

# PENNSYLVANIA BULLETIN

Volume 31

Number 19

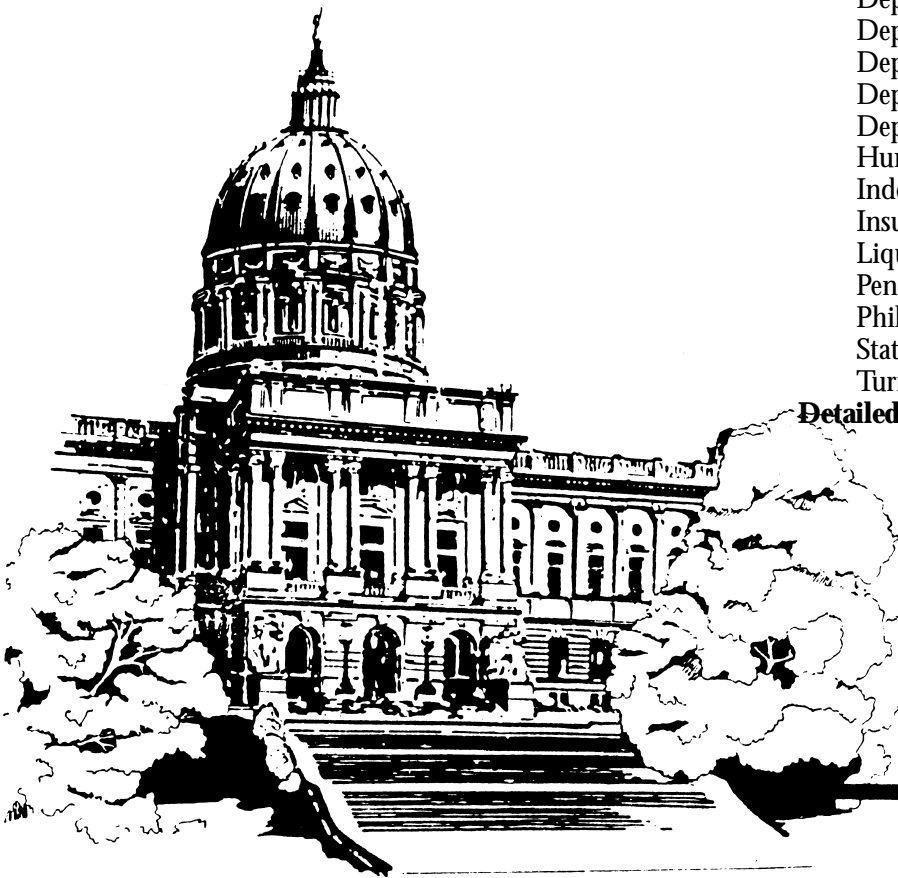
Saturday, May 12, 2001 • Harrisburg, Pa.

Pages 2461—2536

**Agencies in this issue:**

The Courts  
Board of Claims  
Department of Agriculture  
Department of Banking  
Department of Conservation and Natural Resources  
Department of Corrections  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Labor and Industry  
Department of Public Welfare  
Department of Revenue  
Human Relations Commission  
Independent Regulatory Review Commission  
Insurance Department  
Liquor Control Board  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
State Board of Pharmacy  
Turnpike Commission

**Detailed list of contents appears inside.**



PRINTED ON 100% RECYCLED PAPER



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

**No. 318, May 2001**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE**

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

**FRY COMMUNICATIONS, INC.  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

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

Postmaster send address changes to:

**FRY COMMUNICATIONS**  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 2340  
(800) 334-1429 ext. 2340 (toll free, out-of-State)  
(800) 524-3232 ext. 2340 (toll free, in State)

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

**Fry Communications, Inc.**  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

Copyright © 2001 Commonwealth of Pennsylvania  
ISBN 0-8182-0004-9

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

# CONTENTS

## THE COURTS

### APPELLATE PROCEDURE

- Order adopting amendments to Pa.R.A.P. 311, 907, 1112, 1311, 1701, 1762, 1922 and 2571; no. 129; Appellate Court Rules doc. no. 1 ..... 2469
- Amendment to Pa.R.A.P. 903 and note; no 128; Appellate Court Rules doc. no. 1 ..... 2469
- Proposed amendment to Pa.R.A.P. 3102 and adoption of new Pa.R.A.P. 3761 ..... 2470

### LOCAL COURT RULES

#### Carbon County

- Adoption of local criminal rule CARB.C.R.CRIM.P. 320: automated expungement under ARD program and rescission of local criminal rule CARB.C.R.CRIM.P. 320.1; no. 60 MI 01 ..... 2472

#### Montgomery County

- Rescission of local rule 4007 (d)\*(6), \*(7), \*(8): qualification of surety and adoption of local rule 531 (A)\*(6)—(11): qualifications of surety; no. misc. 411 Apr. 01 ..... 2472

### PHILADELPHIA RULES

- Paradigm Insurance Company cases; administrative doc. 05 of 2001 ..... 2471

## EXECUTIVE AGENCIES

### BOARD OF CLAIMS

#### Rules and Regulations

- Rules of procedure ..... 2474

### DEPARTMENT OF AGRICULTURE

#### Notices

- Pennsylvania Agricultural Product Promotion Matching Grant Program; application period ..... 2483

### DEPARTMENT OF BANKING

#### Notices

- Action on applications ..... 2483

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

- Conservation and Natural Resources Advisory Council; meeting notice ..... 2484

### DEPARTMENT OF CORRECTIONS

#### Proposed Rulemaking

- Administration and State correctional institutions and facilities ..... 2476

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

- Applications, actions and special notices ..... 2484
- Availability of technical guidance ..... 2515
- Diesel school bus retrofit demonstration project grant opportunity notice ..... 2515

### DEPARTMENT OF GENERAL SERVICES

#### Notices

- Contract awards ..... 2536
- State contracts information ..... 2527

### DEPARTMENT OF HEALTH

#### Notices

- Applications for exception:
- Punxsutawney Area Hospital ..... 2516
  - Titusville Area Hospital ..... 2516
- Organ Donation Advisory Committee meeting ..... 2516
- Requests for exception; long-term care nursing facilities ..... 2516

### DEPARTMENT OF LABOR AND INDUSTRY

#### Notices

- Office of Vocational Rehabilitation; establishment, expansion or improvement of community rehabilitation programs ..... 2517

### DEPARTMENT OF PUBLIC WELFARE

#### Notices

- Availability of fiscal year 2001-2002 Title XX Social Services Block Grant Planning Document ..... 2518

### DEPARTMENT OF REVENUE

#### Notices

- Cigarette tax notice ..... 2518
- Pennsylvania Treasure Hunt instant lottery game .. 2518

### HUMAN RELATIONS COMMISSION

#### Notices

- Public hearing opinion ..... 2521

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

- Notice of comments issued ..... 2521
- Notice of filing of final rulemakings ..... 2522

### INSURANCE DEPARTMENT

#### Notices

- Conseco Senior Health Insurance Company ..... 2522
- Export list of insurance coverages; request for comments ..... 2523

### LIQUOR CONTROL BOARD

#### Notices

- Expiration of leases ..... 2523

---

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

---

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**

Service of notice of motor carrier applications. . . . . 2524

**PHILADELPHIA REGIONAL PORT AUTHORITY**

**Notices**

Request for bids . . . . . 2524

**STATE BOARD OF PHARMACY**

**Proposed Rulemaking**

Reference libraries; facsimile machines. . . . . 2480

**TURNPIKE COMMISSION**

**Notices**

Retention of two engineering firms. . . . . 2525

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

### Printing Format

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

### Fiscal Notes

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

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

### Reproduction, Dissemination or Publication of Information

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

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

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

# 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 2001.

## 4 Pa. Code (Administration)

### Adopted Rules

1 .....	1455
7 .....	1456

### Proposed Rulemaking

243 .....	1587
245 .....	1587
259 .....	2124

### Statements of Policy

9 .....	11, 648, 948, 1862, 2382
---------	--------------------------

## 7 Pa. Code (Agriculture)

### Adopted Rules

21 .....	1682
130c .....	1691
137 .....	1701
137a .....	1701
137b .....	1701
138g .....	2110
138i .....	1729
138j .....	2116
138k .....	2110

### Statements of Policy

150 .....	2384
-----------	------

## 17 Pa. Code (Conservation and Natural Resources)

### Statements of Policy

44 .....	650
----------	-----

## 10 Pa. Code (Banks and Banking)

### Proposed Rulemaking

44 .....	1236, 1564
----------	------------

## 22 Pa. Code (Education)

### Proposed Rulemaking

4 .....	2136
73 .....	2017

## 25 Pa. Code (Environmental Protection)

### Adopted Rules

78 .....	1736
86 .....	145
240 .....	1742
250 .....	235
287 .....	235
288 .....	235
289 .....	235
291 .....	235
293 .....	235
295 .....	235
297 .....	235
299 .....	235
1021 .....	428

### Proposed Rulemaking

93 .....	2375
218 .....	943
221 .....	792
227 .....	792
228 .....	792
261a .....	796
271 .....	796

272 .....	796
901 .....	1233
977 (correction) .....	158

## 28 Pa. Code (Health)

### Adopted Rules

25 .....	2373
----------	------

### Proposed Rulemaking

27 .....	2126, 2271
28 .....	2271
501 .....	2271
701 .....	2124
703 .....	2124

## 31 Pa. Code (Insurance)

### Adopted Rules

3 .....	2000
11 .....	2001
89 (correction) .....	145
147 .....	2002

### Proposed Rulemaking

146a .....	1748, 1858
------------	------------

## 34 Pa. Code (Labor and Industry)

### Proposed Rulemaking

65 .....	1564
----------	------

## 37 Pa. Code (Law)

### Adopted Rules

31 .....	1145
33 .....	1145

### Proposed Rulemaking

91 .....	2476
93 .....	2476
421 .....	788

## 40 Pa. Code (Liquor)

### Adopted Rules

5 .....	430
7 .....	430
9 .....	430
11 .....	430
13 .....	430

## 49 Pa. Code (Professional and Vocational Standards)

### Adopted Rules

3 .....	1225
9 .....	1744
11 .....	147, 151, 1154
39 .....	1362
40 .....	537
43b .....	1227

### Proposed Rulemaking

13 .....	1468
16 .....	2181
18 .....	2181
19 .....	822
21 .....	809
27 .....	2480
29 .....	1858
40 .....	1470, 2379

41 .....	2380	25 .....	627, 2469
47 .....	1571	35 .....	2108
48 .....	1571	65 .....	2108
49 .....	1571	67 .....	1458
<b>52 Pa. Code (Public Utilities)</b>			
<b>Adopted Rules</b>			
62 .....	2005		
64 .....	641		
<b>Proposed Rulemaking</b>			
59 .....	805		
63 .....	809		
<b>Statements of Policy</b>			
41 .....	2385		
69 .....	951		
<b>Proposed Statements of Policy</b>			
41 .....	2389		
<b>58 Pa. Code (Recreation)</b>			
<b>Adopted Rules</b>			
65 .....	1368		
111 .....	1369		
141 .....	1370		
143 .....	1460		
<b>Proposed Rulemaking</b>			
53 .....	1461		
61 .....	1373		
69 .....	1373		
91 .....	1375		
93 .....	1377		
105 .....	1379		
111 .....	1375		
131 .....	1746		
137 .....	1746		
139 .....	1463, 1746		
141 .....	2019		
143 .....	1566		
147 .....	1566		
<b>61 Pa. Code (Revenue)</b>			
<b>Adopted Rules</b>			
899 .....	2474		
<b>201 Pa. Code (Judicial Administration)</b>			
<b>Adopted Rules</b>			
1 .....	1319		
3 .....	1555		
<b>204 Pa. Code (Judicial System General Provisions)</b>			
<b>Adopted Rules</b>			
82 .....	1319		
83 .....	2108		
91 .....	2361		
<b>207 Pa. Code (Judicial Conduct)</b>			
<b>Adopted Rules</b>			
21 .....	2364		
51 .....	1556		
<b>210 Pa. Code (Appellate Procedure)</b>			
<b>Adopted Rules</b>			
3 .....	7, 2469		
9 .....	2469		
11 .....	2469		
13 .....	2469		
17 .....	2469		
19 .....	2469		
<b>225 Pa. Code (Rules of Evidence)</b>			
<b>Adopted Rules</b>			
Article I .....	1993		
Article IV .....	1993		
Article V .....	1993		
Article VIII .....	1993		
Article X .....	1993		
<b>Proposed Rulemaking</b>			
Article I .....	405		
Article VII .....	406		
Article VIII .....	406		
Article IX .....	407		
<b>231 Pa. Code (Rules of Civil Procedure)</b>			
<b>Adopted Rules</b>			
100 .....	137		
200 .....	410, 627		
1500 .....	629		
2120 .....	137		
2150 .....	137		
2170 .....	137		
Part II .....	7		
<b>Proposed Rulemaking</b>			
200 .....	411, 415		
1000 .....	411, 415		
1300 .....	2364		
1910 .....	1843		
1930 .....	1843		
2170 .....	2365		
3000 .....	416		
<b>237 Pa. Code (Juvenile Rules)</b>			
Unclassified .....	630		
<b>246 Pa. Code (Minor Court Rules)</b>			
<b>Adopted Rules</b>			
100 .....	1556		
300 .....	926		
<b>Proposed Rulemaking</b>			
200 .....	1319		
300 .....	1319		
400 .....	1319		
500 .....	1319		
1000 .....	1319		
<b>249 Pa. Code (Philadelphia Rules)</b>			
Unclassified .....	534, 1139, 1223, 1325, 1677, 1996, 2471		
<b>252 Pa. Code (Allegheny County Rules)</b>			
Unclassified .....	630		
<b>255 Pa. Code (Local Court Rules)</b>			
Unclassified .....	9, 139, 418, 423, 424, 534, 535, 536, 638, 639, 640, 780, 785, 786, 926, 941, 942, 1139, 1142, 1143, 1223, 1326, 1360, 1458, 1459, 1557, 1562, 1677, 1678, 1846, 1855, 1856, 1857, 1996, 1999, 2270, 2366, 2369, 2370, 2472		



# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 3, 9, 11, 13, 17, 19 and 25]

Order Adopting Amendments to Pa.R.A.P. 311, 907, 1112, 1311, 1701, 1762, 1922 and 2571; No. 129; Appellate Court Rules Doc. No. 1

#### Order

*Per Curiam:*

Now, this 26th day of April, 2001, upon the recommendation of the Appellate Court Procedural Rules Committee, this recommendation having been submitted without publication in the interest of justice pursuant to Pa.R.J.A. 103(a)(3):

*It Is Ordered*, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that in order to conform the references to the Rules of Criminal Procedure in the Rules of Appellate Procedure with the renumbered Rules of Criminal Procedure, see Order Adopting the Reorganization and Renumbering of the Rules of Criminal Procedure and Making Correlative Changes, No. 260 Criminal Procedural Rules, Doc. No. 2, March 1, 2000, 30 Pa.B. 1477 (March 18, 2000), the Rules of Appellate Procedure are amended in accordance with the Disposition Table following hereto as Appendix "A" and incorporated herein by reference.

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

#### APPENDIX A

##### Disposition Table

<i>Pa.R.A.P.</i>	<i>Old Pa.R.Crim.P.</i>	<i>New Pa.R.Crim.P.</i>
311 (Note)	[ Pa.R.Crim.P. 312 ]	Pa.R.Crim.P. 584
907 (Note)	[ Pa.R.Crim.P. 1504 ]	Pa.R.Crim.P. 904
1112 (Note)	[ Pa.R.Crim.P. 1504 ]	Pa.R.Crim.P. 904
1311 (Note)	[ Pa.R.Crim.P. 1504 ]	Pa.R.Crim.P. 904
1701 (Note)	[ Pa.R.Crim.P. 1410 ]	Pa.R.Crim.P. 720
1701 (Note)	[ Pa.R.Crim.P. 1411 ]	Pa.R.Crim.P. 721
1762 (Note)	[ Pa.R.Crim.P. 4010 ]	Pa.R.Crim.P. 530
1922(b)	[ Pa.R.Crim.P. 9030 ]	Pa.R.Crim.P. 115
2571 (Explanatory Comment)	[ Pa.R.Crim.P. 1100 ]	Pa.R.Crim.P. 600

[Pa.B. Doc. No. 01-814. Filed for public inspection May 11, 2001, 9:00 a.m.]

[210 PA. CODE CH. 9]

Amendment to Pa.R.A.P. 903 and Note; No. 128; Appellate Court Rules Doc. No. 1

#### Order

*Per Curiam:*

Now, this 26th day of April, 2001, upon the recommendation of the Appellate Court Procedural Rules Committee, this Recommendation having been submitted without publication in the interest of justice pursuant to Pa.R.J.A. 103(a)(3):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the amendments to Pa.R.A.P. 903 and Note thereto are adopted in the following form.

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

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE II. APPELLATE PROCEDURE

#### CHAPTER 9. APPEALS FROM LOWER COURTS

#### Rule 903. Time for Appeal.

\* \* \* \* \*

(c) *Special provisions.* Notwithstanding any other provision of this rule[, ]:

(1) [ **an** ] An appeal from any of the following orders shall be taken within ten days after the entry of the order from which the appeal is taken:

[ (1) ] (i) An order changing venue or venire in a criminal proceeding. See Rule 311(a)(3) (change of criminal venue or venire).

[ (2) ] (ii) An order in any matter arising under the Pennsylvania Election Code.

[ (3) ] (iii) An order in any matter arising under the Local Government Unit Debt Act or any similar statute relating to the authorization of public debt.

(2) Where an election has been filed under Rule 311(b) (order sustaining venue or personal or *in rem* jurisdiction), the [ **ten day period under this subdivision shall run from** ] notice of appeal shall be filed within 30 days after the filing of the election.

*Official Note:*

\* \* \* \* \*

[ Subdivision (a) is patterned after 42 Pa.C.S. § 5571(b) (other courts). Where an appeal is taken under Rule 311 (interlocutory appeals as of right), unless an extension to plead is obtained it will as a practical matter continue to be necessary to take the appeal within the 20 day pleading period specified in Pa.R.Civ.P. 1026. ]

\* \* \* \* \*

**Explanatory Comment—2000**

The 2000 amendment to Subdivision (c) clarifies that the appeal period for appealing from orders in civil cases sustaining venue or personal or in rem jurisdiction runs from the date of the election under Pa.R.A.P. 311(b)(1), not the date of the original order. The 2000 amendment extends the appeal period following such an election from ten days to thirty days to conform the appeal period for civil orders changing venue pursuant to Pa.R.A.P. 311(c).

The portion of the Note suggesting the necessity of taking an appeal within the 20 day pleading period is misleading and is deleted. For this reason, the bracketed material of the note is deleted.

[Pa.B. Doc. No. 01-815. Filed for public inspection May 11, 2001, 9:00 a.m.]

**[210 PA. CODE CHS. 31 AND 37]**

**Proposed Amendment to Pa.R.A.P. 3102 and Adoption of New Pa.R.A.P. 3761**

The Appellate Court Procedural Rules Committee proposes to amend Rule 3102 (Quorum and Action) of the Pennsylvania Rules of Appellate Procedure and adopt new Pa.R.A.P. 3761 (Enforcement of Proceedings). These proposals are being submitted to the bench and bar for comments and suggestions prior to their submission to the Supreme Court.

All communications in reference to the proposed amendment and adoption should be sent not later than May 29, 2001 to the Appellate Court Procedural Rules Committee or the Orphans' Court Procedural Rules Committee, P. O. Box 447, Ridley Park, PA 19078-0447.

The Explanatory Comment published with this proposal has been inserted by the Committee for the convenience of the bench and bar. It will not constitute part of the rules nor will it be officially adopted or promulgated by the Court.

*By the Appellate Court Procedural Rules Committee*  
HONORABLE JOSEPH M. AUGELLO,  
*Chair*

**Annex A**

**TITLE 210. APPELLATE PROCEDURE**

**PART I. RULES OF APPELLATE PROCEDURE**

**ARTICLE III. MISCELLANEOUS PROVISIONS**

**CHAPTER 31. BUSINESS OF THE COURTS  
GENERALLY**

**IN GENERAL**

**Rule 3102. Quorum and Action.**

\* \* \* \* \*

(c) *Commonwealth Court evidentiary hearing and election matters.* A single judge of the Commonwealth shall be a quorum of the Court for the purposes of hearing and determining:

\* \* \* \* \*

(3) Any enforcement proceeding under Rule 3761 (relating to enforcement proceedings.)

**CHAPTER 37. BUSINESS OF THE  
COMMONWEALTH COURT**

**Rule 3761. Enforcement Proceedings.**

(a) When a government unit seeks to enforce an order issued under a statute which it administers, it may initiate the proceeding by filing a petition to enforce.

(b) The petitioner shall serve the petition and order in the manner prescribed by the Pennsylvania Rules of Civil Procedure for service of original process and shall file the return or certificate of service prescribed by the same rules.

(c) Upon the filing of a petition to enforce, the court will issue an order setting a date for a hearing and a date by which the respondent must answer the petition. The petitioner shall serve the court's order upon the respondent in the manner prescribed by Rules 121 and 122.

(d) Following the hearing, the court will enter such orders as may be appropriate.

*Official Note:* Rule 3761 (relating to enforcement proceedings) has been promulgated by the Commonwealth Court of Pennsylvania pursuant to authority granted to it by Pa.R.A.P. 104. The rule was made necessary by the opinion issued by the Supreme Court of Pennsylvania in *Pennsylvania Human Relations Commission v. School District of Philadelphia*, 732 A.2d 578 (Pa. 1999), in which the Court held that "the rules of appellate procedure, rather than the rules of civil procedure, govern enforcement proceedings in Commonwealth Court." *Id.* at 581.

Prior to the Supreme Court ruling in *PHRC*, Commonwealth Court had treated enforcement proceedings as matters resting within the Court's original jurisdiction and thereby governed in part by the rules of appellate procedure and in part by the Rules of Civil Procedure. In *PHRC*, the Supreme Court made clear that enforcement proceedings are within Commonwealth Court's appellate jurisdiction and that only the Rules of Appellate Procedure apply. The Supreme Court's ruling left a void, however, because the rules of appellate procedure did not prescribe specific procedures governing enforcement proceedings.

Consistent with *PHRC*, therefore, Rule 3761 was adopted to establish a Rule of Appellate Procedure to codify the practice which the Commonwealth Court had theretofore followed in enforcement proceedings when those proceedings were regarded as matters within the Court's original jurisdiction. This special rule governing Commonwealth Court practice adheres to the Supreme Court's opinion in *PHRC* and should prove to be of benefit to both the bench and bar.

**Explanatory Comments**

The Recommendation would authorize a single judge of the Commonwealth Court to hear enforcement proceedings brought by a government unit. See proposed amendment adding paragraph (3) to subdivision (c) or Rule 3102 (Quorum and Action).

Proposed new Rule 3761 (Enforcement Proceedings) prescribes a procedure for such enforcement proceedings since such proceedings are now within the appellate jurisdiction of the Commonwealth Court and the Rules of Civil Procedure do not otherwise apply.

The proposed amendment and new rule are designed to address issues arising from the Supreme Court of Pennsylvania's opinion in *Pennsylvania Human Relations Commission v. School District of Philadelphia*, 732 A.2d 578 (Pa. 1999), in which the Supreme Court held that "the rules of appellate procedure, rather than the rules of civil procedure, govern enforcement proceedings in Commonwealth Court." *Id.* at 581.

Prior to the Supreme Court ruling in *PHRC v. School District of Philadelphia*, Commonwealth Court had treated enforcement proceedings as matters resting within the Court's original jurisdiction and thereby governed in part by the rules of appellate procedure and in part by the Rules of Civil Procedure. In *PHRC v. School District of Philadelphia*, the Supreme Court held that enforcement proceedings are within Commonwealth Court's appellate jurisdiction and that only the Rules of Appellate Procedure apply. Because the Rules of Appellate Procedure do not prescribe specific procedures governing enforcement proceedings, there is a need for new procedural rules governing enforcement proceedings.

Consistent with *PHRC v. School District of Philadelphia*, the Appellate Court Procedural Rules Committee proposes new Rule 3761 to establish a Rule of Appellate Procedure codifying the practice which the Commonwealth Court had followed in enforcement proceedings when those proceedings were regarded as matters within the Court's original jurisdiction. This special rule governing Commonwealth Court practice adheres to the Supreme Court's opinion in *PHRC v. School District of Philadelphia* and should prove to be of benefit to both the bench and bar.

The Committee further recommends that enforcement proceedings continue to be heard by a single judge of the Commonwealth Court and the proposed amendment adding paragraph (3) to Subdivision (c) of Rule 3102 codifies that practice.

[Pa.B. Doc. No. 01-816. Filed for public inspection May 11, 2001, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### Paradigm Insurance Company Cases; Administrative Doc. 05 of 2001

#### Order

And Now, this 23rd day of April, 2001, upon consideration of the Seizure Order of the Marion County Indiana Circuit Court dated March 12, 2001 authorizing the State of Indiana Insurance Commissioner to take possession and control of the property and assets of Paradigm Insurance Company and enjoining the payment of policy holder claims and the petition filed pursuant to that Order seeking a stay of proceedings in certain cases, it is hereby *Ordered* and *Decreed* that the cases listed on

Exhibit A shall be placed in deferred status until further Order of the Court.

By the Court

JOHN W. HERRON,  
Administrative Judge

This Administrative Docket is promulgated in accordance with the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55, Judicial Administration, Docket No. 1, Phila. Civ. ★51 and Pa.R.C.P. 239, and shall become effective immediately. As required by Pa.R.C.P. 239, the original Administrative Docket shall be filed with the Prothonotary in a docket maintained for Administrative Dockets issued by the Administrative Judge of the Trial Division and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedural Rules Committee. Copies of the Administrative Docket shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District. The Administrative Docket is also available on the Court's website at <http://courts.phila.gov>.

#### EXHIBIT A

<i>Docket No.</i>	<i>Caption</i>
991203614	Cook v. Timur
000603205	Barnett v. Janes Cab
000300828	Reed v. G&T Cab
001203314	Palladino v. G&T Cab
001202510	Aversa v. G&T Cab
990300074	Groves v. Raspino's
000402055	Handley v. OSU
000502171	Levin v. Khalil
000401447	Clifton v. Tirfe
991200038	Gottheim v. Olanipekum
000601768	Richmond v. Akumino
000700037	Bottiglieri v. Akumino
000501770	Deighan v. EMP Cab
000503311	Carter v. Agape Cab
000502574	Bailey v. BAG Cab
000303696	Gibson v. BAG Cab
000504282	Williams v. Jane & Olga
000504284	Cooley v. BAN Cab
000504808	Benjamin v. Bhatti
000603536	Crooks v. Heard
000700069	Meucci v. B.S. Cab
000500984	Nationwide v. Sweeney's
000700980	Taylor v. Robinson
000701364	Temoff v. MML Cab
000800371	Davis v. Wemakeen
000103705	Gelinas v. BAG Cab
000400166	Saponara v. Paradigm
000303352	Kirkman v. Major Corp.
990603317	Wright v. Atlas Cab
990400689	Mills, et al v. Atlas Cab
890703025	Johnson v. Ashby
981102194	Davis v. Kogan
000802767	Butler v. M&YJ Cab
000600292	Lachall v. Arraz, et al.
000900110	Zabounis v. Ball Cab
000801759	Newman v. Arab Cab
000603534	Gibson v. Dorit Cab
000203177	Francois v. Dorit
000901765	Pastras v. R.V. Cab
991102226	Simms v. Janes Cab
001003763	McGlone c. SAM Cab
001202808	Galelli v. Tashkent
001200221	Paneta v. Singh

<i>Docket No.</i>	<i>Caption</i>
000602316	Davis, et al. v. Shannon
010102319	Liberty Mutual v. Tashkent
010102470	Ross & Rose v. Alaturji
000901147	Moy & Jones v. Campbell
010400350	Squadrito v. Sapozhnikov

[Pa.B. Doc. No. 01-817. Filed for public inspection May 11, 2001, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

**Adoption of Local Criminal Rule CARB.C.R.CRIM.P. 320: Automated Expungement Under ARD Program and Rescission of Local Criminal Rule CARB.C.R.CRIM.P. 320.1; No. 60 MI 01**

#### Administrative Order No. 15-2001

*And Now*, this 23rd day of April, 2001, it is hereby *Ordered* and *Decreed* that, effective June 1, 2001, the Carbon County Court of Common Pleas hereby *Adopts* Local Rule of Criminal Procedure CARB.C.R.CRIM.P. 320 governing the automatic expungement of cases where successful completion of the ARD program has occurred and *Rescinds* Local Rule of Criminal Procedure CARB.C.R.CRIM.P. 320.1 for proper numbering.

The Carbon County District Court Administrator is *Ordered* and *Directed* to do the following:

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Criminal Procedural Rules Committee.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Order and Rule in the Clerk of Court's Office.

*By the Court*

RICHARD W. WEBB,  
*President Judge*

**Rule 320. Automated Expungement Under the Accelerated Rehabilitative Disposition Program.**

#### (A) Expungement

1) At the end of each month, the Adult Probation Office shall prepare a list of all cases/defendants who have successfully completed the ARD Program during the month. A copy of the list shall be provided to the District Attorney and District Court Administrator noting when the thirty (30) day objection period expires.

2) The District Attorney shall review the list, make notation on the list of any case(s) in which objections will

be filed, approve the list by initialing it, and forward it to the District Court Administrator.

3) If the District Attorney objects to the automatic expungement, the District Attorney shall follow the procedure set forth in Pa. R.Cr.P. 320(b).

4) If no objections are noted, the District Court Administrator shall prepare the Expungement Orders and Letters and shall expunge the cases from the public access screens of the Court Computer Database System.

5) The Court and other offices as prescribed by law shall maintain a confidential list of completed expungement cases.

[Pa.B. Doc. No. 01-818. Filed for public inspection May 11, 2001, 9:00 a.m.]

### MONTGOMERY COUNTY

**Rescission of Local Rule 4007(d)\*(6), \*(7), \*(8): Qualification of Surety and Adoption of Local Rule 531(A)\*(6)—(11): Qualifications of Surety; No. Misc. 411 Apr. 01**

#### Order

*And Now*, this 23 day of April, 2001, the Court rescinds Montgomery County Local Rule of Criminal Procedure, Rule 4007(d)\*(6),\*(7),\*(8). Qualification of Surety, and approves and adopts Montgomery County Local Rule of Criminal Procedure, Rule 531(A)\*(6)—(11). Qualifications of Surety. This Rule shall become effective thirty (30) days from the date of publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in the *Legal Intelligencer*. In conformity with Pa.R.Crim.P. 105, seven (7) certified copies of the within Order shall be filed by the Court Administrator with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) certified copy shall be filed with the Criminal Procedural Rules Committee. One (1) copy shall be filed with the Prothonotary, one (1) copy with the Clerk of Courts, (1) copy with the Court Administrator of Montgomery County, one (1) copy with the Law Library of Montgomery County and one (1) copy with each Judge of this Court.

*By the Court*

JOSEPH A. SMYTH,  
*President Judge*

**Rule 4007(d)\*(6),\*(7),\*(8). Qualification of Surety.**

[Rescinded]

**Rule 531(A)\*(6)—(11). Qualifications of Surety.**

(6) Residents or owners of realty in order to qualify to act as sureties must own realty within the Commonwealth of Pennsylvania. In all cases of realty owned outside Montgomery County, the surety must provide the following:

- (a) Affidavit of Justification of each surety;
- (b) Written appraisal by a reputable licensed real estate broker in the county in which the property is situate;

(c) Proof of entry of the bond in favor of the Commonwealth in the Prothonotary's Office of the county in which the property is situate;

(d) Letter from the mortgage company indicating the unpaid balance due on the mortgage covering the said property, if any;

(e) A lien and judgment search by a reputable title insurance company.

(7) *Justification of Personal Surety.* In justification of bail, personal surety shall be required to give the following information under oath:

(a) Name, address, age and occupation;

(b) A general description of real estate in Montgomery County of which the surety is a freeholder;

(c) A statement of the manner in which the surety obtained title, and upon failure to produce the evidence of title, the Deed Book or Will Book reference of the recording of the instrument by which the surety obtained title;

(d) A statement of all encumbrances, including taxes, upon said real estate;

(e) A statement of all other surety undertakings;

(f) A statement of the assessed, market and rental value of the real estate;

(g) A statement that the surety is not contemplating or negotiating the sale of the real estate.

(8) *Corporate Surety.*

(a) Every corporate surety duly authorized to do business in Pennsylvania may become surety on any bail bond required to be filed in this Court provided that a current Certificate of Authority issued to it by the Insurance Department of the Commonwealth of Pennsylvania, evidencing such right, along with the current financial statement, shall be filed with the Clerk of Courts. No bond shall be executed by any corporate surety after May 15th of any year unless such a certificate is issued after March 31st of the same year and the financial statement shall have been filed with the Clerk of Courts.

(b) No bond shall be executed by any corporate surety where the aggregate maximum amount of unsettled and outstanding bail forfeitures, as determined by the Montgomery County Solicitor, is One Hundred Thousand (\$100,000.00) Dollars. The County Solicitor shall immediately notify the Clerk of Courts, the District Attorney and the District Justices of Montgomery County, of any corporate surety having reached this maximum limit. The Clerk of Courts and District Justices shall immediately cease executing bonds by the corporate surety. When full financial settlement has been made with the County of Montgomery, the County Solicitor shall notify the Clerk of Courts and District Justices that execution of bonds by the corporate surety may resume.

(9) *Surety Agents.*

(a) Every agent, acting on behalf of a corporate surety, may execute a bail bond required to be filed in this Court provided that a Power of Attorney issued by the corporate surety setting forth the maximum limit of liability per

bail, along with proof of licensing by the Insurance Department of the Commonwealth of Pennsylvania, shall be filed with the Clerk of Courts. No bond shall be executed by any surety agent after the expiration of such Power of Attorney until a new Power of Attorney shall have been filed with the Clerk of Courts.

(b) No bond shall be executed by any surety agent of a corporate surety authorized to do business in Montgomery County where the aggregate maximum amount of unsettled and outstanding bail forfeitures for all corporate sureties for which the surety agent is writing bonds, as determined by the Montgomery County Solicitor, is One Hundred Thousand (\$100,000.00) Dollars. The County Solicitor shall immediately notify the Clerk of Courts, the District Attorney and the District Justices of Montgomery County, of any surety agent having reached this maximum limit. The Clerk of Courts and District Justices shall immediately cease executing bonds by the surety agent. When full financial settlement has been made with the County of Montgomery, the County Solicitor shall notify the Clerk of Courts and District Justices that execution of bonds by the surety agent may resume.

(10) *Professional Bail Bondsman.*

(a) Every professional bail bondsman, duly authorized to do business in Pennsylvania, may become surety on any bail bond required to be filed in this Court, provided that a currently valid registration and license from the Insurance Department of the Commonwealth of Pennsylvania, pursuant to 42 Pa.C.S. § 5742, evidencing such right, shall be filed with the Clerk of Courts. Every professional bail bondsman must present proof that he or she maintains an office in Montgomery County from which his or her business is conducted pursuant to 42 Pa.C.S. § 5744, and he or she must post and maintain as security with the Clerk the sum of Fifty Thousand (\$50,000.00) Dollars in United States currency or securities of the United States Government

(b) No bond shall be executed by any professional bail bondsman where the aggregate maximum amount of unsettled and outstanding bail forfeitures, as determined by the Montgomery County Solicitor is One Hundred Thousand (\$100,000.00) Dollars. The County Solicitor shall immediately notify the Clerk of Courts, the District Attorney and the District Justices of Montgomery County, of any professional bail bondsman having reached this maximum limit. The Clerk of Courts and District Justices shall immediately cease executing bonds by the professional bail bondsman. When appropriate financial settlement has been made with the County of Montgomery, the County Solicitor shall notify the Clerk of Courts and District Justices that execution of bonds by the professional bail bondsman may resume.

(11) *Effective Date.*

This rule shall apply to forfeitures entered on or after the effective date of this rule.

[Pa.B. Doc. No. 01-819. Filed for public inspection May 11, 2001, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 61—REVENUE

### BOARD OF CLAIMS

#### [61 PA. CODE CH. 899]

#### Rules of Procedure

The Board of Claims (Board) adopts amendments to the Rules of Procedure, Rules 899.201(b) and (d) and 899.801 (relating to statement of claim; and no posthearing motions).

The purpose of the amendment to Rule 899.201(b) is to reduce the number of copies of a claim which must be filed with the Board from four copies to three copies. Rule 899.201(d) is being deleted because this rule does not accurately state the time period during which some types of actions may be filed. Rule 899.801 is being added. It states the long-standing practice of the Board not to entertain posthearing motions.

Section 8 of the act of May 20, 1937 (P. L. 728, No. 193) (72 P. S. § 4651-8) and case law, *Pennsylvania Institutional Health Services, Inc. v. Commonwealth of Pennsylvania, Department of Corrections*, 167 Pa. Cmwlth. 226, 647 A.2d 692 (1994), mandate that all matters before the Board are governed by the Pennsylvania Rules of Civil Procedure (Pa.R.C.P.) as well as regulations promulgated by the Board.

In 1997, the Board amended its regulations to add new rules of procedure, see Rules 899.101—899.702. Those rules supplement the Pa.R.C.P. and provide that "(If a discrepancy between this chapter and the [Pa.R.C.P.] arises, this chapter applies." See Rule 899.102 (relating to scope of rules). Rule 227.1 of the Pa.R.C.P. (relating to post-trial relief) requires the filing of posttrial motions prior to appeal, but the Board will now amend its regulations to add Rule 899.801, which will dispose of this requirement.

The Board is an independent agency and as such may promulgate rules of practice and procedure under the proposed rulemaking omitted process. Under section 204(1) of the act of July 31, 1968 (CDL) (P. L. 769, No. 240) (45 P. S. § 1204) and the regulation thereunder, 1 Pa. Code § 7.4 (relating to filing of special petitions), proposed rulemaking has been omitted.

Notices of the Board's intention to submit new rules by final order, proposed rulemaking omitted were published at 30 Pa.B. 1755 (April 1, 2000) and 30 Pa.B. 4932 (September 23, 2000). The public was invited to review the rules and submit comments. Also, copies of the rules were sent to State agencies and attorneys who regularly appear before the Board, to the Independent Regulatory Review Commission (IRRC) and the Office of General Counsel. In preparing these amendments, the Board has considered the comments it received.

#### *Analysis*

The following is a description of the changes made by the amendments to the rules governing practice before the Board.

#### *Rule 899.201—Statement of Claim*

Rule 899.201(b) previously provided that a plaintiff shall file an original and four copies of its claim with the

Board. This rule is being changed to now require only an original and three copies be filed.

Rule 899.201(d) is being deleted. It states that a claim is timely if it is received by the Board within 6 months of accrual. Because of certain provisions added in 1998 to 62 Pa.C.S. § 101 (relating to the Commonwealth Procurement Code), Rule 899.201(d) may not be an accurate statement of the filing time for every action and will be deleted to avoid misleading any litigants.

#### *Rule 899.801—No Posthearing Motions*

Rule 899.801 provides that no posthearing motions may be filed. It has long been the practice of the Board not to accept and dispose of posthearing motions and this amendment to the regulation continues that practice and formally exempts the Board from the requirements of Pa.R.C.P. No. 227.1.

#### *Authority*

The amendments are promulgated under 72 P. S. § 4651-10. This section provides the Board with the power and duty to promulgate rules governing practice before it.

#### *Fiscal Impact*

The Board has determined that these amendments to its rules of procedure will have no significant fiscal impact.

#### *Paperwork*

The amendments will not generate substantial additional paperwork for the public or the Commonwealth. In fact, they will cut paperwork.

#### *Effective Date*

These amendments will become effective 30 days after publication in the *Pennsylvania Bulletin*.

#### *Contact Person*

The contact person for an explanation of the new rules is Louis Martin, Esquire, Senior Counsel, Board of Claims, 200 North Third Street, Suite 700, Harrisburg, PA 17101-1518.

#### *Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P. S. 745.5a(c)), on March 22, 2001, the Board submitted copies of these final-omitted amendments to IRRC and the Chairpersons of the Senate and House Finance Committees. On the same date, the final-omitted amendments were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(d) of the Regulatory Review Act, on April 12, 2001, these final-omitted amendments were deemed approved by the House and Senate Finance Committees. Under section 5.1(e) of the Regulatory Review Act, on April 19, 2001, IRRC met and approved the final-omitted amendments.

#### *Findings*

The Board finds that:

(1) There is good cause to amend the rules of procedure, Rules 899.201(b) and (d) and 899.801.

(2) The amendments to the rules of procedure, Rules 899.201(b) and (d) and 899.801 and are necessary and appropriate for practice before the Board.

(3) Under section 204(1) of the CDL, the proposed amendment procedures in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) do not apply because these amendments relate to agency practice.

*Order*

The Board, acting under its authorizing statute, orders that:

(a) The regulations of the Board of Claims, 61 Pa. Code Chapter 899, are amended by amending Rule 899.201 and adding Rule 899.801 to read as set forth in Annex A.

(b) The Chief Administrative Judge shall submit this order and Annex A to the Office of Attorney General for approval as to form and legality as required by law.

(c) The Chief Administrative Judge shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect June 11, 2001.

DAVID C. CLIPPER,  
*Chief Administrative Judge*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 31 Pa.B. 2444 (May 5, 2001).)*

**Fiscal Note:** 105-4. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 61. REVENUE**

**PART VI. BOARD OF CLAIMS**

**CHAPTER 899. RULES OF PROCEDURE**

**Subchapter B. PLEADINGS**

**Rule 899.201. Statement of claim.**

(a) A plaintiff shall prepare a concise and specific written statement of the claim, signed and verified by the plaintiff. The caption of the claim shall contain the full names of all parties to the claim. Each claim shall contain the name, address, telephone number and Supreme Court Identification Number of counsel for the plaintiff.

(b) The plaintiff shall file an original and three copies of the claim with the Board, accompanied by a \$50 check made payable to the Commonwealth of Pennsylvania.

(c) Service of the claim and any amended claim will be made by the Board. The Board will serve one copy of the claim and any amended claim to the defendant involved, and one copy to the Attorney General.

**Subchapter H. POSTHEARING**

**Rule 899.801. No posthearing motions.**

After hearing and the issuance by the Board of its findings of fact, conclusions of law, opinion and order, posthearing motions may not be filed. The findings of fact, conclusions of law, opinion and order are a final appealable order.

[Pa.B. Doc. No. 01-820. Filed for public inspection May 11, 2001, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF CORRECTIONS

[37 PA. CODE CHS. 91 AND 93]

### Administration and State Correctional Institutions and Facilities

The Department of Corrections (Department) gives public notice of its intention to amend Chapters 91 and 93 (relating to administration; and State correctional institutions and facilities) to read as set forth in Annex A. The Department is acting under the authority of section 506 of The Administrative Code of 1929 (71 P. S. § 186). The regulations will be amended to revise outdated material and delete regulations that do not affect the public.

#### *Purpose*

The proposal will amend Chapter 91 to update the sections on definitions, agency purpose, reception of inmates and catchment areas.

Chapter 93 will be amended to revise the sections on inmate correspondence to provide for additional security. The section on purchases for inmates by family and friends will be updated. The section on incoming publications has been merged into the provision on inmate correspondence. The section on religious activities will be updated. The section on telephone calls will be updated to refer to the monitoring of calls. The section on housing will be updated.

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

The Department has reviewed the proposed amendments and has considered their purpose and likely impact upon the public and the regulated population under the directives of Executive Order 1996-1, "Regulatory Review and Promulgation." The proposed amendments comply with Executive Order 1996-1.

#### *Fiscal Impact and Paperwork Requirements*

Since the Department currently operates the State prison system in accordance with the proposed amendments, it does not expect this proposed rulemaking to have a fiscal impact on, or to create new paperwork requirements for, the Commonwealth, its political subdivisions or the private sector.

#### *Effective Date*

The proposed amendments shall be effective upon closure of the public comment period, the regulatory review process and final publication in the *Pennsylvania Bulletin*.

#### *Public Comment Period and Contract Person*

Written comments concerning the Department's proposed amendments may be submitted to John S. Shaffer, Ph.D., Deputy Secretary for Administration, 2520 Lisburn Road, P. O. Box 598, Camp Hill, PA 17001-0598. Written comments must be received within 30 days of the publication of this notice of proposed rulemaking in the *Pennsylvania Bulletin*.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 1, 2001, the Department submit-

ted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Judiciary Committees (Committees). In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Department within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria that have not been met by that portion of the proposed amendments. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendments, by the Department, the General Assembly and the Governor of objections raised.

JEFFREY A. BEARD, Ph.D.,  
*Secretary*

**Fiscal Note:** 19-5. No fiscal impact; (8) recommends adoption.

#### Annex A

#### TITLE 37. LAW

#### PART III. AGENCIES AND OFFICES

#### Subpart B. DEPARTMENT OF CORRECTIONS

#### CHAPTER 91. ADMINISTRATION

#### § 91.1. Definitions.

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

\* \* \* \* \*

[ **Bureau**—**Pennsylvania Bureau of Corrections.** ]

*Center* [ **Director** ] **director**—[ **Administrator** ] **An administrator** of a [ **Bureau** ] **Department** of [ **Correction Community Service Center** ] **Corrections community corrections center.**

*Community* [ **Service Center** ] **corrections center**—A minimum security community-oriented facility operated by the [ **Bureau** ] **Department** for the purpose of facilitating special programs.

*Department*—**The Pennsylvania Department of Corrections.**

*Diagnostic and* [ **Classification Center** ] **classification center**—Facilities [ **located within some State correction institutions,** ] designated to receive and classify persons who have been [ **transferred** ] **committed** to the custody of the [ **Bureau** ] **Department.**

*Facility*—**A State correctional institution, regional correctional facility, motivational boot camp or community corrections center operated by the Department.**

*Facility manager*—**The chief administrator of a facility, that is, the superintendent of a State correctional institution or regional correctional facil-**



ity, the commander of a motivational boot camp or the director of a community corrections center.

*Inmate*—A person committed to the custody of or confined by the [ Bureau ] Department.

*Institution*—A correctional institution or regional correctional facility operated by the [ Bureau ] Department.

*Regional [ Director ] director*—The supervisor of a group of [ Community Service ] corrections centers.

*Resident*—An inmate assigned to a [ Community Service Center ] community corrections center.

*Secretary*—The Secretary of the Department.

*Special housing*—Housing units, that is, restricted housing units, special management units, long term segregation units, and the like, operated to house inmates who require specialized services or a higher level of supervision than provided in general population housing.

[ *Superintendent*—The chief administrator of an institution. ]

§ 91.2. Agency purpose.

It is the goal of the [ Bureau ] Department to [ operate its institutions and programs so as to provide protection to the community, a safe and humane environment and opportunities for rehabilitation for the inmates ] protect the public by confining persons committed to the Department's custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens, while respecting the rights of crime victims.

§ 91.3. Reception and discharge of inmates.

The [ Bureau ] Department will accept and confine those persons committed to it under lawful court orders which conform to 42 Pa.C.S. § 9762 (relating to sentencing proceeding; place of confinement) when sufficient information has been provided to the Department as required by law. The [ agency ] Department will also accept persons for whom transfer from other correctional facilities has been approved in advance by the [ Commissioner or Deputy Commissioner of Correction ] Secretary or a designee, under [ the act of March 24, 1921 (P. L. 48, No. 23) (61 P. S. §§ 78—80) and ] section 1 of the act of July 11, 1923 (P. L. 1044, No. 425) (61 P. S. § [ § ] 72[ —77a ] ). Commitments and transfers will be accepted only during the [ institution's ] facility's normal business hours, except upon prior approval of the [ Superintendent ] facility manager or [ his ] a designee. Orders discharging an inmate will be processed during normal business hours. To ensure compliance with State and Federal laws, it is expected that the discharge process can be completed within 2 business days.

§ 91.4. Catchment areas.

(a) Male inmates committed to the custody of the [ Bureau from the following counties ] Department will be received at [ the Eastern Diagnostic and Classification Center at the State Correctional Institution at Graterford: Berks, Bucks, Carbon,

Chester, Delaware, Lackawanna, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Schuylkill and Wayne ] facilities designated as diagnostic and classification centers for male inmates.

(b) [ Male inmates committed to the custody of the Bureau from the following counties will be received at the Central Diagnostic and Classification Center at the State Correctional Institution at Camp Hill: Adams, Bedford, Blair, Bradford, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Montour, Northumberland, Perry, Snyder, Sullivan, Susquehanna, Tioga, Union, Wyoming and York.

(c) Male inmates committed to the custody of the Bureau to serve terms of confinement less than 2 years from the following counties will be received at the State Regional Correctional Facility at Greensburg: Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland.

(d) Male inmates committed to the custody of the Bureau to serve terms of confinement less than 2 years from the following counties will be received at the State Regional Correctional Facility at Mercer: Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren.

(e) Male inmates committed to the Bureau from the following counties will be received at the Western Diagnostic and Classification Center at the State Correctional Institution at Pittsburgh: Allegheny, Armstrong, Beaver, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington and Westmoreland.

(f) Female inmates committed to the [ Bureau ] Department will be received at [ the State Correctional Institution at Muncy ] facilities designated as diagnostic and classification centers for female inmates.

[ (g) ] (c) The [ Deputy Commissioner ] Secretary of [ Correction ] the Department or a designee may grant permission for an inmate to be received at [ an institution ] a facility other than as designated in subsections (a) [ —(f) ] and (b).

CHAPTER 93. STATE CORRECTIONAL INSTITUTIONS AND FACILITIES

§ 93.1. General.

Those portions of some Department [ of Corrections ] directives and policy statements which concern the interaction of Department [ of Corrections ] inmates and employes with the community at large are published. Full text of the directives and other policy statements are maintained in [ the institutions and ] all Department facilities.

§ 93.2. Inmate correspondence.

\* \* \* \* \*

(b) *Restrictions.* The following restrictions apply:

(1) Correspondence with inmates of other institutions, former inmates, probationers or victims of the criminal acts of the inmate will not be permitted except upon special approval of the [ **Superintendent** ] **facility manager**.

\* \* \* \* \*

(5) Mail addressed to an inmate organization will not be accepted unless the facility manager has approved the organization and the name of a member of the organization is included in the address.

(c) *Incoming mail.* [ **Incoming** ] All incoming mail, regardless of its source, will be opened and examined for contraband in the Department's mailroom or other area designated by the Department for the examination of mail. Sealed written communications that will be opened in the presence of an inmate shall be permitted only as set forth in this subsection. All sealed documents shall be opened in the presence of the inmate and searched for contraband. Documents retained by an inmate may be searched at any time. They may be read only as set forth in subsection (e).

(1) Due to prison security concerns, limited staff resources and the availability of alternate means for confidential communications, the Department will permit sealed mail to be opened in the presence of an inmate only in the following very limited circumstances:

(i) An attorney unable to communicate through alternate means for confidential communication may hand deliver, in person or by an authorized representative of the attorney's office, documents for sealed delivery to an inmate.

(A) The person making the delivery shall present valid identification and information sufficient to allow institution staff to verify that the person is an attorney or is an authorized representative of an attorney.

(B) The person shall present unsealed and unbound documents to designated staff at any State correctional institution during times established by the institution.

(C) The documents will be inspected in the presence of the person presenting them.

(D) The documents will then be sealed in that person's presence for delivery to an inmate at any State correctional facility or designated community corrections center.

(ii) Under no circumstance will documents filed in a court of public record (other than those sealed by court order) be required to be opened in the presence of an inmate. Any court may direct by specific order that court documents sealed from public disclosure be delivered sealed to an inmate to be opened in the inmate's presence. A court representative shall deliver the sealed documents to any State correctional facility along with a copy of the specific order requiring sealed delivery.

(2) Money orders, certified checks, cash or other negotiable instruments will be recorded indicating the nature of the receipt, the sender, the amount received and the date. Personal checks, unless certified, will be returned to the sender. The institution is not responsible for cash sent through the mails. [ **Letters containing contraband may be held for further inspection and dispo-**

**sition.** ] Coins, currency or other negotiable [ **instrument** ] **instruments** concealed in correspondence [ **is** ] **are** contraband and will be confiscated. Confiscated coins and currency will be deposited in the [ **Inmate's** ] **Inmate** General Welfare Fund.

(3) Other contraband will be returned to the sender, destroyed or transferred to appropriate criminal justice agencies.

(d) [ *Privileged correspondence.*

(1) Correspondence, which is marked as described in paragraph (2) to and from the following persons should be considered privileged:

(i) Elected or appointed Federal, State or local officials.

(ii) Attorneys.

(2) Privileged correspondence must be clearly marked on the envelope with the name and title of the privileged correspondent. Only privileged correspondence may be so marked.

(3) Privileged correspondence received by the institution will be delivered to the housing unit officer and opened by the officer in the presence of the addressee. It will be checked for contraband. ]

*Outgoing mail.* Sealed outgoing mail from an inmate will not be searched except as set forth in subsection (g).

(e) *Scrutiny of correspondence.*

(1) The institution may read [ **nonprivileged** ] mail upon the approval of the [ **Superintendent when there is a reason to believe that security may be impaired or that this section is being abused** ] **facility manager**.

(2) The institution may read [ **privileged** ] sealed mail, only upon the written order of the [ **Superintendent** ] **facility manager** with the written approval of the [ **Commissioner of Corrections** ] **Secretary** when there is reason to believe that there is a threat to institutional security[ , ] or criminal activity[ , or this section is being abused ] .

[ (3) An item of correspondence which appears to violate this section may be reviewed by the institution. The inmate and the sender, in cases where the inmate is not the sender, will be notified when the letter is rejected. The letter may be held for at least 7 days after mailing of the notification to permit reasonable opportunity to protest the decision. If the letter is rejected, it will be returned to the sender. ]

(f) [ *Inmate organizations.* Mail addressed to an inmate organization will not be accepted unless the organization has been approved by the Superintendent and the name of a member of the organization is included in the address. ]

*Incoming publications.*

(1) Publications for the purpose of this section will include printed material that is circulated for the public conveying information or to which the inmate is entitled under State or Federal law or the Pennsylvania or United States Constitutions. This includes newspapers, magazines, hardcover or pa-

perback books, pamphlets and newsletters, regardless of postal rate, that are not specifically intended for the purpose of advertising or selling merchandise.

(2) All publications must be received from the original source. Covers of hardbound publications may be damaged through examination or removed where inspection of the cover is deemed necessary and no reasonable available alternative form of inspection is adequate.

(3) Magazines shall be mailed directly from the original source. Small letter sized pamphlets may be received in regular correspondence.

(4) Newspapers shall be mailed directly to the facility.

(5) Publications that are sent directly from a publisher, bookstore, book club, distributor or department store will usually be deemed to have come from the original source.

(6) Newsletters and other mail from recognized nonprofit religious and charitable organizations, when addressed to an individual inmate shall be delivered to the inmate even if mailed at less than first or second-class mail rates.

(7) Publications containing potentially prohibited material or questionable content, or both, will be reviewed by the facility's incoming publication review committee (IPRC).

(8) The IPRC will determine whether written or printed material is a publication.

(9) Publications may be disapproved that contain information regarding the manufacture of explosives, incendiaries, weapons, escape devices or other contraband, instructions regarding the ingredients or manufacture of poisons, drugs or intoxicating beverages, writings which advocate violence, insurrection or guerrilla warfare against the government or any of its institutions or which create a clear and present danger within the context of the correctional facility, materials which are obscene as that term is defined in 18 Pa.C.S. § 5903 (relating to obscene and other sexual materials and performances) or which portray, depict or expressly encourage violent or assaultive sexual conduct or involuntary deviant sexual conduct, or writings which advocate, assist or are evidence of criminal activity or misconduct.

(10) Under 18 Pa.C.S. § 5903, the Department will not distribute any obscene or explicit sexual materials to inmates under 18 years of age.

(11) A publication will not be prohibited solely on the basis that the publication is critical of penal institutions in general, of a particular institution, of a particular institutional staff member, of an official of the Department, or of a correctional or penological practice in this or any other jurisdiction.

(12) The criteria in paragraph (9) should not be interpreted so broadly as to require disapproval of recognized textbooks in chemistry, physics or the social sciences.

(13) The inmate shall have the right to appeal any decision of the IPRC in accordance with Department policy for inmate grievances.

(14) An inmate may receive more than one copy of any publication only with the approval of the IPRC.

(g) An item of correspondence which appears to violate this section may be reviewed by the institution. The inmate and the sender, in cases where the inmate is not the sender, will be notified when the letter is rejected. The letter may be held for at least 7 days after mailing of the notification to permit reasonable opportunity to protest the decision. If the letter is rejected, it will be returned to the sender.

**§ 93.4. Purchase for inmates by family and friends.**

\* \* \* \* \*

(b) Only those items listed on the current [ **Catalogue Purchase list** ] **Approved Master Commissary List** may be purchased from approved vendors. Copies of the list are provided to the inmates. Publications may be purchased via this procedure, but shall be subject to § [ **93.5** ] **93.2** (relating to [ **incoming publications** ] **inmate correspondence**).

(c) Purchases shall be approved prior to the time the item is received by the institution. [ **Requests for outside purchase shall be initiated by the inmate and reviewed by a designated institution official who will approve or disapprove the request.** ]

(d) Only those items shipped directly from the vendor to the [ **institution** ] facility will be accepted [ , except typewriters which may be brought from home.

(e) Packages delivered to the institution will be opened and searched. Any contraband contained in any package will be confiscated. Coins, currency or other negotiable instrument concealed in any package received by the institution is contraband. Confiscated coins, currency or other negotiable instruments will be deposited in the Inmates' General Welfare Fund.

(f) Packages shall be addressed to the inmate. The address on the package shall contain the inmate's name, institution number and the full name of the correctional institution in which the inmate is confined. The institution may decline to accept any package which is not appropriately addressed.

(g) The institution retains the right to require identification of the purchaser of any outside purchase and to decline to accept any package which does not conform to this section.

(h) ] (e) Unauthorized or disapproved items will be returned to the sender at the expense of the inmate or purchaser.

**§ 93.5. [ Incoming publications ] (Reserved).**

[ (a) Publications for the purpose of this section will include newspapers, magazines, hard or paperback books, newsletters, pamphlets or any other written or printed material which is distributed for the purpose of conveying information. Printed or written material which is to be used solely for identification purposes will be considered property and will be subject to all Department of Corrections rules governing property. Correspondence will be governed by § 93.2 (relating to inmate correspondence).

(b) Publications, except newspapers and magazines, may be received from any source. Covers of

hard-bound publications received from sources other than the original source, may be damaged or removed where inspection of the cover is deemed necessary and no reasonably available alternative form of inspection is adequate. Magazines and newspapers must be mailed directly from the original source. Small letter-sized pamphlets may be received in regular correspondence from family members, friends or religious advisors. Publications which are sent directly from a publisher, bookstore, distributor or department store will usually be deemed to have come from the original source.

(c) The Publications Review Committee will determine whether written or printed material is a publication and will rule on publications within 10 days after the material is received. Property will be forwarded to the property officer for processing. The committee will communicate its decision to the inmate, with reasons if a publication is disapproved.

(d) Receipt of publications may be disapproved when the publications contain the following:

(1) Information regarding the manufacture of explosives, incendiaries, weapons, escape devices or other contraband.

(2) Instructions regarding the ingredients or manufacture of poisons, drugs or intoxicating beverages.

(3) Writings which advocate violence, insurrection or guerrilla warfare against the government or any of its institutions or which create a clear and present danger within the context of the correctional institution.

(4) Materials which portray, depict or expressly encourage violent or assaultive sexual conduct or involuntary deviant sexual conduct.

(5) Writings which advocate, assist or are evidence of criminal activity or institution misconduct.

(e) A publication will not be prohibited solely on the basis that the publication is critical of penal institutions in general, of a particular institution, of a particular institutional staff member, of an official of the Department of Corrections, or of a correctional or penological practice in this or any other jurisdiction.

(f) The criteria set forth in subsection (d) should not be interpreted so broadly as to require disapproval of recognized textbooks in chemistry, physics or the social sciences.

(g) An inmate may receive more than one copy of a publication only with special approval of the Publications Review Committee. ]

§ 93.6. Religious activities.

\* \* \* \* \*

(c) [ **Recognition** ] **Accommodation** of faiths. Requests for [ **recognition by** ] **accommodation** of faiths [ **that are not well known** ] will be handled as follows:

\* \* \* \* \*

(2) Information material will be forwarded to the Director of Chaplaincy Services for the Department [ of

Corrections who will determine the authenticity and religious needs of the group ] for evaluation.

§ 93.7. Telephone calls.

(a) Inmates may make [ **collect** ] phone calls [ **to persons who are willing to accept the charges subject to institution rules and procedures** ] in accordance with applicable law. All phone calls, except confidential communications between attorneys and inmates shall be subject to monitoring in accordance with 18 Pa.C.S. Chapter 57 (relating to wiretapping and electronic surveillance).

(b) Phone calls to inmates will be permitted only if approved in advance by the [ **Superintendent** ] facility manager or [ **his** ] a designee.

§ 93.11. Housing.

(a) [ **No** ] An inmate [ **shall** ] **does not** have a right to be housed in a particular [ **institution** ] facility or in a particular area within [ **an institution** ] a facility.

\* \* \* \* \*

[Pa.B. Doc. No. 01-821. Filed for public inspection May 11, 2001, 9:00 a.m.]

# STATE BOARD OF PHARMACY

[49 PA. CODE CH. 27]

## Reference Libraries; Facsimile Machines

The State Board of Pharmacy (Board) proposes to amend §§ 27.14 and 27.20 (relating to supplies; and facsimile machines) to read as set forth in Annex A.

### Effective Date

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

### Statutory Authority

The proposed amendments are authorized under sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act (act) (63 P. S. §§ 390-4(j) and 390-6(k)(1)–(9)).

### Background and Purpose

Section 27.14(c)(14) currently requires a pharmacy to have an adequate reference library including two or more of the latest editions of references specifically listed in the section. The proposed rulemaking would amend this section by eliminating the specific list of references and replacing it with language that would allow a pharmacy to maintain references which are more appropriate and necessary to that pharmacy's area of practice.

Section 27.20 allows a pharmacist to fill a prescription for a Schedule II controlled substance that is received on a facsimile machine under certain conditions. The Board regulation is consistent with Federal law with one exception. Federal law allows a pharmacist to use the facsimile prescription as the original prescription for all Schedule II controlled substances for hospice patients, while the Board regulation only allows a facsimile prescription as the original prescription for "injectable" Schedule II con-

trolled substances for hospice patients. This rulemaking package is the Board's attempt to make its regulation consistent with Federal law.

#### *Description of Proposed Amendments*

Proposed § 47.14(c)(14) would remove a list of 13 references from which the current regulation now requires the pharmacy to maintain the latest editions of at least two references. The proposal recognizes that many references are not listed in the regulation which are more comprehensive or pertinent, or both, to current pharmacy practice or more appropriate to a pharmacy's particular area of practice. It is not uncommon that pharmacies maintain the two required references which then sit on the shelf unused because the pharmacy actually uses other references that are more applicable to current pharmacy practice as well as more consistent with that pharmacy's scope of practice. The proposed rulemaking would eliminate the unnecessary cost of maintaining required, yet unused, references while allowing and encouraging pharmacies to maintain references more pertinent to their area of practice.

Current § 27.20 allows a pharmacist to fill a prescription for a Schedule II controlled substance received on a facsimile machine if the original prescription signed by the medical practitioner is presented to the pharmacist for review prior to the actual dispensing of the controlled substance. There are two exceptions to the requirement that the original prescription be presented prior to dispensing; 1) prescriptions for "injectable" Schedule II controlled substances which will be administered in a patient's home or hospice; and 2) prescriptions for Schedule II controlled substances for residents of a long-term care facility.

The Board regulation is consistent with Federal law regarding the "injectable only" prescriptions for Schedule II controlled substances administered in a patient's home, and prescriptions for Schedule II controlled substances for residents of long-term care facilities. It is inconsistent with Federal law regarding hospice patients. Federal law allows facsimile prescriptions as the original prescription for all Schedule II controlled substances for patients in hospice facilities. On July 25, 2000, the Drug Enforcement Agency published an Interim Rule in the *Federal Register* that interprets the Federal regulation's language regarding "patients residing in a hospice facility" to include all hospice patients regardless of the setting. The Board regulation only allows facsimile prescriptions for "injectable" Schedule II controlled substances for patients in a hospice.

The Board's rulemaking package would amend the Board regulation to allow facsimile prescriptions as original prescriptions for all Schedule II controlled substances for all hospice patients, making it consistent with Federal law and the Drug Enforcement Administration Interim Rule.

Hospice patients are often homebound and it may be difficult for them or their caregivers to obtain a written prescription. At this time, a faxed prescription for an injectable Schedule II controlled substance may serve as the original pharmacy record. However, a faxed prescription for an oral or topical Schedule II controlled substance for a hospice patient can be dispensed to the hospice patient only after the original prescription is presented to the pharmacist for review. If the faxed copy of hospice patients' oral and topical Schedule II controlled substance

prescriptions could serve as the original pharmacy record, the burden on hospice patients and their care-givers would be reduced by eliminating the need to first obtain a written prescription from the medical practitioner for the oral and topical Schedule II controlled substances. Increased access for hospice patients to oral and topical Schedule II medications, especially during emergencies, allows for faster pain relief and an increase in the quality of life.

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

In compliance with Executive Order 1996-1, the Board extended the invitation to the following boards, associations and interested licensees and educators to preliminarily review and comment on the Board's draft regulatory proposal:

Lonna H. Donaghue, Executive Director, Pennsylvania Hospice Network; Joan Harrold, MD, Medical Director, Hospice of Lancaster County; Coleen Kayden, R.Ph., Lancaster, PA; Denise Harris, Director, Pinnacle Health Hospice; Richard B. Greene, R.Ph., Hospice Pharmacia; Michael P. Cinque, R.Ph.; Terri Bostick, iScribe; Pennsylvania Pharmacists Association; Pennsylvania Society of Health-Systems Pharmacists.

The Board reviewed and considered all comments and suggestions received by these and other interested parties during the regulatory development process.

#### *Fiscal Impact and Paperwork Requirements*

These proposed amendments would have no fiscal impact or additional paperwork requirements on the Commonwealth. Additionally, the proposed amendments should not necessitate any legal, accounting or reporting requirements on the regulated community.

#### *Sunset Date*

The Board reviews the effectiveness of its regulations on an ongoing basis. Therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on May 2, 2001, the Board submitted a copy of proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House of Professional Licensure Committee and the Senate Consumer Protection and Licensure Committee. In addition to submitting the proposed amendments, the Board has provided IRRC and the Committees with a detailed regulatory analysis form prepared by the agency in compliance with Executive Order 1996-1 "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Board within 10 days after the close of the Committees' review. The notification shall specify that regulatory review criteria which have not been met by the portion. The Regulatory Review Act specifies detailed procedures for review prior to publication of the regulations by the Board, the General Assembly and the Governor of objections raised.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to Eva Cheney, State Board of Pharmacy, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30

days of publication of this proposed rulemaking. Please reference No. 16A-549 when submitting comments.

MICHAEL A. PODGURSKI,  
*Chairperson*

**Fiscal Note:** 16A-549. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 27. STATE BOARD PHARMACY**

**§ 27.14. Supplies.**

\* \* \* \* \*

(c) A pharmacy shall maintain at least the following equipment and supplies:

\* \* \* \* \*

(14) [An adequate reference library including two or more of the latest editions of the following, including current supplements:

- (i) *The United States Pharmacopeia, The National Formulary.*
- (ii) *Physicians Desk Reference.*
- (iii) *Drug Facts and Comparisons.*
- (iv) *Remington's Pharmaceutical Sciences.*
- (v) *The United States Dispensatory.*
- (vi) *Physicians' Generix.*
- (vii) *USPDI (United States Pharmacopeia Dispensing Information).*
- (viii) *American Drug Index.*
- (ix) *Goodman and Gilman's Pharmacological Basis of Therapeutics.*
- (x) *AHFS Drug Information.*
- (xi) *Radiological Health Handbook.*
- (xii) *The Merk Index: An Encyclopedia of Chemicals, Drugs, and Biologicals.*
- (xiii) *Martindale: The Extra Pharmacopeia.* ]

An adequate reference library which meets the following standards:

- (i) A pharmacy shall maintain an adequate reference library to enable it to prepare and dispense prescriptions properly, consistent with its scope of practice.
- (ii) A pharmacy shall maintain a library of reference sources appropriate to the type of pharmacy

practice at that particular location. A pharmacy shall include in the pharmacy's library current material regarding the technical, clinical and professional aspects of practice with emphasis in the area in which the pharmacy specializes.

(iii) A pharmacy shall maintain a library containing reference sources that:

- (A) Enable the pharmacist to compound medications in a safe and effective manner.
- (B) List the possible drug interactions and possible adverse effects of medications dispensed by the pharmacy.
- (C) List the therapeutic equivalents for medications.
- (D) List the therapeutic usage and dosages of medications dispensed by the pharmacy.
- (E) Provide guidelines for the counseling of patients.

(iv) A pharmacy that specializes in nuclear or parenteral prescriptions may limit the library it maintains under subparagraph (ii) relating to the pharmacy's own specialization.

(v) A pharmacy shall maintain the latest editions including current supplements of each of its reference sources.

**§ 27.20. Facsimile machines.**

(a) *Schedule II controlled substances.*

\* \* \* \* \*

(2) There are [two] three exceptions to the requirement that the pharmacist review the original of the prescription received on a facsimile machine before dispensing a Schedule II controlled substance. A pharmacist may fill and dispense a prescription for a Schedule II controlled substance which was received on a facsimile machine and may use the facsimile as the original pharmacy record of the following:

(i) A prescription for a Schedule II controlled narcotic substance which will be administered to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion in the patient's home [or hospice].

\* \* \* \* \*

(iii) A prescription for a Schedule II controlled narcotic substance which will be administered to a hospice patient.

\* \* \* \* \*

[Pa.B. Doc. No. 01-822. Filed for public inspection May 11, 2001, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Pennsylvania Agricultural Product Promotion Matching Grant Program; Application Period

Notice is hereby given of the commencement of an application period for grants under the Pennsylvania Agricultural Product Promotion Matching Grant Program (Program) administered by the Department of Agriculture (Department). The statement of policy describing the Program is published at 7 Pa. Code, Chapter 105.

In summary, the Program provides matching funds to Pennsylvania nonprofit agricultural product promotion and marketing organizations for projects intended to increase consumer awareness of Pennsylvania agricul-

tural products and thereby increase sales of these products.

Applications for the Program will be accepted by the Department beginning June 1, 2001, for a 30-day period. Applications will not be accepted if received by the Department after June 30, 2001. Information and a grant application may be obtained from Peter C. Witmer, Director, Bureau of Market Development, Department of Agriculture, 2301 North Cameron Street, Room 308, Harrisburg, PA 17110-9408, or accessed at [www.pda.state.pa.us](http://www.pda.state.pa.us).

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-823. Filed for public inspection May 11, 2001, 9:00 a.m.]

## 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 May 1, 2001.

#### BANKING INSTITUTIONS

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-26-01	Royal Bank of Pennsylvania, Narberth, and Crusader Savings Bank, F.S.B., Philadelphia Surviving Institution— Royal Bank of Pennsylvania, Narberth	Narberth	Filed
4-27-01	Northwest Savings Bank Warren, and Heritage Trust Company, Erie Surviving Institution— Northwest Savings Bank, Warren  <i>Branch Acquired Via Merger:</i> 700 Peach Street Erie Erie County  The above-noted branch office was the former main office of Heritage Trust Company and will be discontinued upon the expiration of its lease.	Warren	Effective
4-30-01	Fulton Bank, Lancaster, and The Drovers & Mechanics Bank, York Surviving Institution— Fulton Bank, Lancaster	Lancaster	Filed

## NOTICES

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-26-01	Firsttrust Savings Bank Conshohocken Montgomery County	385 Oxford Valley Rd. Yardley Bucks County	Filed
5-1-01	Leesport Bank Leesport Berks County	237 Route 61 South Schuylkill Haven North Manheim Township Schuylkill County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****New Charters**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
4-23-01	Greater Harrisburg Community Credit Union Harrisburg Dauphin County	223 Walnut Street Harrisburg Dauphin County	Commenced Operations

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-824. Filed for public inspection May 11, 2001, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council; Meeting Notice

Notice is hereby given of a meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources on Wednesday, May, 23, 2001. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

PAULETTE JOHNSON,  
*Chairperson*

[Pa.B. Doc. No. 01-825. Filed for public inspection May 11, 2001, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

---

#### APPLICATIONS

---

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

#### NPDES APPLICATIONS

#### PART I PERMITS

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



Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. All Oil and Gas Related permit applications are listed under Section III. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream (Watershed #)</i>	<i>EPA Waived (Y/N?)</i>
PA0056481	Oak Grove Motel 6755 Easton Road Pipersville, PA 18947	Bucks County Bedminster Township	UNT Cabin Run	
PA0056910	Hugh Sharp 5236 Valley Park Road Doylestown, PA 18901	Bucks County Plumstead Town- ship	UNT to North Branch Of Neshaminy Creek	

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream (Watershed #)</i>	<i>EPA Waived (Y/N?)</i>
PA-0041912	Edwin, Inc. R. R. 2, Box 268 Newfoundland, PA 18445	Pike County Palmyra Township	Lake Wal- lenpaupack (1c)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream (Watershed #)</i>	<i>EPA Waived (Y/N?)</i>
PA0080705	Fredericksburg Sewer & Water Authority 2529 Route 22 P. O. Box 161 Fredericksburg, PA 17026	Lebanon County Bethel Township	Deep Run 7-D	Y
PA0070378	Blue Mountain Academy 2363 Mountain Road Hamburg, PA 19526	Berks County Tilden Township	UNT to Mill Creek 3-E	Y
PA0008150	M. H. Dielectrics, Inc. Box C, 1 Mountain Street Mount Holly Springs, PA 17065- 0240	Cumberland County Mount Holly Springs	Mountain Creek 7-E	Y
PA0028592	Borough of Bonneauville 46 East Hanover Street Bonneauville, PA 17325	Adams County Bonneauville Borough	Chicken Run 13-D	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream (Watershed #)</i>	<i>EPA Waived (Y/N?)</i>
PA0110931	Benard George Shellbark Campground 112 Pine Street Sutersville, PA 15083-1330	Bedford County Napier Township	Raystown Branch Juniata River 11-C	Y
PA0030597	Franklin County General Author- ity South Patrol Road STP 5000 Letterkenny Road, Suite 320 Chambersburg, PA 17201-8382	Franklin County Letterkenny Township	Rocky Spring Brach 13-B	Y
PA0044521	Franklin County General Author- ity Rocket Road STP 5000 Letterkenny Road STP 5000 Letterkenny Road, Suite 320 Chambersburg, PA 17201-8382	Franklin County Letterkenny Town- ship	Dennis Creek 13-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream (Watershed #)</i>	<i>EPA Waived (Y/N?)</i>
PA0032409	DCNR Bureau of State Parks 4205 Little Pine Creek Waterville, PA 17776	Clinton County Chapman Township	Kettle Creek 9B	Renewal Yes
PA0020583	Middleburg Municipal Authority 13 North Main Street Middleburg, PA 17842	Snyder County Middleburg Borough	Middle Creek 6A	Renewal Yes

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

**PA0100706**, Sewage. **Valley View Village MHP**, Timothy C. Shield, Box 1792A, Russell, PA 16345.

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

Description of Proposed Activity: renewal of sewage discharge.

The receiving stream, Gar Run, is in watershed 16B and classified for: cold water fishes, waters supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.005 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Total Residual Chlorine	0.5		1.17
Fecal Coliform (5-01 to 9-30)	200/100 ml as a geometric average		
(10-01 to 4-30)	100,000/100 ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

**PA0221945**, Sewage. **Eagle Crest Manor Mobile Home Park**, 7064 Perry Highway, Meadville, PA 16335.

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

Description of Proposed Activity: renewal of sewage discharge.

The receiving stream, unnamed tributary of Conneaut Outlet (52279), is in watershed 16D and classified for: warm water fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0175.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Dissolved Oxygen	minimum of 3.0 mg/l at all times		
Total Residual Chlorine	0.5		1.2

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-01 to 9-30) (10-01 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

**No. PA0043818, Amendment No. 1, Industrial Waste, G.R.O.W.S. Landfill—A Division of Waste Management Disposal Services of Pennsylvania, Inc., 1121 Bordentown Road, Morrisville, PA 19067.**

This application is for an amendment of an NPDES permit to discharge treated leachate from G.R.O.W.S. industrial leachate treatment plant in Falls Township, **Bucks County**. This is an existing discharge to Delaware River—Zone 2.

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

The amendment is to include site specific Best Available Technology (BAT) limit for Boron, for Outfall 001, based on an average flow of 0.1 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Boron	5.0	6.0	8.0

Other Conditions:

The EPA Waiver is in effect.

**No. PA0058271, Sewage, Hilltown Township Water and Sewer Authority, P. O. Box 143, Hilltown, PA 18927.**

This application is for issuance of an NPDES permit to discharge treated sewage from Highland Park STP in Hilltown Township, **Bucks County**. This is a new discharge to unnamed tributary to Mill Creek. The first downstream potable water supply intake from the point of discharge is Philadelphia Suburban Water Company in Upper Providence Township, Montgomery County.

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 150,000 gpd, are as follows:

<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> (5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Total Suspended Solids	10	15	20
Ammonia (as N) (5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	4.0		8.0
Nitrite & Nitrate (as N)	10		20
Phosphorus (as P) (4-1 to 10-31)	2.0		4.0
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		

Other Conditions:

The EPA Waiver is in effect.

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

**PA0096636, Sewage, Somerset Township Municipal Authority, P. O. Box 247, Somerset, PA 15501.**

This application is for renewal of an NPDES permit to discharge treated sewage from Siemons Lakeview Manor Estate Nursing Home STP in Somerset Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as East Branch Coxes Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Ohiopyle Municipal Water Authority.

*Outfall 001*: existing discharge, design flow of 0.02 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10.0
(11-1 to 4-30)	15.0	22.5		30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0218766**, Sewage, **Edward Hallisey**, 1252 Lovi Road, Freedom, PA 15042.

This application is for issuance of an NPDES permit to discharge treated sewage from Hallisey Small Flow STP in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Drainage Swale to Snake Run Via PennDOT Storm Sewer Culvert, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: ARCO Chemical Company, BV Plant, on the Ohio River.

*Outfall 001*: new discharge, design flow of 0.0008 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA0238473**, Sewage, **Vernon H. Boyer**, 657 Keister Road, Slippery Rock, PA 16057.

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

Description of Proposed Activity: a new treated sewage discharge.

The receiving stream is the Slippery Rock Creek, is in watershed 20-C and classified for: cold water fishes, water supply, recreation.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Ultraviolet Light	Monitor and Report		
Fecal Coliform	200/100 ml as a geometric average		
(10-1 to 4-30)			
pH	6.0		9.0

The EPA Waiver is in effect.

**PA0238481**, Sewage, **John J. Kolcun, Jr.**, 20268 Gospel Hill Road, Saegertown, PA 16433.

This facility is located in Venango Township, **Crawford County**.

Description of Proposed Activity: a new treated sewage discharge.

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

The proposed effluent limits for Outfall 001, based on a design flow of 400 GPD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Ultra Violet Light Fecal Coliform (10-1 to 4-30)		Monitor and Report	
pH	6.0	200/100 ml as a geometric average	9.0

The EPA Waiver is in effect.

**WATER QUALITY MANAGEMENT PERMITS  
CONTROLLED INDUSTRIAL WASTE AND SEWAGE  
WASTEWATER**

**APPLICATIONS UNDER THE PENNSYLVANIA  
CLEAN STREAMS LAW**

**PART II PERMITS**

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

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

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

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

**I. Industrial waste and sewerage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

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

**Application No. 0201404.** Sewerage, **Municipality of Penn Hills**, 12245 Frankstown Road, Penn Hills, PA 15235. Application for the construction and operation of a Wet Weather Equalization tank, Sewer line improvements and a surge tank to serve the Plum Creek Equalization

Facility located in Penn Hills Township, **Allegheny County**.

**Application No. 0201405.** Sewerage, **Urban Redevelopment Authority of Pittsburgh**, 200 Ross Street, Pittsburgh, PA 15219-2069. Application for the construction and operation of a sewer extension to serve the Former LTV South Side Works located in the City of Pittsburgh, **Allegheny County**.

**Application No. 461S078.** Sewerage, **Dyna-Craft Industries, Inc.**, 4060 Norbatrol Court, Murrysville, PA 15668. Application for the modification and operation of the upgrade and expansion to the sewage treatment plant to serve Dyna-Craft Industries located in Washington Township, **Westmoreland County**.

**Application No. 5601402.** Sewerage, **Grizzle Inc.**, 241 E. Main Street, Mt. Pleasant, PA 15666. Application for the construction and operation of a sewage treatment plant to serve the Casa Nova Bar located in Jenner Township, **Somerset County**.

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

**WQM Permit No. 2401402,** Sewerage, **Timothy J. Herbstritt**, 135 Denise Road, St. Marys, PA 15857.

This proposed facility is located in City of St. Marys, **Elk County**.

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

**NPDES Stormwater Individual Permit**

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted above the application within 30 days from the date of this public notice.

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

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

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

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

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

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10N030	Edward & Sandra Davailus R. R. 1, Box 1418-A Rt. 435 Gouldsboro, PA 18424	Lackawanna County Covington Township	Tamarack Creek HQ-CWF
<i>Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.</i>			
PAS10V037	U. S. National Park Service Delaware Water Gap National Recreation Area 1 River Road Bushkill, PA 18324	Monroe County Middle Smithfield Township, Smithfield Township, Lehman Township	Delaware River, WWF  Unnamed tributary to Delaware River, HQ- CWF
		Pike County Dingman Township, Delaware Township, Milford Borough	Bushkill Creek, HQ- CWF  Toms Creek, EV  Alicias Creek, HQ- CWF  Mill Creek, HQ-CWF  Spackmans Creek, HQ- CWF  Hornbecks Creek, HQ- CWF  Dingmans Creek, HQ- CWF  Adams Creek, EV  Dry Brook, HQ-CWF  Conashaugh Creek, HQ-CWF  Raymondskill Creek, HQ-CWF

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

**NPDES Permit PAS104105**, Stormwater. **East Resources, Inc.**, P. O. Box 279, 51 Main Street, Allegany, NY 14706 has applied to discharge stormwater associated with a construction activity located in Hamilton Township, **McKean County** to Meade Run (HQ-CWF).

## SAFE DRINKING WATER

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

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

**Permit No. 4601507**, Public Water Supply.

Applicant	<b>JRP Development, Inc.</b>
Township	Upper Frederick
Responsible Official	Panos Papantoniou 210 Bassett Court Limerick, PA 19468
Type of Facility	Public Water Supply System
Consulting Engineer	AARO Consulting, Inc. 649 N. Lewis Road Suite 100 Limerick, PA 19468
Application Received Date	April 20, 2001
Description of Action	Construction of a water supply system, disinfection and storage system to serve the Ivy Ridge Subdivision. The project will include two wells, a sodium hypochlorite system and a hydropneumatic tank for storage and water distribution.

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

**Permit No. 7395-A4**, Public Water Supply.

Applicant	<b>Oakmont Borough Municipal Authority</b> P. O. Box 73 721 Allegheny Avenue Oakmont, PA 15139
[Township or Borough]	Oakmont Borough
Responsible Official	John Dunlap, General Manager
Type of Facility	Water treatment plant
Consulting Engineer	Frank Lemmon NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis, PA 15108
Application Received Date	April 5, 2001
Description of Action	New potassium permanganate solution feed system

**Permit No. 7395-A5**, Public Water Supply.

Applicant	<b>Oakmont Borough Municipal Authority</b> P. O. Box 73 721 Allegheny Avenue Oakmont, PA 15139
[Township or Borough]	Oakmont Borough
Responsible Official	John Dunlap, General Manager
Type of Facility	Water treatment plant
Consulting Engineer	Frank Lemmon NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis, PA 15108
Application Received Date	April 5, 2001
Description of Action	Tablet chlorinator system

### MINOR AMENDMENT

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

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

**Application No. 0901509**, Minor Amendment.

Applicant	<b>Upper Southampton Municipal Authority</b>
Township	Upper Southampton
Responsible Official	Atwood Pursel, Jr. 945 Street Road Southampton, PA 18966
Type of Facility	Public Water Supply System
Consulting Engineer	Pennoni Associates, Inc. 3001 Market Street, Suite 200 Philadelphia, PA 19104
Application Received Date	April 11, 2001
Description of Action	Change disinfection at Well No. 3 from liquid chlorine to sodium hypochlorite

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995

### Preamble 1

#### **Acknowledgment of notices of intent to remediate submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

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

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

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

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

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

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

**Former Murata-Wiedemann Facility**, Upper Merion Township, **Montgomery County**. Peter A. Malik, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, on behalf of 211 Gulroad Associates, LP, 1200 River Rd., Suite 1303, Conshohocken, PA 19428, has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *King of Prussia Courier* on April 25, 2001.

**Rohm and Haas Co.**, Philadelphia Plant, City of Philadelphia, **Philadelphia County**. A. L. Holmstrom, Rohm and Haas Co., Engineering Division, P. O. Box 584, Bristol, PA 19007, on behalf of Rohm and Haas Co., 100 Independence Mall West, Philadelphia, PA 19106, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with PCBs, lead, heavy metals, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons, solvents, pesticides and dioxin. The applicant proposes to remediate the site to meet a combination of Statewide Health, Background and Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on April 16, 2001.

**Former Manheim Laundry Site**, City of Philadelphia, **Philadelphia County**. Jeffrey K. Walsh, Gilmore & Associates, Inc., 184 W. Main St., Suite 300, Trappe, PA 19426, on behalf of Germantown Friends School, 31 W. Coulter St., Philadelphia, PA 19144, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The site is located in a



special industrial area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on February 23, 2001.

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

**Teledyne-McKay Site (formerly)**, Spring Garden Township, **York County**. Redevelopment Authority of the County of York, 144 Roosevelt Avenue, Suite 100, York, PA 17404 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, heavy metals, lead, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet a combination of the Statewide health and site specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Dispatch/York Daily Record* on June 22, 2000.

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

**P.I.D.A. (Branch Motor Express)**, Delaware Township, **Northumberland County**. Science Applications International Corporation, 6310 Allentown Boulevard, Harrisburg, PA 17112 on behalf of its client P.I.D.A (Branch Motor Express), 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225 has submitted a Notice of Intent to Remediate soil contaminated with heavy metals, BTEX and ethylene glycol and groundwater contaminated with BTEX and naphthalene. The applicant proposes to remediate the site to meet a combination of Site-specific and Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Milton Standard Journal*, on February 14, 2001.

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

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

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

**Permit Application No. 101100. Mountain View Reclamation Landfill**, 9446 Letzburg Road, Greencastle, PA 17225. Application is for permit renewal for a facility in Antrim and Montgomery Townships, **Franklin County**. Application determined to be administratively complete in the Regional Office April 27, 2001.

#### **AIR QUALITY**

##### **NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

##### **NEW SOURCES AND MODIFICATIONS**

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

affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

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

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

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

**Applications received and intent to issue operating permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).**

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

**95-063: Naval Support Activity** (700 Robbins Avenue, Philadelphia, PA 19111-5098 ) for operation of a Naval support facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include a 40 MMBTU/hr boiler, a 36 MMBTU/hr boiler, a 29.3 MMBTU/hr boiler, 18 boilers and 2 water heaters less than 2 MMBTU/hr, 11 emergency generators, a fire pump, a carpentry shop with a cyclone, an abrasive blaster, a paint booth and an underground gasoline storage and dispersion tank.

**00-007: Federal Detention Center, Philadelphia** (700 Arch Street, Philadelphia, PA 19105) for the operation of a Federal prison in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include three 10 MMBTU/hr natural gas or no. 2 oil-fired boilers. The facility shall ensure that the firing rate of the burners are adjusted and are firing

between 9 MMBTU/hr and 9.5 MMBTU/hr on the maximum end of the firing range for each boiler.

**96-051: Federal Reserve Bank of Philadelphia** (100 North 6th Street, Philadelphia, PA 19106) for the operation of banking in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include five 6 MMBTU/hr natural gas or no. 2 oil-fired boilers, a natural gas-fired incinerator for unfit currency and nine emergency generators.

#### PLAN APPROVALS

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

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

**30-00087B: RAG Emerald Resources Corporation** (158 Portal Road, Waynesburg, PA 15370) for the installation of a Coal Handling & Storage System at Emerald Mine Prep Plant in Franklin Township, **Greene County**.

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

**25-952D: Bush Industries of Pennsylvania, Inc.** (2455 Robison Road West, Erie, PA 16509) for modification of Air Quality Permit No. PA-25-952A, in Summit Township, **Erie County**, to show that VOC emissions from the surface coating operation have increased. Potential VOC emissions are less than 20 tons/year.

**62-162A: Elkhorn Field Services, Keystone Plant** (Zimmerman Hill Road, Warren, PA 16365) for post construction plan approval of a Gas Processing Plant that contains an 800 HP Rich Burn Engine controlled by a catalytic converter and a 0.25 MMBTU/hr Dehydration Unit located in Pleasant Township, **Warren County**. The facility is subject to 40 CFR Part 60 Subpart KKK for VOC monitoring.

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

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

**03-00027A: Reliant Energy** (1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907-1050) for construction of Selective Catalytic Reduction systems on the exhaust from Units #1 and #2 at the Keystone Generating Station in Plumcreek Township, **Armstrong County**.

The proposed facility is subject to the applicable requirements of 25 Pa. Code, Chapter 127 (related to construction, modification, reactivation and operation of sources). The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

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

2. Upon completion of the construction of the facility, an operating permit must be obtained. Notify the Depart-

ment when the installation is completed so that the facility can be inspected for issuance of an operating permit.

3. This Plan Approval authorizes the installation of Selective Catalytic Reduction (SCR) Systems on the exhaust from Units #1 and #2 at Keystone Station, Plumcreek Township, Armstrong County. Each SCR system will consist of urea unloading, storage and processing equipment, an ammonia injection system, catalyst beds, gas path ductwork and dampers, replacement induced draft fans, limestone unloading, storage and addition system, instrumentation and controls and support equipment. SCR installation and operation on Units #1 and #2 is a voluntary pollution control project and is not required by regulation for the operation of the subject sources. (25 Pa. Code § 127.11)

4. Urea and limestone storage silos shall be equipped with bin vent collectors. Urea and limestone shall be pneumatically transferred from trucks/railcars to storage silos. Unloading of urea and limestone trucks/railcars shall not take place unless the pneumatic transfer/bin vent collector systems are also operating properly.

5. The emission of ammonia from the SCR systems shall not exceed 5 ppmv at stack conditions as determined by USEPA Conditional Test Method (CTM-027), *Procedure for Collection and Analysis of Ammonia in Stationary Sources* or other procedure approved by the Department. The 5 ppmv ammonia slip limit ensures compliance with the existing limitation on the flue gas conditioning systems which follow the SCRs in the exhaust gas path. (25 Pa. Code § 127.12b).

6. Stack testing to determine the mass emission rate of ammonia (as NH<sub>3</sub>), PM<sub>10</sub> and H<sub>2</sub>SO<sub>4</sub> shall be conducted within 90 days of the of achieving maximum capacity of the SCR system on each unit (25 Pa. Code §§ 127.12b and 139.11).

a) Stack testing shall be conducted in accordance with the provisions of 25 Pa. Code Chapter 139 and the Department's Source Testing Manual.

b) At least 60 days prior to the test, the owner/operator shall submit to the Department two copies of the procedures for the stack test and drawings with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

c) At least 15 days prior to the test, the Regional Air Quality Manager shall be informed of the date and time of the test.

d) All relevant operating parameters (for example, boiler steam flow, air flow, gross megawatts, O<sub>2</sub>; CEMS heat input and stack flue gas volumetric flow rate; and/or SCR ammonia feed flow rate) shall be recorded at appropriate intervals throughout the duration of the stack tests. Operating data recorded shall be sufficient to establish that the units and the air cleaning devices are operating at maximum routine operating conditions. A discussion of the recorded operating parameters and values shall be included in the test report.

e) Within 60 days after the stack test, two copies of the complete test report, including all recorded operating parameters, shall be submitted to the Regional Air Quality Manager for approval.

7. Owner/operator shall keep a monthly log of all urea delivered to this facility. These records shall be kept onsite for a period of 5 years and be made available to the Department upon request. (25 Pa. Code § 127.12b).

8. This approval to construct shall become invalid (1) if construction is not commenced (as defined in 40 CFR 52.21(b)(8)) within 18 months after the date of this approval; or (2) if construction is discontinued for a period of 18 months or more. (25 Pa. Code § 127.13(b)).

9. This Plan Approval authorizes temporary operation of the sources and/or control devices covered by this Plan Approval provided the following conditions are met. (25 Pa. Code § 127.12b(d))

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

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

c) This condition authorizes temporary operation of the sources and/or control devices for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the Owner/Operator under subpart (a).

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

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

## MINING ACTIVITY APPLICATIONS

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

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

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

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

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

### *Coal Applications Received*

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

**54850204R3. Jeddo-Highland Coal Company,** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine and refuse reprocessing operation in Porter Township, **Schuylkill County**, affecting 1756 acres, receiving stream—Wiconisco Creek. Application received April 19, 2001.

**35910101R2. Pioneer Aggregates, Inc.,** (202 Main Street, Laflin PA 18702), renewal of an existing anthracite surface mine operation in Fell Township, **Lackawanna County**, affecting 425.0 acres, receiving stream—Wilson Creek. Application received April 23, 2001.

**19860101R3. Jac-Mar Coal Co. t/a L & E Coal,** (P. O. Box 353, Cresco, PA 18326-0353), renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County**, affecting 190.0 acres, receiving stream—Mahanoy Creek. Application received April 23, 2001.

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

**11960107.** Permit Renewal, **T. J. Mining, Inc.** (P. O. Box 370, Carrolltown, PA 15722), for continued operation of a bituminous surface and auger mine in Cresson Township, **Cambria County**, affecting 62.0 acres, receiving stream unnamed tributary to Burgoon Run. Application received April 23, 2001.

**56950103.** Permit Renewal, **Heritage Mining Company** (Box 126, Cresson, PA 16630), for continued operation of a bituminous surface mine in Shade Township, **Somerset County**, affecting 78.5 acres, receiving stream unnamed tributary to and Oven Run, unnamed tributary to and Stony Creek River. Application received April 20, 2001.

**56823142.** Permit Renewal for reclamation only, **Scurfield Coal, Inc.** (228 Main Street, Berlin, PA 15530), for continued restoration of a bituminous surface mine in Ogle and Paint Townships, **Somerset County**, affecting 140.7 acres, receiving stream unnamed tributary to Dark Shade Creek and Dark Shade Creek. Application received April 23, 2001.

**11960102.** Permit Renewal for reclamation only, **Dunamis Resources, Inc.** (One Energy Place, Suite 400, Latrobe, PA 15650), for continued restoration of a bituminous surface and auger mine in Adams Township and South Fork Borough, **Cambria County**, affecting 225.1 acres, receiving stream South Fork Branch Little Conemaugh River. Application received April 16, 2001.

*Noncoal Applications Received*

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

**22010302.** **Eastern Industries, Inc.**, (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9416), commencement, operation and restoration of a quarry operation in Jackson and Washington Townships, **Dauphin County** affecting 50.6 acres, receiving stream—none. Application received April 16, 2001.

**7175SM2C3.** **Eastern Industries, Inc.**, (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-94160), correction to an existing quarry operation in Washington and Jackson Townships, **Dauphin County** affecting 109.3 acres, receiving stream—Wiconisco Creek. Application received April 17, 2001.

**38870301C2.** **Pennsylvania Lime, Inc.**, (P. O. Box 160, Annville, PA 17003), correction to an existing quarry operation in North Londonderry, North Annville and Annville Townships, **Lebanon County** affecting 937.5 acres, receiving stream—Killinger Creek. Application received April 17, 2001.

**7473SM2AC6.** **Hercules Cement Company**, (501 Center Street, P. O. Box 69, Stockertown, PA 18083), correction to an existing quarry operation in Upper Nazareth Township, **Northampton County** affecting 301.3 acres, receiving stream—Bushkill Creek. Application received April 23, 2001.

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

**11010801,** **William Rounsley** (200 Sunset Lane, Northern Cambria, PA 15714), in Barr Township, **Cambria County**, affecting 10 acres, receiving stream Moss Creek, application received April 19, 2001.

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

**20950301.** **Waterford Sand & Gravel** (15871 Sturgis Road, Union City, PA 16438) Transfer of and existing gravel operation in Bloomfield Township, **Crawford County** affecting 29.5 acres. Receiving streams: Bloomfield Run and Pine Hollow Run. Transfer from I. A. Construction Corporation. Application received April 25, 2001.

**FEDERAL WATER POLLUTION CONTROL ACT,  
SECTION 401**

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

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

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

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

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

**E46-887.** **Newport Beach Development Company, LLC**, 1301 Dove Street, Suite 1050, Newport Beach, CA, 92660, Upper Dublin Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities along Pine Run (TSF) associated with the proposed L. A. Fitness Sports Club:

To install and maintain approximately 95 linear feet of 32-foot by 8-foot CMP open bottom arch culvert and associated concrete wingwalls. This work also includes the modification of the existing channel.

To install and maintain a temporary access road during construction.

To install and maintain four utility line crossings.

This site is located approximately 500 feet southwest of the intersection of Susquehanna Road and Dreshertown Road, (Ambler, PA USGS Quadrangle N: 2.75 inches; W: 6.55 inches).

**E46-886. Township of Springfield**, Paper Mill Road, Wyndmoor, PA 19038, Whitemarsh Township, **Montgomery County**, ACOE, Philadelphia District.

To modify a 170 linear-foot reach of Sunnybrook Creek (TSF) by removing fill which was placed along the southern bank prior to 1979. The site is located immediately downstream of the Bethlehem Pike Bridge, (Germantown, PA Quadrangle N: 20 inches, W: 12.75 inches).

**E23-411. Ridley Township**, 100 E. MacDade Boulevard, Folsom, PA 19033-3622, Ridley Township, **Delaware County**, ACOE Philadelphia District.

To remove an existing pedestrian bridge and 35-foot section of retaining wall and to construct and maintain a 5-foot wide wooden pedestrian bridge consisting of a 42-foot span and to install and maintain associated rock riprap protection within and along Shipley Run (WWF-MF), a tributary to Muckinpates Creek. The site is located approximately 580 feet north of the intersection of Hannum Avenue & Hutchinson Terrace (Lansdowne PA Quadrangle, N: 4.5 inches; W: 7.9 inches).

#### WATER OBSTRUCTIONS & ENCROACHMENTS

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

**E52-172. The Forest Lake Club**, R. R. 1, Box 333, Hawley, PA 18428, in Lackawaxen Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 26-foot x 42-foot boathouse, extending approximately 20 feet lakeward from the shoreline, in Wolf Lake. The boathouse will be supported by 42-foot x 6-foot concrete pad along the shore and pressure treated piers. The project is located approximately 0.6 mile north west of the intersection of S.R. 4003 and T-441. (Narrowsburg, NY-PA, Quadrangle N: 6.0 inches; W: 13.4 inches).

**E35-338. Sugarman Equities, LLC**, 921 Bergen Avenue, Jersey City, NJ 07306, in Archbald Borough, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To place fill in 0.22 acre of wetlands within the **Lackawanna River** Watershed for the purpose of preparing a lot for future commercial development. The project is located along the southerly side of S.R. 0006 approximately 4.5 miles east of I-81, Exit 57 and 0.1 mile east of intersection of S.R. 0006 and S.R. 1010. (Carbondale, PA, Quadrangle N: 0.1 inch; W: 11.1 inches).

**EA66-002NE. Wyoming County**, Wyoming County Courthouse, One Courthouse Square, Tunkhannock, PA 18657 in Eaton Township, **Wyoming County**, ACOE Baltimore District.

To remove Wyoming County Bridge No. 14 across Bowman Creek (HQ-CWF) and to restore the streambanks to existing conditions. The bridge has a single span of approximately 107 feet and is located along Township Road T413 between S.R. 0029 and T404 (Tunkhannock, PA Quadrangle N: 2.6 inches; W: 11.9 inches).

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

**E08-369. Martin Wilmer**, R. R. 1, Box 172B, Monroeton, PA 18831. 30 inch stream culvert, in Franklin Township, **Bradford County**, ACOE Baltimore District (Leroy, PA Quadrangle N: 4.5 inches; W: 3.1 inches).

To operate and maintain a 30 inch diameter CMP culvert in Carbon Run on Carbon Run Road about 1 mile west/southwest of Barclay in Franklin Township, Bradford County.

The project does not impact wetlands while impacting approximately 30 feet of waterway. Carbon Run is an exceptional value stream.

**E59-414. PA Department of Transportation**, 715 Jordan Avenue, Montoursville, PA 17754. SR 49 Bridge Over Cowanesque River, in Westfield, **Tioga County**, ACOE Baltimore District (Potter Brook, PA Quadrangle N: 6.8 inches; W: 12.5 inches).

To remove the existing structure and to construct, operate and maintain a reinforced concrete box beam bridge structure with a clear span of 94 feet and a width of 23 feet over the Cowanesque River. The application also requests authorization to construct a temporary stream crossing to facilitate a detour around the project area. This temporary crossing is proposed to be located 150 feet downstream of the current bridge and would consist of seven 96 inch diameter corrugated metal culvert pipes and associated fill. This project is located 3 miles west of Westfield on SR 0049. Project will impact 250-linear feet and is a Cold Water Fishery.

**E59-416. PA DCNR**, Bureau of Facility Design and Construction, P. O. Box 8451, Harrisburg, PA 17105-8451. Bear Run Road Bridge, in Elk Township, **Tioga County**, ACOE Baltimore River Basin District (Lee Fire Tower, PA Quadrangle N: 10.1 inches; W: 7.2 inches).

To remove an existing structure and construct, operate and maintain a single span prestressed concrete spread box beam bridge that will carry Bear Run Road across Cushman Branch, Slate Run (Exceptional Value). The bridge shall be constructed with a minimum clear span of 40.6-feet, underclearance of 2.5-feet and a skew of 55-degrees. Construction of bridge abutments and rock scour protection shall be completed in dry work conditions by dams and pumping or fluming stream flow around the work area. The construction project will not impact wetlands while impacting 115-feet of waterway. The project is located along the eastern right-of-way of SR 0044 approximately 2,000-feet north of Francis Road and Bear Run Road intersection.

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

**E02-1341. Port Authority of Allegheny County**, 345 Sixth Avenue, Third Floor, Pittsburgh, PA 15222-2527. Municipality of Monroeville, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain an expansion to an existing Port Authority Park N Ride facility within the flood plain of Abers Creek (TSF) for a distance of 435 feet. The project is located along Route 286 approximately 500 feet north of its intersection with Route 22 (Murrysville, PA Quadrangle N: 9.8 inches; W: 13.3 inches).

**E02-1342. Castle Shannon Borough,** 3310 McRoberts Road, Castle Shannon, PA 15234-2711. Castle Shannon Borough, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a concrete pad depressed 6 inches below the stream bottom and a concrete retaining wall along the right bank of Saw Mill Run (WWF) for a distance of approximately 43 feet to provide stream bank stabilization for an existing culvert discharge. The project is located at the end of James Street (Bridgeville, PA Quadrangle N: 20.8 inches; W: 3.6 inches).

**E26-283. Department of Transportation, Engineering District 12-0,** P. O. Box 459, Uniontown, PA 15401. Springhill and Nicholson Townships, **Fayette County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a bridge having a normal clear span of 28 m and an underclearance of 3.472 m across Georges Creek (WWF) located on S.R. 3003, Section B10 (Tom Cat Hollow Road) at a point approximately 145 m north of its intersection with T-380 (Masontown, PA Quadrangle N: 4.6 inches; W: 2.8 inches).

**E32-420-A2. Reliant Energy Mid-Atlantic Power Holdings, LLC,** 1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907-1050. East Wheatfield Township, **Indiana County**, ACOE Pittsburgh District.

To amend Permit No. E32-420 to include the construction and maintenance of a steam electric power plant boiler, emission control equipment and other related equipment and structures along the Conemaugh River (WWF) (New Florence, PA Quadrangle N: 5.8 inches; W: 4.56 inches).

**E65-776. Borough of Scottdale,** P. O. Box 67, 10 Mt. Pleasant Road, Scottdale, PA 15683. Scottdale Borough and East Huntingdon Township, **Westmoreland County**, ACOE Pittsburgh District.

To construct, operate and maintain a multi-use trail having a length of 0.733 miles and a width of 12 feet along Jacobs Creek (WWF) and Stauffer Run (WWF) and across an unnamed tributary to Jacobs Creek (WWF) for recreational purposes located off of Mt. Pleasant Road. (Connellsville, PA Quadrangle N: 18.99 inches; W: 11.07 inches).

**E65-777. Department of Transportation, Engineering District 12-0,** P. O. Box 459, Uniontown, PA 15401. Apollo Borough, Armstrong County and Oaklahoma Borough, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a five span bridge having three normal spans of 42.8 meters, one normal span of 42.33 meters and one normal span of 42.13 meters with an underclearance of 5.46 meters across the Kiskiminetas River (WWF) for the purpose of improving transportation safety and roadway standards. The proposed work includes the construction and maintenance of four temporary causeways in the Kiskiminetas River (WWF), one 450 mm corrugated metal

outfall pipe and one 750 mm corrugated metal outfall pipe along the Kiskiminetas River (WWF). The project is located on S.R. 0066, Section R10. (Vandergrift, PA Quadrangle N: 14.5 inches; W: 95 inches).

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

**E10-335, Valencia Woods Nursing Center,** 85 Charity Place, Valencia, PA 16059. Valencia Woods St. Barnabas Retirement Village, in Valencia Borough, **Butler County**, ACOE Pittsburgh District (Valencia, PA Quadrangle N: 9.2 inches; W: 16.4 inches).

To fill a total of 0.28 acre of wetland (PEM/PSS) for construction of three additional Quad-Plex Residential units, three Townhouse units, a recreation building and associated roadways and parking area at the existing Valencia Woods Nursing Center St. Barnabas Retirement Village west of Three Degree Road approximately 1.5 miles south of S.R. 228.

## ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**D51-001EA. Department of Environmental Protection,** Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA 17105-8476. Lower Merion Township, **Montgomery County**, ACOE Philadelphia District.

The project proposes to construct a fish passage facility at Flat Rock Dam located across the Schuylkill River (WWF, MF) to further efforts in restoring migratory fishes to their historical range in the watershed. A reinforced concrete structure with approximate dimensions of 190 feet long by 30 feet wide, is proposed on the right bank (western shoreline) of the Schuylkill River immediately adjacent to the existing dam abutment. The structure incorporates a series of twenty 10 feet by 10 feet resting bays interconnected by vertical baffles. Flow through the structure will be regulated with auxiliary piping and power operated gates. Two 10 feet wide channels will be excavated in the tail-water area immediately downstream of the dam to facilitate the movement of migrating fish from the left bank (eastern shoreline) area of the river to the location of the passageway on the right bank (western shoreline). A channel, varying in width from 12 to 20 feet, will also be excavated for a distance 180 feet downstream of the fish passage entrance to facilitate fish migration (Germantown, PA Quadrangle N: 7.15 inches; W: 17.25 inches).

## DAM SAFETY

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

**D62-033. PA Game Commission,** 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. To modify, operate and maintain, the Akeley Swamp Dam located across a tributary to Conewango Creek (CWF), directly impacting 0.03 acre of wetland (PEM) to construct water control structures and indirectly impacting approximately 231.0 acres of wetland (PEM, PSS) by temporary inundation dependent on seasonal flows, for the purpose of raising and regulating the water levels in Akeley Swamp. (Russell, PA Quadrangle N: 20.2 inches; W: 1.8 inches) in Pine Grove Township, **Warren County**.

**STORAGE TANKS  
SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Land Recycling and Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations

<i>SSIP Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
SSIP 01007	John A. Krystyniak Joyce Oil, LLP 326 Keslar School Rd. Acme, PA 15610-9510	Westmoreland	Mount Pleasant Township	5 ASTs-Diesel Fuel 1 AST Kerosene	12,000 each 12,000

**ACTIONS**

**FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT—NPDES AND WQM PART II PERMITS**

**INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications and requests for plan approval. The actions are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permits.

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

**I. Municipal and industrial permit actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

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

**NPDES Permit No. PA0056570.** Industrial Waste. **Coastal Lumber Company**, P. O. Box 829, Weldon NC 27890. Is authorized to discharge from a facility located at 385 Waterway Road, Oxford, PA 19363, East Not-

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 the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

tingham Township, **Chester County** into an unnamed tributary to Little Elk Creek.

**NPDES Permit No. PA0012467.** Industrial Waste. **Laurel Pipe Line Company, L.P.**, P. O. Box 368, Emmaus, PA 18049. Is authorized to discharge from a facility located in Bethel Township, **Delaware County** into Green Creek 3G Ridley Watershed.

**WQM Permit No. 0901403.** Sewage. **Pennridge School District**, 1506 North Fifth Street, Perkasio, PA 18944-2295. Applicant is granted approval for the construction and operation of a sewage treatment plant to serve the M. M. Seylar Elementary School located in Hilltown Township, **Bucks County**.

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

**NPDES Permit No. PA-0060283, Sewage, Penn Estates Utilities, Inc.**, P. O. Box 240908, Charlotte, NC 28224.

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

Description of Proposed Action/Activity: Renewal of NPDES Permit.

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

**NPDES Permit No. PA0088668, Sewage, Metal Township Municipal Authority**, P. O. Box 216, Willow Hill, PA 17271-0216.

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

Description of Proposed Action/Activity: Authorization to Discharge to West Branch Conococheague Creek in Watershed 13-C.

**NPDES Permit No. PA0080608, Sewage, Fellowship of Bible Churches, Inc.**, 10670 Fort Loudon Road, Mercersburg, PA 17236.

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

Description of Proposed Action/Activity: Authorization to Discharge to Licking Creek in Watershed 13-C.

**NPDES Permit No. PA0081043**, Sewage, **Brookline at Mifflintown, Inc.**, R. R. 1, Box 463, Mifflintown, PA 17059.

This proposed facility is located in Fermanagh Township, **Juniata County**.

Description of Proposed Action/Activity: Authorization to Discharge to Big Run in Watershed 12-A.

**NPDES Permit No. PA0086045**, Sewage, **Castle Hill Associates**, 20 Erford Road, Lemoyne, PA 17043.

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

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

**NPDES Permit No. 4401401**, Sewage, **Brown Township Municipal Authority**, 7748 State Route 655, Reedsville, PA 17084-9148.

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

Description of Proposed Action/Activity: Construction Modifications of Sewage Treatment Facilities.

**NPDES Permit No. 2898401, Amendment 01-1**, Sewage, **Metal Township Municipal Authority**, P. O. Box 216, Willow Hill, PA 17271-0216.

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

Description of Proposed Action/Activity: Modifications to the construction/operation of Sewage Treatment Facilities/Land Application Facilities/Sewers & Appurtenances/2 Pump Stations/8 Groundwater Monitoring Wells.

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

**NPDES Permit No. PA0205672**, Industrial Waste, **Johnstown America Corporation**, 17 Johns Street, Johnstown, PA 15901 is authorized to discharge from a facility located at City of Johnstown, **Cambria County** to receiving waters named Little Conemaugh River (Outfalls 103-113 and 115-117) and Laurel Run (Outfalls 701 and 702).

**NPDES Permit No. PA0216950**, Industrial Waste, **Cresswell Heights Joint Authority**, P. O. Box 301, South Heights, PA 15108 is authorized to discharge from a facility located at South Heights Borough, **Beaver County** to receiving waters named the Ohio River.

**NPDES Permit No. PA0217972-A2**, Industrial Waste, **The Waterfront Partners, LLC**, 285 East Waterfront Drive, Suite 150, Homestead, PA 15120 is authorized to discharge from a facility located at The Waterfront, Munhall, Homestead and West Homestead, **Allegheny County** to receiving waters named Monongahela River.

**NPDES Permit No. PA0032174**, Sewage, **Frank Perano**, P. O. Box 278, King of Prussia, PA 19406 is authorized to discharge from a facility located at Interstate Mobile Village STP, Donegal Township, **Washington County** to receiving waters named unnamed tributary of Bonar Creek.

**NPDES Permit No. PA0093203**, Sewage, **The Pennsylvania State University**, 113 Physical Plant Building, University Park, PA 16802 is authorized to discharge from a facility located at New Kensington Campus Sewage Treatment Plant, Upper Burrell Township, **West-**

**moreland County** to receiving waters named unnamed tributary of Pucketa Creek.

**NPDES Permit No. PA0096571**, Sewage, **Bethlehem Center School District**, 194 Crawford Road, Fredericktown, PA 15333 is authorized to discharge from a facility located at Bethlehem Center School District Senior High, Junior High and Elementary Schools STP, Deemston Borough, **Washington County** to receiving waters named Black Dog Hollow Run.

**NPDES Permit No. PA0216851-A1**, Sewage, **Charles Chapman**, R. D. 1, Box 1136, Ruffsedale, PA 15679 is authorized to discharge from a facility located at Wendell Mobile Home Park STP, East Huntingdon Township, **Westmoreland County** to receiving waters named Buffalo Run.

**NPDES Permit No. PA0218774**, Sewage, **Grizzle Inc./TA Casa Nova**, 241 East Main Street, Mt. Pleasant, PA 15666 is authorized to discharge from a facility located at Casa Nova STP, Jenner Township, **Somerset County** to receiving waters named Bens Creek.

**Permit No. 0274469-A4**, Sewerage, **Allegheny County Sanitary Authority**, 3300 Preble Avenue, Pittsburgh, PA 15233. Construction of final clarifiers EFS-8 and WFS-8 located in the City of Pittsburgh, **Allegheny County** to serve ALCOSAN Wastewater Treatment Plant.

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

**NPDES Permit No. PA0002143 Amendment No. 1**, Industrial Waste, **Willamette Industries, Inc.**, Johnsonburg Paper Mill, 100 Center Street, Johnsonburg, PA 15845.

This proposed facility is located in Johnsonburg Borough, **Elk County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Clarion River and Riley Run.

**NPDES Permit No. PA0034924**, Sewage, **Paint-Elk Joint Sewer Authority**, 22139 Route 66, Shippenville, PA 16254.

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

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

**NPDES Permit No. PA0024970**, Sewage, **U.S. Army Corps of Engineers**, Shenago Recreation Area, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186.

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

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

**NPDES Permit No. PA0103628**, Sewage, **Henderson Township Municipal Authority**, P. O. Box 56, Stump Creek, PA 15863.

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

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

**NPDES Permit No. PA0238431**, Sewage, **Charles A. Betts**, 400 Weiler Road, Warren, PA 16365.

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



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

**NPDES Permit No. PA0209783**, Sewage, **Jerry Novosel**, 41 Gearhart Road, Pulaski, PA 16143.

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

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

**WQM Permit No. 6200415**, Sewerage, **Charles A. Betts**, 400 Weiler Road, Warren, PA 16365.

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

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

**WQM Permit No. 4301409**, Sewerage, **John D. Miller**, 76 Blom Road, Grove City, PA 16127.

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

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10-D109	DeLuca Enterprises, Inc. 842 Durham Road Newtown, PA 18940	Bucks	Solebury Township	UNT to Aquetong Creek (HQ, CWF)
PAS10-G259	Tattersall Development Group P. O. Box 214 Chester Springs, PA 19425	Chester	West Bradford Township	Broad Run (EV)
PAS10-G363	Robert Sweeny, Jr., Owner P. O. Box 159 Thorndale, PA 19372	Chester	West Caln Township	UNT West Branch Brandywine Creek (HW, TSE, MF)
PAS10-G437	Honey Valley Estates, Inc. 123 Culbertson Run Road Downingtown, PA 19335	Chester	West Caln Township	Tributary to West Branch Brandywine Creek (HQ, TSE, MF)
PAS10-G441	James E. Mark P. O. Box 63 New London, PA 19363	Chester	New London Township	Big Elk Creek (HQ, TSE, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10B012-1	Mark Ann Industries, Inc. P. O. Box 1022 Kittanning, PA 16201	Armstrong County West Franklin Township	Buffalo Creek/ HQ-TSE

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10E074	Recmix of PA, Inc. 586 Plum Run Rd. Canonsburg, PA 15317	Butler	Winfield	Little Buffalo Creek (HQ-TSF)

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

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

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

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

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

### List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

#### General Permit Type—PAG-2

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
West Goshen Township Chester County	PAR10-G408	Home Properties 610 Freedom Ctr., Suite 110 King of Prussia, PA 19406	East Branch Chester Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
East Bradford Township Chester County	PAR10-G414	Philadelphia Suburban Water Co. 762 West Lancaster Avenue Bryn Mawr, PA 19010	East Branch Brandywine Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131

## NOTICES

2503

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
New Garden Township Chester County	PAR10- G422	William Petrillo 101 Rodgers Road Wilmington, DE 19801	East Branch White Clay Creek (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
West Caln Township Chester County	PAR10-G426	Caln Valley Dev. Company P. O. Box 10008 Lancaster, PA 17605	UNT to Rock Run (TSF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Marple Township Delaware County	PAR10-J208	S & S Development 1155 Lancaster Avenue Berwyn, PA 19312	Crum Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Skippack Township Montgomery County	PAR10-T733	Fieldstone Associates, LP 906A Cross Keys Drive Doylestown, PA 18901	Skippack Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Whitpain Township Montgomery County	PAR10-T721	Normandy Dev. LP 1767 Sentry Park West Suite 200 Blue Bell, PA 19422	Tributary to Stony Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Luzerne County Plains Township	PAR10R222	Paul Francis Realty 613 Baltimore Dr. Wilkes-Barre, PA 18701	Unnamed tributary to Laurel Run CWF	Luzerne County Conservation District (570) 674-7991
Schuylkill County Cass Township	PAR105816	Stoppie Subdivision William Stoppie 138 Hilltop Dr. Pottsville, PA 17901	West Branch Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Straban Township Adams County	PAR 100120	Reliant Energy Hunterstown, LLC 1001 Broad Street Johnstown, PA 15907	UNT Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Hampden Township Cumberland County	PAR10H207-1	Pinehurst Hills Villas 2717 Tall Oaks Lane York, PA 17403	UNT Sears Run	Cumberland County Conservation District 43 Brookwood Av- enue, Suite 4 Carlisle, PA 17013 (717) 240-7812
West Hanover Township Dauphin County	PAR10I255	Richard E. Yingst 7100 Fishing Creek Valley Road Harrisburg, PA 17112	Beaver Creek	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lower Paxton Township Dauphin County	PAR10I164	Central Dauphin School District 600 Rutherford Road Harrisburg, PA 17109	Spring Creek	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Columbia Township and Sylvania Borough Bradford County	PAR100825	PA Dept. of Transportation 715 Jordan Ave. Williamsport, PA 17754	UNT Sugar Creek WWF	Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5539
Hamilton Township Tioga County	PAR106638	Hamilton Township P. O. Box 215 Morris Run, PA 16939	Morris Run & Tioga River WWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 523-8782
<i>Southwest Region: Regional Water Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Armstrong County East Franklin Township North Buffalo Township	PAR10B035	Cold Harbor Development Company R. D. 7, Box 477 Kittanning, PA 16201	UNT to Whiskey Run/ WWF	Armstrong County Conservation District (724) 548-3425
Beaver County Brighton Township	PAR100238-1	HAP Enterprises, Inc. 310 Wayne Street Beaver, PA 15009	UNT to Six Mile Run/ WWF	Beaver County Conservation District (724) 774-7090
Indiana County North Mahoning Township	PAR103158	Dominion Exploration and Production 303 Airport Professional Center Indiana, PA 15701	Canoe Creek/ CWF	Indiana County Conservation District (724) 463-8547
Clarion County Clarion Township	PAR101531	PA DEP Abandoned Mine Bureau 286 Industrial Park Road Ebensburg, PA 15931	Little Mill Creek (CWF)	Clarion County Conservation District 265 Holiday Inn Road Ste. 2 Clarion, PA 16214
Erie County Summit Township	PAR10K178	Snap-Tite, Inc. 2930 W. 22nd St. Erie, PA 16506	UNT of Walnut Creek (CWF:MF)	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-6760 Ext. 5
Erie County City of Erie	PAR10K179	Erie Western PA Port Authority 100 State Street Suite 205 Erie, PA 16507	Presque Isle (WWF)	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-6760 Ext. 5
Jefferson County Pine Creek Township	PAR103338	Joe & Shirley Holben R. D. 1 Brookville, PA 15825	UNT to O'Donnell Run (CWF)	Jefferson Conservation District R. R. 5 Box 51 Brookville, PA 15825 (814) 849-7463

## NOTICES

2505

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Mercer County City of Hermitage	PAR104360	Richard Salata Millcreek Enterprises P. O. Box 3318 Boardman, OH 44512	Pine Hollow Run (WWF)	Mercer Conservation District 747 Greenville Rd. Mercer, PA 16137 (724) 662-2242
Mercer County City of Hermitage	PAR104364	Grove City College 100 Campus Drive Grove City, PA 16127	Wolf Creek (WWF)	Mercer Conservation District 747 Greenville Rd. Mercer, PA 16137 (724) 662-2242
<i>General Permit Type—PAG-3</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Schuylkill County West Mahanoy Town- ship	PAR802243	Jack Rich, Inc. 617 Altamont Blvd. Frackville, PA 17931	Little Mahanoy Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711
City of Pittsburgh Allegheny County	PAR806203	Terminal Leasing Inc. Tank Leasing 15 27th Street Pittsburgh, PA 15222	Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222- 4745 (412) 442-4000
City of Pittsburgh Allegheny County	PAR806204	Terminal Leasing Inc. Warehouse Leasing 15 27th Street Pittsburgh, PA 15222	Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000
South Pymatuning Township Mercer County	PAR228326	Limpach Industries, Inc. dba Johnson Industries— Sharpsville Facility P. O. Box 7 Orangeville, OH 44453	Unnamed tributary to Shenango River Reservoir	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335- 3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Tioga County Delmar Township	PAG044853	Conrad E. Campbell 54 Oak Road Meadway, OH 45341	East Br. Stony Fork Creek	Northcentral Regional Office DEP 208 West Third St. Suite 101 Williamsport, PA 17701
Centre County Taylor Township	PAG045115	LaRoy & Kimberly Beckwith 10691 S. Eagle Valley Rd. Port Matilda, PA 16870	Goss Hollow Run to Bald Eagle Creek	Northcentral Regional Office DEP 208 West Third St. Suite 101 Williamsport, PA 17701

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Tioga County Clymer Township	PAG044905	Gary & Patricia Dillman P. O. Box 695 Wellsboro, PA 16901	Unnamed tributary to Wattles Run	Northcentral Regional Office DEP 208 West Third St. Suite 101 Williamsport, PA 17701
Glade Township Warren County	PAG048394	Anthony P. and Julia L. Milliner 330 Hatch Run Road Warren, PA 16365	Unnamed tributary to Hatch Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335- 3481 (814) 332-6942
Millcreek Township Erie County	PAG048401	Mark M. Brabender 3740 Stirrup Drive Erie, PA 16506	Unnamed tributary of Walnut Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335- 3481 (814) 332-6942
Pine Township Mercer County	PAG048727	John D. Miller 76 Blom Road Grove City, PA 16127	Tributary Wolf Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335- 3481 (814) 332-6942

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
East Earl Township Lancaster County	PAG07-0003 PAG08-0001 PAG08-0002 PAG08-0003 PAG08-0006 PAG08-0007 PAG08-0008 PAG08-0009 PAG08-2201 PAG08-2203 PAG08-3501 PAG08-3502 PAG08-3506 PAG08-3515 PAG08-3517 PAG08-3522 PAG08-3542 PAG08-3547 PAG08-3551 PAG08-3825	Synagro Mid-Atlantic 1605 Dooley Road P. O. Box B Whiteford, MD 21160	William Shirk Farm East Earl Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Drumore Township Lancaster County	PAG08-0004	Philadelphia Water Dept. 4800 Penrose Ferry Rd. Philadelphia, PA 19153	Aldus Martin Farm Drumore Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Rapho Township Lancaster County	PAG08-3546	Mount Joy Borough Au- thority P. O. Box 25 Mount Joy, PA 17552-0025	Garber-Milton Grove Farm Rapho Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

## SAFE DRINKING WATER

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

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

**Permit No. 0900504**, Public Water Supply.

Applicant	<b>DeLuca Enterprises, Inc.</b> 842 Durham Road Newtown, PA 18940
Township	Solebury
County	<b>Bucks</b>
Type of Facility	Public Water Supply System
Consulting Engineer	Boucher and James P. O. Box 904 Doylestown, PA 18901
Permit to Construct Issued	April 23, 2001

**Permit No. 0901504**, Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b> 800 West Hershey Park Drive Hershey, PA 17033
Township	Lower Makefield
County	<b>Bucks</b>
Type of Facility	Public Water Supply System
Consulting Engineer	Pennoni Associates, Inc. One Drexel Plaza 3001 Market Street Philadelphia, PA 19104
Permit to Construct Issued	April 26, 2001

**Operations Permit** issued to: **Grey Nuns of the Sacred Heart Motherhouse**, 1750 Quarry Road, Yardley, PA 19067, Lower Makefield Township, **Bucks County** on April 25, 2001.

**Operations Permit** issued to: **TAD Facilities, Limited**, Telegraph Road, R. D. 7, Box 199, Coatesville, PA 19320, West Caln Township, **Chester County** on April 30, 2001.

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

**Permit No., Minor Amendment**. Public Water Supply.

Applicant	<b>Consumers Pennsylvania Water Company</b> 204 East Sunbury St. Shamokin, PA 17872
Township	Shamokin & Ralpho Townships
County	<b>Northumberland</b>
Type of Facility	Public Water Supply
Consulting Engineer	CET Engineering Services 321 Washington Street Huntington, PA 16652
Permit to Construct Issued	April 26, 2001

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

**Operations Permit** issued to: **Abraxas Group, Inc.**, Blue Jay Village, Box 59, Marienville, PA 16239, Howe Township, **Forest County** on April 17, 2001.

**Operations Permit** issued to: **Vlasion MHP**, 2805 West 12th Street, Erie, PA 16505, Fairview Township, **Erie County** on April 27, 2001.

## SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

## Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Avondale Borough	P. O. Box 247, Avondale, PA 19311	Chester
New Garden Township	8934 Gap Newport Pike, Landenburg, PA 19350	

Plan Description: The approved plan provides for the upgrade and expansion of the Avondale wastewater treatment facility from 300,000 gallons per day annual average flow to 500,000 gallons per day annual average flow. The allocation of this expanded treatment capacity is 281,750 gallons per day for Avondale Borough and 218,250 gallons per day for New Garden Township.

The Plan's primary source of funding is PennVest. The estimated cost of the upgrade and expansion is \$1,120,500.00. The Plan's implementation schedule indicates completion of construction by March 2003. The secondary source of funding indicated is a combination of upfront tapping fees and conventional loan or municipal bond issue.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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

## Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Lansford	P. O. Box 126 Lansford, PA 18232-0126	Carbon

Plan Description: The approved plan provides for a systematic plan to identify and propose corrective measures for portions of the Borough's wastewater collection system which may be subject to excessive amounts of infiltration/inflow (I/I). The CAP also contains time schedules for the implementation of the activities proposed in the CAP. The CAP is now to be considered an integral part of the Borough of Lansford's Official Sewage Facilities Plan.

Should conditions be encountered during the implementation of the CAP, which require the alteration of the approved CAP, the Borough of Lansford shall contact the Department, in writing and discuss the need to alter the CAP at the earliest possible time. Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the CAP must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

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

## Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Chestnut Ridge Area Joint Municipal Authority	320 Lane Metal Road, New Paris, PA 15554	Bedford

Plan Description: The approved plan provides for the expansion of the CRAJMA wastewater treatment facility to a capacity of 0.92 MGD. The plan also provides for Phase III sewer extensions (at various locations in East and West St. Clair Townships) to serve 53 residences. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location: Enlow Fork Mine 3N, Portal Bathhouse Facilities Sewage Treatment Plant to be located at the intersection of S.R. 231 East Finley Drive and S.R. 3035 Rocky Run Road.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
East Finley Township	1394 East Finley Drive, Claysville, PA 15323	Washington

Plan Description: The approved plan provides for construction of a 35,000 gallon per day privately owned community sewerage system to serve the Enlow Fork Mine 3N #2 East Finley Portal Bathhouse. Treated effluent will be discharged to Rocky Run. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate.



## SEWAGE FACILITIES ACT PLAN DISAPPROVAL

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).***Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Pine Grove Borough	1 Snyder Avenue Pine Grove, PA 17963	Schuylkill
Pine Grove Township	R. R. 4, Box 260A Pine Grove, PA 17963	Schuylkill

Plan Description: An Update Revision to the Pine Grove Borough and the Pine Grove Township Official Sewage Facilities Plans has been denied Departmental approval. This Update Revision was developed for the Borough and the Township by the Pine Grove Joint Treatment Authority. The Update Revision contains a Selected Alternative that calls for a sewer line replacement program in portions of Pine Grove Borough and the construction of a new 2.0 million gallon per day (MGD) sewage treatment plant. The new plant is to be located in Pine Grove Township at a site along the western side of the I-81 Pine Grove interchange. A new pump station and a 10,000 lineal foot force main/interceptor are to be constructed to convey the sewage from the existing service area to the location of the new plant. The Update Revision indicates that the chosen alternative was to be financed through a grant from U. S. Department of Agriculture, Rural Utilities Service (RUS), in the amount of \$9,044,030 and a \$3,018,679 loan for a term of 40-years at an interest rate of 4.5 percent. The timeline for completing the Selected Alternative is found in the Schedule of Implementation of the Update Revision.

The reason for the Department denying planning approval of the Update Revision is that the Selected Alternative cannot be implemented as presented and failed to contain any contingency financial plan.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995

### PREAMBLE 2

**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected.

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

The Department has received the following final reports:

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

**Papp Property, Darby Township, Delaware County.** Martin Liebhardt, Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343, on behalf of Mr. & Mrs. Papp, 302 Eggleston Terrace, Sharon Hill, PA, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Herzman & Company, City of Lebanon, Lebanon County.** Groundwater & Environmental Services, Inc. (on behalf of NiSource, Inc., 801 East 86th Avenue, Merrillville, IN and Herzman & Company, 661 North Eighth Street, Lebanon, PA 17042) has submitted a Final Report within 90 days of a release concerning remediation of site soils contaminated with BTEX, PHCs and PAHs. The report is intended to document remediation of the site to meet the Statewide health standard requirements.

**Kemps Foods Bulk Plant, City of York, York County.** GeoLogic NY, Inc., P. O. Box 5080, Cortland, NY 13045 (on behalf of Kemps Foods Bulk Plant, Two Hamilton Avenue, York, PA 17404) has submitted a Final Report concerning remediation of site soils contaminated with PHCs. The report is intended to document remediation of the site to meet the Statewide health standard requirements.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION  
UNDER ACT 2, 1995**

**PREAMBLE 3**

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

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

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

The Department has received the following final reports:

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

**Lee's Service Center**, Upper Darby Township, Delaware County. Samuel J. Kucia, Environmental Consulting, Inc., 500 E. Washington St., Suite 375, Norristown, PA 19401, on behalf of Wellington and Dennis Lee, 700 Burmont Rd., Drexel Hill, PA, has submitted a Final Report concerning the remediation of site soil contaminated with lead, BTEX and petroleum hydrocarbons. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 24, 2001.

**Former Sunoco Station #0004-8017**, Radnor Township, Delaware County. Jennifer L. O'Reilly, P.G., Michael Sarcinello, Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Sunoco, Inc. (R&M), 4041 Market St., Aston, PA 19014, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of Statewide Health and Site-specific standards and was approved by the Department on April 26, 2001.

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

**Haywood Development**, City of Farrell, Mercer County. Jo Hinish of Mountain Research Inc., 825, 25th Street, Altoona, PA 16601, on behalf of Haywood Development, has submitted a Work Plan for assessment of soil and groundwater in a Special Industrial Area. The Report was approved by the Department on December 14, 2000.

**AIR QUALITY**

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

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

**39-302-172GP: Great Spring Waters of America** (405 Nestle Way, Breinigsville, PA 18031) for construction and operation of a Triple S boiler in Upper Macungie Township, Lehigh County.

**39-302-173GP: Great Spring Waters of America** (405 Nestle Way, Breinigsville, PA 18031) for construction and operation of a Bryan boiler in Upper Macungie Township, Lehigh County.

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

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

**06-05029: Reading Body Works, Inc.** (P. O. Box 650, Reading, PA 19607-0650) on April 24, 2001, for a Title V Operating Permit—Revision 1 in the City of Reading, Berks County.

**67-05018: Yorktowne, Inc.** (100 Redco Avenue, Red Lion, PA 17356-0231) on April 23, 2001, for a Title V Operating Permit—Revision 1 in Red Lion Borough, York County.

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

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

**96-026: Dietz & Watson Inc.** (5701 Tacony Street, Philadelphia, PA 19135) on April 11, 2001, for the processing of lunch meat, hot dogs, hams, roast beef, sausage and turkey products in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include three 8.37 MMBTU/hr natural gas, #2 oil, or propane-fired boilers, five 1.65 MMBTU/hr natural gas or propane-fired food processing ovens, three used oil and/or #2 oil-fired heaters, each rated less than 1 MMBTU/hr and one diesel-fired emergency generator.

**96-034: Atlantic Metals Corporation** (3100 East Orthodox Street, Philadelphia, PA 19137) on April 17, 2001, for the manufacture of specialty powders and service to the steel industry in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include a 6.5 MMBTU/hr natural gas-fired spray drier/cyclone and numerous particulate processes controlled by four baghouses and two dust collectors.

**00-004: The Wistar Institute** (3601 Spruce Street, Philadelphia, PA 19104) on April 17, 2001, for the operation of a not-for-profit biomedical research institute in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include three 448 hp natural gas and no. 2 oil dual-fired boilers, four emergency generators and one crematory furnace.

**95-069: Ashland Specialty Chemical Company—Philadelphia Composite Polymers Plant** (2801 Christopher Columbus Boulevard, Philadelphia, PA 19148-5103) on April 25, 2001, for the operation of producing and distributing polyester resin in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's significant air emission sources include fugitive emissions, tank wagon, rail car and drum filling stations, two particulate sources; one is controlled by a filter cartridge dust collector, 14 product storage tanks, nine raw material storage tanks, a spill control tank, four reactors with overhead condensers, four thinning tanks, nine blending tanks, a mix tank, a holding tank, an esterified water tank; all are controlled by a 14 MMBTU/hr natural gas or #2 oil-fired fume afterburner, a 5 MMBTU/hr natural gas or #2 oil-fired steam boiler, a 12 MMBTU/hr natural gas or #2 oil-fired hot oil heater and two emergency generators. Additional facility air emission control devices include four sets of carbon drums as back-up equipment to the Fume Afterburner.

**95-034: General Electric Company—GE Industrial Systems Philadelphia Operation** (6901 Elmwood Avenue, Philadelphia, PA 19142) on April 25, 2001, for the manufacturing of power equipment control cabinets and leasing of modular space trailers in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's significant air emission sources include a 3.35 MMBTU/hr natural gas-fired boiler, a 800,000 BTU/hr natural gas-fired cure oven, numerous particulate sources controlled by two baghouses, four paint booths each controlled by a filter, two winding machines and a modular space project to refurbish portable buildings.

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

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

**22-03020B: Hempt Bros., Inc.** (205 Creek Road, Camp Hill, PA 17011) on April 24, 2001, for the construction of a

primary jaw crusher and three conveyor belts located at the Steelton Quarry—Main Crushing Plant in Steelton Borough, **Dauphin County**. These sources are subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**33-140A: Dominion Transmission Corp.—Punxsutawney Station** (Kauchmar Road, Punxsutawney, PA 15767) on April 16, 2001, for construction of a natural gas compressor engine in Perry Township, **Jefferson County**.

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

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

**53-0003D: Dominion Transmission Corp.—Greenlick Compressor Station** (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on April 20, 2001, to authorize construction of a 5.125 million BTU per hour natural gas-fired boiler equipped with a low NOx burner in lieu of a 3.0 million BTU per hour natural gas-fired boiler, to reduce a compressor engine operating hour restriction by 15 hours per year and to make minor changes to various hourly and annual air contaminant emission limitations to reflect the impact of these changes in Stewardson Township, **Potter County**.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

### Coal Permits Issued

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

**40663025R3. Pacton Corporation**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine operation in Hazle Township, **Luzerne County** affecting 325.0 acres, receiving stream—none. Renewal issued April 24, 2001.

**40663013R3. Jeddo-Highland Coal Company**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine operation in

Hazle Township, **Luzerne County** affecting 304.0 acres, receiving stream—none. Renewal issued April 27, 2001.

**40663033R3. Jeddo-Highland Coal Company**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine operation in Butler and Foster Township, **Luzerne County** affecting 1515.0 acres, receiving stream—none. Renewal issued April 27, 2001.

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

**33800134. Planet Mining, Inc.** (R.D. 6, Box 231, Kittanning, PA 16201) Renewal of an existing bituminous strip operation in Knox Township, **Jefferson County** affecting 111.5 acres. This renewal is issued for reclamation only. Receiving streams: Three unnamed tributaries to Indian Camp Run. Application received: March 6, 2001. Permit Issued: April 23, 2001.

**33860102. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824) Renewal of an existing bituminous strip and auger operation in Oliver Township, **Jefferson County** affecting 465.0 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to Little Sandy Creek. Application received: March 8, 2001. Permit Issued: April 27, 2001.

*Noncoal Permits Issued*

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

**35910301C. West Mountain Sand, Stone & Aggregates, Inc.**, (819 Newton Road, Scranton, PA 18504), renewal of NPDES Permit PA0595209 in Newton and Ransom Townships, **Lackawanna County**, receiving stream—Keyser Creek. Renewal issued April 27, 2001.

**7975SM5T. KPK Development Corporation**, (1082 Temperance Lane, Richboro, PA 18954), transfer of an existing quarry operation in Falls Township, **Bucks County** affecting 454.3 acres, receiving stream—Delaware Canal. Transfer issued April 27, 2001.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA 33 U.S.C.A. §§ 1311—1313, 1316 and 1317 and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by this action may appeal, under Section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of appeal form and the Board's rules of practice and procedure may be obtained

from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

*Permits Issued and Actions on 401 Certifications:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E23-409. Paper Mill Holding Company, Ltd.**, 110 Gallagher Road, Wayne, PA 19087, Newtown Township, **Delaware County**, ACOE Philadelphia District.

To maintain fill which was placed in approximately 800 linear feet of unnamed tributary to Hunters Run (CWF) and 0.06 acre of adjacent wetlands (PEM) by the previous land owner. The application also includes a proposal to remove fill and restore 0.21 acre of wetland (PEM) and mitigate 0.07 acre of wetland (PEM). The site is located along the western side of Newtown Road (SR 0252) approximately 500 feet north of the intersection of Gradyville Road (SR 1048) and Newtown Road (Media, PA Quadrangle N: 18.05 inches; W: 3.3 inches).

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

**E40-534. Pittston City Redevelopment Authority**, 35 Broad Street, Pittston, PA 18640. The City of Pittston, **Luzerne County**, Army Corps of Engineers Baltimore District.

To excavate and to place fill along approximately 800 linear feet of the left bank in the floodplain of the Susquehanna River, including the placement of fill in 0.11 acre of wetlands and to modify and maintain a stormwater outfall structure by adding an extension consisting of 42-inch CMP, along the left bank of the Susquehanna River. The permittee is required to provide for 0.11 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project, known as the Pittston Riverfront Park, is located immediately downstream of the Water Street Bridge (Pittston, PA Quadrangle N: 13.2 inches; W: 5.9 inches).

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

**E14-386. Department of Environmental Protection**, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Agricultural Fencing and crossings, in Haines Township, **Centre County**, ACOE Baltimore District (Millheim, PA Quadrangle N: 2.7 inches; W: 2.6 inches).

To construct and maintain agricultural fencing and four ford stream crossings in an unnamed tributary to Pine

Creek 1.1 miles south of the Village of Fiedler off Quarry Road in Haines Township, Centre County. This permit was issued under Section 105.13(e) "Small Projects."; This permit also includes 401 Water Quality Certification.

**E18-309. Borough of Avis**, P. O. Box 813, Avis, PA 17721. Storm Sewer Outfall, in Avis Borough, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 10.9 inches; W: 0.5 inch).

To remove the existing 12 inch diameter HDPE outfall sewer and to construct and maintain a 42-inch diameter storm sewer outfall at the intersection of Hazel Alley and Oak Grove Run and to construct and maintain a 42 inch diameter storm sewer outfall at the intersection of Jessamine Alley and Oak Grove Run in the Borough of Avis, Clinton County. The project will not impact on wetlands while impacting 15 feet of waterway. Oak Grove Run is a cold water fisheries stream. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-476. Carole Curry**, 3406 Holyoke Road, Philadelphia, PA 19114. Bridge, in Plunketts Creek Township, **Lycoming County**, ACOE Baltimore District (Barbours, PA Quadrangle N: 11.26 inches; W: 2.84 inches).

To maintain three existing metal plate pipe driveway culverts, two at 96 inches nominal diameter and one at 48 inches nominal diameter in Plunketts Creek off Mock Run Road approximately 400 feet from the intersection of Mock Run Road with SR 1005 in Plunketts Creek Township, Lycoming County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E53-354. Dajon, Inc.**, P. O. Box 0063, Coudersport, PA 16915-0663. Warehouse expansion, in Coudersport Borough, **Potter County**, ACOE Baltimore District (Coudersport, PA Quadrangle N: 2.75 inches; W: 4.75 inches).

To construct and maintain a 76' x 60' enclosed concrete floor, metal storage building located along an unnamed tributary to the Allegheny River (Coudersport, PA Quadrangle, N: 2.75 inches, W: 4.75 inches) in Coudersport Borough, Potter County. This permit was issued under Section 105.13(e) "Small Projects."

**E59-415. Wellsboro School District**, 2 Charles Street, Wellsboro, PA 16901. Charlotte Lappla Elementary School, in Wellsboro Borough, **Tioga County**, ACOE Baltimore District (Antrim, PA Quadrangle N: 21.3 inches; W: 6.8 inches).

To fill and drain 0.49 acre of wetland to facilitate expansion of the Charlotte Lappla Elementary School. The project is located about 600 feet southwest of the intersection of Sherman Street and SR 287 (Antrim, PA Quadrangle N: 21.3 inches; W: 6.8 inches; Latitude: 41 degrees, 44 minutes, 30 seconds; Longitude: 77 degrees, 17 minutes, 30 seconds) in Wellsboro Borough, Tioga County.

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

**E02-1328. Port Authority of Allegheny County**, One Gateway Center, 13 West, Pittsburgh, PA 15222. City of Pittsburgh, Baldwin Township and Castle Shannon Borough in **Allegheny County**, ACOE Pittsburgh District.

To remove existing structures, to construct and maintain 1.107 m (3,632 ft.) of streambank slope protection, to construct and maintain four retaining walls with rock slopes having a total length of 695 m (2,280 ft.), to

construct and maintain a station platform retaining wall with rock slopes for a distance of 70 m (230 ft.) and a station platform 90 m (295 ft.) long, to construct and maintain an overflow channel 55 m (181 ft.) long, to construct and maintain a rock lined channel for a distance of 70 m (230 ft.), to construct and maintain a parking lot within the flood plain, to construct and maintain a pedestrian bridge having a 10.5 m (34.5 ft.) span and a 3.0 m (9.8 ft.) underclearance, to construct and maintain rail track for 995 m (3,264 ft.) within the flood plain and to construct, to place and maintain pavement for 30 m (98 ft.) within the flood plain and maintain a 48 inch outfall to Saw Mill Run (WWF) and to replace the existing Linden Grove structure with a box culvert having a span of 3,850 mm (12.6 ft.) and an underclearance of 915 mm (3 ft.) in a tributary to Saw Mill Run (WWF). This project is to reconstruct the southern segment (3.0 km) of an out-of-service trolley line to modern light rail transit (LRT) standards, from Glenbury to Willow Avenue (the project starts at Pittsburgh East, PA Quadrangle N: 1.1 inches; W: 17.2 inches and the project ends at Bridgeville, PA Quadrangle N: 20.6 inches; W: 3.8 inches).

**E02-1335. CTAP, LLP**, 1500 Navaho Drive, Mount Lebanon, PA 15228. Mount Lebanon Township, **Allegheny County**, ACOE Pittsburgh District.

To operate and maintain 140-feet of the existing 96-inch diameter culvert in Painters Run for the purpose of maintaining the existing BP Station parking lot. The project is located on the east side of Washington Road (T. R. 19) at the intersection of Washington Road (T.R. 19) and Connor Road (Bridgeville, PA Quadrangle N: 19.2 inches; W: 7.0 inches).

**E03-394. Department of Transportation**, Engineering District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0429. Kiskiminetas Township, **Armstrong County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 31-foot long precast concrete box culvert having a normal span of 12.0 feet and an underclearance of 7.0 feet in Flat Run (WWF). The invert of the culvert shall be depressed 1.0 foot. The project is located on S.R. 2051 approximately 100 feet northwest of its intersection with S.R. 2047 (Avonmore, PA Quadrangle N: 7.1 inches; W: 16.2 inches).

**E03-395. Department of Transportation**, Engineering District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0420. Sugar Creek Township, **Armstrong County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 33-foot long precast concrete box culvert having a normal clear span of 13.0 feet and an underclearance of 7.0 feet in Patterson Creek (HQ-TSF). The invert of the culvert shall be depressed 1.0 foot. The project is located on S.R. 4007 approximately 1.5 miles south of Frogtown (Chicora, PA Quadrangle N: 10.3 inches; W: 4.4 inches).

**E11-284. Cambria County Commissioners**, P. O. Box 269, Cambria County Courthouse, Ebensburg, PA 15931. Clearfield and Dean Townships, **Cambria County**, ACOE Baltimore District.

To remove the existing structure known as Condron Bridge No. 12 and to construct and maintain a bridge having a clear span of 99 feet and an underclearance of 10.4 feet across Clearfield Creek (WWF) located on T-510 at a point approximately 1,500 feet west of its intersection with S. R. 53. The project includes construction and

maintenance of scour protection at the bridge and a de minimis impact to wetlands (0.02 acre). Also, to construct and maintain two cofferdams during construction (Ashville, PA Quadrangle N: 19.45 inches; W: 1.9 inches).

**E30-198, Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Dunkard Township, **Greene County**, ACOE Pittsburgh District.

To construct and maintain slide repairs using R-7 rock on the left bank of the Monongahela River (WWF) at two locations and having a combined length of 1350 feet located along S.R. 0088, Section 07R (Masontown, PA Quadrangle N: 1.9 inches; W: 8.3 inches and Morgantown, WV-PA Quadrangle N: 22.3 inches; W: 4.9 inches).

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

**E10-271A, Recmix of PA, Inc.**, 586 Plum Run Road, Canonsburg, PA 15317. Recmix of PA, Inc. Sarver Facility, in Winfield Township, **Butler County**, ACOE Pittsburgh District (Curtisville, PA Quadrangle N: 22.5 inches; W: 1.5 inches).

E10-271 is amended to place fill (Reclime) in a total of 0.42 acre of wetlands (PEM) for the expansion of the Recmix of PA, Inc. Sarver Facility stainless steel and slag processing facility along the east side of S.R. 356 approximately 1.25 miles south of Knox Chapel.

**E25-618, Venango Township**, 9141 Townhall Road, Wattsburg, PA 16442. T-645 Hanna Hall Road Across West Branch French Creek, in Venango Township, **Erie County**, ACOE Pittsburgh District (Wattsburg, PA Quadrangle N: 6.0 inches; W: 10.6 inches).

To construct and maintain a prestressed concrete adjacent box beam bridge having a clear, normal span of 93.5 feet and an average underclearance of 14 feet across West Branch French Creek on T-645 (Hanna Hall Road) approximately 0.3 mile west of S.R. 89 near Lowville.

**E37-136, City of New Castle**, 230 North Jefferson Street, New Castle, PA 16101. North Hills Sanitary Sewer Diversion Project, in City of New Castle, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 0.75 inch; W: 14.65 inches).

To install and maintain 10-inch and 16-inch diameter ductile iron pipe sanitary sewer siphon lines across the Shenango River approximately 350 feet upstream of the Grant Street Bridge and to place and maintain fill for cover over the lines within the 100-year flood plain of Shenango River.

**E43-292, PA Department of Conservation and Natural Resources**, Park Region No. 2, P. O. Box 387, Prospect, PA 16052-0387. M. K. Goddard State Park Recreational Trail, in New Vernon, Mill Creek and Sandy Lake Townships, **Mercer County**, ACOE Pittsburgh District.

To construct, modify and maintain a recreational trail around the southeast portion of Lake Wilhelm between Lake Wilhelm Dam (D43-053) and Lake Wilhelm Road across numerous tributaries to Lake Wilhelm, a total of 0.18 acre of fill in various wetland areas and 0.17 acre of fill along approximately 350 feet of the northeast shore near Dugan Run and Andrews Road in M. K. Goddard State Park in New Vernon, Mill Creek and Sandy Lake Townships, Mercer County. Project includes creation of 0.35 acre of replacement wetland within M. K. Goddard State Park.

## ENVIRONMENTAL ASSESSMENTS

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

**EA42-003NW, McKean County**, Courthouse, Smethport, PA 16749. Dunbar Road Bridge Removal, in Annin Township, **McKean County**, ACOE Pittsburgh District (Port Allegany, PA Quadrangle N: 18.5 inches; W: 9.7 inches).

To remove a deteriorated single span truss bridge that carries T-417 (Dunbar Road) over the Allegheny River, including the removal of the existing abutments and approach road fill.

## WATER QUALITY CERTIFICATIONS REQUESTS

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

### Notice of Final Action on Request for Certification Under Section 401 of the Federal Water Pollution Control Act

Except as otherwise noted, the Department of Environmental Protection (Department), under Section 401(a) of the Federal Clean Water Act (act), as amended (33 U.S.C.A. § 1341(a)) certifies that the construction and operation herein described will comply with the applicable provisions of Sections 301—303, 306 and 307 of that act and that the construction will not violate applicable Federal and State water quality standards, provided the following requirements are met.

Final or proposed action on certain other certification requests for projects which require both a Water Obstruction and Encroachment permit and either a United States Army Corps of Engineers individual permit or a Nationwide permit 14, 18 or 26 will be published with Applications and Actions filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27).

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, 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 procedures may be obtained from the Board. The appeal form and the Board's rules of practice and procedures are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

*Certification Request Initiated by: Erie Western Pennsylvania Port Authority, Raymond P. Schreckengost, Executive Director, 17 West Dobbins Landing, Erie, PA 16507-1424.*

*Date of Initial Pennsylvania Bulletin Notice: March 17, 2000.*

*Project Description: The Erie-Western Pennsylvania Port Authority has requested a State certification under Section 401(a) of the act that the discharge of dredged*

material from the East Avenue Launch Ramp into the Lake Erie Harbor Confined Disposal Facility (CDF) will comply with the applicable provisions of Sections 301—303, 306 and 307 of the act.

This request was necessitated by conditions imposed by the Department's Water Obstruction and Encroachment Permits E25-404A and E25-581 issued to the Erie-Western Pennsylvania Port Authority requiring Federal Water Act Section 401 certification for the disposal of dredged material into the CDF prior to each dredging and disposal event. The Erie-Western Pennsylvania Port Authority has sampled and tested the sediments in accordance with Attachment A "Sample Collection and Testing Protocol" of both Water Obstruction and Encroachments Permits E25-404A and E25-581. Laboratory testing was conducted in accordance with the US Army Corps of Engineer's Inland Testing Manual and the document "Ecological Evaluation of Proposed Discharge of Dredged or Fill Material in Navigable Waters." Based upon this sampling and laboratory testing, the Erie-Western Pennsylvania Port Authority indicates that the approximately 500 cubic yards of basin sediments from the East Avenue Launch Ramp (Erie North, PA N: 3.6 inches; W: 8.9 inches) discharged into the Lake Erie Harbor Confined Disposal Facility (Erie North, PA N: 4.7 inches; W: 10.3 inches) will have a relatively insignificant effect on the water quality of Lake Erie. This 401 Water Quality Certification is only for this single activity. Any subsequent dredging of the East Avenue Launch Ramp basin and use of the CDF will require separate 401 Water Quality Certification.

*Location:* Lake Erie Harbor Confined Disposal Facility (Erie North, PA N: 4.7 inches; W: 10.3 inches) Erie City, Erie County.

*Final Action on Request:* Certification granted. This is a one-time certification for the described project.

[Pa.B. Doc. No. 01-826. Filed for public inspection May 11, 2001, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the public participation center. The "March 2001 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its nonregulatory documents, as necessary, throughout 2001.

#### *Ordering Paper Copies of DEP Technical Guidance*

DEP encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

### *Changes To Technical Guidance Documents*

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

#### *Draft Technical Guidance*

DEP ID: 563-2504-001 Title: Conventional Bonding for Land Reclamation—Coal Description: The Department will require coal mining activities to be bonded in an amount that covers the Department's cost to complete the site's reclamation plan. This guidance describes the regulatory and statutory requirements for determining bond amounts. It also establishes bond rates and the process for determining the bond for land reclamation. This guidance and the bond rates established herein apply to all surface activities approved through all types of coal mining permits. Anticipated Effective Date: June 30, 2001 Comment Period Ends: June 12, 2001 Contact: J. Scott Roberts at (717) 787-5103 or email at [jayroberts@state.pa.us](mailto:jayroberts@state.pa.us).

DAVID E. HESS,  
*Acting Secretary*

[Pa.B. Doc. No. 01-827. Filed for public inspection May 11, 2001, 9:00 a.m.]

### Diesel School Bus Retrofit Demonstration Project Grant Opportunity Notice

The Department of Environmental Protection (DEP) is seeking one or more school bus fleet operators to participate in a demonstration project that will greatly reduce pollution emissions from participating diesel buses. Buses could be as much as 70% cleaner, and most likely any visible smoke would also be reduced. DEP will pay 100% of the costs to purchase and install retrofit technology. The type of retrofit equipment would be determined in large part by the model engine of each bus and other characteristics of the fleet.

Technical information about diesel vehicle retrofit is available from the United States Environmental Protection Agency at [www.epa.gov/otaq/retrofit](http://www.epa.gov/otaq/retrofit). Applicants will be ranked on the severity of the pollution in the area, appropriateness of the fleet for retrofit and potential emission reductions. Because of the specificity of retrofit technology, two or three finalists will be selected for further fleet characterization before a grantee is chosen. Any school bus operator (public or private school, school district or contractor) is eligible to apply.

Applications are due June 29, 2001. For more information and an application package, access DEP's website at [www.dep.state.pa.us](http://www.dep.state.pa.us), subject index "air quality," contact Chris Trostle, DEP Bureau of Air Quality, at (717) 787-9494 or send an email to [dtrostle@state.pa.us](mailto:dtrostle@state.pa.us).

DAVID E. HESS,  
*Acting Secretary*

[Pa.B. Doc. No. 01-828. Filed for public inspection May 11, 2001, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Punxsutawney Area Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Titusville Area Hospital has requested an exception to the requirements of 28 Pa. Code § 51.3 (relating to notification).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request or provide comments to the Department and require an auxiliary aide, service or other accommodation to do so, should contact, Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-829. Filed for public inspection May 11, 2001, 9:00 a.m.]

### Application of Titusville Area Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Titusville Area Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1, which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.7.A1 and 7.7.A4, relating to size of facilities.

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request or provide comments to the Department and

require an auxiliary aide, service or other accommodation to do so, should contact, Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-830. Filed for public inspection May 11, 2001, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established by section 8 of the Act of December 1, 1994 (P. L. 655, No. 102) (20 P. S. § 8622), will hold a public meeting on June 13, 2001, from 10 a.m. to 2 p.m. The meeting will be held in Room 812 of the Health & Welfare Building, 7th & Forster Streets, Harrisburg, PA.

For additional information, contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases & Injury Prevention, or Angela H. Anderson, Clerk Typist II, Health Education & Information Program, Bureau of Chronic Diseases & Injury Prevention, 1000 Health & Welfare Building, Harrisburg, PA, at (717) 787-5900.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact William J. Neil or Angela H. Anderson at (717) 787-5900, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-831. Filed for public inspection May 11, 2001, 9:00 a.m.]

### Requests for Exception; Long-Term Care Nursing Facilities

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

The Cedars of Monroeville  
4263 Northern Pike  
Monroeville, PA 15146

ManorCare Health Services at Devon  
235 Lancaster Avenue  
Devon, PA 19333

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

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

Comments received by the Department within 15 days after the date of publication of this notice will be



reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-832. Filed for public inspection May 11, 2001, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Office of Vocational Rehabilitation; Establishment, Expansion or Improvement of Community Reha- bilitation Programs

The Department of Labor and Industry, Office of Vocational Rehabilitation, under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most severe disabilities will be accepted. This competition is authorized under section 103 of the Rehabilitation Act of 1973, as amended.

Funding for this competition is under the auspice of the Pennsylvania State Board of Vocational Rehabilitation and the Office of Vocational Rehabilitation (OVR), which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

- The OVR provides services to persons with severe disabilities directed at the attainment of employment by those persons. The start-up and ongoing operation of a small business is one type of such employment. The objectives of this request for proposal are to provide to persons with the most severe disabilities who have an interest in small business ownership:
- 1) Information necessary to start a small business.
  - 2) A realistic perspective on the start-up and ongoing operation of a small business.
  - 3) Assistance, as appropriate, with the start-up and initial operation of a small business.

#### *Service Information*

This competition will result in one award and funding for a 4-year period, beginning October 1, 2001. The maximum annual funding level for this grant will not exceed \$25,000. Eligible applicants are not-for-profit, private business development services/entities, government agencies or postsecondary educational institutions. If the applicant is other than a postsecondary educational institution, it must assure the ongoing presence and participation of a postsecondary educational institution's school of business, entrepreneurial services or comparable discipline. Individual applicants may consolidate and present a single application, as desired.

An applicant must demonstrate an understanding of the economy, market characteristics and market potential in the service area that encompasses the 12 counties of Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, McKean, Mercer, Venango and Warren.

An applicant must demonstrate a minimum of 3 years of experience in entrepreneurial assistance services of the type required, or closely related.

Specific services delivered by the successful applicant to OVR customers include:

- Prebusiness education and assistance to persons with the most severe disabilities who have indicated to OVR that they have an interest in becoming small business owners/operators. The services should provide, at a minimum and as appropriate, information and/or assistance in the following:
  - 1) Basic tenets of small business ownership.
  - 2) Business start-up issues/demands.
  - 3) Business start-up costs.
  - 4) Business Plan preparation.
  - 5) Acquisition of business start-up funding.
  - 6) Maintenance/Growth of an operating small business.
  - 7) Support to small business start-ups for a minimum of 1 year.

#### *Application Information*

Applications received by close of business, 5 p.m., Friday, June 22, 2001, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be October 1, 2001, through September 30, 2002. Final awards made through this competition are subject to the approval of the Executive Director, OVR.

Eligible applicants include private not-for-profit, private business development services/entities/government agencies, post-secondary educational institutions and public organizations/institutions. Organizations or individuals demonstrating compliance with the terms of this announcement may apply to participate in this competition.

A complete application package, which includes more detailed information, is available by calling James A. Hackenburg at (717) 787-8315; TDD: (717) 783-8917; or writing to the following address: James A. Hackenburg, Rehabilitation Specialist, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 909 Green Street, Harrisburg, PA 17102-2913, fax: (717) 783-5221.

#### *Preproposal Conference*

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Wednesday, May 30, 2001, starting at 10 a.m. in the Office of Vocational Rehabilitation, 199 Beaver Drive, DuBois, PA.

Copies of the application package will also be available at this conference. Persons expecting to attend should advise James A. Hackenburg, no later than 1 week prior to the conference, of any special accommodations that

may be required in order for them to fully participate in the preproposal conference.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 01-833. Filed for public inspection May 11, 2001, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Availability of Fiscal Year 2001-2002 Title XX Social Services Block Grant Planning Document

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year 2001-2002 Social Services Block Grant (SSBG) Plan. Comments on this document will be used to formulate the Department's final plan for using Title XX Social Services Block Grant funds in Fiscal Year 2001-2002.

Persons wishing to obtain a copy of the Plan may do so at their local County Assistance Office or by contacting the Department at the following address.

Persons wishing to submit written comments on this Plan must do so by June 15, 2001. Comments are to be addressed to John R. Gibble, Department of Public Welfare, Office of Social Programs, Bureau of Social Services, 2nd Floor, Bertolino Building, P. O. Box 2675, Harrisburg, PA 17105-2675.

### Availability of Other Social Services Block Grant Documents

The Department of Public Welfare, in accordance with the requirements of Title XX Block Grants to States for Social Services (42 U.S.C.A. § 1397) announces the availability of the following Social Services Block Grant documents:

- a. Social Services Block Grant Annual Report for Fiscal Year 1999-2000;
- b. Fiscal Year 2000-2001 Social Services Block Grant Pre-Expenditure Report.

These documents are available by written request to John R. Gibble at the address previously indicated.

Persons with a disability may request a copy of the Fiscal Year 2001-2002 SSBG Plan and/or provide comments by using the AT&T Relay Service. The Relay Service may also be used to request any of the other SSBG documents which are available.

The Relay Service may be accessed by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Individuals who require another alternative, should contact John Gibble at (717) 787-5756.

FEATHER O. HOUSTON,  
*Secretary*

[Pa.B. Doc. No. 01-834. Filed for public inspection May 11, 2001, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Cigarette Tax Notice

Under section 227-A of the Fiscal Code (72 P. S. § 227-A) (relating to administration powers and duties), the Department of Revenue (Department) hereby announces the lowest cost of the stamping agent, wholesaler and retailer, respectively, effective April 26, 2001, as follows:

	<i>Premium Brands (a.k.a. Kings &amp; Regulars)</i>	<i>Generic Brands</i>
Cost of the Stamping Agent (for sales to wholesalers)	\$29.04	\$26.34
Cost of the Wholesaler (for sales to retailers)	\$30.21	\$27.40
Cost of the Retailer (for sales to retail customers)	\$32.02	\$29.04

The Department considers these costs as presumptive minimum costs. Cigarette stamping agents, wholesalers and retailers are prohibited from selling cigarettes at a price lower than their respective presumptive minimum costs. These costs are listed on a per carton basis, 10 packs of cigarettes per carton, 20 cigarettes per pack. To determine the presumptive minimum price per pack of cigarettes, one should divide the costs listed by ten and round to the nearest hundredth of a percent. For example, the presumptive minimum price of a pack of cigarettes sold by a retailer to a consumer is \$3.21 for premium brands (\$32.02/10), \$2.91 for generic brands (\$29.04/10).

Cigarette dealers who either sell cigarettes under a different packaging setup (such as, eight packs per carton) or sell cigarettes that do not qualify as premium or generic brands (such as, sub-generic, foreign or specialty cigarettes) as described are prohibited from selling cigarettes at a price lower than the cost of the stamping agent, cost of the wholesaler or cost of the retailer, respectively, as further defined and explained in the Department's cigarette tax regulations, 61 Pa. Code, Article III (relating to cigarette and beverage taxes).

Cigarette dealers wishing to prove a cost different from the Department's presumptive costs stated must follow the procedures listed under 61 Pa. Code, Chapter 76 (relating to Unfair Sales of Cigarettes).

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 01-835. Filed for public inspection May 11, 2001, 9:00 a.m.]

### Pennsylvania Treasure Hunt Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Treasure Hunt.

2. *Price:* The price of a Pennsylvania Treasure Hunt instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Treasure Hunt instant lottery game ticket will contain one play area featuring one "Lucky Numbers" area, one "Your Numbers" area and a "Bonus" box area. The play symbols and their captions located in the "Lucky Numbers" area and "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN) and 16 (SIXTN). The play symbols and their captions located in the "Bonus" box area are: Pick Symbol (PICK), Shovel Symbol (SHOVEL), Chest Symbol (CHEST), Gold Bar Symbol (GOLD) and Coins Symbol (COINS).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$3.<sup>00</sup> (THR DOL), \$5.<sup>00</sup> (FIV DOL), \$6.<sup>00</sup> (SIX DOL), \$8.<sup>00</sup> (EGT DOL), \$12\$ (TWLV), \$18\$ (EGHTN), \$25\$ (TWY FIV), \$36\$ (TRY SIX), \$50\$ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$6, \$8, \$12, \$18, \$25, \$36, \$50, \$100, \$300, \$1,000 and \$25,000. The player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Treasure Hunt instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$25,000 (TWYFIVTHO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$1,000 (ONE THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$300 (THR HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area, four prize play symbols of \$50\$ (FIFTY) and four prize play symbols of \$25\$ (TWY FIV) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area, five prize play symbols of \$18\$ (EGHTN), a prize play symbol of \$5.<sup>00</sup> (FIV DOL), a prize play symbol of \$3.<sup>00</sup> (THR DOL) and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$50\$ (FIFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area, six prize play symbols of \$5.<sup>00</sup> (FIV DOL), a prize play symbol of \$12\$ (TWLV) and a prize play symbol of \$8.<sup>00</sup> (EGT DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$36\$ (TRY SIX) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$36.

(j) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area, four prize play symbols of \$8.<sup>00</sup> (EGT DOL) and four prize play symbols of \$1.<sup>00</sup> (ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$36.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area, three prize play symbols of \$5.<sup>00</sup> (FIV DOL), two prize play symbols of \$3.<sup>00</sup> (THR DOL), a prize play symbol of \$2.<sup>00</sup> (TWO DOL) and two prize play symbols of \$1.<sup>00</sup> (ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$25.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$18\$ (EGHTN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$18.

(n) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area, six prize play symbols of \$2.<sup>00</sup> (TWO DOL) and two prize play symbols of \$3.<sup>00</sup> (THR DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$18.

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

(p) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area, four prize play symbols of \$2.<sup>00</sup> (TWO DOL) and four prize play symbols of \$1.<sup>00</sup> (ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$12.

(q) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$8.<sup>00</sup> (EGT DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(r) Holders of tickets with a Chest Symbol (CHEST) in the "Bonus" box area and eight prize play symbols of \$1.<sup>00</sup>

(ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$8.

(s) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$6<sup>.00</sup> (SIX DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(t) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$5<sup>.00</sup> (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$3<sup>.00</sup> (THR DOL) appears under the matching "Your Numbers"

play symbol, on a single ticket, shall be entitled to a prize of \$3.

(v) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$2<sup>.00</sup> (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$1<sup>.00</sup> (ONE DOL) appears under the matching "Your Numbers" 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>When Any Of Your Numbers Match Either Lucky Number, Win With Prizes Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,400,000 Tickets</i>
\$1 x 2	\$2	1:8.33	1,008,000
\$2	\$2	1:16.67	504,000
\$2 + \$1	\$3	1:75	112,000
\$1 x 3	\$3	1:75	112,000
\$3	\$3	1:150	56,000
\$3 + \$2	\$5	1:1,500	5,600
\$2 x 2 + \$1	\$5	1:750	11,200
\$1 x 5	\$5	1:93.75	89,600
\$5	\$5	1:1,500	5,600
\$5 + \$3	\$8	1:1,500	5,600
\$3 x 2 + \$1 x 2	\$8	1:750	11,200
\$1 x 8 (CHEST)	\$8	1:93.75	89,600
\$8	\$8	1:1,500	5,600
\$8 + \$2 x 2	\$12	1:750	11,200
\$2 x 6	\$12	1:1,500	5,600
\$3 x 4	\$12	1:500	16,800
\$2 x 4 + \$1 x 4 (CHEST)	\$12	1:500	16,800
\$12	\$12	1:1,500	5,600
\$12 + \$3 x 2	\$18	1:1,500	5,600
\$3 x 6	\$18	1:1,500	5,600
\$6 x 2 + \$3 x 2	\$18	1:1,500	5,600
\$2 x 6 + \$3 x 2 (CHEST)	\$18	1:250	33,600
\$18	\$18	1:1,500	5,600
\$12 + \$8 + \$3 + \$2	\$25	1:1,500	5,600
\$5 x 5	\$25	1:1,500	5,600
\$5 x 4 + \$3 + \$2	\$25	1:1,500	5,600
\$5 x 3 + \$3 x 2 + \$2 + \$1 x 2 (CHEST)	\$25	1:250	33,600
\$25	\$25	1:1,500	5,600
\$12 x 2 + \$2 x 6	\$36	1:6,000	1,400
\$8 x 4 + \$2 x 2	\$36	1:6,000	1,400
\$8 x 4 + \$1 x 4 (CHEST)	\$36	1:342.86	24,500
\$36	\$36	1:12,000	700
\$12 x 4 + \$2	\$50	1:4,000	2,100
\$8 x 6 + \$2	\$50	1:6,000	1,400
\$5 x 6 + \$12 + \$8 (CHEST)	\$50	1:1,200	7,000
\$50	\$50	1:12,000	700
\$18 x 5 + \$5 + \$3 + \$2 (CHEST)	\$100	1:4,800	1,750
\$100	\$100	1:24,000	350

<i>When Any Of Your Numbers Match Either Lucky Number; Win With Prizes Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,400,000 Tickets</i>
\$50 x 4 + \$25 x 4 (CHEST)	\$300	1:84,000	100
\$300	\$300	1:840,000	10
\$1,000	\$1,000	1:840,000	10
\$25,000	\$25,000	1:1,050,000	8

(CHEST) Chest symbol in "Bonus" box wins all 8 prizes shown

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Treasure Hunt 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 Treasure Hunt, prize money from winning Pennsylvania Treasure Hunt 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 Treasure Hunt 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.

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

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 Treasure Hunt or through normal communications methods.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 01-836. Filed for public inspection May 11, 2001, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinion

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (43 P. S. § 957(o)) (act) hereby announces the publication of the Findings of Fact, Conclusions of Law, Opinion and Final Order made after a public hearing under section 9(e)—(g) of the act, in the following case:

*Tara Thompson v. MAC Management and Norma Kleiman*; Doc. No. H7079; (Pennsylvania Human Relations Commission, April 23, 2001)

- Race-based refusal to sublet; Ruling for Complainant, 9-0 decision; 29 pages

The final order in this case is subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinion listed in this notice may be obtained by mailing a request indicating the opinion desired, accompanied by a check or money order in the amount of 15¢ per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Information Director, Human Relations Commission, 101 South Second Street, Suite 300, Harrisburg, PA 17101. The check or money order should be made payable to the "Commonwealth of Pennsylvania."

HOMER C. FLOYD,  
*Executive Director*

[Pa.B. Doc. No. 01-837. Filed for public inspection May 11, 2001, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
57-218	Pennsylvania Public Utility Commission Natural Gas Emergency Plans and Emergency Actions	04/26/01	03/27/03

**Pennsylvania Public Utility Commission  
Regulation No. 57-218**

**Natural Gas Emergency Plans and  
Emergency Actions**

**April 26, 2001**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Pennsylvania Public Utility Commission (PUC) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 27, 2003, the regulation will be deemed withdrawn.

**1. General.—Nonregulatory language.**

Sections 59.72(b) and (d) and 59.73(h) and (h)(2) contain language which implies that the provisions in these subsections are optional. For example, § 59.72(b) states, in part, “. . . NGDCs are encouraged to make contractual or informal arrangements. . . .” (Emphasis added.) Section 59.72(d) states, in part, “Each natural gas emergency plan *should* specify . . .” and “. . . usage reductions should be designed . . .” (Emphasis added.) Section 59.73(h) and (h)(2) uses the term “should” to describe natural gas distribution company (NGDC) actions related to priority-based curtailments.

Regulations establish binding norms and have the full force and effect of law. If these subsections are intended to impose mandatory requirements on NGDCs, the word “shall” must be used in place of the phrases “are encouraged to” and “should.” If the provisions in §§ 59.72(b) and (d) and 59.73(h) and (h)(2) are not mandatory, then these subsections should be deleted.

**2. Section 59.72. Natural gas emergency planning.—Reasonableness; Clarity.**

*Subsection (a)*

This subsection states that an NGDC is required to file a natural gas emergency plan with the PUC “within 90 days from the effective date of these regulations, or such later date as may be determined by the Commission. . . .” If the PUC decides to use a later date, how will the PUC communicate this date to NGDCs? This should be specified in the final-form regulation.

*Subsection (d)*

This subsection provides that each natural gas emergency plan “should specify the procedures the NGDC shall use to provide notices to affected customers.” This section should include language that requires notice to be issued by the NGDC within a specific time period.

**3. Section 59.73. Emergency action.—Reasonableness; Clarity.**

*Subsection (a)*

It appears that the cross-reference in this subsection contains a typographical error. The last sentence references the definition of “Priority 1 customers” in subsection (j). The definition is contained in subsection (i).

*Use of the term “will”*

Subsections (b), (b)(3), (h)(1) and (h)(3) use the term “will” to describe actions that the NGDC must take. Based on the *Pennsylvania Code & Bulletin Style Manual*, the term “will” is used to describe actions that an agency will undertake. The term “shall” is used

whenever anyone else has a duty to act. Therefore, the term “will” in these subsections should be replaced with “shall.”

**4. Section 59.74. Utility liability.—Clarity.**

Subsection (b)(1) uses the term “will” to describe a required NGDC action. For the reasons discussed in Issue # 3, the term “will” should be replaced with “shall.”

Subsection (b)(2) uses the phrase “will have the right to” in describing the NGDC’s discretionary authority to discontinue service. Based on the *Pennsylvania Code & Bulletin Style Manual*, the term “may” is used to express a right, power or privilege. Therefore, the phrase “will have the right to” should be replaced with “may.”

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-838. Filed for public inspection May 11, 2001, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-458	State Board of Cosmetology Application Fees	04-26-01
12-55	Department of Labor and Industry Food-Service Employee Incentive Program	04-26-01

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-839. Filed for public inspection May 11, 2001, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Conseco Senior Health Insurance Company**

Conseco Senior Health Insurance Company is requesting approval to increase its premium 20.0% for the comprehensive Long Term Care policy form ATL-LTC-3 and associated riders. The average premium will increase from \$1,061 to \$1,273 and will affect 1,948 Commonwealth policyholders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department’s offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry

Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-840. Filed for public inspection May 11, 2001, 9:00 a.m.]

15-day comment period, or a notice will be published stating that the May 27, 2000, list remains in effect.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 01-841. Filed for public inspection May 11, 2001, 9:00 a.m.]

### Export List of Insurance Coverages; Request for Comments

The Insurance Commissioner (Commissioner) published a notice at 31 Pa.B. 1294 (March 3, 2001) soliciting comments to the export list published at 30 Pa.B. 2692 (May 27, 2000). Consideration was given to all comments received. The Commissioner proposes to amend the May 27, 2000, list to add nursing home liability coverage. Additionally, the Commissioner proposes to amend the May 27, 2000, list to delete the following:

#### Amusements

- Carnival ride owners/operators
- Auto racing and automobile race tracks
- Midget autos and go-karts
- Rodeos and horse shows
- Balloon rides—hot air/gas
- Ski resorts owners/operators liability

#### Armored cars

#### Aviation

- Cargo
- Vehicles maintaining or servicing aircraft
- Nonownership liability
- Hull
- Chartered
- Excess passenger liability
- Antique aircraft
- Airport liability
- Hangarkeeper's liability
- Helicopters

#### Blood banks, blood and organ facilities

#### Earthquake

#### Explosive hauling

#### Explosives, munitions or fireworks manufacturing/storage/sales

#### Flood insurance not provided under federal flood insurance

#### Ground applicators—chemical

#### Kidnapping, ransom and extortion insurance

#### Nuclear energy general liability

Persons wishing to comment on the Commissioner's proposals are invited to submit a written statement within 15 days from the date of this publication. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Regulation of Companies, Insurance Department, 1345 Strawberry Square, Harrisburg, PA, 17120; fax (717) 787-8557; e-mail cbybee@state.pa.us. Formal notification of any changes will be published in the *Pennsylvania Bulletin* after the

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Berks County, Wine & Spirits Shoppe #0605, Village Square Plaza, 45 Constitution Boulevard, Kutztown, PA 19530-1737.

*Lease Expiration Date:* March 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space within the Borough of Kutztown.

*Proposals due:* June 1, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110.

**Contact:** Willard J. Rhodes, (717) 657-4228

Lehigh County, Wine & Spirits Shoppe #3917, Broadway Shopping Center, 960 Broadway, Bethlehem, PA 18015-2638.

*Lease Expiration Date:* April 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 2,600 net useable square feet of new or existing retail commercial space within 1/2 mile of the intersection of Broadway and Clewell Street, Fountain Hill Borough.

*Proposals due:* June 1, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110.

**Contact:** Willard J. Rhodes, (717) 657-4228

York County, Wine & Spirits Shoppe #6701/6713, Yorktowne Mall, 131 North Duke Street, York, PA 17401-1116.

*Lease Expiration Date:* March 31, 2003

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 6,600 net useable square feet of new or existing retail commercial space within 1/2 half mile of the intersection of Philadelphia Street (Route 462) and Duke Street, City of York.

Proposals due: June 1, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110.

**Contact:** Willard J. Rhodes, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 01-842. Filed for public inspection May 11, 2001, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before June 4, 2001, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**Application of the following for the *additional right approving the operation of motor vehicles as common carriers for transportation of household goods by transfer as described under each application.***

**A-00116219, Folder 2. A. Mastrocco, Jr. Moving & Storage, Inc.** (320 Constance Drive, Unit 3, Warminster, Bucks County, PA 18974), a corporation of the Commonwealth of Pennsylvania—additional right—(1) household goods in use, between points in the city and county of Philadelphia; and (2) household goods in use, from points in the city and county of Philadelphia, to points within an airline distance of 50 statute miles of the Philadelphia City Hall: which is to be a transfer of the rights authorized under the certificate issued to Anthony P. Mastrocco at A-00089292, subject to the same limitations and conditions.

**Application of the following for approval to *begin operating as a common carrier for transportation of household goods as described under each application.***

**A-00117793. Anthony Merone** (2937 South 13th Street, Philadelphia, PA 19148)—household goods in use, between points in the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, and from points in said counties to points in Pennsylvania, and vice versa.

**Applications of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.***

**A-00088477, Folder 4 Am-B. Lehigh Valley Taxicab Co.** (130 West Goepf Street, Bethlehem, Lehigh County,

PA 18018), a corporation of the Commonwealth of Pennsylvania, inter alia—persons, in airport transport service, between the Allentown-Bethlehem-Easton Airport, in the township of Hanover, Lehigh County, and points within an airline distance of 50 statute miles of the limits of said airport; subject to the following conditions: (1) that all transportation must either originate or terminate at the above-named airport; and (2) the service herein authorized is limited to transportation in vehicles having a seating capacity of not more than 15 persons including the driver, without the use of dome lights or taximeters: *So as to permit* the transportation of (1) persons, in airport transfer service, from points in the township of Hanover, Lehigh County, and within an airline distance of 100 statute miles of the limits thereof, to the Lehigh Valley International Airport, located in the township of Hanover, Lehigh County; subject to the following condition: that the transportation is limited to the use of vehicles having a seating capacity of not more than 15 persons including the driver, without the use of dome lights or taximeters; (2) persons, who are passengers from diverted flights or who are stranded passengers, from the Lehigh Valley International Airport, located in the township of Hanover, Lehigh County, to any other airport located in Pennsylvania.

**Applications of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.***

**A-00109539, Folder 2. A.S.A.P. Courier Corporation** (25 Stevens Avenue, Reading, Berks County, PA 19609), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, for Saint Joseph Hospital, between points in the city of Reading, Berks County; subject to the following condition: transportation is limited to shuttle bus service for employees, patients and persons conducting business with Saint Joseph Hospital. Application for temporary authority has been filed at A-00109539, F. 2, seeking the right cited. *Attorney:* Mike L. Swindler, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500.

**Application of the following for approval of the *right to begin to operate as a broker for the transportation of persons as described under each application.***

**A-00117768. Executive Coach Marketing & Consulting, Inc.** (4425 Rising Sun Avenue, Philadelphia, PA 19140), a corporation of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* John J. Gallagher, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-843. Filed for public inspection May 11, 2001, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project 0127.P, Fencing Materials



(to be installed by PRPA), until 2 p.m. on Tuesday, May 22, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available May 15, 2001. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 01-844. Filed for public inspection May 11, 2001, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of Two Engineering Firms

#### Two Open End Contracts Traffic Engineering Services

#### Reference No. 3-138

The Turnpike Commission (Commission) will retain two engineering firms to perform traffic engineering related services on an Open End Contract basis. The contracts will be for a period of 2 years or \$500,000, whichever occurs first.

The engineering services required may include signing, capacity and operational analysis, traffic and revenue studies, origination and destination studies, ITS planning and design, traffic engineering and safety studies, and traffic studies including counts.

Direct inquiries to Timothy M. Scanlon at (717) 939-9551, Ext. 5590; or by e-mail at tscanlon@paturnpike.com. Direct contractual questions to George M. Hatalowich at (717) 986-8737; or by e-mail at ghatalow@paturnpike.com.

The following factors will be considered by the Commission during the evaluation of the firms submitting letters of interest for these projects:

a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Workload of the prime consultant and subconsultants for all Department of Transportation (Department) and Commission projects.

e. Other factors, if any, specific to the project.

#### General Requirements and Information

Firms interested in providing the previous work and services are invited to submit a letter of interest with the required information. The letters of interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified).

2. A three page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for each project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the Project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultant's listed in the letter of interest will require written approval from the Commission.

4. Tabulation or listing of workload for the prime consultant and all subconsultants for all Department and Commission projects. Do not submit the firms workload represented graphically.

5. An Annual Qualification Package similar to the one submitted to the Department for the current year that is in the same District as this project or one that is best suited for this project.

The Annual Qualification Package copy should contain at a minimum the following information for the prime consultant and all subconsultants and attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.
- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.
- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in this Commonwealth.
- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one 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 subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Barry L. Troup, P.E., Assistant Chief Engineer for Design, Turnpike Commission Administration Building, Eisenhower Boulevard and Rt. 283, Highspire, PA 17034 (shipping address). The mailing address is P. O. Box 67676, Harrisburg, PA 17106-7676.

The letter of interest and required information must be received by 12 p.m. (noon), Friday, May 12, 2001. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to these solicitations, two firms will be selected, one for each contract. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Commission. The first two firms identified by the Com-

mission will be selected. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all letters of interest, to cancel solicitation requested under this notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Chairperson*

[Pa.B. Doc. No. 01-845. Filed for public inspection May 11, 2001, 9:00 a.m.]

---

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

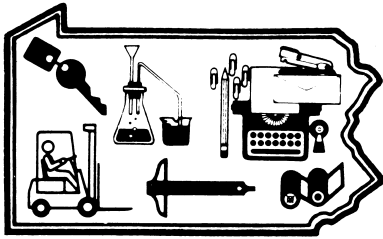
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*



### Commodities

**6350-01 Security System Services.** During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Security System Services, 6350-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-01 to ensure receipt by the Commonwealth on or before 1:30 PM on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**8105-04 Bags, Shopping Type, Paper and Plastic.** Liquor Control Board. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**6350-03 Surveillance & Security Equipment & Supplies.** During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Surveillance & Security Equipment & Supplies, 6350-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-03 to ensure receipt by the Commonwealth on or before 1:30 PM on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**8247480 Speed Alert Signals.** If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Transportation  
**Location:** Various, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**5850-01 Microcomputer, LAN Hardware & Peripherals.** During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Hardware & Peripherals, 5850-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5850-01 to ensure receipt by the Commonwealth on or before 1:30 PM on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**5810-03 Microcomputer & Local Area Network (LAN) Software.** During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5810-03 to ensure receipt by the Commonwealth on or before 1:30 PM on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1008111 Braille Embosser, Express 100 or approved equal.**

**Department:** Corrections  
**Location:** Cambridge Springs, PA  
**Duration:** FY 2000-2001  
**Contact:** Vendor Services, (717) 787-2199

**3610-08 Digital Production Publisher.** If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1469210 Latest Model Converted Van Wheelchair/Passenger Vehicle.** If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Public Welfare  
**Location:** Polk, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**X17754** Delivery of Disposable U-Cups. Quantity estimated at 80,000 cups. (Sarstedt's model # referenced 75.565).

**Department:** Environmental Protection  
**Location:** Harrisburg, PA  
**Duration:** Late May or Early June 2001  
**Contact:** Sharon Peterson, (717) 787-2471

**1484210** Printer Toners—Lexmark/Unisys, LEX 1382150

**Department:** Public Welfare  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**0354** Steel Doors, Oak Doors and Frames.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** 05/15/01 - 07/15/01  
**Contact:** Stanley Rygelski, PA, (570) 587-7291

**549014** Repair membrane roofing and apply coating, Bldg. #26, Israel Bldg.

**Department:** Public Welfare  
**Location:** Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099  
**Duration:** 08/03/01 - 10/31/01  
**Contact:** J. Sample, PA I, (814) 726-4448

**1397210** Three Year Lease Purchase of Latest Model Articulating, Telescoping Boom Manlift with Articulated Jib Boom and Four Wheel Drive. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Public Welfare  
**Location:** Polk, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1428230** Latest Model 2001 Heavy Duty 4x4 Stake Body Truck. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1431110** Biolog 3000I Single Lead ECG Monitor/Recorder. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Corrections  
**Location:** Various, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1538230** Latest Model Four Wheel Drive Crew Cab Stake Body Trucks. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1570110** Embroider Machine - Furnish and Install. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Corrections  
**Location:** Waynesburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**7314610** Holders, Black Plastic Wine Bottle Inserts, Size: 9-1/4"D x 18-1/2"H x 43-1/2"W, 5-cell units

**Department:** Liquor Control Board  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

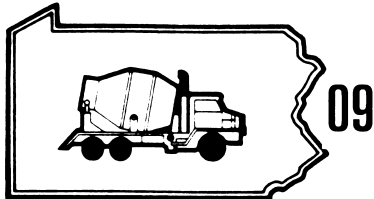
**7314620** Carpet Tiles. Size: 18" x 18" or 50 CM x 50 CM or 36" x 36" or 39.34" x 39.34", Milliken Heavy Commercial Carpet or approved equal.

**Department:** Liquor Control Board  
**Location:** Various, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**ADV # 116** Indiana University of Pennsylvania (IUP) is seeking bids for knife kits for the IUP Academy of Culinary Arts. Requests for any or all of the bid packages should be made in writing, referencing Advertisement 116, directed to Dee Baker-Simon, Purchasing Agent, IUP, 650 S. 13th Street, Indiana, PA 15705. Fax: (724) 357-2670, phone: (724) 357-2507, or e-mail address DBSIMON@GROVE.IUP.EDU. Requests for bid package(s) will be accepted until May 23, 2001 only. The University encourages responses from small and disadvantaged, minority and women-owned firms.

**Department:** State System of Higher Education  
**Location:** Indiana University of Pennsylvania, Indiana, PA 15705  
**Contact:** Dee Baker-Simon, (724) 357-2507

## SERVICES



### Construction & Construction Maintenance

**DGS A 513-89** PROJECT TITLE: Four (4) Bathroom Renovations for Beistel Building #7. BRIEF DESCRIPTION: Remove existing lavatories and showers. Install new CMU walls, lavatories and showers. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. General and Plumbing Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: WEDNESDAY, May 30, 2001 at 11:00 A.M.

**Department:** General Services  
**Location:** Torrance State Hospital, Torrance, Westmoreland County, PA  
**Duration:** 120 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**064010** The Department of Transportation (District 6) will be accepting bids for the removal of three in ground twin posts vehicle lifts and the installation of two in ground lifts including floor restoration, in the light vehicle truck repair shop in the Montgomery County Maintenance Building, 6-4, at Swede Road and Johnson Highway in East Norriton Township. A Bid Package may be obtained by faxing your name, address and phone number to Louis J. Porrini, Highway Maintenance Manager at (610) 205-6909, or e-mail your name to Louis at LPORRINI@dot.state.pa.us. There is a mandatory Pre-Bid Meeting scheduled at the Montgomery County Maintenance Building located at Swede Road and Johnson Highway, East Norriton, PA on May 18, 2001 at 10:00 a.m. The site will be viewed and any questions concerning the contract documents can be addressed at that time. Bids are anticipated to be opened in the King of Prussia District Office, 7000 Geerdes Boulevard, King of Prussia, PA 19046 on May 24, 2001 at 11:00 a.m.

**Department:** Transportation  
**Location:** Montgomery County Maintenance Building, 6-4, Swede Road and Johnson Highway, East Norriton, PA 19404  
**Duration:** 60 Calendar Days from the date of Pre-Construction Job Conference  
**Contact:** Louis J. Porrini, Highway Maintenance Manager, (610) 205-6703

**FDC-214-843.1** General Construction work associated with the renovation of the pool filtration system at Ryerson Station State Park in Greene County. Work includes excavation, backfill, reinforced concrete, bituminous paving, recirculation/filtration pumps and equipment; sensors and chemical controls, carpentry, roofing, plumbing, vents and ducts. Cost \$31.80. NOTE: Requests for Bid Documents may be made ON or AFTER May 14, 2001.

**Department:** Conservation and Natural Resources  
**Location:** Richhill Township  
**Duration:** 300 Days  
**Contact:** Construction Management Section, (717) 787-5055

**020S19** Contractor shall provide PennDOT with material, equipment, personnel, and maintenance and protection of traffic for drilling of soils and geological investigations. The drilling shall be performed within a maximum of five days after each request and at various locations within nine counties of PennDOT District 2. Bidders must be prequalified by PennDOT. The contract shall be bid on a Service Bid/Contract. Please fax bid package request to Janis Miele at (814) 765-0424 or E-mail at mielejm@dot.state.pa.us and provide Company Name, address, contact person with phone, fax, and E-mail address.

**Department:** Transportation  
**Location:** Cameron, Centre, Clearfield, Clinton, Elk, Juniata, McKean, Mifflin, and Potter Counties  
**Duration:** One year with option of four separate one-year renewals  
**Contact:** Janis Miele, (814) 765-0404

**DGS A 513-88** PROJECT TITLE: Construct Two (2) Sallyports. BRIEF DESCRIPTION: Provide and install CMU, bullet-proof glass, metal detectors, electric doors and toilet facilities along with new lighting and air ducts and grilles for new sallyports. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. General, Plumbing and Electrical Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: WEDNESDAY, May 30, 2001 at 11:00 A.M.

**Department:** General Services  
**Location:** Beistel Building—Torrance State Hospital, Torrance, Westmoreland County, PA  
**Duration:** 150 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**DGS 6797-60** PROJECT TITLE: Metal Deck Ceilings/Soffits. The Sports & Exhibition Authority ("Owner") will receive sealed bids for trade packages as identified below for Additions and Renovations to the David L. Lawrence Convention Center (the "Project"). The Architect for the Project is Rafael Vinoly Architects, P.C. The Construction Manager is Turner Construction Co., P. J. Dick Inc. and ATS, Inc., a joint venture. APPROXIMATE VALUE: \$2,000,000.00 to \$5,000,000.00. Bid Packages can be examined and Bids will be received by Owner at the field office of the Construction Manager located at 951 Penn Avenue, Pittsburgh, PA 15222. Bid Date: MONDAY, May 21, 2001 at 2:00 P.M. Inquires regarding the bidding should be made to the Construction Manager at its field office located at 951 Penn Ave., Pittsburgh, PA 15222, Attn: Ralph Shipe. Tel: (412) 227-2010. FAX (412) 227-2015. Bid Packages may be obtained through Accu-Copy, (412) 281-0799. Determination of Responsibility. Bids will be awarded to bidders determined to be "responsible" by the Owner based upon criteria applicable to the particular Bid Package. Bidders must complete and submit a Determination of Responsibility with the bid. A Non-Mandatory Pre-Bid meeting will be held Monday, May 7, 2001 at 2:00 P.M. at TPA Construction Office, 951 Penn Ave. (basement level), Pittsburgh, PA. Contact: Ralph Shipe, Tel: (412) 227-2010. All recipients of the Bid Packages are invited and urged to attend this Pre-Bid Meeting.

**Department:** General Services  
**Location:** 951 Penn Ave. (basement level), Pittsburgh, Allegheny County, PA  
**Contact:** Ralph Shipe, (412) 227-2010

**DGS 570-27 RFP** PROJECT TITLE: Commissioning Services. P. J. Dick Inc. will receive written proposals for final commissioning services for the State Correctional Institution Fayette. The facility is located approximately fifty miles from the city of Pittsburgh, PA & approximately ten miles from the city of Brownsville, PA. Copies of the Request for Proposals may be obtained at the office of P. J. Dick Inc., 1020 Lebanon Road, West Mifflin, PA 15122 upon written request on or after April 30, 2001. Proposals will be received by the Construction Manager (CM), P. J. DICK INC., 1020 Lebanon Road, West Mifflin, PA 15122 until 2:00 P.M., THURSDAY, May 24, 2001. At the CM's option, one or more of the proposers may be required to make an oral presentation at the office of the CM. A Pre-Proposal conference will be held Thursday, May 10, 2001 at 10:00 A.M. at the office of P. J. Dick Inc.

**Department:** General Services  
**Location:** State Correctional Institution Fayette, Luzerne Township, Fayette County, PA  
**Contact:** P. J. Dick, Inc., (412) 462-9300

**DGS A 951-46** PROJECT TITLE: Refurbish Two (2) Elevators - Section 8 and Section 10. BRIEF DESCRIPTION: Modernization and repair of elevators. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. General Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: WEDNESDAY, May 30, 2001 at 11:00 A.M.

**Department:** General Services  
**Location:** Hiram G. Andrews Center, Johnstown, Cambria County, PA  
**Duration:** 180 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**FDC-006-952.1** Construct a new 32 ft. X 96 ft. (wood frame, metal siding, shingle roofing) pole building at French Creek State Park in Berks County. Work includes reinforced concrete, drainage items, aggregate, painting and seeding. Cost \$15.90. NOTE: Requests for Bid Documents may be made ON or AFTER May 14, 2001.

**Department:** Conservation and Natural Resources  
**Location:** Union Township  
**Duration:** 150 Days  
**Contact:** Construction Management Section, (717) 787-5055

**DGS A 970-162** PROJECT TITLE: Brick Repointing. BRIEF DESCRIPTION: The project consists of the following: 100% repointing of the front elevation (Main Building), 50% repointing of the two (2) side elevations (Main Building), 25% repointing of the Drill Hall, resetting of the coping stones (Main Building), Restoring and repainting the existing wood windows (Main Building), Installing a new EPDM roofing system on the Main Building roof and install a rolled roofing system on the Drill Hall roof. This project will include base bids. The contractor will be required to have the skills necessary for the restoration of historic materials for National Register of Historic Places sites. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. General Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: WEDNESDAY, May 30, 2001 at 1:00 P.M.

**Department:** General Services  
**Location:** PA National Guard Armory, Doylestown, Bucks County, PA  
**Duration:** 150 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**2000-003** Re-surfacing of State Forest Road with 2A sub-base at rate of 1,300 tons per mile.

**Department:** Conservation and Natural Resources  
**Location:** Wyoming State Forest, Mineral Springs & Cold Run Road  
**Duration:** Through September 30, 2001  
**Contact:** Richard A. Glinski, (570) 387-4255

**FDC-001-876.4** Electrical Work associated with the new pole building in Adams County. Work includes electric service, panel board, wiring and lighting. NOTE: Requests for Bid Documents (\$15.90) may be made ON or AFTER May 16, 2001.

**Department:** Conservation and Natural Resources  
**Location:** Franklin Township  
**Duration:** 120 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-001-876.3** Mechanical Work associated with the new pole building in Adams County. Work includes domestic water, sanitary waste and vents, and fuel piping; plumbing fixtures, gas fired and electric heaters; and air distribution. NOTE: Requests for Bid Documents (\$15.90) may be made ON or AFTER May 16, 2001.

**Department:** Conservation and Natural Resources  
**Location:** Franklin Township  
**Duration:** 120 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-001-876.1** General Construction Work for a 40 ft. X 104 ft. wood framed, metal siding and roofing pole building in Adams County. Work includes excavation, drainage, reinforced concrete, seeding, carpentry, roofing, doors, overhead doors, ceilings, paints and coatings, hoists and cranes. NOTE: Requests for Bid Documents (\$15.90) may be made ON or AFTER May 16, 2001.

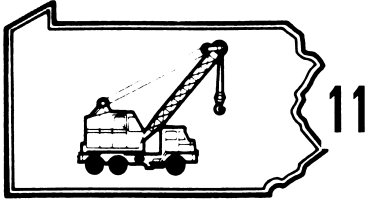
**Department:** Conservation and Natural Resources  
**Location:** Franklin Township  
**Duration:** 120 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-214-843.4** Electrical Work associated with the renovation of the pool filtration system at Ryerson Station State Park in Greene County. NOTE: Requests for Bid Documents (\$31.80) may be made ON or AFTER May 14, 2001.

**Department:** Conservation and Natural Resources  
**Location:** Richhill Township  
**Duration:** 300 Days  
**Contact:** Construction Management Section, (717) 787-5055

**DGS A 513-87** PROJECT TITLE: Repair Exterior Brick Veneer and Construct Classrooms. BRIEF DESCRIPTION: Repair various areas of exterior brickwork and remove bowling alley and construct three classrooms by providing new CMU, doors, concrete flooring, lighting and air. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. General, HVAC and Electrical Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: WEDNESDAY, May 30, 2001 at 11:00 A.M.

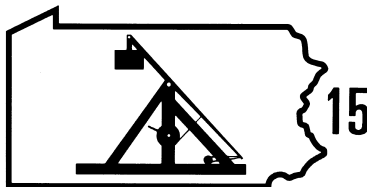
**Department:** General Services  
**Location:** Torrance State Hospital, Torrance, Westmoreland County, PA  
**Duration:** 120 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556



### Demolition—Structural Only

**Contracting for Demolition and/or Removal** Notice is hereby given by the Department of Transportation is seeking bids for the Demolition and/or Removal of certain residential and commercial Structures in conjunction with the construction of SR 222, Section 001/002 in the County of Lehigh, Townships of Upper Macungie and Lower Macungie. There is asbestos in some or all of the structures. The bidding will be open to the pre-qualified contractors only. For Bid Forms, date of inspections, specifications and further information, contact: Presnell Associates, Inc., 5930 Hamilton Blvd., Ste. 6, Westcosville, PA 18106.

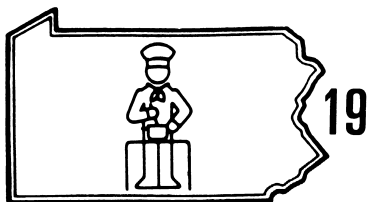
**Department:** Transportation  
**Location:** Upper and Lower Macungie Townships in Lehigh County  
**Duration:** As specified in contract  
**Contact:** David Eckhardt, (610) 336-4840



### Environmental Maintenance Service

**BF 475** Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects. Letters of interest must be received by Roderick A. Fletcher, P.E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P.O. Box 8476, Harrisburg, PA 17105-8476, no later than 4:00 p.m., Local Time, June 11, 2001, to be considered.

**Department:** Environmental Protection  
**Location:** 63.4 acres of reclamation in Shade Township, Somerset County  
**Contact:** Dan Henry, (717) 783-7752



### Food

**LHF-1247** Milk, whole, 2% and skim for a 12 month period to be provided to SCI Laurel Highlands. Bids to be mailed quarterly or more often if required. Copies of bid to be on file at the Institution.

**Department:** Corrections  
**Location:** State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset PA 15501-0631  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Carole S. Kolesko PA II, (814) 445-6501, x: 347

**6500-108** Fruits and Vegetables—Fresh Radishes, Celery, Cabbage, Carrots, Oranges, Grapefruit, Apples, Bananas, Tomatoes, Onions, Potatoes, Tangerines, Nectarines, Cantaloupes, Kiwi, Watermelons, and other fruit and vegetable items are required by the Institution. Bids to be submitted monthly—deliveries weekly.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**6500-109** Ice Cream/Frozen Yogurt/Sherbert—4 oz portions: Popsicles and other frozen novelties as required. All products to be free from pork or pork by-products. To be bid as needed per Institutional menu requirements.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**6500-110** Butter & Margarine—One pound block and ready pats. Items will be bid on a quarterly basis. Bid specifications and delivery dates available from Institutional purchasing office.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**6500-111** Bidders shall provide frozen pasteurized whole eggs and egg products. Bids to be done on a quarterly basis as required by the Institution.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**6500-112** Domestic hen eggs to be delivered weekly. Amount of delivery will be based on Institutional menu requirements (approximately 450 dozen per delivery). Product will be bid on a quarterly basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**113-0453** Contractor to supply milk and milk products to Southwestern Veterans Center. Specifications of contract available upon request.

**Department:** Military Affairs  
**Location:** Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, PA 15216  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Ken Wilson, (412) 665 6727

**6500-113** Turkey Ham, Minced Turkey Bologna, Turkey Salami, Frankfurters, Lebanon Bologna, Meatballs, Liver, Turkey Franks, Veal Patties, Pullman Hams, Sandwich Steaks, Frozen Fish (Breaded & Unbreaded), Cheeses (American, Mozzarella, Cheddar), and any other meat product as may be required by the Institution. Items to be bid as need basis per Institutional requirements.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**HUN360** Dairy and Frozen Products: Vegetable margarine, waffles, yeast, eggs, broccoli spears, cauliflower, ice-cream, cottage cheese, twin-pops, orange juice, yogurt.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike Street, Huntingdon, PA 16654-1112  
**Duration:** 07/01/2001 to 06/30/2002  
**Contact:** Phyllis C. Sheffield, PA1, (814) 643-2400 or fax (814) 940-5243

**HUN361** FRESH MILK: Homogenized, pasteurized milk, packaged in 1/2 pint, 5 gallon containers (Whole, skim) White & Chocolate, Monthly bids, weekly deliveries, group bid awards and bid pricing according to the Milk Marketing Board.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike Street, Huntingdon, PA 16654-1112  
**Duration:** 07/01/2001 to 06/30/2002  
**Contact:** Phyllis C. Sheffield, PA1, (814) 643-2400 or fax (814) 940-5243

**4023** Vegetable Products—all items listed below may be bid on a quarterly basis—all amounts are approximate for 11 months. (plus additional related items as required.) These are frozen items: Broccoli—17,280 lbs.; Brussel Sprouts—7,488 lbs.; Cauliflower—4,800 lbs.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, P. O. Box 180, Muncy, PA 17756  
**Duration:** 07/01/01 to 6/30/02  
**Contact:** Cindy Lyons, (570) 546-3171

**HUN363** PROCESSED MEATS and CHEESES: All Beef Frankfurters, liver, cheddar, mozzarella, yellow/white american cheeses, beef sausage, kielbasa, turkey roasts, lunch meats, ham pork, diced chicken meat, turkey ham, frying chicken quarters, meatballs, clams, chicken breast fritters, grilled beef steak with peppers and onions, turkey roasts, soy & veggie burgers, burger crumbles.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike Street, Huntingdon, PA 16654-1112  
**Duration:** 07/01/2001 to 06/30/2002  
**Contact:** Phyllis C. Sheffield, PA1, (814) 643-2400 or fax (814) 940-5243

**6500-114** Milk and related dairy products—to be delivered on an as needed basis per Institutional requirements. Specifications on file at Institutional purchasing office.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**146-01** 1% Milk, Vitamins A and D Added, 1/2 Pint Containers. Please request bid proposal packet #146-01 for detailed specifications.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401-5397  
**Duration:** Fiscal Year 2001 beginning July 1, 2001 and ending June 30, 2002  
**Contact:** Kathleen M. Aspinall, Purchasing Agent, (610) 313-1028

**6500-115** Bread and Rolls—Assorted varieties, quantities, specifications, and delivery dates on file at Institutional purchasing office.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**PF 7800-01** Perishable food items—contractors will provide the following food stuffs including, but not limited to: meat, poultry, seafood, bakery, dairy, frozen vegetables, frozen eggs, fresh eggs, and fresh fruits and vegetables. Bids and awards to be done on a weekly, bi-weekly, monthly or quarterly basis at the discretion of the agency. Bid packages available from the Purchasing Department. Awards will be made in the best interest of the Commonwealth.

**Department:** Corrections  
**Location:** State Correctional Institution, Rt. 6 East, P. O. Box 256, Waymart, PA 18472  
**Duration:** July 1, 2001 to June 30, 2002  
**Contact:** Andrew J. Booths, PA, (570) 488-2516

**6500-117** Poultry and Poultry Products—Chicken, Turkey, Ground Turkey, and other poultry items as required. Items to be bid as need basis per Institutional requirements.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**6500-116** Protein alternative products, to include, but not limited to, soy burgers, grainburgers, garden burgers, black bean burgers, dry soy chili mix, dry soy bar-b-que mix, tofu, etc. will be bid by Institution on an as needed basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**HUN362** FRESH PRODUCE: Lettuce, pascal celery, carrots, oranges, apples, onions, bananas, cabbage, baking & round potatoes, grapefruit, tomatoes, peppers, cucumbers, watermelons, cantaloupe, etc.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike Street, Huntingdon, PA 16654-1112  
**Duration:** 07/01/2001 to 06/30/2002  
**Contact:** Phyllis C. Sheffield, PA I, (814) 643-2400 or fax (814) 940-5243

**LHF-1249** Chicken leg quarters; chicken patties; turkey kielbasa (low fat/low sodium); turkey breast; bologna (low fat/low sodium); turkey bologna (low fat/low sodium); turkey salami (low fat/low sodium); turkey ham and other items as required. Items to be bid quarterly or more often if required with monthly delivery. Copies of bid will be on file at Institution.

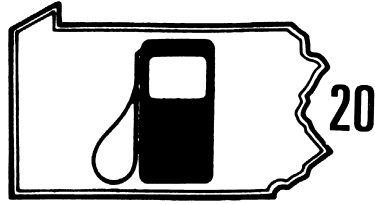
**Department:** Corrections  
**Location:** State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset, PA 15501-0631  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Carole S. Kolesko PA II, (814) 445-6501 x: 347

**4022** Meat Products—all items listed below may be bid on a quarterly basis—all amounts are approximate for 11 month period. (plus additional related items as required.) Chicken Quarters—23,040 lbs.; Salami Turkey—2,400 lbs.; Minute Steaks—4,800 lbs.; Liver—3,240 lbs.; Turkey Breast—12,000 lbs. Turkey Ham—7,800 lbs. Bologna Turkey—2,400 lbs. Clams—4,416 lbs. Chicken Patties—5,400 lbs. Turkey Kielbasa—3,120 lbs. Hot Dogs—7,680 lbs. Ham—4,800 lbs. Meatballs—8,160 lbs. Seafood Cakes—3,000 lbs.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, P. O. Box 180, Muncy, PA 17756  
**Duration:** 07/01/01 to 6/30/02  
**Contact:** Cindy Lyons, (570) 546-3171

**4021** Cheese Products—all items listed below may be bid on a quarterly basis—all amounts are approximate. (plus additional related items as required) This bid period will be from 7/01/01 to 6/30/02. Sliced Cheese—9600 lbs.; Cheddar Cheese—7200 lbs.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, P. O. Box 180, Muncy, PA 17756  
**Duration:** 07/01/01 to 6/30/02  
**Contact:** Cindy Lyons, (570) 546-3171



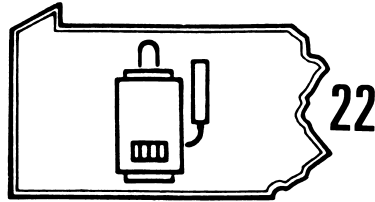
### Fuel Related Services

**00873048** Vendor will provide all labor, tools, equipment and materials to perform a Complete Cleaning and Out of Service Inspection for one (1) 100.00 AST (tank). A site visit will be required for bid submittal.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106-1260  
**Duration:** Contract is anticipated to begin June 1, 2001  
**Contact:** Jack W. Heinze, PA III, (717) 772-7435

**00873047** Vendor will provide all labor, tools, equipment and materials to install one (1) 24 foot EBW #973 Autostik Probe for one (1) 100,000 AST (tank). Site visit required for bid submittal.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106-1260  
**Duration:** Contract is anticipated to begin June 1, 2001  
**Contact:** Jack W. Heinze, PA III, (717) 772-7435



### HVAC Services

**010351** Provide the Pennsylvania Department of Transportation, Maintenance District 1-5, with heating system maintenance and emergency service. This contract provides for three (3) mandatory maintenance visits to be made each year during November, January and May. The contract also provides for 24-hour emergency service. Bid packages with detailed requirements are available upon request. All requests must be received via fax at 814-437-1174, and must include Company Name, Address, Phone Number, Fax Number, Contact Person and Federal I.D. Number.

**Department:** Transportation  
**Location:** 1460 Pittsburgh Road, P. O. Box 191, Franklin, PA 16323  
**Duration:** 1-year contract with three (3), 1-year renewals  
**Contact:** Patricia J. Carrara, (814) 432-3115

**136-01** Three split system air cooled condensing and evaporator blower units. Request bid packet #136-01 for additional specifications.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401-5397  
**Duration:** July 2, 2001, no later than July 16, 2001 - final approved purchase order will be contingent upon approval of the 2001 Fiscal Year budget  
**Contact:** Kathleen M. Aspinall, (610) 313-1028

**4056** Stranded Wire & EMT Conduit.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, P. O. Box 180, Muncy, PA 17756  
**Duration:** 90 days  
**Contact:** Cindy Lyons, (570) 546-3171-ext. 373

**MI-811.3** Project Name: Science & Technology Building—Electrical Upgrade to Rooms 130 & 131 Scope of Work: Electrical upgrade to rooms 130 & 131. Demolition of and provision of new lighting and power distribution system. Project Estimate: \$14,000—\$15,000 REAA Amount: \$1,000 Prebid date/time/place: 05-07-01/10:00 a.m./Science & Technology Building Room 130. Opening date/time/place: 05-21-01/10:00 a.m./Purchasing, Dilworth Building Plans. Cost: No Charge.

**Department:** State System of Higher Education  
**Location:** Science & Technology Building, Millersville University, Millersville, PA 17551  
**Duration:** 31 calendar days from the date of the Notice to Proceed  
**Contact:** Jill M. Coleman, (717) 872-3730



**SP-260128** Provide all labor, material, repair parts, tools and equipment, to perform inspections, preventive maintenance, repairs and emergency service on air conditioning and heating units.

**Department:** Liquor Control Board  
**Location:** PLCB Distribution Center, 8201 Enterprise Avenue, Philadelphia, PA  
**Duration:** 5 years  
**Contact:** Tami Mistretta, (717) 787-6360

**10873012** Vendor shall provide all labor, tools, equipment and materials to furnish and install a new control panel to operate two (2) existing 25 hp domestic water pumps and two (2) existing 100 hp fire pumps in pump house, Bldg. #27. Site visit is required for bid submittal.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106-1260  
**Duration:** Contract is anticipated to begin July 1, 2001  
**Contact:** Jack W. Heinze, PA III, (717) 772-7435

**063013** The Department of Transportation (Delaware County Maintenance Building, 6-3) will be accepting bids for the maintenance of heating and air conditioning systems. Also performing emergency repair if needed for these systems. A bid package may be obtained by faxing in your name, address and phone number to Bob Kennedy, at (610) 566-8192. Bids are anticipated to be opened at the Delaware County Maintenance Building, 6-3 on June 6, 2001 at 2:30 p.m.

**Department:** Transportation  
**Location:** Delaware County Maintenance Building, 6-3, 426 South Old Middletown Road, Media, PA 19063  
**Duration:** Three Years with an option to renew  
**Contact:** Bob Kennedy, County Coordinator, (610) 566-0972

**SP 01734006** Contractor to furnish and install (1) 112.5 kva transformer 480/208/120 volt 3 phase 4 wire, (2) 225 amp 240 volt 3 phase 4 wire 42 circuit panel boards w/ secondary breakers as required and supply and install other electrical components for HVAC accommodations at the Willow Oak Building located on the Harrisburg State Hospital Grounds. A site visit is required. An official copy of the complete bid package may be obtained by faxing your request to (717) 787-3560 or e-mailing your request to eblandy@state.pa.us. Make sure you verify that your bid request has been received by the Ed Blandy.

**Department:** Public Welfare  
**Location:** Office of Information Systems, Room 41C Basement, Willow Oak Building, Harrisburg State Hospital Grounds, Harrisburg, PA 17105  
**Duration:** Work is to be completed by June 30, 2001.  
**Contact:** Ed Blandy, Purchase Agent, (717) 772-4883



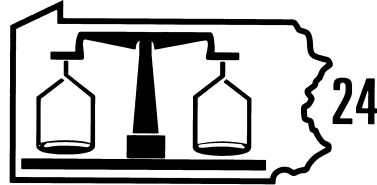
### Janitorial Services

**SP386205101** Sealed bids will be received at Dept. of Conservation and Natural Resources, Park Region #2, 195 Park Road, P.O. Box 387, Prospect, PA 16052-0387, and then publicly opened and read. A bid opening date has not yet been set. For Janitorial Services to eleven family cabins at Keystone State park. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, Keystone State Park.

**Department:** Conservation and Natural Resources  
**Location:** Dept. of Conservation and Natural Resources, Keystone State Park, R. D. 2, Box 101, Derry, PA 15627-9617  
**Duration:** July 1, 2001 to December 31, 2003  
**Contact:** Keystone State Park, (724) 668-2939

**386417102** Performance of janitorial services at Ricketts Glen State Park family cabin colony.

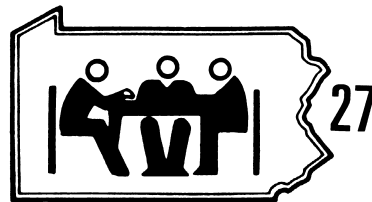
**Department:** Conservation and Natural Resources  
**Location:** Ricketts Glen State Park, 695 State Route 487, Benton, PA 17814-7505  
**Duration:** July 1, 2001 to June 30, 2002  
**Contact:** Sharon Molyneux, (570) 477-5675



### Laboratory Services

**SPC703000** This is a reissuance of SPC703000. Provide all materials, transportation and laboratory interpretations necessary to allow the Sexually Transmitted Disease Program (STD) to perform Papanicolaou (PAP) tests on approximately 7,500 women (15,000 slides) attending STD clinics in Pennsylvania. Provide monthly, semi-annual and annual summary reports of work performed.

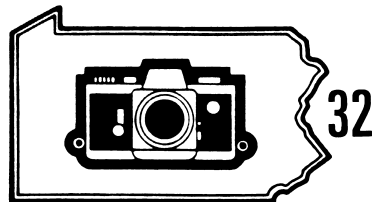
**Department:** Health  
**Location:** Approximately 80—90 STD clinic sites in PA.  
**Duration:** 7/01 through 6/04—36 months  
**Contact:** Raegan L. Camuso, (717) 787-3981



### Lodging/Meeting Facilities

**050s05** Provide a meeting room for approximately 225 people, from 8:30 to 4:30 on days one and two and 8:30 to 2:00 on the third day. The meeting can be held either February 12 to February 14, 2002, February 19 to February 21, 2002, February 26 to 28, 2002. We will also require (6) six additional rooms for 35-40 persons each, during each session, as well as an additional main room accommodating 225 persons. Morning and afternoon refreshments as well as a full breakfast buffet and full lunch buffet for 225 persons are to be provided. Room accommodations will be required for approximately 175 overnight guest. Award of contract will be made on a lump sum basis, excluding the costs of individual overnight rooms.

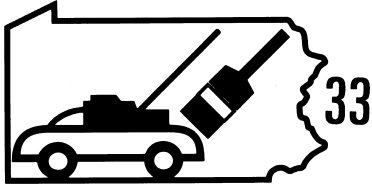
**Department:** Transportation  
**Location:** With in a radius 15 miles of PennDOT's District 5-0 headquarters located at 1713 Lehigh Street, Allentown, PA 18103  
**Duration:** Three days over a 6 week period  
**Contact:** Jennifer M. Reszek, (610) 791-6030



### Photography Services

**SP4014350023** Provide photo finish services for harness racing held at fairs across Pennsylvania. An estimated 48 days of racing is scheduled.

**Department:** Agriculture  
**Location:** Statewide  
**Duration:** One Year with three option years.  
**Contact:** Dan Tufano, (717) 787-5991



### Property Maintenance

**SU-00-19** Shippensburg University is seeking vendors interested in submitting proposals for window cleaning for the time frame beginning July 1, 2001 through June 30, 2005. Window cleaning to be performed twice (Spring & Fall) during this time frame at various buildings located at Shippensburg University Campus. Interested vendors should be able to clean 3rd and 4th floor elevations. To added, to the bidders list please FAX your request to Attn: Pam King at (717) 477-4004, by May 18, 2001. All responsible bidders are invited to participate including MBE/WBE firms.

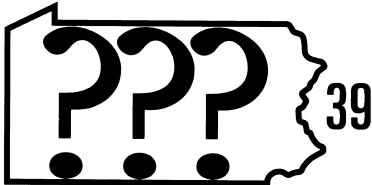
**Department:** Education  
**Location:** SHIPPENSBURG UNIVERSITY, 1871 Old Main Dr., Shippensburg, PA 15237  
**Duration:** July 1, 2001 through June 30, 2005  
**Contact:** Pamela A. King, (717) 477-1121



### Security Services

**M-5394** Security key dispensers and adapter boards.

**Department:** Corrections  
**Location:** State Correctional Institution at Rockview, Rt. 26, Box A, Bellefonte, PA 16823  
**Duration:** 5-1-01 to 10-30-01  
**Contact:** Cheryl Crispell, P.A. 2, (814) 355-4874, ext. 206



### Miscellaneous

**Post-Secondary** Contractor to provide post-secondary, in-house, vocational or business-related educational Certificate program services to incarcerated adults at Pennsylvania State Correctional Institutions.

**Department:** Corrections  
**Location:** 2520 Lisburn Road, Camp Hill, PA 17011  
**Duration:** Five (5) years  
**Contact:** Linda Malinak, (717) 975-4931

**2010010016** Provide duplication of 16 mm x 100' rolls of microfilm to diazo film. Approximately 26 cartridges per month; 5 day turn around time is required.

**Department:** State Police  
**Location:** 1800 Elmerton Avenue, Harrisburg, PA  
**Duration:** 7-1-01 through 6-30-06  
**Contact:** Diane Bolden, Procurement and Supply Division, (717) 705-5923

**2001-1** Establishment, Expansion, or Improvement of Community Rehabilitation Programs: Provide pre-business education and assistance to persons with the most severe disabilities who are interested in becoming small business owners/operators. Services as described will be provided to customers of the Pa. Office of Vocational Rehabilitation who reside in Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, McKean, Mercer, Venango, and Warren Counties.

**Department:** Labor and Industry  
**Location:** 909 Green Street, Harrisburg, PA 17120  
**Duration:** 10/1/2001-9/30/2002  
**Contact:** James A. Hackenbug, (717) 787-8315

**2010010017** Furnish rental of kitchen items including white coats, trousers, white short sleeved polo shirts, ladies pantsuits, bib aprons, dish towels, white tablecloths 54 x 54 and 54 x 90, linen napkins 20 x 20 and headgear. Resultant contract will provide for the option of renewal for an additional two years. Vendors interested in bidding must provide pick-up and delivery services.

**Department:** State Police  
**Location:** State Police Training Academy, Hershey, PA  
**Duration:** 7-1-01 through 6-30-02  
**Contact:** Diane Bolden, Procurement and Supply Division, (717) 705-5923

**08-102008** Preventive Maintenance services and repairs on overhead doors for building 048-5762, and maintenance services and repairs to the truck wash facility.

**Department:** Transportation  
**Location:** 351 New Castle Road, Butler, PA 16001  
**Duration:** Two (2) year contract, Option to renew two (2) one-year renewals  
**Contact:** Andrew Skunda, (724) 284-8800

**SO-234** The State Correctional Institution at Somerset will be soliciting bids for doors, frames and hardware. Bid will include removal of old doors and installation of new doors. A site visit will be required prior to bidding. Interested vendors should contact the Institution directly for a bid package.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 7/1/01 through 12/31/01  
**Contact:** Theresa Solarczyk, Purchasing Agent II, (814) 443-8100 X311

**038-8120-1-01** Site preparation and installation of woven wire fences around timber sales on the Wyoming State Forest. The vendor will provide all materials and labor to construct fences. The eight fence sites are in Sullivan County.

**Department:** Conservation and Natural Resources  
**Location:** Separate areas in Sullivan County.  
**Duration:** Through June 30, 2002  
**Contact:** Richard A. Glinski, (570) 387-4255

**3881190014** Contractor to supply and install four 8 foot wire woven deer fences, three on State Forest Lands and one on State Park Lands in Greene Township, Pike County, Pennsylvania. Total of approximately 8,626 L.F.

**Department:** Conservation and Natural Resources  
**Location:** DCNR—Bureau of Forestry, Pike County, PA  
**Duration:** Completion by December 30, 2001  
**Contact:** Tim Ladner, (570) 895-4000

**113-0324** Outdoor patio furniture specifications of furniture available upon request.

**Department:** Military Affairs  
**Location:** Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, PA 15206  
**Duration:** June 1, 2001 to December 31, 2001  
**Contact:** Ken Wilson, (412) 665-6727

**M-5408** BUILDING TRUSSES: Bridging, end and center trusses.

**Department:** Corrections  
**Location:** State Correctional Institution at Rockview, Rt. 26, Box A, Bellefonte, PA 16823  
**Duration:** 5-20-01 to 10-30-01  
**Contact:** Cheryl Crispell, P.A. 2, (814) 355-4874, ext. 206

**LHF-1248** Meat items as follows: ground beef; beef patties; beef sausage links; top round roasts; swiss steak (6 oz portions); beef cubes, lean; breaded veal and beef patty; ground pork; pork sausage patty; ground beef and turkey sausage link (Breakfast Style and Italian Style); Alaskan Pollock, 4 oz Unbreaded and Breaded and other items as required. Items will be bid only if not available from contract source. Bids will be available at Institution and will be bid as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset, PA 15501-0631  
**Duration:** July 1, 2001 through June 30, 2002  
**Contact:** Carole S. Kolesko PA II, (814) 445-6501 x: 347

**6500-118** Vendor shall supply base chemicals for 3m-Compulend machines located at the State Correctional Institution at Retreat, Hunlock Creek, Pa. Bids shall be issued per Institutional requirements. Specifications on file at Institutional purchasing office.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621  
**Duration:** July 01, 2001 to June 30, 2002  
**Contact:** Barbara Swiatek, (570) 735-8754

**2010010015** Perform scheduled and unscheduled veterinary services, as-needed, for thirty (30) horses and provide miscellaneous medications and supplies. Detailed bid specifications must be obtained from the Procurement and Supply Division, (717) 705-5923.

**Department:** State Police  
**Location:** State Police Training Academy, Hershey, PA  
**Duration:** 7-1-01 through 6-30-04  
**Contact:** Diane Bolden, Procurement and Supply Division, (717) 705-5923

**2010010014** Perform farrier services, as needed, for horses,—average five (5) horses per week -- and necessary emergency calls. Detailed bid specifications must be obtained from the Procurement and Supply Division, (717) 705-5923.

**Department:** State Police  
**Location:** State Police Training Academy, Hershey, PA  
**Duration:** Upon award of contract through 6-30-04.  
**Contact:** Diane Bolden, Procurement & Supply Division, (717) 705-5923

[Pa.B. Doc. No. 01-846. Filed for public inspection May 11, 2001, 9:00 a.m.]

---

## DESCRIPTION OF LEGEND

---

- |  |   |
|--|---|
| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

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 No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
6350-01 sup#2	04/25/01	Pinnacle Electronic Systems	250,000.00
6350-01 sup#2	04/25/01	Mid-Atlantic Security/dba Sonitrol Security Services	250,000.00
6350-01 sup#2	04/25/01	Triguard Security Systems	250,000.00
7910-02 rip#1/ sup#1	04/20/01	Airwick Professional Products	133,100.00
7910-02 rip#1/ sup#1	04/20/01	Pennsylvania Equipment Sales	1,500.00
8415-04	04/27/01	Howard Uniform	5,000.00
8415-04	04/27/01	North Eastern Uniforms & Equipment	20,000.00
8415-04	04/27/01	Outdoor Outfits	5,000.00
8415-04	04/27/01	Pennsylvania Police Supply	15,000.00
8415-04	04/27/01	Safety League	25,000.00
8415-04	04/27/01	Starr Uniform	10,000.00

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
1188110-01	04/30/01	Tabb Textile	281,500.00
1219110-01	04/30/01	Amtex	169,200.00
1386220-01	04/30/01	River's Truck Center	122,454.00
1417040-01	04/30/01	Cumberland Truck Equipment	80,137.00
1426200-01	04/30/01	Kara Co.	36,992.00
1514150-01	04/30/01	Lynks Mechanical	39,500.00
8188060-01	04/30/01	Humboldt Mfg.	21,800.00
8249940-01	04/30/01	Bowersox Truck Sales/Service	120,321.00
8505650-01	04/30/01	Harvey's Supply/div Cumberland Truck	19,600.00
8505690-01	04/30/01	Terre Hill Concrete Products	40,746.00
8505730-01	04/30/01	A C Miller Concrete Products	35,879.00

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 01-847. Filed for public inspection May 11, 2001, 9:00 a.m.]