHIGHTON PA 18235  
 REGION: NE COUNTY: CARBON

KELLY TWP SUPR  
 1111 ZEIGLER ROAD  
 LEWISBURG PA 17837  
 REGION: NC COUNTY: UNION

I:	\$0	IVA:	\$6,505,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$6,505,000
I:	\$1,465,000	IVA:	\$4,697,000
II:	\$0	IVB:	\$175,400
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$6,337,400
I:	\$490,600	IVA:	\$2,420,000
II:	\$0	IVB:	\$330,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,240,600
I:	\$633,000	IVA:	\$0
II:	\$2,165,000	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,798,000
I:	\$427,000	IVA:	\$1,708,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,135,000
I:	\$9,259,546	IVA:	\$0
II:	\$0	IVB:	\$1,708,680
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$10,968,226
I:	\$0	IVA:	\$6,791,374
II:	\$2,261,880	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$9,053,254
I:	\$0	IVA:	\$4,348,147
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$4,348,147
I:	\$0	IVA:	\$2,532,102
II:	\$0	IVB:	\$232,647
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,764,749
I:	\$232,000	IVA:	\$841,000
II:	\$0	IVB:	\$342,000
IIIA:	\$0	V:	\$0
IIIB:	\$896,000	ELIG. COST:	\$2,311,000
I:	\$750,000	IVA:	\$750,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,500,000
I:	\$0	IVA:	\$3,461,476
II:	\$0	IVB:	\$224,400
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,685,876
I:	\$403,000	IVA:	\$590,000
II:	\$0	IVB:	\$127,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,120,000

PROJECT NO.: CS421518-01  
 PROJ. TYPE: PS,SS  
 PROJECT RANKING: 108  
 NPDES NO.: PA0042269

PROJECT NO.: CS421947-01  
 PROJ. TYPE: STP PS SS  
 PROJECT RANKING: 109  
 NPDES NO.:

PROJECT NO.: CS421633-01  
 PROJ. TYPE: STP MOD,SS,PS  
 PROJECT RANKING: 110  
 NPDES NO.:

PROJECT NO.: CS421632-01  
 PROJ. TYPE: STP MOD  
 PROJECT RANKING: 111  
 NPDES NO.: PA0044997

PROJECT NO.: CS421639-01  
 PROJ. TYPE: STP, SS  
 PROJECT RANKING: 112  
 NPDES NO.:

PROJECT NO.: CS421667-01  
 PROJ. TYPE: STP,PS,INT  
 PROJECT RANKING: 113  
 NPDES NO.: PA0020494

PROJECT NO.: CS421996-01  
 PROJ. TYPE: STP SS  
 PROJECT RANKING: 114  
 NPDES NO.:

PROJECT NO.: CS421782-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 115  
 NPDES NO.:

PROJECT NO.: CS421889-01  
 PROJ. TYPE: SS PS INT  
 PROJECT RANKING: 116  
 NPDES NO.:

PROJECT NO.: CS421732-01  
 PROJ. TYPE: STPMOD SSREH  
 PROJECT RANKING: 117  
 NPDES NO.: PA0021873

PROJECT NO.: CS421723-01  
 PROJ. TYPE: STP SS  
 PROJECT RANKING: 118  
 NPDES NO.: PA0063321

PROJECT NO.: CS421668-01  
 PROJ. TYPE: SS PS INT  
 PROJECT RANKING: 119  
 NPDES NO.: PA0062278

PROJECT NO.: CS421933-01  
 PROJ. TYPE: STP INT SS PS  
 PROJECT RANKING: 120  
 NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

BUFFALO TWP MSA  
R. R. 2 BOX 284 A  
LEWISBURG PA 17837  
REGION: NC COUNTY: UNION

VALLEY TWP SUPR  
500 McCRACKEN ROAD  
DANVILLE PA 17821  
REGION: NC COUNTY: MONTOUR

CENTRE TWP MA  
449 BUCKS HILL ROAD  
MOHRSVILLE PA 19541  
REGION: SC COUNTY: BERKS

METAL TWP MA  
P. O. BOX 216  
WILLOW HILL PA 17271  
REGION: SC COUNTY: FRANKLIN

ARMSTRONG TWP SUPR  
2114 WHEATLAND AVE  
WILLIAMSPORT PA 17701  
REGION: NC COUNTY: LYCOMING

ROSE TWP  
ROUTE 3 BOX 143  
BROOKVILLE PA 15825  
REGION: NW COUNTY: JEFFERSON

SERGEANT TWP  
BOX 1A CLERMONT SR  
MT JEWETT PA 16740  
REGION: NW COUNTY: MCKEAN

GIRTY'S RUN JSA  
1097 NORTH AVE  
PITTSBURGH PA 15209  
REGION: SW COUNTY: ALLEGHENY

BEAVER FALLS CITY  
715 FIFTEENTH ST  
BEAVER FALLS PA 15010  
REGION: SW COUNTY: BEAVER

LOWER TOWAMENSING TWP  
R. D. 2 BOX 211 A  
PALMERTON PA 18071  
REGION: NE COUNTY: CARBON

JEANNETTE CITY MA  
P. O. BOX 168  
JEANNETTE PA 15644  
REGION: SW COUNTY: WESTMORELAND

HARRISON TWP SUPR  
120 WEST MAIN STREET  
HARRISON VALLEY PA 16927  
REGION: NC COUNTY: POTTER

LOGANVILLE BORO  
BOX 88  
LOGANVILLE PA 17342  
REGION: SC COUNTY: YORK

I:	\$141,000	IVA:	\$1,529,565
II:	\$0	IVB:	\$325,710
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,996,275
I:	\$458,000	IVA:	\$1,159,000
II:	\$0	IVB:	\$261,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,878,000
I:	\$494,312	IVA:	\$1,238,688
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,733,000
I:	\$0	IVA:	\$967,000
II:	\$246,400	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,213,400
I:	\$69,620	IVA:	\$902,002
II:	\$0	IVB:	\$97,900
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,069,522
I:	\$0	IVA:	\$932,180
II:	\$0	IVB:	\$60,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$992,180
I:	\$126,000	IVA:	\$363,255
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$489,255
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$17,000,000	ELIG. COST:	\$17,000,000
I:	\$4,900,000	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$3,173,000	ELIG. COST:	\$8,073,000
I:	\$0	IVA:	\$2,700,000
II:	\$0	IVB:	\$300,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,000,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$3,000,000	ELIG. COST:	\$3,000,000
I:	\$649,128	IVA:	\$2,141,000
II:	\$105,672	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,895,800
I:	\$0	IVA:	\$1,337,000
II:	\$581,000	IVB:	\$762,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,680,000

PROJECT NO.: CS421934-01  
PROJ. TYPE: STPMOD INT SS  
PROJECT RANKING: 121  
NPDES NO.: PA0115363

PROJECT NO.: CS421938-01  
PROJ. TYPE: STPMOD INT SS  
PROJECT RANKING: 122  
NPDES NO.: PA0035602

PROJECT NO.: CS421781-01  
PROJ. TYPE: STP, SS  
PROJECT RANKING: 123  
NPDES NO.: PA0086771

PROJECT NO.: CS421814-01  
PROJ. TYPE: STP,SS,PS  
PROJECT RANKING: 124  
NPDES NO.:

PROJECT NO.: CS421798-01  
PROJ. TYPE: SS PS  
PROJECT RANKING: 125  
NPDES NO.:

PROJECT NO.: CS421914-01  
PROJ. TYPE: SS  
PROJECT RANKING: 126  
NPDES NO.:

PROJECT NO.: CS421992-01  
PROJ. TYPE: STP SS  
PROJECT RANKING: 127  
NPDES NO.:

PROJECT NO.: CS422001-01  
PROJ. TYPE: SS REHAB  
PROJECT RANKING: 128  
NPDES NO.:

PROJECT NO.: CS421869-01  
PROJ. TYPE: STPMOD INT  
PROJECT RANKING: 129  
NPDES NO.: PA026883

PROJECT NO.: CS421686-01  
PROJ. TYPE: PS,SS, INT  
PROJECT RANKING: 130  
NPDES NO.:

PROJECT NO.: CS422002-01  
PROJ. TYPE: SEW REH  
PROJECT RANKING: 131  
NPDES NO.:

PROJECT NO.: CS421805-01  
PROJ. TYPE: STP, SS  
PROJECT RANKING: 132  
NPDES NO.:

PROJECT NO.: CS421516-01  
PROJ. TYPE: STP,PS,SS  
PROJECT RANKING: 133  
NPDES NO.:



**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

PENN LAKE PARK BORO  
 BOX 133 PENN LAKE  
 WHITE HAVEN PA 18661  
 REGION: NE COUNTY: LUZERNE

ROULETTE TWP  
 P. O. BOX 153  
 ROULETTE PA 16746  
 REGION: NC COUNTY: POTTER

PENN TWP SA  
 P. O. BOX 458  
 HARRISON CITY PA 15636  
 REGION: SW COUNTY: WESTMORELAND

LEESPORT BORO  
 349 N CENTRE AVE  
 LEESPORT PA 19533  
 REGION: SC COUNTY: BERKS

NEW KENSINGTON CITY MSA  
 120 LOGANS FERRY ROAD  
 NEW KENSINGTON PA 15068  
 REGION: SW COUNTY: WESTMORELAND

COALMONT BORO  
 R. D. 1  
 SAXTON PA 16678  
 REGION: SC COUNTY: HUNTINGDON

EAST SIDE BORO  
 53 N SHERMAN RD  
 WHITE HAVEN PA 18661  
 REGION: NE COUNTY: CARBON

ORWIGSBURG MA  
 P. O. BOX 128 209 N WARREN ST  
 ORWIGSBURG PA 17961  
 REGION: NE COUNTY: SCHUYLKILL

CLINTON TWP  
 RR1, BOX 33  
 MONTGOMERY PA 17752  
 REGION: NC COUNTY: LYCOMING

ERIE SA  
 26 STATE STREET  
 ERIE PA 16501  
 REGION: NW COUNTY: ERIE

MILLCREEK TWP SA  
 3608 W 26TH ST P. O. BOX 8268  
 ERIE PA 16505  
 REGION: NW COUNTY: ERIE

FARRELL SA  
 500 ROEMER BLVD  
 FARRELL PA 16121  
 REGION: NW COUNTY: MERCER

ARNOLD CITY  
 1829 FIFTH AVE  
 ARNOLD PA 15068  
 REGION: SW COUNTY: WESTMORELAND

I:	\$619,500	IVA:	\$1,978,500
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,598,000
I:	\$366,000	IVA:	\$2,203,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,569,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$2,300,000	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,300,000
I:	\$1,026,000	IVA:	\$406,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,432,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$1,400,000	ELIG. COST:	\$1,400,000
I:	\$0	IVA:	\$1,097,620
II:	\$229,830	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,327,450
I:	\$0	IVA:	\$429,000
II:	\$0	IVB:	\$154,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$583,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$321,300
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$321,300
I:	\$0	IVA:	\$600,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$600,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$43,300,000
IIIB:	\$0	ELIG. COST:	\$43,300,000
I:	\$0	IVA:	\$16,286,000
II:	\$0	IVB:	\$400,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$16,686,000
I:	\$1,800,000	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,800,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$350,000	ELIG. COST:	\$350,000

PROJECT NO.: CS421671-01  
 PROJ. TYPE: STP, INT, SS  
 PROJECT RANKING: 134  
 NPDES NO.:

PROJECT NO.: CS421466-01  
 PROJ. TYPE: STP,SS  
 PROJECT RANKING: 135  
 NPDES NO.:

PROJECT NO.: CS422004-01  
 PROJ. TYPE: SEWER REHAB  
 PROJECT RANKING: 136  
 NPDES NO.:

PROJECT NO.: CS421577-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 137  
 NPDES NO.: PA0070149

PROJECT NO.: CS422003-01  
 PROJ. TYPE: SS REHAB  
 PROJECT RANKING: 138  
 NPDES NO.:

PROJECT NO.: CS421580-01  
 PROJ. TYPE: STP,SS,PS  
 PROJECT RANKING: 139  
 NPDES NO.: PA0084883

PROJECT NO.: CS421680-01  
 PROJ. TYPE: STP, SS  
 PROJECT RANKING: 140  
 NPDES NO.:

PROJECT NO.: CS421987-01  
 PROJ. TYPE: INT SS  
 PROJECT RANKING: 141  
 NPDES NO.: PA0021547

PROJECT NO.: CS422026-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 142  
 NPDES NO.:

PROJECT NO.: CS421909-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 143  
 NPDES NO.: PA0026301

PROJECT NO.: CS421714-01  
 PROJ. TYPE: INT  
 PROJECT RANKING: 144  
 NPDES NO.:

PROJECT NO.: CS421770-01  
 PROJ. TYPE: STP  
 PROJECT RANKING: 145  
 NPDES NO.: PA0027227

PROJECT NO.: CS421962-01  
 PROJ. TYPE: SS REHAB  
 PROJECT RANKING: 146  
 NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

MUDDY RUN A  
 R. D. 1 BOX 51  
 FALLEN TIMBER PA 16639  
 REGION: NC COUNTY: CLEARFIELD

WEST SALEM TWP SUPR  
 610 VERNON ROAD  
 GREENVILLE PA 16125  
 REGION: NW COUNTY: MERCER

POCONO TWP  
 BOX 197  
 TANNERSVILLE PA 18372  
 REGION: NE COUNTY: MONROE

TOBYHANNA TWP (BLAKESLEE)  
 P. O. BOX 880 STATE AVE  
 POCONO PINES PA 18350  
 REGION: NE COUNTY: MONROE

ALLEGHENY TWP S&WA  
 3131 OLD SIXTH AVENUE NORTH  
 DUNCANSVILLE PA 16635  
 REGION: SC COUNTY: BLAIR

EAST HANOVER TWP  
 R. D. 2 BOX 4323  
 GRANTVILLE PA 17028  
 REGION: SC COUNTY: DAUPHIN

PLEASANT HILLS BORO  
 410 EAST BRUCETON ROAD  
 PLEASANT HILLS PA 15236  
 REGION: SW COUNTY: ALLEGHENY

PHILADELPHIA CITY  
 MUNICIPAL SERVICES BUILDING  
 PHILADELPHIA PA 19107  
 REGION: SE COUNTY: PHILADELPHIA

JACKSON TWP  
 R. D. 4 BOX 4308  
 SPRINGROVE PA 17362  
 REGION: SC COUNTY: YORK

EAST LAMPETER TWP  
 2205 OLD PHILADELPHIA PIKE  
 LANCASTER PA 17602  
 REGION: SC COUNTY: LANCASTER

CALIFORNIA BORO SA  
 P. O. BOX 696  
 CALIFORNIA PA 15419  
 REGION: SW COUNTY: WASHINGTON

HUSTON TWP SUPR  
 P. O. BOX 38  
 PENFIELD PA 15849  
 REGION: NC COUNTY: CLEARFIELD

GREENE TWP  
 8899 OLD WATTSBURG ROAD  
 ERIE PA 16510  
 REGION: NW COUNTY: ERIE

I: \$1,197,728  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$5,596,100  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$2,240,862  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$1,294,400  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$16,300,000  
 IIIB: \$0

I: \$1,004,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$843,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

IVA: \$6,446,512  
 IVB: \$1,725,640  
 V: \$0  
 ELIG. COST: \$9,369,880

IVA: \$2,146,500  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$2,146,500

IVA: \$2,626,056  
 IVB: \$80,000  
 V: \$0  
 ELIG. COST: \$8,302,156

IVA: \$5,583,943  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$7,824,805

IVA: \$4,676,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$4,676,000

IVA: \$2,296,200  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$3,590,600

IVA: \$968,630  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$968,630

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$16,300,000

IVA: \$3,585,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$4,589,000

IVA: \$1,626,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,626,000

IVA: \$210,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$210,000

IVA: \$2,699,465  
 IVB: \$498,000  
 V: \$0  
 ELIG. COST: \$4,040,465

IVA: \$9,830,410  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$9,830,410

PROJECT NO.: CS421981-01  
 PROJ. TYPE: STP PS INT SS  
 PROJECT RANKING: 147  
 NPDES NO.:

PROJECT NO.: CS421860-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 148  
 NPDES NO.:

PROJECT NO.: CS421642-01  
 PROJ. TYPE: STP, SS  
 PROJECT RANKING: 149  
 NPDES NO.:

PROJECT NO.: CS421674-01  
 PROJ. TYPE: STP INT SS PS  
 PROJECT RANKING: 150  
 NPDES NO.: PA0063533

PROJECT NO.: CS421395-01  
 PROJ. TYPE: PS INT SS  
 PROJECT RANKING: 151  
 NPDES NO.:

PROJECT NO.: CS421575-01  
 PROJ. TYPE: STP,INT,PS,SS  
 PROJECT RANKING: 152  
 NPDES NO.: N/A

PROJECT NO.: CS421960-01  
 PROJ. TYPE: INT REPLAC  
 PROJECT RANKING: 153  
 NPDES NO.:

PROJECT NO.: CS421973-01  
 PROJ. TYPE: INT, SS  
 PROJECT RANKING: 154  
 NPDES NO.:

PROJECT NO.: CS421566-01  
 PROJ. TYPE: STPMOD,INT,SS  
 PROJECT RANKING: 155  
 NPDES NO.: PA0080802

PROJECT NO.: CS421510-01  
 PROJ. TYPE: PS, INT  
 PROJECT RANKING: 156  
 NPDES NO.:

PROJECT NO.: CS420269-02  
 PROJ. TYPE: SS  
 PROJECT RANKING: 157  
 NPDES NO.: PA0022241

PROJECT NO.: CS421760-01  
 PROJ. TYPE: SS,STP,INT,PS  
 PROJECT RANKING: 158  
 NPDES NO.:

PROJECT NO.: CS421995-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 159  
 NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

WASHINGTON TWP  
P. O. BOX 27  
SLATEDALE PA 18079  
REGION: NE COUNTY: LEHIGH

DOUGLASS TWP  
R. D. 2 BOX 503 1068 DOUGLASS DR  
BOYERTOWN PA 19512  
REGION: SC COUNTY: BERKS

GLASSPORT BORO  
FIFTH & MONONGAHELA AVE  
GLASSPORT PA 15045  
REGION: SW COUNTY: ALLEGHENY

PINE TWP/ WOLF CREEK TWP  
545 BARKEYVILLE ROAD  
GROVE CITY PA 16127  
REGION: NW COUNTY: MERCER

CASS TWP  
R. R. 2 BOX 2232  
POTTSVILLE PA 17901  
REGION: NE COUNTY: SCHUYLKILL

FOSTER TWP  
R. R. 2 BOX 2537  
POTTSVILLE PA 17901  
REGION: NE COUNTY: SCHUYLKILL

COOLSPRING TWP/JACKSON TWP  
LATONKA DRIVE  
LAKE LATONKA PA 16137  
REGION: NW COUNTY: MERCER

DICKSON CITY BORO  
BOROUGH BLDG  
DICKSON CITY PA 18519  
REGION: NE COUNTY: LACKAWANNA

SOUTH STRABANE TWP SA  
550 WASHINGTON ROAD  
WASHINGTON PA 15301  
REGION: SW COUNTY: WASHINGTON

LOWER BUCKS CO JMA  
7811 NEW FALLS ROAD  
LEVITTOWN PA 19055  
REGION: SE COUNTY: BUCKS

WEST BUFFALO TWP  
R. D. 3 BOX 237  
MIFFLINBURG PA 17844  
REGION: NC COUNTY: UNION

KIDDER TWP  
P. O. BOX 576  
LAKE HARMONY PA 18624  
REGION: NE COUNTY: CARBON

FOSTER TWP  
R. D. BOX 1729  
FREELAND PA 18224  
REGION: NE COUNTY: LUZERNE

I:	\$402,000	IVA:	\$3,667,300
II:	\$0	IVB:	\$1,277,790
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$5,347,090
I:	\$0	IVA:	\$1,823,736
II:	\$0	IVB:	\$1,235,264
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,059,000
I:	\$0	IVA:	\$1,419,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,419,000
I:	\$0	IVA:	\$1,057,150
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,057,150
I:	\$0	IVA:	\$6,529,430
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$6,529,430
I:	\$0	IVA:	\$436,350
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$436,350
I:	\$0	IVA:	\$3,600,900
II:	\$2,208,288	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$5,809,188
I:	\$0	IVA:	\$1,500,000
II:	\$0	IVB:	\$225,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,725,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$1,200,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,200,000
I:	\$0	IVA:	\$0
II:	\$2,049,130	IVB:	\$0
IIIA:	\$1,500,000	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,549,130
I:	\$0	IVA:	\$1,165,000
II:	\$0	IVB:	\$500,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,665,000
I:	\$0	IVA:	\$500,000
II:	\$0	IVB:	\$900,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,400,000
I:	\$0	IVA:	\$1,120,000
II:	\$0	IVB:	\$237,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,357,000

PROJECT NO.: CS421738-01  
PROJ. TYPE: STPMOD INT SS  
PROJECT RANKING: 160  
NPDES NO.:

PROJECT NO.: CS421836-01  
PROJ. TYPE: SS PS INT  
PROJECT RANKING: 161  
NPDES NO.: PA0022543

PROJECT NO.: CS422005-01  
PROJ. TYPE: PS SS  
PROJECT RANKING: 162  
NPDES NO.: PA0021113

PROJECT NO.: CS421998-01  
PROJ. TYPE: SS  
PROJECT RANKING: 163  
NPDES NO.:

PROJECT NO.: CS421989-01  
PROJ. TYPE: SS PS  
PROJECT RANKING: 164  
NPDES NO.: PA0027693

PROJECT NO.: CS421988-01  
PROJ. TYPE: SS  
PROJECT RANKING: 165  
NPDES NO.: PA0027693

PROJECT NO.: CS421990-01  
PROJ. TYPE: STP SS  
PROJECT RANKING: 166  
NPDES NO.:

PROJECT NO.: CS421726-01  
PROJ. TYPE: INT, SS  
PROJECT RANKING: 167  
NPDES NO.:

PROJECT NO.: CS422029-01  
PROJ. TYPE: INT PS  
PROJECT RANKING: 168  
NPDES NO.: PA0024783

PROJECT NO.: CS421894-01  
PROJ. TYPE: PS INT  
PROJECT RANKING: 169  
NPDES NO.: PA0026468

PROJECT NO.: CS421655-01  
PROJ. TYPE: PS, INT, SS  
PROJECT RANKING: 170  
NPDES NO.: PA0028461

PROJECT NO.: CS421942-01  
PROJ. TYPE: INT PS SS  
PROJECT RANKING: 171  
NPDES NO.:

PROJECT NO.: CS421681-01  
PROJ. TYPE: STP,PS,INT,SS  
PROJECT RANKING: 172  
NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

APPLICANT INFORMATION	NEEDS CATEGORIES	PROJECT INFORMATION
EAST NITTANY VALLEY JMA P. O. BOX 314 LAMAR PA 16848 REGION: NC COUNTY: CLINTON/CENTRE	I: \$1,839,686 II: \$715,434 III A: \$0 III B: \$0	PROJECT NO.: CS422027-01 PROJ. TYPE: STP PS INT SS PROJECT RANKING: 173 NPDES NO.:
CRESSON BORO P. O. BOX 75, 623 SECOND STREET CRESSON PA 16330 REGION: SW COUNTY: CAMBRIA	I: \$0 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421859-01 PROJ. TYPE: SS REH PROJECT RANKING: 174 NPDES NO.:
WORTHINGTON BORO R. D. 2 BOX 28 WORTHINGTON PA 16262 REGION: SW COUNTY: ARMSTRONG	I: \$2,985,000 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421481-01 PROJ. TYPE: STP, INT, SS PROJECT RANKING: 175 NPDES NO.:
ALIQUIPPA MWA 160 HOPEWELL AVE ALIQUIPPA PA 15001 REGION: SW COUNTY: BEAVER	I: \$2,200,000 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS422006-01 PROJ. TYPE: STP MOD, PSMOD PROJECT RANKING: 176 NPDES NO.:
MIDDLEBURG M A 568 HILL STREET P. O. BOX 415 MIDDLEBURG PA 17842 REGION: NC COUNTY: SNYDER	I: \$1,509,000 II: \$309,000 III A: \$0 III B: \$0	PROJECT NO.: CS421764-01 PROJ. TYPE: STP,SS PROJECT RANKING: 177 NPDES NO.: PA0020583
ELKLAND BORO A 105 PARKHURST ST ELKLAND PA 16920 REGION: NC COUNTY: TIOGA	I: \$150,480 II: \$58,520 III A: \$0 III B: \$0	PROJECT NO.: CS421963-01 PROJ. TYPE: STPMOD PROJECT RANKING: 178 NPDES NO.: PA0113398
SOUTH COATESVILLE BORO 136 MODENA ROAD SOUTH COATESVILLE PA 19320 REGION: SE COUNTY: CHESTER	I: \$107,000 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421959-01 PROJ. TYPE: STP MOD INT PROJECT RANKING: 179 NPDES NO.: PA0036897
BUTLER TWP 211 BROAD ST ASHLAND PA 17921 REGION: NE COUNTY: SCHUYLKILL	I: \$1,000,000 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421662-01 PROJ. TYPE: STP INT SS PROJECT RANKING: 180 NPDES NO.:
OTTO TWP SUPR BOX 284 DUKE CENTER PA 16729 REGION: NW COUNTY: MCKEAN	I: \$764,000 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421715-01 PROJ. TYPE: STP,SS,PS PROJECT RANKING: 181 NPDES NO.: PA0221619
JONES TWP (VILLAGE OF WILCOX) P. O. BOX 25 WILCOX PA 15870 REGION: NW COUNTY: ELK	I: \$0 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421543-01 PROJ. TYPE: SS, PS PROJECT RANKING: 182 NPDES NO.:
SUMMERVILLE BORO P. O. BOX 277 SUMMERVILLE PA 15864 REGION: NW COUNTY: JEFFERSON	I: \$683,000 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421912-01 PROJ. TYPE: STP SS PS PROJECT RANKING: 183 NPDES NO.:
SLIGO BORO P. O. BOX 241 SLIGO PA 16255 REGION: NW COUNTY: CLARION	I: \$1,283,000 II: \$0 III A: \$0 III B: \$0	PROJECT NO.: CS421827-01 PROJ. TYPE: STP SS PROJECT RANKING: 184 NPDES NO.:
REDBANK VALLEY MA 212 LAFAYETTE ST NEW BETHLEHEM PA 16242 REGION: NW COUNTY: CLARION	I: \$1,639,000 II: \$0 III A: \$1,435,000 III B: \$0	PROJECT NO.: CS421900-01 PROJ. TYPE: STPMOD SS I/I PROJECT RANKING: 185 NPDES NO.: PA0024511
	IVA: \$9,050,504 IVB: \$1,842,376 V: \$0 ELIG. COST: \$13,448,000	
	IVA: \$1,063,000 IVB: \$0 V: \$0 ELIG. COST: \$1,063,000	
	IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$2,985,000	
	IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$2,200,000	
	IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$1,818,000	
	IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$209,000	
	IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$107,000	
	IVA: \$3,000,000 IVB: \$1,500,000 V: \$0 ELIG. COST: \$5,500,000	
	IVA: \$5,094,000 IVB: \$0 V: \$0 ELIG. COST: \$5,858,000	
	IVA: \$2,656,700 IVB: \$0 V: \$0 ELIG. COST: \$2,656,700	
	IVA: \$1,805,000 IVB: \$0 V: \$0 ELIG. COST: \$2,488,000	
	IVA: \$2,152,000 IVB: \$0 V: \$0 ELIG. COST: \$3,435,000	
	IVA: \$4,089,000 IVB: \$2,722,000 V: \$0 ELIG. COST: \$9,885,000	

APPLICANT INFORMATION			NEEDS CATEGORIES				PROJECT INFORMATION	
NORTH BEAVER TWP (MT JACKSON) 1460 MT JACKSON ROAD NEW CASTLE PA 16117 REGION: NW COUNTY: LAWRENCE	I: II: III A: III B:	\$0 \$369,920 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$3,733,209 \$1,030,080 \$0 \$5,133,209	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421773-01 STP,SS 186 NPDES NO.:		
HORTON TWP BOX 216 BACKPORT PA 15823 REGION: NW COUNTY: ELK	I: II: III A: III B:	\$0 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$4,180,455 \$0 \$0 \$4,180,455	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421910-01 STP SS 187 NPDES NO.:		
NESCOPECK BORO 501 RAVE AVE NESCOPECK PA 18635 REGION: NE COUNTY: LUZERNE	I: II: III A: III B:	\$2,036,900 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$1,265,093 \$0 \$0 \$3,301,993	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421748-01 STPMOD SS 188 PA0020745		
EAST PENN TWP 288 SCHLEICHER AVE LEHIGHTON PA 18235 REGION: NE COUNTY: CARBON	I: II: III A: III B:	\$0 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$2,620,000 \$540,000 \$0 \$3,160,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421679-01 SS INT 189 NPDES NO.:		
BELL TWP R. D. 6 BOX 483 PUNXSUTAWNEY PA 15767 REGION: NW COUNTY: JEFFERSON	I: II: III A: III B:	\$0 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$2,810,000 \$0 \$0 \$2,810,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421549-01 SS 190 NPDES NO.:		
GLEN ROCK BORO SA 13 BALTIMORE STREET GLEN ROCK PA 17327 REGION: SC COUNTY: YORK	I: II: III A: III B:	\$2,100,000 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$0 \$500,000 \$0 \$2,600,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421925-01 STPMOD CS 191 PA0020818		
YOUNG TWP BOX 122 R. D. 1 PUNXSUTAWNEY PA 15767 REGION: NW COUNTY: JEFFERSON	I: II: III A: III B:	\$0 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$2,564,000 \$0 \$0 \$2,564,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421555-01 SS 192 NPDES NO.:		
GLADE TWP SUPR 99 COBHAM PARK ROAD WARREN PA 16365 REGION: NW COUNTY: WARREN	I: II: III A: III B:	\$0 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$2,380,000 \$0 \$0 \$2,380,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421821-01 SS 193 NPDES NO.:		
LAWRENCE TWP MA R. D. 1 BOX 615 LAWRENCEVILLE PA 16929 REGION: NC COUNTY: TIOGA	I: II: III A: III B:	\$1,026,260 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$872,827 \$456,913 \$0 \$2,356,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421762-01 STP,SS,INT 194 NPDES NO.:		
BRUSH VALLEY TWP R. D. 4 BOX 264 INDIANA PA 15701 REGION: SW COUNTY: INDIANA	I: II: III A: III B:	\$244,000 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$1,529,565 \$325,710 \$0 \$2,099,275	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421847-01 STP 195 NPDES NO.:		
BALD EAGLE TWP A R. D. 2 BOX 301 MILL HALL PA 17751 REGION: NC COUNTY: CLINTON	I: II: III A: III B:	\$0 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$858,000 \$700,000 \$0 \$1,558,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421932-01 INT SS PS 196 NPDES NO.:		
WASHINGTON TWP R. D. 1 BOX 73 BECHTELSVILLE PA 19505 REGION: SC COUNTY: BERKS	I: II: III A: III B:	\$0 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$1,327,470 \$0 \$0 \$1,327,470	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421754-01 SS,PS 197 NPDES NO.:		
MEHOOPANY TWP MUN BLDG SCHOOLHOUSE HWY MEHOOPANY PA 18629 REGION: NE COUNTY: WYOMING	I: II: III A: III B:	\$375,000 \$0 \$0 \$0	IV A: IV B: V: ELIG. COST:	\$900,000 \$0 \$0 \$1,275,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421733-01 STP,SS 198 NPDES NO.:		

APPLICANT INFORMATION		NEEDS CATEGORIES		PROJECT INFORMATION	
LAWRENCE/HICKORY MA 1735 HORLANSBURG ROAD NEW CASTLE PA 16101 REGION: NW COUNTY: LAWRENCE	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$1,149,905 IVB: \$0 V: \$0 ELIG. COST: \$1,149,905	PROJECT NO.: CS421915-01 PROJ. TYPE: SS PROJECT RANKING: 199 NPDES NO.:		
PARADISE TWP 196 BLACKHORSE ROAD PARADISE PA 17562 REGION: SC COUNTY: LANCASTER	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$838,350 IVB: \$0 V: \$0 ELIG. COST: \$838,350	PROJECT NO.: CS421700-01 PROJ. TYPE: SS PS PROJECT RANKING: 200 NPDES NO.: PA0083470		
FREDERICKSBURG W&SA 150 SOUTH PINE GROVE STREET FREDERICKSBURG PA 17026 REGION: SC COUNTY: LEBANON	I: \$0 II: \$450,000 III: \$0 IIIB: \$0	IVA: \$300,000 IVB: \$0 V: \$0 ELIG. COST: \$750,000	PROJECT NO.: CS421924-01 PROJ. TYPE: STPMOD SS PROJECT RANKING: 201 NPDES NO.: PA0080705		
FARMINGTON TWP R. D. 2 BOX 2265 RUSSELL PA 16345 REGION: NW COUNTY: WARREN	I: \$187,000 II: \$0 III: \$0 IIIB: \$0	IVA: \$369,711 IVB: \$0 V: \$0 ELIG. COST: \$556,711	PROJECT NO.: CS421991-01 PROJ. TYPE: STPMOD SS PROJECT RANKING: 202 NPDES NO.:		
HEPBURN TWP 5201 BLOOMINGROVE ROAD COGAN STATION PA 17728 REGION: NC COUNTY: LYCOMING	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$300,000 IVB: \$100,000 V: \$0 ELIG. COST: \$400,000	PROJECT NO.: CS421759-01 PROJ. TYPE: SS,INT PROJECT RANKING: 203 NPDES NO.:		
SHINGLEHOUSE BORO 40 HONEOYE STREET SHINGLEHOUSE PA 16748 REGION: NC COUNTY: POTTER	I: \$327,272 II: \$0 III: \$72,728 IIIB: \$0	IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$400,000	PROJECT NO.: CS421695-01 PROJ. TYPE: STP MOD I/I PROJECT RANKING: 203 NPDES NO.: PA5391403		
KEATING TWP SUPR P. O. BOX 385 AUSTIN PA 16720 REGION: NC COUNTY: POTTER	I: \$119,845 II: \$0 III: \$0 IIIB: \$0	IVA: \$208,230 IVB: \$0 V: \$0 ELIG. COST: \$328,075	PROJECT NO.: CS421806-01 PROJ. TYPE: STP,SS PROJECT RANKING: 205 NPDES NO.:		
ALLEGHENY TWP MA COMMUNITY BUILDING LEECHBURG PA 15656 REGION: SW COUNTY: WESTMORELAND	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$1,370,000 IVB: \$0 V: \$0 ELIG. COST: \$1,370,000	PROJECT NO.: CS421951-01 PROJ. TYPE: SS REH PROJECT RANKING: 206 NPDES NO.:		
WEST MAHANOEY TWP A 190 PENNSYLVANIA AVENUE SHENANDOAH HEIGHT PA 17976 REGION: NE COUNTY: SCHUYLKILL	I: \$0 II: \$0 III: \$0 IIIB: \$0	IVA: \$3,375,000 IVB: \$3,375,000 V: \$0 ELIG. COST: \$6,750,000	PROJECT NO.: CS421906-01 PROJ. TYPE: SS INT PS PROJECT RANKING: 207 NPDES NO.:		
BURRELL TWP SA BOX 454 BLACK LICK PA 15716 REGION: SW COUNTY: INDIANA	I: \$1,300,000 II: \$0 III: \$0 IIIB: \$0	IVA: \$2,200,000 IVB: \$500,000 V: \$0 ELIG. COST: \$4,000,000	PROJECT NO.: CS421612-01 PROJ. TYPE: STP, INT, SS PROJECT RANKING: 208 NPDES NO.:		
PUNXSUTAWNEY BORO 301 EAST MAHONING STREET PUNXSUTAWNEY PA 15767 REGION: NW COUNTY: JEFFERSON	I: \$0 II: \$3,406,000 III: \$0 IIIB: \$6,295,000	IVA: \$0 IVB: \$0 V: \$3,921,000 ELIG. COST: \$13,622,000	PROJECT NO.: CS421588-01 PROJ. TYPE: STP MOD,SS REH PROJECT RANKING: 209 NPDES NO.: PA0020346		
CLARION AREA A 14 N 5TH AVENUE CLARION PA 16214 REGION: NW COUNTY: CLARION	I: \$621,250 II: \$0 III: \$0 IIIB: \$0	IVA: \$0 IVB: \$160,000 V: \$0 ELIG. COST: \$781,250	PROJECT NO.: CS421908-01 PROJ. TYPE: STPMOD INT PROJECT RANKING: 210 NPDES NO.: PA0029491		
CAMBRIDGE SPRINGS BORO 26 FEDERAL STREET CAMBRIDGE SPRINGS PA 16403 REGION: NW COUNTY: CRAWFORD	I: \$0 II: \$1,650,000 III: \$0 IIIB: \$0	IVA: \$0 IVB: \$0 V: \$0 ELIG. COST: \$1,650,000	PROJECT NO.: CS421993-01 PROJ. TYPE: STP MOD PROJECT RANKING: 211 NPDES NO.:		

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

FAIRCHANCE-GEORGES JMSA  
 125 A WEST CHURCH STREET  
 FAIRCHANCE PA 15436  
 REGION: SW COUNTY: FAYETTE

DELMAR TWP (STONY FORK)  
 R. D. 5 BOX 70A  
 WELLSBORO PA 16901  
 REGION: NC COUNTY: TIOGA

WEST MIFFLIN BORO  
 4733 GREEN SPRINGS AVENUE  
 WEST MIFFLIN PA 15122  
 REGION: SW COUNTY: ALLEGHENY

NORTH COVENTRY MA  
 1485 EAST SCHUYLKILL RD  
 POTTSTOWN PA 19464  
 REGION: SE COUNTY: CHESTER

ABINGTON TWP  
 P. O. BOX 462  
 DALTON PA 18414  
 REGION: NE COUNTY: LACKAWANNA

SYKESVILLE BORO  
 21 EAST MAIN STREET  
 SYKESVILLE PA 15865  
 REGION: NW COUNTY: JEFFERSON

SNYDER TWP  
 P. O. BOX 39  
 BROCKWAY PA 15829  
 REGION: NW COUNTY: JEFFERSON

CORSICA BORO  
 P. O. BOX 176  
 CORSICA PA 15829  
 REGION: NW COUNTY: JEFFERSON

WEST MEAD TWP A  
 R. D. 10 BOX 74  
 MEADVILLE PA 16335  
 REGION: NW COUNTY: CRAWFORD

SOUTH LONDONDERRY TWP SUPR  
 CENTER & WEST MARKET STREETS  
 CAMPBELLTON PA 17010  
 REGION: SC COUNTY: LEBANON

NEW MILFORD BORO  
 P. O. BOX 630  
 NEW MILFORD PA 18834  
 REGION: NE COUNTY: SUSQUEHANNA

RALPHO TWP SUPR  
 30 SOUTH MARKET STREET  
 ELYSBURG PA 17824  
 REGION: NC COUNTY: NORTHUMBERLAND

MOUNT UNION MA  
 P. O. BOX 90 9 W MARKET STREET  
 MOUNT UNION PA 17066  
 REGION: SC COUNTY: HUNTINGDON

I: \$762,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$265,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$3,950,000  
 II: \$5,000,000  
 IIIA: \$8,000,000  
 IIIB: \$750,000

I: \$0  
 II: \$2,560,000  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$70,000  
 IIIB: \$0

I: \$1,167,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$469,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$3,205,177  
 IIIA: \$0  
 IIIB: \$447,000

I: \$1,000,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$2,000,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

I: \$8,800,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$762,000

IVA: \$1,099,660  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,364,660

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$17,700,000

IVA: \$5,293,665  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$7,853,665

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$70,000

IVA: \$3,539,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$4,706,000

IVA: \$2,229,710  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$2,229,710

IVA: \$939,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,408,000

IVA: \$0  
 IVB: \$2,028,381  
 V: \$0  
 ELIG. COST: \$5,680,558

IVA: \$2,600,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$3,600,000

IVA: \$3,000,000  
 IVB: \$1,600,000  
 V: \$0  
 ELIG. COST: \$6,600,000

IVA: \$1,293,827  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,293,827

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$8,800,000

PROJECT NO.: CS421971-01  
 PROJ. TYPE: STP MOD  
 PROJECT RANKING: 212  
 NPDES NO.: PA0096342

PROJECT NO.: CS421980-01  
 PROJ. TYPE: STP SS  
 PROJECT RANKING: 213  
 NPDES NO.:

PROJECT NO.: CS421919-01  
 PROJ. TYPE: STPMOD PS SS  
 PROJECT RANKING: 214  
 NPDES NO.: PA0026514

PROJECT NO.: CS421964-01  
 PROJ. TYPE: STP PS INT SS  
 PROJECT RANKING: 215  
 NPDES NO.: PA0025437

PROJECT NO.: CS421721-01  
 PROJ. TYPE: SS REH  
 PROJECT RANKING: 216  
 NPDES NO.:

PROJECT NO.: CS421589-01  
 PROJ. TYPE: STP,SS, PS  
 PROJECT RANKING: 217  
 NPDES NO.:

PROJECT NO.: CS421911-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 218  
 NPDES NO.:

PROJECT NO.: CS421886-01  
 PROJ. TYPE: STP,PS,SS  
 PROJECT RANKING: 219  
 NPDES NO.:

PROJECT NO.: CS421548-01  
 PROJ. TYPE: SS, PS  
 PROJECT RANKING: 220  
 NPDES NO.: PA0020991

PROJECT NO.: CS421921-01  
 PROJ. TYPE: STPMOD SS  
 PROJECT RANKING: 221  
 NPDES NO.: PA0080551

PROJECT NO.: CS421734-01  
 PROJ. TYPE: STP SS PS INT  
 PROJECT RANKING: 222  
 NPDES NO.:

PROJECT NO.: CS422019-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 223  
 NPDES NO.: PA0028738

PROJECT NO.: CS421867-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 224  
 NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

NESHANNOCK TWP SEWER DEPT  
 3131 MERCER ROAD  
 NEW CASTLE PA 16105  
 REGION: NW COUNTY: LAWRENCE  
 OLD LYCOMING TWP A (LYCOMING TWP)  
 1951 GREEN AVE  
 WILLIAMSPORT PA 17701  
 REGION: NC COUNTY: LYCOMING  
 DERRY TWP SSA  
 MILL STREET BOX N  
 YEAGERTOWN PA 17099  
 REGION: SC COUNTY: MIFFLIN  
 COOPER TWP SUPR  
 P. O. BOX 626  
 DRIFTING PA 16834  
 REGION: NC COUNTY: CLEARFIELD  
 CHARLESTON TWP SUPR  
 R. D. 2 BOX 226  
 WELLSBORO PA 16901  
 REGION: NC COUNTY: TIOGA  
 BOGGS TWP  
 P. O. BOX 69  
 WEST DECATUR PA 16878  
 REGION: NC COUNTY: CLEARFIELD  
 DECATUR TWP SUPR  
 R. R. 1 BOX 526  
 OSCEOLA MILLS PA 16666  
 REGION: NC COUNTY: CLEARFIELD  
 DUDLEY BORO  
 OLD RECTORY BOX 207  
 DUDLEY PA 16634  
 REGION: SC COUNTY: HUNTINGDON  
 CONYNGHAM BORO A  
 P. O. BOX 469  
 CONYNGHAM PA 18219  
 REGION: NE COUNTY: LUZERNE  
 GLEN HOPE BORO  
 P. O. BOX 53  
 GLEN HOPE PA 16645  
 REGION: NC COUNTY: CLEARFIELD  
 SHADE-CENTRAL CITY JA  
 429 SUNSHINE AVENUE  
 CENTRAL CITY PA 15926  
 REGION: SW COUNTY: SOMERSET  
 NORTH EAST BORO  
 58 EAST MAIN STREET  
 NORTH EAST PA 16428  
 REGION: NW COUNTY: ERIE  
 CHAMBERSBURG BORO  
 100 SOUTH SECOND STREET  
 CHAMBERSBURG PA 17201  
 REGION: SC COUNTY: FRANKLIN

I:	\$0	IVA:	\$4,325,602
II:	\$0	IVB:	\$3,148,438
IIIA:	\$0	V:	\$0
IIIB:	\$788,750	ELIG. COST:	\$8,262,790
I:	\$386,048	IVA:	\$2,476,230
II:	\$0	IVB:	\$814,917
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,677,195
I:	\$0	IVA:	\$1,083,000
II:	\$0	IVB:	\$850,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,933,000
I:	\$2,349,917	IVA:	\$9,124,339
II:	\$0	IVB:	\$1,486,150
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$12,960,406
I:	\$0	IVA:	\$6,804,057
II:	\$0	IVB:	\$115,500
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$6,919,557
I:	\$647,929	IVA:	\$2,695,586
II:	\$0	IVB:	\$347,885
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,691,400
I:	\$0	IVA:	\$2,440,000
II:	\$0	IVB:	\$360,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,800,000
I:	\$0	IVA:	\$1,119,380
II:	\$366,970	IVB:	\$125,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,611,350
I:	\$0	IVA:	\$81,000
II:	\$0	IVB:	\$1,145,000
IIIA:	\$0	V:	\$298,000
IIIB:	\$19,000	ELIG. COST:	\$1,543,000
I:	\$217,100	IVA:	\$881,470
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,098,570
I:	\$0	IVA:	\$160,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$740,000	ELIG. COST:	\$900,000
I:	\$4,466,000	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$4,466,000
I:	\$0	IVA:	\$0
II:	\$17,900,000	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$17,900,000

PROJECT NO.: CS421916-01  
 PROJ. TYPE: INT SS PS  
 PROJECT RANKING: 225  
 NPDES NO.:  
 PROJECT NO.: CS421765-01  
 PROJ. TYPE: SS,INT  
 PROJECT RANKING: 226  
 NPDES NO.: PA0027057  
 PROJECT NO.: CS420343-02  
 PROJ. TYPE: STP,INT  
 PROJECT RANKING: 227  
 NPDES NO.:  
 PROJECT NO.: CS421802-01  
 PROJ. TYPE: STP,PS,INT,SS  
 PROJECT RANKING: 228  
 NPDES NO.:  
 PROJECT NO.: CS421800-01  
 PROJ. TYPE: INT,SS  
 PROJECT RANKING: 229  
 NPDES NO.: PA0021687  
 PROJECT NO.: CS421883-01  
 PROJ. TYPE: STP PS INT SS  
 PROJECT RANKING: 230  
 NPDES NO.:  
 PROJECT NO.: CS421857-01  
 PROJ. TYPE: PS INT SS  
 PROJECT RANKING: 231  
 NPDES NO.: PA0037966  
 PROJECT NO.: CS421581-01  
 PROJ. TYPE: STP,SS,PS  
 PROJECT RANKING: 232  
 NPDES NO.: PA0084883  
 PROJECT NO.: CS421625-01  
 PROJ. TYPE: STP MOD,SS REH  
 PROJECT RANKING: 233  
 NPDES NO.: PA0042048  
 PROJECT NO.: CS421983-01  
 PROJ. TYPE: STP SS  
 PROJECT RANKING: 234  
 NPDES NO.:  
 PROJECT NO.: CS421975-01  
 PROJ. TYPE: SS SEWER REHAB  
 PROJECT RANKING: 235  
 NPDES NO.:  
 PROJECT NO.: CS421913-01  
 PROJ. TYPE: STP MOD  
 PROJECT RANKING: 236  
 NPDES NO.: PA0023043  
 PROJECT NO.: CS421920-01  
 PROJ. TYPE: STP MOD  
 PROJECT RANKING: 237  
 NPDES NO.: PA0026051



APPLICANT INFORMATION			NEEDS CATEGORIES			PROJECT INFORMATION		
BENZINGER TWP AUTHORITY P. O. BOX 44 ST MARYS REGION: NW COUNTY: ELK PA 15857	I: II: III A: III B:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$1,220,000 \$0 \$1,220,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS422017-01 INT 238 NPDES NO.:		
SHICKSHINNY BORO SSA P. O. BOX 62 SHICKSHINNY REGION: NE COUNTY: LUZERNE PA 18655	I: II: III A: III B:	\$275,029 \$0 \$0 \$386,304	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$661,333	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421873-01 STP SSREHAB 239 PA0060135		
LAKEVIEW JMA P. O. BOX 248 SANDY LAKE REGION: NW COUNTY: MERCER PA 16145	I: II: III A: III B:	\$2,300,000 \$965,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$3,265,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421553-01 STPMOD 240 PA0022373		
EXETER TWP R. D. 1 BOX 191 PITSTON REGION: NE COUNTY: LUZERNE PA 18643	I: II: III A: III B:	\$1,092,000 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,128,000 \$574,000 \$0 \$2,794,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421727-01 SS,PS,INT 241 NPDES NO.:		
SMETHPORT BORO A 412 WEST WATER STREET SMETHPORT REGION: NW COUNTY: MCKEAN PA 16749	I: II: III A: III B:	\$2,168,168 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$2,168,168	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421879-01 STP MOD 242 NPDES NO.:		
DUBOIS CITY P. O. BOX 408 16 W SCRIBNER AVE DUBOIS REGION: NC COUNTY: CLEARFIELD PA 15801	I: II: III A: III B:	\$799,350 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$799,350	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421874-01 STPMOD 243 PA0027375		
CRANBERRY TWP MW&SA 2525 ROCHESTER RD SUITE 700 CRANBERRY TWP REGION: NW COUNTY: BUTLER PA 16066	I: II: III A: III B:	\$0 \$20,000,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$20,000,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421917-01 STPMOD 244 PA0024571		
SOUTH HANOVER TWP 111 W THIRD HERSHEY REGION: SC COUNTY: DAUPHIN PA 17033	I: II: III A: III B:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$2,986,000 \$2,063,000 \$0 \$5,049,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421001-02 INT,SS, PS 245 NPDES NO.:		
MCKEAN TWP S A P. O. BOX 88 MCKEAN REGION: NW COUNTY: ERIE PA 16426	I: II: III A: III B:	\$0 \$1,772,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$2,110,525 \$0 \$0 \$3,882,525	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421822-01 STP PS INT SS 246 NPDES NO.:		
BETHANY BORO R D 3 BOX 790 HONSDALE REGION: NE COUNTY: WAYNE PA 18431	I: II: III A: III B:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,200,000 \$1,000,000 \$0 \$2,200,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421741-01 PS INT SS 247 NPDES NO.:		
LEMON TWP (LAKE CAREY AREA) R. D. 1 BOX 410 TUNKHANNOCK REGION: NE COUNTY: WYOMING PA 18657	I: II: III A: III B:	\$0 \$900,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,000,000 \$200,000 \$0 \$2,100,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421746-01 STP SS INT 248 NPDES NO.:		
SMITHFIELD TWP SUPR R. D. 1 BOX 49 MILAN REGION: NC COUNTY: BRADFORD PA 18831	I: II: III A: III B:	\$647,000 \$132,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,018,000 \$238,000 \$0 \$2,035,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421927-01 STP INT PS SS 249 NPDES NO.:		
SADSBURY TWP SA 1077 WHITE OAK ROAD CHRISTIANA REGION: SC COUNTY: LANCASTER PA 17509	I: II: III A: III B:	\$0 \$469,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,190,400 \$0 \$0 \$1,659,400	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421717-01 STP SS 250 PA0083381		

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

APPLICANT INFORMATION		NEEDS CATEGORIES		PROJECT INFORMATION			
NICHOLSON BORO		I:	\$614,000	IVA:	\$596,000	PROJECT NO.:	CS421669-01
NICHOLSON MUN BLDG		II:	\$0	IVB:	\$151,000	PROJ. TYPE:	STP, INT, SS
NICHOLSON	PA 18446	IIIA:	\$0	V:	\$0	PROJECT RANKING:	251
REGION: NE	COUNTY: WYOMING	IIIB:	\$0	ELIG. COST:	\$1,361,000	NPDES NO.:	
MCKEAN TWP		I:	\$0	IVA:	\$515,220	PROJECT NO.:	CS421816-01
P. O. BOX 62		II:	\$483,400	IVB:	\$0	PROJ. TYPE:	STPMOD, SS
MCKEAN	PA 16426	IIIA:	\$0	V:	\$0	PROJECT RANKING:	252
REGION: NW	COUNTY: ERIE	IIIB:	\$0	ELIG. COST:	\$998,620	NPDES NO.:	PA0046418
PENN TWP		I:	\$210,000	IVA:	\$776,600	PROJECT NO.:	CS421985-01
R. D. 1 BOX 15		II:	\$0	IVB:	\$0	PROJ. TYPE:	STP SS
COBURN	PA 16832	IIIA:	\$0	V:	\$0	PROJECT RANKING:	253
REGION: NC	COUNTY: CENTRE	IIIB:	\$0	ELIG. COST:	\$986,600	NPDES NO.:	
DYBERRY TWP		I:	\$0	IVA:	\$195,000	PROJECT NO.:	CS421743-01
BOX 1265 R. D. 1		II:	\$0	IVB:	\$631,000	PROJ. TYPE:	SS,INT
HONESDALE	PA 18431	IIIA:	\$0	V:	\$0	PROJECT RANKING:	254
REGION: NE	COUNTY: WAYNE	IIIB:	\$0	ELIG. COST:	\$826,000	NPDES NO.:	
FRANKLIN TWP SUPR		I:	\$142,750	IVA:	\$410,700	PROJECT NO.:	CS422015-01
R. D. 2 BOX 311		II:	\$0	IVB:	\$64,050	PROJ. TYPE:	STP PS SS
MIDDLEBURG	PA 17842	IIIA:	\$0	V:	\$0	PROJECT RANKING:	255
REGION: NC	COUNTY: SNYDER	IIIB:	\$0	ELIG. COST:	\$617,500	NPDES NO.:	
HANOVER TWP		I:	\$0	IVA:	\$804,174	PROJECT NO.:	CS421728-01
3630 JACKSONVILLE RD		II:	\$0	IVB:	\$0	PROJ. TYPE:	SS
BETHLEHEM	PA 18017	IIIA:	\$0	V:	\$0	PROJECT RANKING:	256
REGION: NE	COUNTY: NORTHAMPTON	IIIB:	\$0	ELIG. COST:	\$804,174	NPDES NO.:	
TITUSVILLE CITY		I:	\$0	IVA:	\$0	PROJECT NO.:	CS421997-01
107 NORTH FRANKLIN ST		II:	\$0	IVB:	\$0	PROJ. TYPE:	I/I CSO
TITUSVILLE	PA 16354	IIIA:	\$7,230,000	V:	\$0	PROJECT RANKING:	257
REGION: NW	COUNTY: CRAWFORD	IIIB:	\$0	ELIG. COST:	\$7,230,000	NPDES NO.:	
FREELAND BORO		I:	\$2,574,000	IVA:	\$0	PROJECT NO.:	CS421682-01
P. O. BOX 117		II:	\$422,000	IVB:	\$0	PROJ. TYPE:	STP MOD
FREELAND	PA 18224	IIIA:	\$0	V:	\$0	PROJECT RANKING:	258
REGION: NE	COUNTY: LUZERNE	IIIB:	\$0	ELIG. COST:	\$2,996,000	NPDES NO.:	PA0024716
SOMERSET BORO MA		I:	\$0	IVA:	\$0	PROJECT NO.:	CS421862-02
340 WEST UNION STREET		II:	\$0	IVB:	\$0	PROJ. TYPE:	INT PS
SOMERSET	PA 15501	IIIA:	\$0	V:	\$0	PROJECT RANKING:	259
REGION: SW	COUNTY: SOMERSET	IIIB:	\$1,750,000	ELIG. COST:	\$1,750,000	NPDES NO.:	
DUQUESNE CITY		I:	\$900,000	IVA:	\$0	PROJECT NO.:	CS421756-01
12 S SECOND STREET		II:	\$0	IVB:	\$0	PROJ. TYPE:	STPMOD
DUQUESNE	PA 15110	IIIA:	\$0	V:	\$0	PROJECT RANKING:	260
REGION: SW	COUNTY: ALLEGHENY	IIIB:	\$0	ELIG. COST:	\$900,000	NPDES NO.:	PA0026981
SUGARLOAF TWP		I:	\$0	IVA:	\$1,206,777	PROJECT NO.:	CS421640-01
P. O. BOX 61		II:	\$0	IVB:	\$213,000	PROJ. TYPE:	SS INT PS
SYBERTSVILLE	PA 18251	IIIA:	\$0	V:	\$0	PROJECT RANKING:	261
REGION: NE	COUNTY: LUZERNE	IIIB:	\$0	ELIG. COST:	\$1,419,777	NPDES NO.:	
BUTLER TWP SUPR		I:	\$0	IVA:	\$322,601	PROJECT NO.:	CS421884-01
R. D. 3 BOX 796B		II:	\$0	IVB:	\$0	PROJ. TYPE:	SS
DRUMS	PA 18222	IIIA:	\$0	V:	\$0	PROJECT RANKING:	262
REGION: NE	COUNTY: LUZERNE	IIIB:	\$0	ELIG. COST:	\$322,601	NPDES NO.:	
TUNKHANNOCK TWP		I:	\$0	IVA:	\$2,000,000	PROJECT NO.:	CS421945-01
R. D. 2 BOX 233A		II:	\$0	IVB:	\$0	PROJ. TYPE:	SS PS
TUNKHANNOCK	PA 18657	IIIA:	\$0	V:	\$0	PROJECT RANKING:	263
REGION: NE	COUNTY: WYOMING	IIIB:	\$0	ELIG. COST:	\$2,000,000	NPDES NO.:	

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

SMITHFIELD TWP SA  
P. O. BOX 1067  
MARSHALLS CREEK PA 18335  
REGION: NE COUNTY: MONROE

LAWRENCE TWP  
P. O. BOX 508  
CLEARFIELD PA 16830  
REGION: NC COUNTY: CLEARFIELD

COALDALE SA  
6 COAL STREET  
LANSFORD PA 18232  
REGION: NE COUNTY: SCHUYLKILL

RUSH TWP (HOMETOWN AREA)  
P. O. BOX 1326  
TAMAQUA PA 18252  
REGION: NE COUNTY: SCHUYLKILL

HARVEYS LAKE BORO MA  
P. O. BOX 53  
HARVEYS LAKE PA 18618  
REGION: NE COUNTY: LUZERNE

ALBURTIS BOROUGH  
260 FRANKLIN ST  
ALBURTIS PA 18011  
REGION: NE COUNTY: LEHIGH

NEW CASTLE SA  
30 E WASHINGTON ST  
NEW CASTLE PA 16101  
REGION: NW COUNTY: LAWRENCE

NEW CASTLE SA  
30 E WASHINGTON ST  
NEW CASTLE PA 16101  
REGION: NW COUNTY: LAWRENCE

RICHFIELD AREA JA  
P. O. BOX 204  
RICHFIELD PA 17086  
REGION: SC COUNTY: JUNIATA & SNYDER

ST PETERSBURG BORO (FOXBURG AREA)  
P. O. BOX 101  
ST PETERSBURG PA 16054  
REGION: NW COUNTY: CLARION

WARMINSTER TWP MA  
415 GIBSON AVE  
WARMINSTER PA 18974  
REGION: SE COUNTY: BUCKS

SPRINGFIELD TWP  
R. R. 2 BOX 206  
SEVEN VALLEYS PA 17360  
REGION: SC COUNTY: YORK

BETHEL TWP DELAWARE CO SA  
1082 BETHEL ROAD  
BOOTHWYN PA 19601  
REGION: SE COUNTY: DELAWARE

I:	\$0	IVA:	\$1,455,000
II:	\$0	IVB:	\$1,145,000
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$2,600,000
I:	\$0	IVA:	\$509,000
II:	\$0	IVB:	\$0
IIIA:	\$2,621,050	V:	\$0
IIIB:	\$0	ELIG. COST:	\$3,130,050
I:	\$1,000,000	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$1,000,000
IIIB:	\$1,000,000	ELIG. COST:	\$3,000,000
I:	\$0	IVA:	\$1,500,000
II:	\$0	IVB:	\$500,000
IIIA:	\$105,000	V:	\$0
IIIB:	\$260,000	ELIG. COST:	\$2,365,000
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$3,000,000	ELIG. COST:	\$3,000,000
I:	\$0	IVA:	\$170,000
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$170,000
I:	\$0	IVA:	\$0
II:	\$11,449,306	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$11,449,306
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$5,000,000	ELIG. COST:	\$5,000,000
I:	\$0	IVA:	\$3,535,500
II:	\$1,178,500	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$4,714,000
I:	\$338,000	IVA:	\$1,444,170
II:	\$130,000	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,912,170
I:	\$0	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$410,625	ELIG. COST:	\$410,625
I:	\$4,676,433	IVA:	\$4,059,524
II:	\$0	IVB:	\$1,958,905
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$10,694,862
I:	\$1,386,000	IVA:	\$0
II:	\$0	IVB:	\$0
IIIA:	\$0	V:	\$0
IIIB:	\$0	ELIG. COST:	\$1,386,000

PROJECT NO.: CS421737-01  
PROJ. TYPE: PS INT SS  
PROJECT RANKING: 264  
NPDES NO.:

PROJECT NO.: CS421984-01  
PROJ. TYPE: INT SS  
PROJECT RANKING: 265  
NPDES NO.: PA0026310

PROJECT NO.: CS421885-01  
PROJ. TYPE: STPMOD SS REH  
PROJECT RANKING: 266  
NPDES NO.: PA0026476

PROJECT NO.: CS421637-01  
PROJ. TYPE: SS INT SSREHAB  
PROJECT RANKING: 267  
NPDES NO.:

PROJECT NO.: CS421730-01  
PROJ. TYPE: SS REHAB  
PROJECT RANKING: 268  
NPDES NO.:

PROJECT NO.: CS421722-01  
PROJ. TYPE: SS  
PROJECT RANKING: 269  
NPDES NO.:

PROJECT NO.: CS421823-02  
PROJ. TYPE: STPMOD  
PROJECT RANKING: 270  
NPDES NO.: PA0027511

PROJECT NO.: CS421823-01  
PROJ. TYPE: SSREHAB, INT  
PROJECT RANKING: 271  
NPDES NO.:

PROJECT NO.: CS421703-01  
PROJ. TYPE: STP, PS, SS  
PROJECT RANKING: 272  
NPDES NO.:

PROJECT NO.: CS421902-01  
PROJ. TYPE: STP  
PROJECT RANKING: 273  
NPDES NO.:

PROJECT NO.: CS421881-01  
PROJ. TYPE: SS REHAB  
PROJECT RANKING: 274  
NPDES NO.:

PROJECT NO.: CS421967-01  
PROJ. TYPE: STP PS INT SS  
PROJECT RANKING: 275  
NPDES NO.:

PROJECT NO.: CS421899-01  
PROJ. TYPE: SS  
PROJECT RANKING: 276  
NPDES NO.:

APPLICANT INFORMATION			NEEDS CATEGORIES			PROJECT INFORMATION		
SOUTHERN DELAWARE CO A 101 BEECH ST BOOTHWYN REGION: SE COUNTY: DELAWARE PA 19061	I: II: III A: III B:	\$0 \$0 \$1,245,410 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$1,245,410	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421896-01 SS 277 		
SOUTHERN DELAWARE CO A 101 BEECH STREET BOOTHWYN REGION: SE COUNTY: DELAWARE PA 19061	I: II: III A: III B:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$884,117 \$0 \$0 \$884,117	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421868-01 SS 278 		
BROKENSTRAW VALLEY AREA A BOX 155 ROUSE AVE YOUNGSVILLE REGION: NW COUNTY: WARREN PA 16371	I: II: III A: III B:	\$2,383,493 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$7,408,907 \$3,990,000 \$0 \$13,782,400	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421820-01 STP INT SS PS 279 		
PARKER CITY SA P. O. BOX 323 PARKER REGION: SW COUNTY: ARMSTRONG PA 16049	I: II: III A: III B:	\$0 \$3,153,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$3,153,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421475-01 STP MOD 280 PA0034851		
GRATZ BORO P. O. BOX 305 GRATZ REGION: SC COUNTY: DAUPHIN PA 17030	I: II: III A: III B:	\$961,000 \$412,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,069,000 \$231,000 \$0 \$2,673,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421696-01 STP, SS 281 		
UNION TWP R. R. 1 BOX 598 PORT TREVERTON REGION: NC COUNTY: SNYDER PA 17864	I: II: III A: III B:	\$771,000 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,570,000 \$207,000 \$0 \$2,548,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421977-01 STP PS INT SS 282 		
RICES LANDING BORO BOX 185 RICES LANDING REGION: SW COUNTY: GREENE PA 15357	I: II: III A: III B:	\$300,000 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,600,000 \$250,000 \$0 \$2,150,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS422013-01 SS,PS,STP 283 		
LERAYSVILLE BORO COUNCIL EAST STREET LERAYSVILLE REGION: NC COUNTY: BRADFORD PA 18829	I: II: III A: III B:	\$797,500 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$895,457 \$145,623 \$0 \$1,838,580	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421807-01 STP, INT, SS 284 		
TURBOT TWP SUPR R. D. 3 BOX 774 MILTON REGION: NC COUNTY: NORTHUMBERLAND PA 17847	I: II: III A: III B:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,523,705 \$124,595 \$0 \$1,648,300	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421811-01 INT,SS 285 PA0020273		
ST THOMAS TWP MA (EDENVILLE) 6442 LINCOLN WAY WEST ST THOMAS REGION: SC COUNTY: FRANKLIN PA 17252	I: II: III A: III B:	\$0 \$624,000 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$948,220 \$0 \$0 \$1,572,220	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421849-01 SS INT PS 286 PA0081001		
WEST CHILLISQUAQUE TWP P. O. BOX 252 MONTANDON REGION: NC COUNTY: NORTHUMBERLAND PA 17850	I: II: III A: III B:	\$0 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$1,254,732 \$253,000 \$0 \$1,507,732	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421978-01 PS INT SS 287 PA0020273		
SAEGERTOWN AREA SA P. O. BOX 334 SAEGERTOWN REGION: NW COUNTY: CRAWFORD PA 16433	I: II: III A: III B:	\$1,400,000 \$0 \$0 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$1,400,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421994-01 STP MOD 288 		
WEISSPORT MA 406 WHITE STREET WEISSPORT REGION: NE COUNTY: CARBON PA 18235	I: II: III A: III B:	\$0 \$0 \$1,100,000 \$0	IVA: IVB: V: ELIG. COST:	\$0 \$0 \$0 \$1,100,000	PROJECT NO.: PROJ. TYPE: PROJECT RANKING: NPDES NO.:	CS421904-01 SS REHAB 289 		

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

DRAVOSBURG BORO  
 P. O. BOX 37  
 DRAVOSBURG PA 15034  
 REGION: SW COUNTY: ALLEGHENY  
 LIBERTY TWP SUPR  
 R. D. 1 BOX 193  
 DANVILLE PA 17821  
 REGION: NC COUNTY: MONTOUR  
 BEDFORD TWP MA  
 P.O. BOX 371  
 BEDFORD PA 15522  
 REGION: SC COUNTY: BEDFORD  
 GIRARD TWP SUPR  
 R. R. 1 BOX 394  
 FRENCHVILLE PA 16836  
 REGION: NC COUNTY: CLEARFIELD  
 SUMMIT HILL BORO  
 114 WEST LUDLOW STREET  
 SUMMIT HILL PA 18250  
 REGION: NE COUNTY: CARBON  
 MILTON MA  
 TWO FILBERT ST P. O. BOX 150  
 MILTON PA 17847  
 REGION: NC COUNTY: NORTHUMBERLAND  
 LACKAWANNA RIV. BASIN SA (MOOSIC)  
 P. O. BOX 9068  
 DICKSON CITY PA 18519  
 REGION: NE COUNTY: LACKAWANNA  
 WASHINGTON TWP SUPR  
 1390 FAYETTE AVE  
 BELLE VERNON PA 15012  
 REGION: SW COUNTY: FAYETTE  
 LEHIGH TWP  
 1069 MUNICIPAL ROAD  
 WALNUTPORT PA 18088  
 REGION: NE COUNTY: NORTHAMPTON  
 HARMONY TWP  
 2501 WOODLAND ROAD  
 AMBRIDGE PA 15003  
 REGION: SW COUNTY: BEAVER  
 BEECH CREEK BORO  
 P. O. BOX 216  
 BEECH CREEK PA 16822  
 REGION: NC COUNTY: CLINTON  
 UPPER STONEYCREEK JMA  
 P. O. BOX 24  
 HOOVERSVILLE PA 15936  
 REGION: SW COUNTY: SOMERSET  
 HAMILTON TWP SUPR (BLOSSBURG)  
 P. O. BOX 212  
 MORRIS RUN PA 16939  
 REGION: NC COUNTY: TIOGA

I: \$769,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$215,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$226,742  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$0  
 II: \$0  
 IIIA: \$500,000  
 IIIB: \$0  
 I: \$4,635,325  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$2,700,000  
 II: \$0  
 IIIA: \$200,000  
 IIIB: \$300,000  
 I: \$3,154,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$317,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$1,004,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$1,400,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$769,000  
 IVA: \$433,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$648,000  
 IVA: \$1,400,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,400,000  
 IVA: \$526,367  
 IVB: \$56,686  
 V: \$0  
 ELIG. COST: \$809,795  
 IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$500,000  
 IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$500,000  
 IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$4,635,325  
 IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$3,200,000  
 IVA: \$7,605,000  
 IVB: \$675,000  
 V: \$0  
 ELIG. COST: \$11,434,000  
 IVA: \$2,918,020  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$3,235,020  
 IVA: \$1,800,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,800,000  
 IVA: \$665,100  
 IVB: \$210,000  
 V: \$0  
 ELIG. COST: \$1,879,100  
 IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,400,000  
 IVA: \$452,254  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$452,254

PROJECT NO.: CS421485-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 290  
 NPDES NO.: PA0028401  
 PROJECT NO.: CS421928-01  
 PROJ. TYPE: STP SS  
 PROJECT RANKING: 291  
 NPDES NO.:  
 PROJECT NO.: CS421954-01  
 PROJ. TYPE: PS INT SS  
 PROJECT RANKING: 292  
 NPDES NO.:  
 PROJECT NO.: CS421890-01  
 PROJ. TYPE: STP INT SS  
 PROJECT RANKING: 293  
 NPDES NO.:  
 PROJECT NO.: CS421907-01  
 PROJ. TYPE: SS REHAB  
 PROJECT RANKING: 294  
 NPDES NO.:  
 PROJECT NO.: CS421809-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 295  
 NPDES NO.: PA0020273  
 PROJECT NO.: CS422018-01  
 PROJ. TYPE: STPMOD SSREH  
 PROJECT RANKING: 296  
 NPDES NO.: PA0027065  
 PROJECT NO.: CS421502-01  
 PROJ. TYPE: STP MOD,INT,SS  
 PROJECT RANKING: 297  
 NPDES NO.: PA0020702  
 PROJECT NO.: CS421685-01  
 PROJ. TYPE: STP,SS  
 PROJECT RANKING: 298  
 NPDES NO.:  
 PROJECT NO.: CS421861-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 299  
 NPDES NO.:  
 PROJECT NO.: CS421937-01  
 PROJ. TYPE: STPMOD SS  
 PROJECT RANKING: 300  
 NPDES NO.: PA0024538  
 PROJECT NO.: CS421863-01  
 PROJ. TYPE: STP MOD  
 PROJECT RANKING: 301  
 NPDES NO.: PA0042561  
 PROJECT NO.: CS421804-01  
 PROJ. TYPE: SS  
 PROJECT RANKING: 302  
 NPDES NO.:

**APPLICANT INFORMATION**

**NEEDS CATEGORIES**

**PROJECT INFORMATION**

HARRISBURG A  
 ONE KEYSTONE PLAZA SUITE 104  
 HARRISBURG PA 17101  
 REGION: SC COUNTY: DAUPHIN

MANSFIELD BORO MA  
 19 EAST WELLSBORO ST  
 MANSFIELD PA 16933  
 REGION: NC COUNTY: TIOGA

LANSFORD BORO  
 P. O. BOX 126  
 LANSFORD PA 18232  
 REGION: NE COUNTY: CARBON

HARRISBURG A  
 ONE KEYSTONE PLAZA SUITE 104  
 HARRISBURG PA 17101  
 REGION: SC COUNTY: DAUPHIN

EAST HUNTINGDON TWP  
 BOX 9  
 ALVERTON PA 15612  
 REGION: SW COUNTY: WESTMORELAND

SCHUYLKILL CO MA  
 221 SOUTH CENTRE STREET  
 POTTSVILLE PA 17901  
 REGION: NE COUNTY: SCHUYLKILL

EAST DONEGAL SA  
 190 ROCK POINT ROAD  
 MARIETTA PA 17547  
 REGION: SC COUNTY: LANCASTER

READING CITY  
 CITY HALL 815 WASHINGTON ST  
 READING PA 19601  
 REGION: SC COUNTY: BERKS

OXFORD TWP  
 766 OXFORD ROAD  
 NEW OXFORD PA 17350  
 REGION: SC COUNTY: ADAMS

ANTRIM TWP  
 15052 WINGERTON ROAD  
 WAYNESBORO PA 17268  
 REGION: SC COUNTY: FRANKLIN

ELIZABETHVILLE BOROUGH  
 16 W MAIN STREET  
 ELIZABETHVILLE PA 17023  
 REGION: SC COUNTY: DAUPHIN

OLEY TWP  
 133 HUNTER ROAD  
 OLEY PA 19547  
 REGION: SC COUNTY: BERKS

MAXATAWNY TWP  
 460 ALBRIGHT ROAD  
 KUTZTOWN PA 19530  
 REGION: SC COUNTY: BERKS

I: \$7,501,500  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$7,501,500

I: \$5,265,488  
 II: \$0  
 IIIA: \$573,205  
 IIIB: \$0  
 ELIG. COST: \$12,174,743

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$4,300,000  
 ELIG. COST: \$4,300,000

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$1,893,000  
 ELIG. COST: \$1,893,000

I: \$890,000  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$3,630,000

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$999,415

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$573,500

I: \$0  
 II: \$7,000,000  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$7,000,000

I: \$0  
 II: \$2,300,000  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$2,300,000

I: \$0  
 II: \$1,800,000  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$1,800,000

I: \$0  
 II: \$1,800,000  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$1,800,000

I: \$0  
 II: \$0  
 IIIA: \$0  
 IIIB: \$0  
 ELIG. COST: \$1,500,000

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$7,501,500

IVA: \$5,925,475  
 IVB: \$410,575  
 V: \$0  
 ELIG. COST: \$12,174,743

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$4,300,000

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,893,000

IVA: \$2,490,000  
 IVB: \$250,000  
 V: \$0  
 ELIG. COST: \$3,630,000

IVA: \$282,800  
 IVB: \$716,615  
 V: \$0  
 ELIG. COST: \$999,415

IVA: \$573,500  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$573,500

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$7,000,000

IVA: \$5,000,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$5,000,000

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$2,300,000

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,800,000

IVA: \$0  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,800,000

IVA: \$1,500,000  
 IVB: \$0  
 V: \$0  
 ELIG. COST: \$1,500,000

PROJECT NO.: CS421851-01  
 PROJ. TYPE: INCINERATOR  
 PROJECT RANKING: 303  
 NPDES NO.:

PROJECT NO.: CS421808-01  
 PROJ. TYPE: STPMOD,INT,SS  
 PROJECT RANKING: 304  
 NPDES NO.: PA0021814

PROJECT NO.: CS421893-01  
 PROJ. TYPE: SS REHAB SS  
 PROJECT RANKING: 305  
 NPDES NO.:

PROJECT NO.: CS421851-02  
 PROJ. TYPE: SS CSO INT  
 PROJECT RANKING: 306  
 NPDES NO.:

PROJECT NO.: CS421953-01  
 PROJ. TYPE: STP INT SS PS  
 PROJECT RANKING: 307  
 NPDES NO.:

PROJECT NO.: CS421965-01  
 PROJ. TYPE: PS INT SS  
 PROJECT RANKING: 308  
 NPDES NO.:

PROJECT NO.: CS421775-01  
 PROJ. TYPE: SS PS  
 PROJECT RANKING: 309  
 NPDES NO.:

PROJECT NO.: CS422022-01  
 PROJ. TYPE: STPMOD SSREHAB  
 PROJECT RANKING: 310  
 NPDES NO.:

PROJECT NO.: CS422025-01  
 PROJ. TYPE: SS PS  
 PROJECT RANKING: 311  
 NPDES NO.:

PROJECT NO.: CS422024-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 312  
 NPDES NO.:

PROJECT NO.: CS422023-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 313  
 NPDES NO.:

PROJECT NO.: CS422021-01  
 PROJ. TYPE: STPMOD  
 PROJECT RANKING: 313  
 NPDES NO.:

PROJECT NO.: CS422020-01  
 PROJ. TYPE: SS PS  
 PROJECT RANKING: 315  
 NPDES NO.:

# PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Drinking Water State Revolving Fund Projects; Public Hearing on Federal FY 1998 and 1999 Project Priority List and FY 1998 Intended Use Plan

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (DEP) have prepared a combined Federal fiscal year 1998 and 1999 drinking water program Project Priority List and the fiscal year 1998 Intended Use Plan (IUP) list of drinking water projects to be considered for a design and engineering or construction loan from funds the Commonwealth expects to receive from fiscal year 1998 funds approved by Congress to capitalize the Drinking Water State Revolving Fund (DWSRF) program.

The FY 1998/99 DWSRF Project Priority List was developed in conformance with the requirements of the Safe Drinking Water Act Amendments of 1996 (act) and Federal guidance. The act stipulates that states must maintain a Project Priority List of drinking water projects from which to develop the annual DWSRF IUP list of projects to be funded.

The projects to be considered for a loan from the DWSRF must meet the Federal requirements for funding in accordance with section 1452 of the act. Accordingly, the projects included in the DWSRF IUP are expected to meet the requirements applicable to use of the DWSRF loan funds. Projects listed on the FY 1998 DWSRF IUP are expected to proceed with design and engineering or to construction in the near future. Other projects on the DWSRF Project Priority List are projects that are in development or will be developed for future loan consideration. Any project removed from an IUP is maintained on the Project Priority List unless otherwise completed.

The DWSRF will be capitalized with approximately \$22.9 million of Federal FY 1998 funds from the Environmental Protection Agency (EPA) and approximately \$4.6 million of State funds. Of the \$27.5 million available, funds will be set aside for program administration costs, technical assistance to small systems, development of an operator certification program, source water protection and other drinking water program initiatives authorized under section 1452 of the act. The FY 1998 DWSRF IUP has six drinking water projects listed with a total dollar value of approximately \$20.4 million.

The FY 1997 DWSRF capitalization grant application was submitted to EPA earlier this year, and \$14.4 million was set aside for later award to the Commonwealth for technical assistance to small systems, development of an operator certification program and other drinking water program initiatives authorized under section 1452 of the act. These DWSRF program initiatives will be administered by DEP, and the funds reserved from the FY 1997 allotment will be included in the Commonwealth's application for the FY 1998 set-aside funds under the FY 1998 DWSRF capitalization grant application. Further discus-

sion of the use of these funds for the various set-aside initiatives is contained in the narrative portion of the FY 1998 DWSRF IUP.

A public hearing will be held, as described below. After the public hearing and assessment of the comments received, the final FY 1998 DWSRF IUP will be completed; potentially, it may include other projects from the DWSRF Project Priority List. A project must appear on the approved DWSRF IUP before it can receive a loan from the DWSRF. A project's readiness to proceed and the reasonable availability of alternative funds also have a bearing on project selection for the IUP. Consequently, the rank ordered list of projects on the Project Priority List does not dictate the order in which projects will be chosen for inclusion in the IUP, although projects are generally funded in priority order.

Federal guidance on development of the DWSRF Project Priority List, Intended Use Plan and set-aside workplan direct that they be subject to public comment and review before being submitted to EPA.

DEP has scheduled a public hearing for 10 a.m., October 22, 1997, in the Auditorium of the Rachel Carson State Office Building, located at 400 Market Street, Harrisburg, PA. The hearing is scheduled for the purpose of receiving comments from the public regarding the fiscal year 1998/99 DWSRF Project Priority List and the FY 1998 DWSRF IUP, including set-aside activities. Interested persons are invited to express their views at the public hearing. Persons wishing to offer comments should contact the Administrative Services Section, Division of Municipal Financial Assistance, Bureau of Water Supply Management, 11th Floor, Rachel Carson State Office Building, P. O. Box 8466, Harrisburg, PA 17105-8466, (717) 787-6744, or by Internet E-Mail (Maisano.Tony@al.dep.state.pa.us) by 4 p.m., October 21, 1997. Where written statements are prepared and will be submitted at the hearing, speakers will be asked to restrict the oral portion of the statement to a summary of the written comments. Speakers will be called to present their comments generally in the order of receipt of the notice of intent to appear at the hearing.

It is not necessary to appear at the public hearing to present comments. Interested persons may submit written comments to DEP at the address shown above. The written comments will be considered equivalent to oral statements presented at the hearing. To be considered by DEP and PENNVEST, the written comments must be received by the Administrative Services Section on or before the date of the hearing.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Maisano at the address noted above or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how DEP may accommodate their needs.

The FY 1998/99 DWSRF Project Priority List and FY 1998 DWSRF IUP list of projects follow this notice. Copies of these lists, as well as the narrative portion of the DWSRF Intended Use Plan, are available for public review in the offices listed at the end of this notice. In addition, based on new or additional information related to project ratings or other relevant factors, prior fiscal year IUP lists have been revised and are available by contacting these same offices.

Southeast Region:  
Water Supply Manager  
Lee Park, Suite 6010, 555 North Lane,  
Conshohocken, PA 19428  
(610) 832-6060

Northeast Region:  
 Water Supply Manager  
 2 Public Square, Wilkes-Barre, PA 18711-0790  
 (717) 826-2511

Southcentral Region:  
 Water Supply Manager  
 One Ararat Boulevard, Harrisburg, PA 17110  
 (717) 657-4692

Northcentral Region:  
 Water Supply Manager  
 208 West 3rd Street, Williamsport, PA 17701  
 (717) 327-3675

Southwest Region:  
 Water Supply Manager  
 400 Waterfront Drive, Pittsburgh, PA 15222-4745  
 (412) 442-4217

Northwest Region:  
 Water Supply Manager  
 230 Chestnut Street, Meadville, PA 16335-3481  
 (814) 332-6899

Bureau of Water Supply Management,  
 Division of Municipal Financial Assistance,  
 Administrative Services Section  
 11th Floor, RCSOB, 400 Market Street,  
 Harrisburg, PA 17101  
 (717) 787-6744

Pennsylvania Infrastructure Investment Authority  
 22 S. Third Street, 4th Floor, Keystone Building,  
 Harrisburg, PA 17101  
 (717) 787-8137

JAMES M. SEIF,  
*Secretary*  
*Department of Environmental Protection*  
*Vice-Chairperson*  
*Pennsylvania Infrastructure Investment Authority*  
 PAUL K. MARCHETTI,  
*Executive Director*  
*Pennsylvania Infrastructure Investment Authority*



PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 DRINKING WATER STATE REVOLVING FUND  
 FY 1998 INTENDED USE PLAN PROJECT LIST

EXPLANATION OF COLUMNAR HEADINGS (EXCEPT THOSE THAT ARE SELF-EXPLANATORY)

NEEDS CATEGORY:

- I — SOURCE REHABILITATION OR DEVELOPMENT
- II — TRANSMISSION
- III — WATER TREATMENT
- IV — STORAGE
- V — DISTRIBUTION SYSTEM
- VI — OTHER

PROJECT TYPE:

- SRC — SOURCE
- TRANS — TRANSMISSION SYSTEM
- TREAT — WATER TREATMENT PLANT
- TREATMOD — WATER TREATMENT PLANT MODIFICATION
- WS — WATER STORAGE
- DS — DISTRIBUTION SYSTEM
- OTHER — ADMINISTRATIVE, LEGAL, FINANCIAL, ENGINEERING, PERMITS, CONTINGENCY, OR AS SPECIFIED

PWSID NUMBER:

PUBLIC WATER SUPPLY IDENTIFICATION NUMBER

PROJECT NUMBER:

FEDERAL LOAN PROJECT IDENTIFICATION NUMBER

ELIGIBLE PROJECT COSTS:

ESTIMATED LOAN AMOUNT FOR ELIGIBLE PROJECT

APPLICANT NAME ADDRESS CITY	COUNTY STATE ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V: VI: ASSISTANCE AMOUNT
CONSUMERS WATER CO. 665 S. DOCK ST. SHARON	MERCER PA 16146	6—MEADVILLE	TREAT 3540019	11
I:	II:	III: \$16,200,000.00	IV:	V: VI: \$15,374,500.00
JIM THORPE MA 1324 ORCHARD LANE JIM THORPE	CARBON PA 18229	2—WILKES-BARRE	SRC, TREAT, WS, OTHER 3130044	2
I:	II:	III:	IV:	V: VI: \$1,753,205.00
LAZY BROOK TRAILER PARK 31 LINCOLN AVE MONTROSE	SUSQUEHANNA PA 18801	2—WILKES-BARRE	SRC, TRANS, TREAT, DS 2580015	1
I:	II:	III:	IV:	V: VI: \$25,000.00

APPLICANT NAME ADDRESS CITY	STATE	COUNTY ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:	NEEDS CATEGORY VI: ASSISTANCE AMOUNT
READING WATER AUTH 815 WASHINGTON ST READING	PA	BERKS 19601	3—HARRISBURG	TREAT, WS, TRANS 3060059	06018029705-CW 7
I:	II:	III:	IV:	V:	VI: \$2,819,500.00
ROULET WATER COMPANY P. O. BOX 268 ROULETTE	PA	POTTER 16746	4—WILLIAMSPORT	WS, DS 6530007	30
I:	II:	III:	IV:	V:	VI: \$303,295.00
SHOEMAKERSVILLE BOROUGH P. O. BOX 190 SHOEMAKERSVILLE	PA	BERKS 19555	3—HARRISBURG	OTHER (DESIGN TREAT) 3060100	06165019609-CW 31
I:	II:	III:	IV:	V:	VI: \$150,000.00

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 DRINKING WATER STATE REVOLVING FUND  
 FY 1998 PROJECT PRIORITY LIST (IN PRIORITY ORDER)

EXPLANATION OF COLUMNAR HEADINGS (EXCEPT THOSE THAT ARE SELF-EXPLANATORY)

NEEDS CATEGORY:

- I — SOURCE REHABILITATION OR DEVELOPMENT
- II — TRANSMISSION
- III — WATER TREATMENT
- IV — STORAGE
- V — DISTRIBUTION SYSTEM
- VI — OTHER

PROJECT TYPE:

- SRC — SOURCE
- TRANS — TRANSMISSION SYSTEM
- TREAT — WATER TREATMENT PLANT
- TREATMOD — WATER TREATMENT PLANT MODIFICATION
- WS — WATER STORAGE
- DS — DISTRIBUTION SYSTEM
- OTHER — ADMINISTRATIVE, LEGAL, FINANCIAL, ENGINEERING, PERMITS, CONTINGENCY, OR AS SPECIFIED

PWSID NUMBER:

PUBLIC WATER SUPPLY IDENTIFICATION NUMBER

PROJECT NUMBER:

FEDERAL LOAN PROJECT IDENTIFICATION NUMBER

ELIGIBLE PROJECT COSTS:

ESTIMATED LOAN AMOUNT FOR ELIGIBLE PROJECT

APPLICANT NAME ADDRESS CITY	COUNTY STATE ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V: VI: ASSISTANCE AMOUNT
LAZY BROOK TRAILER PARK 31 LINCOLN AVE MONTROSE	SUSQUEHANNA PA 18801	2—WILKES-BARRE	SRC, TRANS, TREAT, DS 2580015	1
I:	II:	III:	IV:	V: VI: \$25,000.00
JIM THORPE MA 1324 ORCHARD LANE JIM THORPE	CARBON PA 18229	2—WILKES-BARRE	SRC, TREAT, WS, OTHER 3130044	2
I:	II:	III:	IV:	V: VI: \$1,753,205.00
PARDEESVILLE WATER ASSOC R. D. 2 HAZLETON	LUZERNE PA 18201	2—WILKES-BARRE	SRC, TREAT, WS, DS 2400016	3
I: \$4,800.00	II:	III: \$24,300.00	IV: \$81,000.00	V: \$6,000.00 VI: \$112,000.00 \$189,700.00

APPLICANT NAME ADDRESS CITY	COUNTY STATE ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
ASSISTANCE AMOUNT				
PERRY TWP BOARD OF SUPERVISORS P. O. BOX 183 STAR JUNCTION	FAYETTE PA 15482	5—PITTSBURGH	DS 5260028	4
I:	II:	III:	IV:	V: \$302,470.00
VI: \$106,269.00 \$611,910.00				
SCHUYLKILL COUNTY MA (NEW BOS- TON 221 S CENTRE ST POTTSVILLE	SCHUYLKILL PA 17901	2—WILKES-BARRE	DS 3540038	5
I:	II:	III:	IV:	V: \$629,200.00
VI: \$254,100.00 \$549,000.00				
EDINBORO WATER AUTH 124 MEADVILLE ST EDINBORO	ERIE PA 16412	6—MEADVILLE	TREAT 6250022	6
I:	II:	III: \$515,795.00	IV:	V:
VI: \$106,205.00 \$425,000.00				
READING AREA WATER AUTH 815 WASHINGTON ST READING	BERKS PA 19601	3—HARRISBURG	TREAT, WS, TRANS 3060059	7
I:	II:	III:	IV:	V:
VI: \$2,819,500.00				
DELAWARE WATER GAP 49 MAIN ST DELAWARE WATER	MONROE PA 18327	2—WILKES-BARRE	SRC, TREAT, WS, DS 2450022	8
I: \$153,100.00	II:	III:	IV: \$200,500.00	V: \$273,125.00
VI: \$184,541.00 \$738,000.00				
MCKEAN BOROUGH 8952 MAIN ST MCKEAN	ERIE PA 16426	6—MEADVILLE	OTHER (TEST WELLS) 6259996	9
I:	II:	III:	IV:	V:
VI: \$50,000.00 \$50,000.00				
WILLIAMSBURG WATER DEPT 305 E SECOND ST WILLIAMSBURG	BLAIR PA 16433	3—HARRISBURG	WS, DS 4070022	10
I:	II:	III:	IV: \$240,500.00	V: \$2,828,650.00
VI: \$1,130,850.00 \$3,942,000.00				
CONSUMERS WATER CO. 665 S. DOCK ST. SHARON	MERCER PA 16146	6—MEADVILLE	TREAT 3540019	11
I:	II:	III: \$16,200,000.00	IV:	V:
VI: \$15,374,500.00				
MANOR TWP JMA (PV-02) 2310 PLEASANT VIEW DR FORD CITY	ARMSTRONG PA 16226	5—PITTSBURGH	SRC, TRANS, WS, DS 5030006	12
I:	II:	III:	IV:	V: \$220,000.00
VI: \$55,000.00 \$389,000.00				

APPLICANT NAME ADDRESS CITY	COUNTY	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
STATE	ZIP CODE			
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI:
ASSISTANCE AMOUNT				
SOUTHWESTERN PA WATER AUTH P. O. BOX 187 JEFFERSON	GREENE	5—PITTSBURGH	WS, DS 5260024	13
PA	15344			
I:	II:	III:	IV: \$671,000.00	V: \$2,797,450.00
				VI: \$486,550.00 \$3,942,000.00
EAST ALLEN TWP MA 5344 NOR-BATH BLVD NORTHAMPTON	NORTH-AMPTON	2—WILKES-BARRE	SRC, TRANS, DS 3480086	14
PA	18067			
I: \$2,800.00	II: \$402,700.00	III:	IV:	V: \$72,500.00
				VI: \$119,000.00 \$527,000.00
PA AMERICAN WATER CO (PV-01) 800 W HERSHEY PARK DR HERSHEY	MONROE	2—WILKES-BARRE	TRANS, TREAT, WS, DS 2459999	15
PA	17033			
I:	II: \$2,750,000.00	III: \$40,000.00	IV: \$1,200,000.00	V: \$750,000.00
				VI: \$763,441.00 \$5,863,441.00
PA AMERICAN WATER CO (PV-02) 800 W HERSHEY PARK DR HERSHEY	MONROE	2—WILKES-BARRE	SRC, TRANS, DS 2459999	16
PA	17033			
I: \$600,000.00	II: \$1,597,500.00	III:	IV:	V: \$247,000.00
				VI: \$820,500.00 \$3,000,000.00
LEWISTOWN BOROUGH MA 70 CHESTNUT ST LEWISTOWN	MIFFLIN	3—HARRISBURG	SRC, TRANS, TREAT, WS 4440010	17
PA	17044			
I: \$580,000.00	II: \$2,529,000.00	III: \$6,951,000.00	IV: \$1,690,000.00	V:
				VI: \$2,950,000.00 \$14,977,763.00
CHARLEROI BOROUGH AUTH P. O. BOX 211, 325-327 MCKEAN AVE CHARLEROI	WASHINGTON	5—PITTSBURGH	WS, DS 4110040	18
PA	15022			
I:	II:	III:	IV: \$30,000.00	V: \$469,845.00
				VI: \$166,550.00 \$412,645.00
SAINT FRANCIS COLLEGE P. O. BOX 600 LORETTO	CAMBRIA	5—PITTSBURGH	TREAT, WS, DS 4110040	19
PA	15940			
I: \$55,650.00	II:	III:	IV: \$616,350.00	V: \$262,500.00
				VI: \$577,500.00 \$3,426,670.00
NORTH FAYETTE COUNTY MA P. O. BOX 368 DUNBAR	FAYETTE	5—PITTSBURGH	DS 5260019	20
PA	15431			
I:	II:	III:	IV:	V: \$1,933,560.00
				VI: \$366,440.00 \$1,150,000.00
PA AMERICAN WATER CO 800 W HERSHEY PARK DR HERSHEY	CLARION	6—MEADVILLE	DS 6160025	21
PA	17033			
I:	II:	III:	IV:	V: \$1,790,000.00
				VI: \$890,000.00 \$2,200,000.00

APPLICANT NAME ADDRESS CITY	COUNTY	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
STATE	ZIP CODE	NEEDS CATEGORY	NEEDS CATEGORY	NEEDS CATEGORY
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI: ASSISTANCE AMOUNT
SOMERSET TWP MA 2209 N CENTER AVE SOMERSET	SOMERSET	5—PITTSBURGH	DS 4560046	22
PA	15501			
I:	II:	III:	IV:	V: \$370,000.00
				VI: \$99,000.00 \$469,000.00
BEAVER FALLS MA P. O. BOX 400 EASTVALE	BEAVER	5—PITTSBURGH	SRC, TREAT 5040012	23
PA	15010			
I:	II:	III: \$2,900,000.00	IV:	V:
				VI: \$883,950.00 \$1,891,975.00
BRACKENRIDGE BOROUGH 1000 BRACKENRIDGE AVE BRACKENRIDGE	ALLEGHENY	5—PITTSBURGH	TRANS, TREAT, WS, DS, OTHER 5020006	24
PA	15014			
I:	II: \$770,000.00	III: \$25,000.00	IV: \$25,000.00	V: \$110,000.00
				VI: \$320,250.00 \$1,280,250.00
BUFFALO TWP MA 707 S PIKE ST SARVER	BUTLER	6—MEADVILLE	DS 5100097	25
PA	16055			
I:	II:	III:	IV:	V: \$305,475.00
				VI: \$72,700.00 \$283,675.00
FREDERICKSBURG WATER & SEWER P. O. BOX 161 FREDERICKSBURG	LEBANON	3—HARRISBURG	SRC, TRANS, DS 7380035	26
PA	17026			
I: \$40,000.00	II: \$900,000.00	III:	IV:	V: \$236,000.00
				VI: \$309,500.00 \$631,042.00
EAST TAYLOR MA 430 DONRUTH LANE JOHNSTOWN	CAMBRIA	5—PITTSBURGH	TRANS, WS, DS 4110043	27
PA	15909			
I:	II: \$134,700.00	III:	IV: \$176,000.00	V: \$355,500.00
				VI: \$184,300.00 \$790,000.00
LITTLESTOWN BOROUGH 46 E KING ST LITTLESTOWN	ADAMS	3—HARRISBURG	TREAT 7010022	28
PA	17340			
I:	II:	III: \$729,000.00	IV:	V:
				VI: \$419,650.00 \$678,650.00
MANOR TWP JMA (PV-01) 2310 PLEASANT VIEW DR FORD CITY	ARMSTRONG	5—PITTSBURGH	SRC, TRANS, WS, DS 5030006	29
PA	16226			
I: \$87,000.00	II: \$38,000.00	III:	IV: \$200,000.00	V:
				VI: \$55,000.00 \$376,000.00
ROULET WATER COMPANY P. O. BOX 268 ROULETTE	POTTER	4—WILLIAMSPORT	WS, DS 6530007	30
PA	16746			
I:	II:	III:	IV:	V:
				VI: \$303,295.00

APPLICANT NAME ADDRESS CITY	COUNTY	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
STATE	ZIP CODE			
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI:
ASSISTANCE AMOUNT				
SHOEMAKERSVILLE BOROUGH P. O. BOX 190 SHOEMAKERSVILLE I:	BERKS 19555 PA II:	3—HARRISBURG	OTHER (DESIGN TREAT) 3060100	06165019609-CW 31 VI: \$150,000.00 \$150,000.00
WARMINSTER TWP MA 415 GIBSON AVE WARMINSTER I:	BUCKS 18976 PA II:	1—CONSHOHOCKEN	WS, DS 1090069	09144019601-CW 32 VI: \$103,000.00 \$1,486,500.00
PHILADELPHIA WATER DEPARTMENT 1101 MARKET STREET PHILADELPHIA I:	PHILADEL- PHIA 19107 PA II:	1—CONSHOHOCKEN	DS 1510001	33 VI: \$13,400,000.00
PLEASANT VALLEY WATER AUTH 2320 MOYER ROAD CONNELLSVILLE I:	CAMBRIA 15425 PA II:	5—PITTSBURGH	DS 5260006	26012039609-CW 34 VI: \$100,900.00 \$350,000.00
ADAMS TWP/TROXELVILLE WATER R. D. 2 BOX 108B MCCLURE I:	SNYDER 17841 PA II:	4—WILLIAMSPORT	4550006	35 VI:
BEAVERDALE HEIGHTS WATER CO-OP BOX 141 SIDMAN I:	CAMBRIA 15955 PA II:	5—PITTSBURGH	4110068	36 VI: \$401,000.00 \$401,000.00
BENNER TWP WATER AUTH 1224 BUFFALO RD BELLEFONTE I:	CENTRE 16823 PA II:	4—WILLIAMSPORT	SRC, TREAT, WS, DS 4140025	37 VI: \$2,774,470.00
BLACKLICK VALLEY (VINTONDALE) P. O. BOX 272 TWIN ROCKS I:	CAMBRIA 15960 PA II: \$790,640.00	5—PITTSBURGH	TRANS, TREAT, DS 4119997	38 VI: \$634,615.00 \$2,750,000.00
BOGGS TWP WATER AUTH R. D. 3 BOX 540 BELLEFONTE I:	CENTRE 16823 PA II:	4—WILLIAMSPORT	SRC, WS, TREAT, DS 4140101	39 VI:

APPLICANT NAME ADDRESS CITY	COUNTY	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
STATE	ZIP CODE			
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI:
ASSISTANCE AMOUNT				
BOWMANSTOWN BORO WATERWORKS P. O. BOX 127 BOWMANSTOWN	CARBON	2—WILKES-BARRE	3130021	40
PA	18030			
I:	II:	III:	IV:	V:
				VI:
BROOKVILLE MA THREE JEFFERSON COURT BROOKVILLE	JEFFERSON	6—MEADVILLE	TREAT 6330004	41
PA	15825			
I:	II:	III:	IV:	V:
				VI:
				\$2,236,000.00
CAMBRIDGE SPRINGS BOROUGH 26 FEDERAL STREET CAMBRIDGE SPRINGS	CRAWFORD	6—MEADVILLE	TREAT 6200004	42
PA	16403			
I:	II:	III:	IV:	V:
				VI:
				\$150,000.00
CARROLLTOWN BOROUGH MA P. O. BOX 37 CARROLLTOWN	CAMBRIA	5—PITTSBURGH	SRC, DS 4110004	43
PA	15722			
I: \$40,976.00	II:	III:	IV:	V: \$1,474,330.00
				VI: \$457,000.00
				\$2,000,000.00
COALDALE/SIX MILE RUN WATER CO R. R.1 SIX MILE RUN	BEDFORD	3—HARRISBURG	4050025	44
PA	16679			
I: \$100,000.00	II:	III:	IV:	V: \$1,000,000.00
				VI:
				\$1,100,000.00
COLONY WATER SYSTEM LTD P. O. BOX 345 GIRARD	ERIE	6—MEADVILLE	6250070	45
PA	16417			
I:	II:	III:	IV:	V:
				VI:
COOPERSTOWN WATER COMPANY P. O. BOX 397 RENO	VENANGO	6—MEADVILLE	WS 6610017	46
PA	16343			
I:	II:	III:	IV:	V:
				VI:
				\$150,000.00
CORAL RIDGE ESTATES MHP 2947 LEECHBURG ROAD LOWER BURRELL	BUTLER	6—MEADVILLE	TREAT 5100105	47
PA	15068			
I:	II:	III:	IV:	V:
				VI:
				\$70,000.00
CRAWFORD TWP WATER AUTH/RAUCHTOWN R. D. 2 JERSEY SHORE	CLINTON	4—WILLIAMSPORT	4180062	48
PA	17740			
I:	II:	III:	IV:	V:
				VI:



APPLICANT NAME ADDRESS CITY	COUNTY STATE ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
ASSISTANCE AMOUNT				
CROYLE TWP WATER AUTH P. O. BOX 962 MINERAL POINT I:	CAMBRIA PA 15942 II:	5—PITTSBURGH	4110299	49
		III:	IV:	V: \$665,000.00
				VI: \$665,000.00
EAST CAMERON TWP MA P. O. BOX 24 GOWEN CITY I:	NORTHUM- BERLAND PA 17829 II:	4—WILLIAMSPORT	4490011	50
		III:	IV:	V:
				VI:
ERIE BUREAU OF WATER FOOT OF CHESTNUT ST ERIE I:	ERIE PA 16507 II:	6—MEADVILLE	TREAT 6250028	51
		III:	IV:	V:
				VI: \$2,200,000.00
ERIE BUREAU OF WATER FOOT OF CHESTNUT ST ERIE I:	ERIE PA 16507 II:	6—MEADVILLE	TREAT 6250028	52
		III:	IV:	V:
				VI: \$1,700,000.00
EVERETT AREA MA 100 MECHANIC ST EVERETT I:	BEDFORD PA 15537 II:	3—HARRISBURG	4050012	53
		III: \$750,000.00	IV: \$100,000.00	V: \$1,500,000.00
				VI: \$2,350,000.00
FAIRCHANCE BOROUGH WATER DEPT 123 W CHURCH ST FAIRCHANCE I: \$230,000.00	FAYETTE PA 15436 II:	5—PITTSBURGH	SRC, TREAT, WS 5260007	54
		III: \$50,000.00	IV: \$250,000.00	V:
				VI: \$86,000.00 \$616,000.00
FISHERTOWN WATER ASSOC P. O. BOX 149 FISHERTOWN I:	BEDFORD PA 15539 II: \$1,700,000.00	3—HARRISBURG	4050029	55
		III: \$100,000.00	IV:	V:
				VI: \$1,800,000.00
FRYBURG WATER CO P. O. BOX 397 RENO I:	CLARION PA 16343 II:	6—MEADVILLE	WS 6160030	56
		III:	IV:	V:
				VI: \$150,000.00
GALETON BOROUGH WATER AUTH 2 SHERMAN STREET GALETON I:	POTTER PA 16922 II:	4—WILLIAMSPORT	6530010	57
		III:	IV:	V:
				VI:

APPLICANT NAME ADDRESS CITY	COUNTY STATE ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI: ASSISTANCE AMOUNT
GIRARD TWP MA P. O. BOX 36 LECONTES MILLS I:	PA 16850 II:	CLEARFIELD 4—WILLIAMSPORT III:	OTHER (FEAS STUDY) 6170026 IV:	58 VI: \$14,000.00 \$14,000.00
GULICK MOBILE HOME PARK C/O ED GULICK 123 BEATTY DR SAXONBURG I:	PA 16056 II:	BUTLER 6—MEADVILLE III:	5100062 IV:	59 VI:
HAMBURG WATER AUTH 61 NORTH 3RD STREET HAMBURG I:	PA 19526 II:	BERKS 3—HARRISBURG III:	3060035 IV:	60 VI:
HAWTHORN AREA WATER AUTH P. O. BOX 241 HAWTHORN I:	PA 16230 II:	CLARION 6—MEADVILLE III:	TREAT 6160026 IV:	61 VI: \$500,000.00
HEIDELBERG TWP MA P. O. BOX 248 SCHAEFFERSTOWN I:	PA 17088 II:	LEBANON 3—HARRISBURG III:	7380033 IV:	62 VI:
HEX ACRES WATER CO P. O. BOX 746 PITTSTON I:	PA 18640 II:	LUZERNE 2—WILKES-BARRE III:	2400053 IV:	63 VI:
HIGHRIDGE WATER AUTH 28 N WALNUT ST BLAIRSVILLE I:	PA 15717 II:	WESTMORE- LAND 5—PITTSBURGH III:	DS 5650069 IV:	64 V: \$1,832,000.00 VI: \$1,832,000.00
HUCKLEBERRY LAND WATER ASSOC P. O. BOX 57 SHIPPENSBURG I:	PA 17257 II:	CUMBER- LAND 3—HARRISBURG III:	7210052 IV:	65 V: VI:
HYNDMAN BOROUGH MA P. O. BOX 486 HYNDMAN I:	PA 15545 II:	BEDFORD 3—HARRISBURG III:	4050003 IV:	66 V: \$1,640,000.00 VI: \$1,640,000.00

APPLICANT NAME ADDRESS CITY	COUNTY STATE ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING	
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:	NEEDS CATEGORY VI: ASSISTANCE AMOUNT
INDIANA COUNTY MUN SERVICES AUTH P. O. BOX 351 INDIANA	INDIANA PA 15701	5—PITTSBURGH	DS 5329994	67	
I:	II:	III:	IV:	V: \$2,713,000.00	VI: \$2,713,000.00
IRVONA MUNICIPAL WATER AUTH P. O. BOX 247 IRVONA	CLEARFIELD PA 16656	4—WILLIAMSPORT	6170025	68	
I:	II:	III:	IV:	V:	VI:
JACKSON TWP WATER AUTH		6—MEADVILLE	5109996	69	
I:	II:	III:	IV:	V:	VI:
JEFFERSON BORO WATER WORKS C/O WILLIAM SENFT CODORUS, YORK	YORK PA 17311	3—HARRISBURG	7670054	70	
I:	II:	III:	IV:	V:	VI:
JOHNSONBURG MA 532 MARKET STREET JOHNSONBURG	ELK PA 15845	6—MEADVILLE	TREAT 6240007	71	
I:	II:	III:	IV:	V:	VI: \$200,000.00
LEMONT WATER CO INC P. O. BOX 26 LEMONT	CENTRE PA 16851	4—WILLIAMSPORT	4140082	72	
I:	II:	III:	IV:	V:	VI:
LIBERTY BOROUGH LIBERTY	ALLEGHENY PA 15133	5—PITTSBURGH	5029991	73	
I:	II:	III:	IV:	V:	VI:
LILLY LEVEL WATER AUTH P. O. BOX 59 LILLY	CAMBRIA PA 15938	5—PITTSBURGH	4110054	74	
I:	II:	III:	IV:	V: \$545,000.00	VI: \$545,000.00
LILLY MUNICIPAL WATER WORKS 647 GEORGE STREET LILLY	CAMBRIA PA 15938	5—PITTSBURGH	4110046	75	
I:	II:	III:	IV:	V:	VI:
LIMESTONE TWP (OVAL-ORIOLE) R. D. 2 BOX 541-A JERSEY SHORE	LYCOMING PA 17740	4—WILLIAMSPORT	4410180	76	
I:	II:	III:	IV:	V:	VI:

APPLICANT NAME ADDRESS CITY	COUNTY	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
STATE	ZIP CODE	NEEDS CATEGORY	NEEDS CATEGORY	NEEDS CATEGORY
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI: ASSISTANCE AMOUNT
MARS BOROUGH WATER WORKS P. O. BOX 395 MARS	BUTLER	6—MEADVILLE	5100049	77
PA	16046			
I:	II:	III:	IV:	V:
				VI:
MESHOPPEN BORO WATER CO P. O. BOX 225 MESHOPPEN	WYOMING	2—WILKES-BARRE	2660010	78
PA	18630			
I:	II:	III:	IV:	V:
				VI:
MIFFLINBURG BOROUGH WATER DEPT 333 CHESTNUT ST MIFFLINBURG	UNION	4—WILLIAMSPORT	4600012	79
PA	17844			
I:	II:	III:	IV:	V:
				VI:
MILFORD WATER AUTH P. O. BOX 459 MILFORD	PIKE	2—WILKES-BARRE	2520046	80
PA	18337			
I:	II:	III:	IV:	V:
				VI:
MILLCREEK TWP WATER AUTH PRESQUE ISLE, P. O. BOX 8332 ERIE	ERIE	6—MEADVILLE	6250076	81
PA	16505			
I:	II:	III:	IV:	V:
				VI:
MOUNTAIN WATER ASSOC SMITHFIELD	FAYETTE	5—PITTSBURGH	SRC, TREAT, WS, DS 5260032	82
PA	15478			
I: \$50,000.00	II:	III: \$25,000.00	IV: \$250,000.00	V: \$400,000.00
				VI: \$145,000.00 \$870,000.00
MT UNION BOROUGH WATER DEPT P. O. BOX 88 MOUNT UNION	HUNTINGDON	3—HARRISBURG	4310016	83
PA	17066			
I:	II:	III:	IV:	V:
				VI:
MUNCY BOROUGH WATER CO 14 NORTH WASHINGTON STREET MUNCY	LYCOMING	4—WILLIAMSPORT	4410165	84
PA	17756			
I:	II:	III:	IV:	V:
				VI:
NEW BOSTON WATER ASSOC 53 MAIN ST NEW BOSTON	SCHUYLKILL	2—WILKES-BARRE	3540022	85
PA	17948			
I:	II:	III:	IV:	V:
				VI:
NEW ENTERPRISE WATER ASSOC P. O. BOX 125 NEW ENTERPRISE	BEDFORD	3—HARRISBURG	4050033	86
PA	16664			
I: \$100,000.00	II: \$1,400,000.00	III: \$300,000.00	IV: \$150,000.00	V: \$2,000,000.00
				VI: \$3,950,000.00

APPLICANT NAME ADDRESS CITY	COUNTY STATE ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
ASSISTANCE AMOUNT				
NEW FREEDOM BORO WATER AUTH 150 E. MAIN ST NEW FREEDOM	YORK PA 17349	3—HARRISBURG	WS, TS 7670082	87
I:	II: \$1,169,000.00	III:	IV: \$2,156,250.00	V:
VI: \$3,850,594.00				
NEW KENSINGTON MA P. O. BOX 577 NEW KENSINGTON	WESTMORE- LAND PA 15068	5—PITTSBURGH	DS 5650070	88
I:	II:	III:	IV:	V: \$8,500,000.00
VI: \$8,500,000.00				
NICHOLSON TWP BOARD OF SUPERVISORS	FAYETTE PA 15068	5—PITTSBURGH	DS 5269997	89
I:	II:	III:	IV:	V: \$300,000.00
VI: \$300,000.00				
OIL CITY 21 SENECA STREET OIL CITY	VENANGO PA 16301	6—MEADVILLE	DS 6610023	90
I:	II:	III:	IV:	V:
VI: \$1,700,000.00				
ONNALINDA WATER ASSOC P. O. BOX 101 SIDMAN	CAMBRIA PA 15955	5—PITTSBURGH	4110295	91
I:	II:	III:	IV:	V: \$286,000.00
VI: \$286,000.00				
OSTERBURG WATER CO P. O. BOX 232 OSTERBURG	BEDFORD PA 16667	3—HARRISBURG	4050030	92
I: \$100,000.00	II:	III: \$100,000.00	IV:	V: \$1,000,000.00
VI: \$1,200,000.00				
PERRY TWP MA MAIN ST MT PLEASANT MILLS	SNYDER PA 17853	4—WILLIAMSPORT	SRC, WS 4550018	93
I:	II:	III:	IV:	V:
VI:				
PETROLIA WATER AUTH BOX 222 PETROLIA	BUTLER PA 16050	6—MEADVILLE	SRC, TREAT, WS, DS 5100052	94
I:	II:	III:	IV:	V:
VI: \$144,000.00				
PINE GROVE TWP P. O. BOX 125 RUSSELL	WARREN PA 16345	6—MEADVILLE	WS 6620029	95
I:	II:	III:	IV:	V:
VI: \$20,000.00				

APPLICANT NAME ADDRESS CITY	COUNTY	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
STATE	ZIP CODE	NEEDS CATEGORY	NEEDS CATEGORY	NEEDS CATEGORY
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI: ASSISTANCE AMOUNT
QUARRYVILLE BOROUGH	LANCASTER	3—HARRISBURG	7630112	96
QUARRYVILLE	PA	17566		
I:	II:	III:	IV:	V:
				VI:
RAINSBURG WATER AUTH R. R. 4, P. O. BOX 254 BEDFORD	BEDFORD	3—HARRISBURG	4050032	97
I:	II:	III: \$200,000.00	IV: \$250,000.00	V: \$624,000.00
				VI: \$1,074,000.00
RICHFIELD AREA JOINT AUTHORITY P. O. BOX 204 RICHFIELD	JUNIATA	3—HARRISBURG	DS 4340009	98
I:	II:	III:	IV:	V:
				VI: \$2,300,000.00
ROBINSON TWP MUNICIPAL AUTH P. O. BOX 15539 PITTSBURGH	ALLEGHENY	5—PITTSBURGH	5020045	99
I:	II:	III:	IV:	V:
				VI:
ROBINSON'S M H P R. D. 1 BOX 413 MANSFIELD	TIOGA	6—MEADVILLE	WS 2590046	100
I:	II:	III:	IV:	V:
				VI: \$70,000.00
ROUSEVILLE MUN WATERWORKS 8 MAIN STREET ROUSEVILLE	VENANGO	6—MEADVILLE	6610028	101
I:	II:	III:	IV:	V:
				VI:
SALEMVILLE WATER ASSOC R. R. 1, BOX 142 NEW ENTERPRISE	BEDFORD	3—HARRISBURG	4050034	102
I:	II: \$1,000,000.00	III: \$150,000.00	IV: \$100,000.00	V: \$16,000.00
				VI: \$1,266,000.00
SALTSBURG BOROUGH P. O. BOX 104, POINT ST SALTSBURG	INDIANA	5—PITTSBURGH	TRANS, WS 5320035	103
I:	II:	III:	IV:	V:
				VI:
SAXTON MWA 707 NINTH ST SAXTON	BEDFORD	3—HARRISBURG	4050021	104
I:	II:	III:	IV:	V: \$150,000.00
				VI: \$150,000.00
EAGLE ROCK UTILITY CORP. P. O. BOX E ONEIDA	SCHUYLKILL	2—WILKES-BARRE	SRC, TREAT, WS, DS 6430054	105
I:	II:	III:	IV:	V:
				VI: \$3,030,131.00

APPLICANT NAME ADDRESS CITY	COUNTY	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
STATE	ZIP CODE			
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:
				NEEDS CATEGORY VI:
ASSISTANCE AMOUNT				
STUMPTOWN WATER ASSOC 61 JONES ST LILLY	CAMBRIA	5—PITTSBURGH	DS 4110055	106
PA	15938			
I:	II:	III:	IV:	V: \$342,000.00
				VI: \$342,000.00
SUGARCREEK WATER CO P. O. BOX 397 RENO	VENANGO	6—MEADVILLE	WS 6610029	107
PA	16343			
I:	II:	III:	IV:	V:
				VI: \$110,000.00
SUMMERVILLE BORO MUN AUTH P. O. BOX 278 SUMMERVILLE	JEFFERSON	6—MEADVILLE	6330012	108
PA	15864			
I:	II:	III:	IV:	V:
				VI:
SUNBURY MUNICIPAL AUTH 225 MARKET STREET SUNBURY	NORTHUM- BERLAND	4—WILLIAMSPORT	4490007	109
PA	17801			
I:	II:	III:	IV:	V:
				VI:
TAMAQUA MUNICIPAL WATER 320 EAST BROAD STREET TAMAQUA	SCHUYLKILL	2—WILKES-BARRE	3540012	110
PA	18252			
I:	II:	III:	IV:	V:
				VI:
THE WATER FUND		3—HARRISBURG	4079998	111
I:	II:	III:	IV:	V:
				VI:
TURBOTVILLE MUN WATER P. O. BOX 264 TURBOTVILLE	NORTHUM- BERLAND	4—WILLIAMSPORT	4490016	112
PA	17772			
I:	II:	III:	IV:	V:
				VI:
WASHINGTON TWP MA 11102 BUCHANAN TRAIL EAST WAYNESBORO	FRANKLIN	3—HARRISBURG	7280026	113
PA	17268			
I:	II:	III:	IV:	V:
				VI:
WATERFORD MA 225 EAST THIRD STREET WATERFORD	ERIE	6—MEADVILLE	6250065	114
PA	16441			
I:	II:	III:	IV:	V:
				VI:
WATERSIDE/LOYSBURG WATER SUP- PLY P. O. BOX 55 LOYSBURG	BEDFORD	3—HARRISBURG	4050035	115
PA	16659			
I:	II:	III: \$250,000.00	IV:	V: \$820,000.00
				VI: \$1,070,000.00

APPLICANT NAME ADDRESS CITY	STATE	COUNTY ZIP CODE	REGION	PROJECT TYPE PWSID NUMBER	PROJECT NUMBER PROJECT RANKING
NEEDS CATEGORY I:	NEEDS CATEGORY II:	NEEDS CATEGORY III:	NEEDS CATEGORY IV:	NEEDS CATEGORY V:	NEEDS CATEGORY VI: ASSISTANCE AMOUNT
WAYNESBORO BORO AUTH P. O. BOX 310 WAYNESBORO	PA	FRANKLIN 17268	3—HARRISBURG	7280032	116
I:	II:	III:	IV:	V:	VI:
WEST HICKORY WATER CO P. O. BOX 397 RENO	PA	FOREST 16343	6—MEADVILLE	WS 6270002	117
I:	II:	III:	IV:	V:	VI: \$105,000.00
WEST ST CLAIR/PLEASANTVILLE MA P. O. BOX 43 ALUM BANK	PA	BEDFORD 15521	3—HARRISBURG	4050020	118
I: \$100,000.00	II:	III:	IV: \$20,000.00	V:	VI: \$120,000.00
WOODBURY WATER CO P. O. BOX 66 WOODBURY	PA	BEDFORD 16695	3—HARRISBURG	4050023	119
I:	II: \$150,000.00	III: \$200,000.00	IV: \$150,000.00	V:	VI: \$500,000.00
YOUNGSVILLE MUN WATERWORKS 40 RAILROAD STREET YOUNGSVILLE	PA	WARREN 16371	6—MEADVILLE	WS 6620039	120
I:	II:	III:	IV:	V:	VI: \$300,000.00

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