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# PENNSYLVANIA BULLETIN

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Pages 1—160

See Part II page 97 for the  
Subject Index for  
January—December 1998

## **Part I**

### **Agencies in this issue:**

The Governor  
The General Assembly  
The Courts  
Department of Banking  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Labor and Industry  
Department of Military and Veterans Affairs  
Department of Public Welfare  
Department of Transportation  
Environmental Quality Board  
Health Care Cost Containment Council  
Insurance Department  
Liquor Control Board  
Pennsylvania Public Utility Commission  
Public School Employes' Retirement Board  
Turnpike Commission

**Detailed list of contents appears inside.**

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

**No. 290, January 1999**

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**PENNSYLVANIA**



**BULLETIN**

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# Contents

## THE GOVERNOR

- Proclamation declaration of drought emergency in the Commonwealth and implementing measures . . . . 8

## THE GENERAL ASSEMBLY

- Recent actions during the 1998 regular session of the General Assembly . . . . . 12

## THE COURTS

### ALLEGHENY COUNTY RULES

- Rules of Court of Common Pleas; no. 3 of 1998 rules docket . . . . . 17

### CIVIL PROCEDURAL RULES

- Amendment of the rules relating to the support guidelines; no. 307 doc. no. 5 . . . . . 16  
Proposed Rule 229.1 governing judgment of non pros for inactivity; proposed recommendation no. 152 . . . . . 15

### LOCAL COURT RULES

#### Blair County

- Local rules for custody cases; no. 907, 1998 . . . . . 19

#### Clarion County

- Order amending local rules of procedure for civil actions; no. 1505-1998 . . . . . 24

## EXECUTIVE AGENCIES

### DEPARTMENT OF BANKING

#### Notices

- Action on applications . . . . . 25

### DEPARTMENT OF EDUCATION

#### Notices

- Application of the Academy of the New Church for approval of amendment of articles of incorporation; notice of opportunity for hearing and invitation to protest . . . . . 26  
Application of Philadelphia College of Textiles and Science for approval of amendment of articles of incorporation; notice of opportunity for hearing and invitation to protest . . . . . 26  
Request for proposals; professional development for the Pennsylvania academic standards . . . . . 26

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

- Applications, actions and special notices . . . . . 27  
Applications for the county water supply planning grant program . . . . . 67  
Applications for the formation of water authorities grant program . . . . . 67  
Availability of addendum to multipathway risk assessment report . . . . . 68

- Availability of final general plan approval and general operating permit for portable nonmetallic mineral processing plants (BAQ-PGPA/GP-3) . . . . . 68  
Availability of technical guidance . . . . . 68

### DEPARTMENT OF GENERAL SERVICES

#### Notices

- Contract awards . . . . . 93  
State contracts information . . . . . 86

### DEPARTMENT OF LABOR AND INDUSTRY

#### Notices

- Unemployment compensation benefit rate table . . . . . 69

### DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

#### Notices

- Revised income restrictions for admission to a Pennsylvania State Veterans' home . . . . . 76

### DEPARTMENT OF PUBLIC WELFARE

#### Notices

- Medical Assistance items and services requiring prior authorization . . . . . 76

### DEPARTMENT OF TRANSPORTATION

#### Notices

- Retention of engineering firms . . . . . 77

### ENVIRONMENTAL QUALITY BOARD

#### Notices

- Acceptance of rulemaking petition for study . . . . . 80

### HEALTH CARE COST CONTAINMENT COUNCIL

#### Notices

- Meeting notice . . . . . 80

### INSURANCE DEPARTMENT

#### Notices

- Highmark Inc. d/b/a Pennsylvania Blue Shield d/b/a Highmark Blue Cross Blue Shield; filing no. 98230000; proposed reduction to UCR level IIs (customary allowances) based on site-of-service . . . . 80  
Limit on cancellations, refusals to renew, refusals to write, surcharges, rate penalties and point assignments; no. 1999-01 . . . . . 81  
Regal Corrugated Box Company; hearing . . . . . 81  
Review procedure hearings; cancellation or refusal of insurance . . . . . 81  
The Fidelity Group, Inc., National Association of Business Owners and Professionals (NABOP); doc. no. MS98-12-011 . . . . . 82

### LIQUOR CONTROL BOARD

#### Notices

- Expiration of leases . . . . . 82

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

- Pennsylvania-American Water company—water service . . . . . 84

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Petition of RCN Telecom Services of Pennsylvania, Inc. (RCN) for designation as an eligible telecommunications carrier for the purpose of receiving universal service support; doc. no. P-00981578 ..... 83  
 Service of notice of motor carrier applications ..... 83

**PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD**

**Notices**  
 Hearings scheduled ..... 84

**TURNPIKE COMMISSION**

**Notices**  
 Request for bids ..... 84  
 Request for proposals ..... 84

# 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**  
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### **Printing Format**

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

### **Fiscal Notes**

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

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

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# 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 1999.

<b>231 Pa. Code (Rules of Civil Procedure)</b>		<b>252 Pa. Code (Allegheny County Rules)</b>	
<b>Adopted Rules</b>		Unclassified . . . . . 17	
1910 . . . . .	16		
<b>Proposed Rulemaking</b>		<b>255 Pa. Code (Local Court Rules)</b>	
200 . . . . .	15	Unclassified . . . . . 19, 24	



# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation Declaration of Drought Emergency in the Commonwealth and Implementing Measures

*Whereas*, a long and continuing period of unusually dry weather, abnormally low stream flows, and reduced groundwater levels have resulted in shortages of water supplies within Pennsylvania; and

*Whereas*, in accordance with criteria established by the Commonwealth Emergency Operations Plan for natural resource shortages, a review of climatic, hydrologic, and water supply conditions indicate the existence of a drought and water shortage emergency in Pennsylvania; and

*Whereas*, these conditions and water shortages may endanger the health, safety, and welfare of a significant number of Pennsylvania citizens, threaten our natural resources, and have created and threaten to create problems greater in scope than municipal and county governments alone may resolve; and

*Whereas*, conservation measures are necessary to reduce the severity of these water shortfalls and to protect the health, safety, and welfare of affected citizens in Pennsylvania;

*Therefore*, I, Thomas J. Ridge, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution, the Emergency Management Services Code, 35 Pa.C.S.A. Section 7101 et seq., as amended, and other laws of the Commonwealth, do hereby declare, order, direct, and certify as follows:

1. A state of drought and water shortage emergency exists in all of the following counties: Bedford, Blair, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Jefferson, Lycoming, Snyder and Somerset. These counties constitute the designated drought emergency area.

2. I hereby transfer up to \$500,000 in unused appropriated funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for drought-related expenses incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. All Commonwealth agencies purchasing supplies or services in response to this drought emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code. Act of May 15, 1998, P. L. 358, No. 57, § 516. This Proclamation shall serve as the written determination of the basis for the emergency under Section 516.

3. During the period of this drought and water shortage emergency, the Pennsylvania Emergency Management Agency and Pennsylvania Emergency Management Council are authorized and directed to do the following:

a. implement the regulations set forth in 4 Pa. Code Chapters 118, 119, and 120, consistent with the provisions of the Pennsylvania Emergency Operations Plan and all other applicable state, county, and municipal disaster emergency management plans;

b. prohibit and restrict nonessential uses of water;

c. require the submission of drought and water shortage contingency plans by public water supply agencies located within the designated drought emergency area in cooperation with the governing body of each political subdivision where they provide services;

d. provide for contingency plans to conserve water and energy through the reduction of major water uses, where necessary, within the designated drought emergency area in Pennsylvania;

e. require the development and adoption of local water rationing plans, as defined in 4 Pa. Code Chapter 120, by water purveyors, public water supply

agencies and governing bodies of political subdivisions within the designated drought emergency area, when deemed necessary to meet local conditions; and

f. require the development and adoption of contingency plans by self-supplied commercial and industrial water risers in cooperation with local governing bodies that will provide for the reduction of major water users where necessary, through the mandatory implementation of specific water conservation measures within the designated drought emergency area.

4. The Pennsylvania Department of Environmental Protection is authorized to issue orders or take other appropriate actions to do the following:

a. order temporary modification of conditions in existing water withdrawal permits, including restrictions in the timing or quantity of water use;

b. supervise the storage and release of water in public and private reservoir facilities subject to State regulation;

c. require emergency and permanent interconnection of public and private water systems and prescribe the delivery of water through such interconnections;

d. regulate the diversion and withdrawal of water in the designated drought emergency area in excess of such quantities as may be prescribed by order or regulation, including the establishment of requirements for emergency withdrawal permits; and

e. cooperate with the Pennsylvania Emergency Management Agency and Federal agencies responsible for operation of Federal Reservoir facilities to develop and implement emergency schedules for storage and release of water.

5. The Pennsylvania Emergency Management Agency, the Department of Environmental Protection, Department of Military and Veterans Affairs, the Public Utility Commission, and all other agencies of the Commonwealth are authorized, ordered and directed to adopt and enforce such rules, regulations or orders as necessary to carry out their respective responsibilities and functions under this Proclamation, to adopt, amend and enforce such rules, regulations or orders under their respective statutory authorities as may be reasonably necessary to assist in responding to this water shortage, and to cooperate with all applicable River Basin Commissions in implementing and enforcing the drought and water shortage emergency orders and measures undertaken by those Commissions.

6. The Commonwealth Drought Coordinator, appointed under the provisions of the Commonwealth Emergency Operations Plan, is authorized and directed to carry out all functions, duties and responsibilities specified by the Plan and this Proclamation, and generally to assist the Pennsylvania Emergency Management Agency in coordinating and directing State Agency response to the drought emergency. The Pennsylvania Emergency Management Council shall review the actions of the Commonwealth Drought Coordinator.

7. Each public water supply agency located within the designated drought emergency area is hereby directed to develop a contingency plan in cooperation with the local governing body where it provides services in order to balance demand and available supplies and to assure that sufficient water is available to preserve public health and safety. The contingency plan shall establish equitable water use restrictions for residential, commercial, industrial and other water uses together with appropriate implementing arrangements. The contingency plan must be completed and submitted to the Department of Environmental Protection within thirty (30) days of the date of this Proclamation. If a public water supply agency has a contingency plan, it shall review the plan in cooperation with the local governing body for coordination purposes. The plan review shall be completed within thirty (30) days of the date of this Proclamation and the Department of Environmental Protection notified of such action.

8. The Pennsylvania Emergency Management Agency is directed to activate and coordinate state agencies and intergovernmental compliance and conservation efforts. The Pennsylvania Emergency Management Council is authorized to adopt and promulgate Local Water Rationing Plans, in accordance with the following:

a. As part of its drought contingency plan, each public water supply agency or water purveyor located within the designated drought emergency area is hereby authorized to develop a Local Water Rationing Plan in cooperation with the local governing body as may be necessary to balance demand and available supplies and to assure that sufficient water is available to preserve public health and safety. The Local Water Rationing Plan, as described in 4 Pa. Code Chapter 120, may:

(1) prohibit nonessential water uses, and

(2) establish equitable water use restrictions for residential, commercial, industrial and other water uses together with appropriate implementing arrangements.

b. Each public water supply agency located within the designated drought emergency area may prepare and submit its Local Water Rationing Plan, as part of its contingency plan to the local governing body in which it supplies water. The local governing body shall review and finalize concurrence of the Rationing Plan and contingency plans as required by Paragraph 7 above, and shall submit the plan to the Pennsylvania Emergency Management Council for its review and approval within thirty (30) days of the date of this Proclamation.

c. Any measures, rules, restrictions or orders contained in a Local Water Rationing Plan that may be developed by public water supply agencies and/or political subdivisions, pursuant to this Proclamation, shall be enforceable only upon submission to and adoption by the Pennsylvania Emergency Management Council, without limitation on any other remedies which may be available for noncompliance with such measures, rules, restrictions and orders.

d. It shall be the duty of every person in, or doing business in, the designated drought emergency area; the officers, agencies and employees of every public water supply agency; the members of the governing bodies and the officials, agents and employees of every political subdivision in the designated drought emergency area; and the officers and employees of all State agencies, to cooperate fully in all matters concerning this water shortage, and faithfully to exercise their respective duties and responsibilities to respond to the water shortage as set forth in this Proclamation and each Local Water Rationing Plan which may be developed.

9. For the purpose of promulgating or amending rules, regulations, and Local Water Rationing Plans authorized and directed by this Proclamation, such rules, regulations and plans may be adopted and rendered effective pursuant to the expedited procedures in sections 203 and 204 of the Commonwealth Documents Law Act of July 31, 1968, P. L. 769, No. 240, as amended, (45 P. S. §§ 1203, 1204) (relating to omission of proposed rule-making) and pursuant to the emergency procedures provided by Section 6(b) of the Regulatory Review Act (Act of June 25, 1982, P. L. 633, No. 181, as amended, 71 P. S. § 745.6(b)).

10. Any rule, regulation, contingency plan, or Local Water Rationing Plan adopted pursuant to this Proclamation may be amended, relaxed, suspended or repealed pursuant to the same procedures set forth in this Proclamation and without regard to said statutes, regulations and executive orders, if compliance with such procedures is impracticable, would impose unnecessary hardships, or would be unnecessary or contrary to the public interest.

11. If any provision of the Public Utility Code or any other statute, administrative order, rule or regulation relating to operation and management of water supplies is inconsistent with the requirements of this Proclamation or any rule, regulation, contingency plan, Local Water Rationing Plan or order issued pursuant hereto, or if strict compliance with such

provisions would prevent, hinder or delay necessary action to cope with the emergency, then such provision is hereby suspended for the duration of this Proclamation.

12. For purposes of undertaking effective response to the drought and water shortage emergency and to allow for expedited development of emergency replacement of supplemental water supplies and to protect against possible energy shortages, the Department of Environmental Protection, Department of Health, Public Utility Commission, Pennsylvania Infrastructure Investment Authority and Department of Community and Economic Development are authorized to issue such emergency permits or approvals as required by law, without regard to the procedures set forth in the Act of February 17, 1984 (P. L. 75, No. 14) (71 P. S. § 510-5) or to any other applicable statute, regulation or executive order, if compliance with such procedures is impracticable or would be contrary to the public interest.

13. All residents of the Commonwealth are urged to conserve water on a voluntary basis and to comply with water use restrictions requested or imposed by the public water supply agencies servicing their areas in order to prevent further water shortages.

14. All county commissioners of counties located within the designated drought emergency area shall establish a drought management task force within their county. The county task force shall coordinate, monitor, and manage all drought reporting and response activities and water conservation measures undertaken within their county as necessary to ensure the provision of safe and reliable drinking water sources. The county task forces shall be comprised of county emergency management officials, public water supply agency representatives, elected officials, health officials, fire officials, law enforcement officials, affected business and industry representatives and others as the county may determine. The county commissioners will monitor, coordinate, initiate and report to the Pennsylvania Emergency Management Council on county task force activities to include but not limited to public information, planning, water system vulnerabilities, enforcement coordination, fire protection, and other areas of public concern.

15. The Pennsylvania State Police, all local law enforcement departments, county and state fire marshals, other state employees with law enforcement authority and public water supply agencies shall assist the Pennsylvania Emergency Management Council and all affected political subdivisions within the designated drought emergency area, in the enforcement of the various water use restrictions, Local Water Rationing Plans and other measures that are implemented under this Proclamation.

16. This Proclamation shall take effect immediately.

*Given* under my hand and the Seal of the Governor, at the City of Harrisburg, this 16th day of December in the year of our Lord, one thousand nine hundred and ninety-eight and of the Commonwealth, the two-hundred and twenty-third.

*Governor*

[Pa.B. Doc. No. 99-1. Filed for public inspection December 31, 1998, 9:00 a.m.]

# THE GENERAL ASSEMBLY

## Recent Actions During the 1998 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 1998 Regular Session.

### 1998 ACTS—ACTS 126 through 174 (numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1998-126	Dec. 15	HB1897	PN4149	Immediately*	Judicial Code (42 Pa.C.S.)—omnibus amendments
1998-127	Dec. 15	HB1992	PN4148	Immediately*	Domestic Relations Code (23 Pa.C.S.)—omnibus amendments
1998-128	Dec. 15	HB2664	PN4081	60 days	Judicial Code (42 Pa.C.S.)—court-appointed special advocates in juvenile matters
1998-129	Dec. 16	HB2024	PN4170	Immediately	Police Officer, Firefighter, Correction Employee and National Guard Member Child Beneficiary Education Act—enactment
1998-130	Dec. 21	SB56	PN55	Immediately	Noise pollution—immunity from nuisance actions
1998-131	Dec. 21	SB94	PN2252	60 days	Mortgage Bankers and Brokers Act—omnibus amendments
1998-132	Dec. 21	SB95	PN2309	Immediately*	Savings Association Code of 1967—omnibus amendments
1998-133	Dec. 21	SB510	PN2194	60 days	Real Estate Tax Sale Law—omnibus amendments
1998-134	Dec. 21	SB512	PN2300	60 days	Housing Authorities Law—taxes and municipal utility bills payment
1998-135	Dec. 21	SB541	PN2163	60 days	Third Class City Code—property maintenance ordinances adoption authorization and fines and penalties
1998-136	Dec. 21	SB619	PN2288	60 days	Social Workers, Marriage and Family Therapists and Professional Counselors Act—omnibus amendments
1998-137	Dec. 21	SB1011	PN2313	Immediately	Conveyance—Commonwealth property in Allegheny, Bedford, Cambria, Columbia, Delaware, Fayette, Lycoming, Montgomery, Warren, Venango and Wayne counties and the City of Philadelphia
1998-138	Dec. 21	SB930	PN2256	60 days	Agricultural Area Security Law—omnibus amendments
1998-139	Dec. 21	SB1193	PN2314	60 days	Roxanne H. Jones Avenue, 78th Division Highway, POW/MIA Remembrance Highway, Prisoner of War/Missing in Action Highway and Arthur F. Detisch Memorial Bridge—designation
1998-140	Dec. 21	SB1200	PN2259	Immediately*	American Ex-Prisoners of War Highway, Bernard J. Dombrowski Memorial Highway, Nittany Parkway, Senator Clarence F. Manbeck Bridge, James Dicosimo Bypass, Standing Stone Parkway, 94th Infantry Division Memorial Highway and Ben Weaver Bridge—designation
1998-141	Dec. 21	SB1205	PN2305	Immediately	Associations Code (15 Pa.C.S.) and Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—omnibus amendments
1998-142	Dec. 21	SB1218	PN2306	Immediately	Conveyance—Commonwealth property in Washington, Montgomery and Franklin counties
1998-143	Dec. 21	SB1239	PN2307	60 days	Pennsylvania Board of Probation and Parole Law—omnibus amendments

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1998-144	Dec. 21	SB1262	PN1916	Immediately*	Judicial Code (42 Pa.C.S.)—commencement of actions within 6 months and deficiency judgments
1998-145	Dec. 21	SB1373	PN1783	60 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—revisions and repeals relating to motor vehicle chop shops and illegally obtained and altered property
1998-146	Dec. 21	SB1461	PN2290	Jan. 1, 1999	Second Class County Code—omnibus amendments
1998-147	Dec. 21	SB1495	PN2115	Immediately	Conveyance—Commonwealth property in Erie County
1998-148	Dec. 21	SB1529	PN2308	Immediately	Conveyance—Commonwealth property in Potter and Centre counties
1998-149	Dec. 21	HB148	PN4191	60 days	Crimes Code (18 Pa.C.S.)—omnibus amendments
1998-150	Dec. 21	HB366	PN4192	Immediately*	Insurance Company Law of 1921, The—omnibus amendments
1998-151	Dec. 21	HB433	PN4186	Immediately*	Vehicle Code (75 Pa.C.S.)—omnibus amendments
1998-152	Dec. 21	HB501	PN3990	60 days	Senior Citizen Advisory Committee Act — enactment
1998-153	Dec. 21	HB558	PN4168	60 days*	Hearing Aid Sales Registration Law—omnibus amendments
1998-154	Dec. 21	HB601	PN4190	Immediately*	Public School Code of 1949—omnibus amendments
1998-155	Dec. 21	HB613	PN4172	Immediately	Liquor Code—omnibus amendments
1998-156	Dec. 21	HB680	PN4080	Immediately	Pennsylvania Farmland and Forest Land Assessment Act of 1974—omnibus amendments
1998-157	Dec. 21	HB689	PN4195	60 days	Crimes Code (18 Pa.C.S.)—omnibus amendments
1998-158	Dec. 21	HB1064	PN3615	60 days	Child Labor Law—entertainment, rehearsals, permits, applications, appeals and volunteer fire company activities
1998-159	Dec. 21	HB1272	PN4193	60 days	Crimes Code (18 Pa.C.S.)—aggravated assault and retaliation against prosecutor or judicial official
1998-160	Dec. 21	HB1426	PN4189	60 days	Housing Finance Agency Law—homeowner's emergency assistance
1998-161	Dec. 21	HB1473	PN4054	60 days	Asbestos Occupations Accreditation and Certification Act—contractor licensing requirements
1998-162	Dec. 21	HB1628	PN4167	Immediately	Public accounts and monies—deferred compensation plans of Commonwealth and political subdivisions
1998-163	Dec. 21	HB1636	PN4174	90 days	History Code (37 Pa.C.S.)—Brandywine Battlefield and Washington Crossing Park Commissions abolishment and transfer of powers and duties to Pennsylvania Historical and Museum Commission
1998-164	Dec. 21	HB1715	PN4178	30 days	Prothonotary Fee Law—establishment, modification and addition of fees
1998-165	Dec. 21	HB1937	PN4125	Immediately	Conveyance—Commonwealth property in Erie County
1998-166	Dec. 21	HB1994	PN4140	Immediately*	Game and Wildlife Code (34 Pa.C.S.)—omnibus amendments

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1998-167	Dec. 21	HB2005	PN3697	Immediately	Consumer Discount Company Act—omnibus amendments
1998-168	Dec. 21	HB2038	PN4147	Immediately*	Minimum Wage Act of 1968—food service employee incentive program establishment
1998-169	Dec. 21	HB2200	PN4150	Dec. 31, 1999	Local Tax Collection Law—tax collection and payment and settlement of duplicates and audits
1998-170	Dec. 21	HB2243	PN2965	60 days	Repeals—obsolete law relating to appointment, organization and discipline of volunteer police officers during war with Germany
1998-171	Dec. 21	HB2258	PN4141	60 days	Pennsylvania Board of Probation and Parole Law—supervision of persons paroled in other states
1998-172	Dec. 21	HB2354	PN4187	Immediately	Capital Budget Act of 1998-1999—omnibus amendments
1998-173	Dec. 21	HB2703	PN4175	Jan. 1, 1999	Commerce and trade—sales representatives and principals agreements, contracts and commissions
1998-174	Dec. 21	HB2858	PN4194	60 days	Community and Economic Improvement Act—enactment

\* with exceptions

#### Effective Dates of Statutes

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

#### Advance Copies of Statutes

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

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

#### Legislative Bills and Documents

Copies of Senate Bills and Documents may be obtained from: Document Room, Senate of Pennsylvania, Room 34A, Main Capitol Building, Harrisburg, PA 17120, (717) 787-6732.

Copies of House Bills and Documents may be obtained from: Document Room, House of Representatives, 35 Main Capitol Building, Harrisburg, PA 17120, (717) 787-5320.

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

[Pa.B. Doc. No. 99-2. Filed for public inspection December 31, 1998, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[231 PA. CODE CH. 200]

#### Proposed Rule 229.1 Governing Judgment of Non Pros for Inactivity; Proposed Recommendation No. 152

The Civil Procedural Rules Committee proposes that the Rules of Civil Procedure be amended by adding new Rule 229.1 governing Judgment of Non Pros for Inactivity. The recommendation is being published to the bench and bar for comments and suggestions prior to its submission to the Supreme Court.

All communications in reference to the proposed recommendation should be sent not later than March 1, 1999 to: Harold K. Don, Jr., Esquire, Counsel, Civil Procedural Rules Committee, 5035 Ritter Road, Suite 700, Mechanicsburg, Pennsylvania 17055, or E-Mail to [civil.rules@supreme.court.state.pa.us](mailto:civil.rules@supreme.court.state.pa.us).

The Explanatory Comment which appears in connection with the proposed recommendation 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.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

#### Rule 229.1. Judgment of Non Pros for Inactivity.

(a) Not earlier than two years after the commencement of an action, a party may file a petition seeking the entry of a judgment of non pros for inactivity if the party has given at least ninety days written notice to every other party of the intention to file the petition. The written notice shall be in the form prescribed by subdivision (c) of this rule. A copy of the written notice shall be attached to the petition.

(b) The court may grant the relief sought if

(1) the party against whom judgment is sought has shown a lack of due diligence by failing to proceed with reasonable promptitude both before and after receiving the written notice required by subdivision (a);

(2) there is no compelling reason for the delay; and

(3) the delay has caused actual prejudice to the petitioner.

**Official Note: Rule 229.1 is derived from *James Brothers Lumber Co. v. Union Banking and Trust*, 432 Pa. 129, 247 A.2d 587 (1968) as reaffirmed in *Jacobs v. Halloran, et al.*, 551 Pa. 350, 710 A.2d 1098 (1998).**

The activity sufficient to demonstrate the diligent prosecution of a case may be on the docket, outside the record or both. For example, mediation or settlement negotiations between the parties are

activities that progress the case toward resolution but do not appear on the docket.

The prejudice to the defendant caused by the delay must be actual and not presumed.

“A party who seeks the equitable relief provided by the entry of a judgment of non pros must do so with clean hands,” *Jacobs v. Halloran, et al.*, 551 Pa. at \_\_\_, 710 A.2d at 1103 (1998).

(c) The notice required by subdivision (a) shall be substantially in the following form:

(CAPTION)

To: \_\_\_\_\_

(Plaintiff)

(NOTE: Serve on unrepresented plaintiff or on plaintiff's attorney)

Date of Notice: \_\_\_\_\_

#### IMPORTANT NOTICE

**NINETY DAYS AFTER THE DATE OF THIS NOTICE, THE UNDERSIGNED INTENDS TO FILE A PETITION SEEKING THE ENTRY OF A JUDGMENT OF NON PROS PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE NO. 229.1 UNLESS YOU TAKE SUFFICIENT STEPS TO DILIGENTLY PROSECUTE THIS ACTION.**

\_\_\_\_\_  
(Signature of Defendant or Attorney)

\_\_\_\_\_  
(Address)

#### Explanatory Comment

Proposed Rule 229.1 establishes the procedure for obtaining a judgment of non pros for inactivity. The rule incorporates the three prong test of *Jacobs v. Halloran, et al.*, 551 Pa. 350, \_\_\_\_, 710 A.2d 1098, 1103 (1998):

To dismiss a case for inactivity pursuant to a defendant's motion for non pros there must first be a lack of due diligence on the part of the plaintiff in failing to proceed with reasonable promptitude. Second, the plaintiff must have no compelling reason for the delay. Finally, the delay must cause actual prejudice to the defendant.

Two aspects of the rule should be noted. First, this rule contemplates activity which progresses a case toward resolution whether or not that activity is noted in a docket entry. Second, there is no presumption of prejudice arising from a specific time period of inactivity. A party must show actual prejudice to the ability to defend the case in addition to a lack of due diligence which is unexcused. This is in accord with the *Jacobs* case which held that “the equitable principles underlying the entry of a judgment of non pros must be recognized and the presumption of prejudice first enunciated in *Penn Piping, Inc., v. Insurance Company of North America*, 529 Pa. 350, 603 A.2d 1006 (1992), must be abandoned.” *Jacobs v. Halloran, et al.*, 551 Pa. at \_\_\_\_, 710 A.2d at 1100 (1998).

The rule introduces the concept of a ninety-day notice to be given to all parties of the intention to file a petition for the entry of a judgment of non pros after ninety days. This notice requirement is designed to alert the parties to



the lack of activity in the action. Under the proposed rule, due diligence after notice has been given is sufficient to avoid the entry of the judgment and, in many cases, it is likely that the notice will be sufficient to cause the parties to move the case forward, thereby avoiding the necessity of filing a petition.

*By the Civil Procedural Rules Committee*

EDWIN L. KLETT,  
*Chairperson*

[Pa.B. Doc. No. 99-3. Filed for public inspection December 31, 1998, 9:00 a.m.]

**PART I. GENERAL**

**[231 PA. CODE CH. 1910]**

**Amendment of the Rules Relating to the Support Guidelines; No. 307 Doc. No. 5**

**Order**

*Per Curiam:*

Now, this 18th day of December 1998, the Pennsylvania Rules of Civil Procedure are amended as follows:

- 1. Rules 1910.2, 1910.18, and 1910.50 are amended as follows.
- 2. Rule 1910.8 is rescinded as follows.
- 3. The Notes to Rules 1910.2, 1910.18, and 1910.50 are amended as follows.

This order shall be processed in accordance with Pennsylvania Rule of Judicial Administration 103(b) and shall be effective January 1, 1999.

**Annex A**

**TITLE 231. RULES OF CIVIL PROCEDURE**

**PART I. GENERAL**

**CHAPTER 1910. ACTIONS FOR SUPPORT**

**Rule 1910.2. Venue. Transfer of Action.**

(a) An action may be brought in **[ any county in which ]**

- (1) **the county in which** the defendant resides, or
- (2) **the county in which** the defendant is regularly employed, or
- (3) **the county in which** the plaintiff resides and that county is the county in which the last **[ family ] marital** domicile was located and in which the plaintiff has continued to reside, or
- (4) **the county in which the child resides if the relief sought includes child support.**

(b) Where jurisdiction is acquired over the defendant pursuant to the long arm statute, 23 Pa.C.S. [A] § 4342(c) **[ and d ]**, the action may be brought in the county where the plaintiff resides **[ whether or not the parties maintained a family domicile in that county ]**.

**Official Note: 23 Pa.C.S. § 7201 sets forth the specific bases for long arm jurisdiction over a non-resident defendant.**

**(c) If, at the time of the filing of the action, there is a divorce or custody action pending between the parties in an appropriate court in another county, the court upon good cause shown may transfer the support action to that county.**

**(d) For the convenience of the parties and witnesses the court may transfer an action to the appropriate court of any other county where the action could have been brought at the time of transfer.**

**Official Note: The standards for transfer of an action for the convenience of parties and witnesses are the same as the standards under Rule 1006(d).**

**(e) If neither party to an action presently resides in the county where the action is pending or a support order is in effect, and the defendant-obligor is not employed in that county, the court may transfer the action or order or both to any county where either party resides or where the defendant-obligor is regularly employed.**

**(f) It shall be the duty of the domestic relations section of the court in which the action is pending to forward to the domestic relations section of the court to which the action is transferred all papers filed in the action and a certified copy of the docket entries.**

**(g) A support order may be enforced in accordance with the Uniform Interstate Family Support Act, 23 Pa.C.S. § 7101 et seq., if the defendant resides outside the Commonwealth, or in accordance with the Intrastate Family Support Act, 23 Pa.C.S. § 8101 et seq., if the defendant resides in another county within the Commonwealth.**

**Rule 1910.8. [ Transfer of Action ] Rescinded.**

**Official Note: The provisions in this Rule now appear in Rule 1910.2(d) through (f).**

**Rule 1910.18. Support Order. Subsequent Proceedings.**

(a) Subsequent proceedings to modify or terminate a support order pursuant to Rule 1910.19 shall be brought in the court which entered the order. If the action has been transferred pursuant to **[ Rule 1910.8 ] Rule 1910.2** following the entry of a support order, subsequent proceedings shall be brought in the court to which the action was transferred.

\* \* \* \* \*

**Rule 1910.50. Suspension of Acts of Assembly.**

The following Acts or parts of Acts of Assembly are suspended insofar as they apply to the practice and procedure in an action for support:

(1) Section 3 of the Support Law of June 24, 1937, P. L. 2045, 62 P. S. § 1973, insofar as it provides a procedure to enforce the liability of relatives for the support of an indigent person; **[ and ]**

**(2) Section 4 of Act 1996-20, 23 Pa.C.S. § 4342, insofar as it provides that long arm jurisdiction shall be used in preference to proceedings under Part VIII-A relating to intrastate family support actions; and**

**[ (2) ] (3) All Acts or parts of Acts of Assembly inconsistent with these rules to the extent of such inconsistency.**

*ALL existing explanatory notes and comments pertaining to the rule listed below are replaced by the following:*

**Explanatory Comment—Rule 1910.2**

The amendments to this Rule are intended to implement the Uniform Interstate Family Support Act (UIFSA) and the Intrastate Family Support Act (IFSA) to facilitate the fair and prompt establishment of child support by means of encouraging the support litigation to take place as a local action in one forum only. Under the former rule, venue in support matters was in the county where the defendant lived or worked, or in the county where the plaintiff lived if that county was the last family domicile. The amended Rule expands the circumstances under which venue lies in the county in which plaintiff resides. If the action is one for spousal and child support or child support only, plaintiff may bring the action in the county in which the child resides regardless of whether that county was the last family domicile. The defendant will be required to defend the action there unless he or she can establish sufficient grounds for transfer of the action pursuant to subdivisions (c) through (e) of the proposed rule. It is important to note, however, that the court may always permit a party or witness to testify by telephone, audiovisual or other electronic means at specially designated locations. 23 Pa.C.S. § 4342(j).

If plaintiff seeks spousal support only, then venue continues to lie in plaintiff's county only if that county was also the last marital domicile.

Subdivisions (c) through (e) identify the circumstances under which a support action may be transferred to another county. New subdivision (c) is designed to avoid multiple claims from being litigated in different counties. Subdivisions (d) through (f) are adopted verbatim from former Rule 1910.8 and were moved to Rule 1910.2 only for the convenience of the practitioner in resolving questions of venue.

**Explanatory Comment—Rule 1910.18**

Rule 1910.18 clarifies the question of jurisdiction which arises where parties wish to proceed for termination, modification or enforcement in counties other than the county which entered the order. Section 6710 of the Judicial Code provides that the county which entered the original order continues to retain jurisdiction for termination, modification or enforcement. Section 6710 also provides that this shall not limit the right of the plaintiff to "institute additional proceedings" in any county where the defendant resides or where his or her property is located. Additionally, Rule 1910.2(g) permits enforcement of a support order in accordance with the Intrastate Family Support Act, 23 Pa.C.S. § 8101 et seq., if the defendant resides in another county within the Commonwealth.

There will be instances where the parties no longer reside in the original county. In this situation, Rule 1910.18 permits a party to seek transfer of the entire matter under Rule 1910.2 and authorizes the transferee county to modify, terminate or enforce the order. There may be other instances where the parties retain some connection with the county which entered the order but circumstances require the enforcement of the order in another county. In such a case, the plaintiff, without an order of court may transfer the support order and seek enforcement under the Uniform Intrastate Family Support Act or the Transfer of Judgment Rule 3001 et seq.

**Explanatory Comment—Rule 1910.50**

Insofar as long arm jurisdiction is an issue that arises only in the context of interstate cases in which the

defendant resides outside of the Commonwealth, the language in 23 Pa.C.S. § 4342(c) implying that it has relevance to intrastate support cases is suspended.

[Pa.B. Doc. No. 99-4. Filed for public inspection December 31, 1998, 9:00 a.m.]

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

#### Rules of Court of Common Pleas; No. 3 of 1998 Rules Docket

##### Order Amending Local Rules of Court

*And Now*, to wit, this 15th day of December, 1998, pursuant to action of the Board of Judges and effective thirty days after publication in the *Pennsylvania Bulletin*, the following Allegheny County Rules of Civil Procedure are hereby amended:

General Docket: 1018.1 \*(a). Notice to Defend Form.

Arbitration: 1303. Hearing. Notice.

*By the Court*

ROBERT E. DAUER,  
*President Judge*

##### Rule 1018.1. Notice to Defend Form.

(a)\*(1). Every complaint filed in the Arbitration Section of this Court, whether filed by a plaintiff against a defendant or by a defendant against an additional defendant, shall contain a Hearing Notice in substantially the form set forth in Local Rule 1303(a)\*(2). The Hearing Notice shall immediately precede the Notice (to Defend) which is required by subdivision (b) of the state portion of this rule.

(2). This local rule does not apply to Small Claims, which include appeals from District Justices where the damages claimed, exclusive of interest, do not exceed the sum of \$3,000.00 and Civil Actions where the damages claimed, exclusive of interest, do not exceed the sum of \$3,000.00. The procedures governing Small Claims are set forth in Local Rule 1019\*(b).

(b). See Form for Local Rule 1303(a)\*(2).

(c)\*(1). The agency to be named in the notice accompanying complaints filed in the Court of Common Pleas of Allegheny County, Pennsylvania, the agency to be named in the Notice of Praecepto to Enter Judgment of Non Pros required by Rule 237.4, and the agency to be named in the Notice of Praecepto to Enter Judgment by Default required by Rule 237.5 shall be:

Lawyer Referral Service  
The Allegheny County Bar Association  
920 City-County Building  
414 Grant Street  
Pittsburgh, PA 15219  
Telephone: (412) 261-5555

##### Rule 1303. Hearing. Notice. Continuances.

(a)\*(1) Hearings shall be held in the Court House or other County facility. The Prothonotary shall affix the date, time and place of hearing before a Board of Arbitrators by placing said information on the Complaint

which is filed and on the copies of the Complaint which are to be served upon all other parties.

(2) The written Hearing Notice required by paragraph \*(1) of this rule, for cases that are not Small Claims shall be in substantially the form [on page \_\_\_\_.]

(3) The written Hearing Notice for Small Claims required by paragraph \*(1) of this rule shall be in substantially the form [on page \_\_\_\_.]

**ACBA Court Rules Committee Note:** For the definition of Small Claims, see Local Rule 1018.1.

(b) Immediately before the time set for hearing, the Arbitration Clerk shall assign cases to each Board of Arbitrators and shall designate the room in which the cases are to be heard.

**ACBA Court Rules Committee Note:** As to Continuances, see Rule A249.

Form for Local Rule 1303\*(a)(3) [Small Claims]:

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

\_\_\_\_\_ ARBITRATION DOCKET  
 \_\_\_\_\_ NO. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Plaintiff(s)  
 HEARING DATE \_\_\_\_\_  
 vs.  
 \_\_\_\_\_  
 Defendant(s)

**HEARING NOTICE**

YOU HAVE BEEN SUED IN COURT. The Notice to Defend set forth below explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing on the Complaint and your defenses will take place in Room 523 of the Allegheny County Courthouse, 436 Grant Street, Pittsburgh, Pennsylvania, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at 9:00 a.m. IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGEMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.

If you file the response BUT FAIL TO APPEAR AT THE HEARING, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT YOU BEING PRESENT. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

**NOTICE TO DEFEND**

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the attached copy of the suit papers, YOU MUST complete and detach two of the copies of the attached "Notice of Intention to Appear". One completed copy of the "Notice of Intention to Appear" must be filed or mailed to the Prothonotary's Office, First Floor, City-County Building, 414 Grant Street, Pittsburgh, PA 15219 and the other completed copy must be mailed to:

\_\_\_\_\_ within TWENTY (20) days after these papers were served on you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

LAWYER REFERRAL SERVICE  
 The Allegheny County Bar Association  
 920 City-County Building, 414 Grant Street  
 Pittsburgh, PA 15219  
 Telephone: (412) 261-5555.

YOU MUST RESPOND TO THIS COMPLAINT WITHIN TWENTY (20) DAYS OR A JUDGMENT FOR THE AMOUNT CLAIMED MAY BE ENTERED AGAINST YOU BEFORE THE HEARING. IF YOU DO NOT APPEAR FOR THE HEARING, THE CASE MAY BE HEARD IMMEDIATELY BEFORE A JUDGE. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

Form for Local Rule 1303\*(a)(2):
IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION

ARBITRATION DOCKET
NO. - -
Plaintiff
HEARING DATE
vs.
Defendant

HEARING NOTICE

YOU HAVE BEEN SUED IN COURT. The Notice to Defend set forth below explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing on the Complaint and your defenses will take place in Room 523 of the Allegheny County Courthouse, 436 Grant Street, Pittsburgh, Pennsylvania, on the day of , at 9:00 a.m. IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.

If you file the response, BUT FAIL TO APPEAR AT THE HEARING, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT YOU BEING PRESENT. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within TWENTY (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

LAWYER REFERRAL SERVICE
The Allegheny County Bar Association
920 City-County Building, 414 Grant Street
Pittsburgh, PA 15219
Telephone: (412) 261-5555.

YOU MUST RESPOND TO THIS COMPLAINT WITHIN TWENTY (20) DAYS OR A JUDGMENT FOR THE AMOUNT CLAIMED MAY BE ENTERED AGAINST YOU BEFORE THE HEARING. IF YOU DO NOT APPEAR FOR THE HEARING, THE CASE MAY BE HEARD IMMEDIATELY BEFORE A JUDGE. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

[Pa.B. Doc. No. 99-5. Filed for public inspection December 31, 1998, 9:00 a.m.]

Title 25—LOCAL
COURT RULES

BLAIR COUNTY

Local Rules for Custody Cases; No. 907, 1998

Order

Now, this 9th day of December, 1998, it appearing that this Court should establish procedures which will provide to parties involved in custody cases in the Court the opportunity for access to systems through which resolution of their controversies may be accomplished via mediation and agreement while providing full accessibility to the opportunity for litigation before the Court this Court concludes that the following Order is appropriate:

It Is Hereby Ordered, Directed and Decreed that this Local Rules for Custody Cases (following hereto and made

part hereof) are adopted and shall be applicable to all custody proceedings filed in this Court after the thirtieth (30th) day after the publication of said Rules in the Pennsylvania Bulletin as required by the Supreme Court of Pennsylvania.

By the Court

THOMAS G. PEOPLES, Jr.,
President Judge

Rule 1915.3. Commencement of Action. Complaint. Order.

All actions for custody, partial custody and visitation of minor children, including divorce complaints, shall be commenced by the filing of a verified complaint and scheduling order as required by Pa.R.C.P. 1915.3 and Local Rule 1915.3 (FORM 1).

Rule 1915.20. Custody Conciliation Process.

a) The parties and/or their counsel shall attend the intake conference which shall be conducted by the Intake

Officer or designated individual within approximately forty-five (45) days after the filing of the Complaint or Modification Petition so the parties will have had an opportunity to attend the Children First Program in accordance with Local Rule 1915.3.

*Comment—1998*

The Intake Conference is not a hearing, but an opportunity for parents to reach agreement early in the custody process. No evidence or testimony is presented. The goal of the Intake Conference is (1) to assist the parties in identifying areas of agreement and disagreement and sharing parenting responsibilities and (2) develop a parenting plan that best suits them and their children.

b) All agreements reached at Intake Conference shall be reduced to a Consent Agreement. (FORM 2).

c) If agreement on all issues is not reached, then a temporary agreement may be entered into by the parties and a Conciliation Conference scheduled to further address the unresolved issues.

d) The Conciliation Conference will be conducted by the Custody Conciliator, whose role is to actively engage the parties in reaching a custody agreement using mediation skills and techniques.

*Comment—1998*

A Conciliation Conference is informal, with no record created or testimony elicited from parties or witnesses and is scheduled for 1 1/2 hours for one (1) or two (2) sessions as needed. The parties are given the opportunity to present the issues or problems and explore all available options for resolution.

e) A Consent Agreement form will be completed and signed when reached. (FORM 2). Any unresolved issues are to be negotiated to a temporary agreement that the parties can live with or the Conciliator will forward a Referral for Temporary Order to the Court that shall become a final order unless a request for Evidentiary Hearing is filed. The Temporary Order will include all areas of prior agreement.

f) Participation will be limited to the parties and/or their counsel. All participants must act in a cooperative manner and comply with the directives of the person conducting the conference.

g) Any attorney who attends Intake and/or a Conciliation Conference with a client will participate consistent with the following:

1) The primary duty of the attorney will be to counsel and advise the client rather than to advocate.

2) Attorneys shall fully cooperate with the efforts of the Intake Officer and/or Custody Conciliator to facilitate the agreement of the parties.

3) Attorneys shall advise their clients in a manner not disruptive of the conciliation process, which will ordinarily require consulting with the client outside the conference room.

4) Counsel shall at all times behave in a professional manner and refrain from engaging in hostile or antagonistic conduct directed toward any conference participant.

5) Attorneys shall not engage in legal argument except that counsel may advise of legal issues relevant to the formation of a temporary or recommended order.

6) Counsel shall not attempt to question the other party, present evidence nor otherwise engage in conduct characteristic of an adversarial proceeding.

h) If at any time during the conciliation process a party and/or their counsel engages in conduct inconsistent with the rules or disrupts the conciliation process or interferes with the function of the Blair County Custody Office, the Intake Officer or Conciliator may recess the proceeding, remove the violator and reconvene if appropriate. If a party is removed, an order can be entered in their absence. If an attorney is removed, the party can continue in the process if they so desire. Any violator will be referred to a contempt proceeding.

**Rule 1915.21. Custody Litigation Process.**

a) Within ten (10) days from the date of service of a Custody Order, a party may file a request for Evidentiary Hearing form in the Blair County Prothonotary's Office (FORM 3).

1) There is no filing fee required. The request form must be served on the other counsel/party with the specific issues identified for consideration in the Evidentiary Hearing. The request form shall be forwarded by the Prothonotary to the Court Administrator's Office for a date to be assigned for a prehearing conference before the Hearing Officer.

2) Ten (10) days prior to the prehearing, the parties and/or counsel shall submit to the Court Administrator a prehearing narrative, including but not limited to the following:

(i) Names and addresses of all witnesses, including experts.

(ii) Summary of each witness's anticipated testimony.

(iii) Copies of all exhibits.

(iv) Anticipated length of trial.

(v) Proposed custody arrangement for both parties.

(vi) Requested stipulation of facts.

3) If no prehearing narrative is filed, the offending party may be fined or sanctioned otherwise by the Court.

*Comment—1998*

As to 2)(v) Each party shall prepare a parenting arrangement that encompasses time with both parents. The arrangements should be prepared from the perspective that each party would consider either side of the proposal reasonable were they in the position of the other party.

b) The prehearing conference will be conducted by the Blair County Prehearing Officer in preparation for a trial by the parties before a Blair County Judge. The prehearing focuses on identification of contested issues, witnesses to testify, exchange of medical reports, names of any expert witnesses to be called, exhibits and requests for an interview of a child. A time and date for the Evidentiary Hearing will be set and any requirement of the filing of any briefs will also be discussed. A summary will be forwarded by the Prehearing Officer to a Judge in preparation for trial.

c) Before a party can request Special Relief, a complaint for custody must be filed or a Court Order must be in effect. At any time during the custody process, a party may file a Motion for Special Relief setting forth facts as to why the child is in immediate danger of physical injury or serious emotional harm. Where such a motion is filed concerning a temporary or recommended order of custody,

the Petitioner must show why the custody arrangement is so harmful to the child to warrant Court intervention apart from the standard custody process.

*Comment—1998*

Motions for Special Relief will be screened prior to any hearing scheduled and may be denied without

hearing. Special Relief Motions will be scheduled by the Court Administrator. The Petitioner must provide service to the Respondent prior to the case being heard. Special Relief will be decided on oral argument only.

**FORM 1**

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

\_\_\_\_\_,  
Plaintiff

NO: \_\_\_\_\_

VS:

\_\_\_\_\_,  
Defendant

CUSTODY/VISITATION

CUSTODY SCHEDULING ORDER

You \_\_\_\_\_ (defendant) have been sued in court to obtain custody, partial custody or visitation of the child(ren).

*Name*

*Date of Birth*

_____	_____
_____	_____
_____	_____

(1) All parties and children ages six (6) to seventeen (17) of this custody action are hereby ordered to attend the Mandatory Parent Education, Children First Program and the Sandcastles Program within forty-five (45) days of this Order.

All parties are required to contact the Children First Program of the Altoona Hospital Drug and Alcohol Program at telephone number of (814) 946-2209 within five (5) days of receipt of this Order to register for said program.

Should the moving party fail to pay fees, fail to appear for the Education Program, or fail to insure that any child within that party's physical custody appears for Sandcastles, the Custody action shall be dismissed without prejudice, and any fees paid by such party shall be forfeited.

Should the nonmoving party fail to pay fees, fail to appear for the Educational Program, or fail to insure that any child within that party's physical custody appears for Sandcastles, an immediate Rule to Show Cause why such party should not be held in contempt shall be issued by the Court.

(2) You are hereby ordered to appear in person on \_\_\_\_\_, 19 \_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M. for an Intake Conference with \_\_\_\_\_, at the Benton Building, 513 Allegheny Street, Rear, Hollidaysburg, Pa. 16648.

NO CHILDREN SHALL ATTEND THE INTAKE CONFERENCE

If you fail to appear for the Intake Conference as provided by this Order, an order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

THE COURTS

IF YOU CANNOT AFFORD  
A LAWYER

SOUTHERN ALLEGHENYS LEGAL  
AID, INC., 1107 13TH AVE.  
SUITE 508  
ALTOONA, PA. 16601  
(814) 943-8139

IF YOU DO NOT HAVE  
A LAWYER

BLAIR COUNTY LAWYER REFERRAL  
LAW LIBRARY, 2ND FLOOR  
COURTHOUSE  
HOLLIDAYSBURG, PA. 16648  
(814) 693-3090

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Blair County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact (814) 693-3050. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

BY THE COURT,

DATE \_\_\_\_\_ J

FORM 2

\_\_\_\_\_ : IN THE COURT OF COMMON PLEAS OF BLAIR  
COUNTY, PENNSYLVANIA  
-vs- :  
\_\_\_\_\_ : NO.

CONSENT AGREEMENT

We have agreed to the following parenting plan for the custody of our child(ren):

1. The parents shall share the legal and physical custody of their child(ren). The names of the child(ren) are as follows:  
(Names/DOB)

\_\_\_\_\_

2. The child(ren) shall reside with his/her/their Mother/Father at \_\_\_\_\_

3. Both parties agree that the time arrangements between the Father/Mother with the child(ren) are as follows:

a. Weekdays — \_\_\_\_\_

b. Weekends — \_\_\_\_\_

c. Summer/Vacation periods — \_\_\_\_\_

d. Holidays —

Thanksgiving — \_\_\_\_\_

Christmas (Eve) — \_\_\_\_\_

New Year's (Eve) — \_\_\_\_\_

Easter — \_\_\_\_\_

Non-festive holidays of Memorial Day, Fourth of July and Labor Day

e. Other holidays — \_\_\_\_\_

4. Transportation — \_\_\_\_\_

5. The child(ren) shall be with the Mother on Mother's Day and with the Father on Father's Day.

6. The parties have agreed that each parent shall have the child(ren) on the parent's own birthday, regardless of whose care the child(ren) may otherwise be in.

7. The child(ren)'s birthday will be spent with whatever parent they are scheduled to be with.

8. Each parent shall keep the other informed of the child(ren)'s health, progress in school, school activities and general welfare and shall consult the other parent concerning major decisions affecting the child(ren).

9. Each parent is entitled to receive directly from schools, health care providers, or other relevant sources, information concerning their child(ren).

10. Neither parent shall engage in any conduct which presents to the child(ren) a negative or hostile view of the other.

11. Each parent shall encourage the child(ren) to comply with the parenting agreement and foster in the child(ren) a positive view of the other.

12. The parties may decide different time arrangements and make decisions for the child(ren) whenever they mutually agree to do so. Nothing in this agreement is understood to limit or restrict the ability of the parties to mutually agree on alternative parenting arrangements. If for any reason the parties cannot agree, the terms of this consent agreement will be followed.

13. ALL HOLIDAY SCHEDULES SHALL SUPERSEDE ANY OTHER TIME ARRANGEMENT UNLESS THE PARTIES MUTUALLY AGREE TO DO OTHERWISE.

14. VIOLATION OF THIS ORDER BY ANY PERSON MAY RESULT IN CIVIL AND CRIMINAL PENALTIES, INCLUDING PROSECUTION PURSUANT TO SECTION 2904 OF THE PENNSYLVANIA CRIMES CODE, INTERFERENCE WITH CUSTODY OF CHILDREN.

15. Jurisdiction of the child(ren) shall remain with the Court of Common Pleas of Blair County, Pennsylvania, unless or until jurisdiction would change under the Uniform Child Custody Jurisdiction Act.

We agree to abide by the agreement developed this \_\_\_\_ day of \_\_\_\_\_, 19\_\_ and submit it to the Court of Common Pleas to be formalized into an order of court.

\_\_\_\_\_  
Mother

\_\_\_\_\_  
Father

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Custody Conciliation Supervisor

**FORM 3**

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY

Plaintiff  
vs  
Defendant  
NO: GN

*REQUEST FOR EVIDENTIARY HEARING*

(Request must be made within ten (10) days of the date of service of the Recommended order.)

At a recent Custody Conciliation Conference, an acceptable custody/visitation agreement could not be reached. I hereby request an evidentiary hearing before the Blair County Court of Common Pleas.

The issues to be considered at the hearing are as follows:  
(Place a mark before the issues to be considered.)

\_\_\_\_ Relocation    \_\_\_\_ Time/Length/Number of Visits    \_\_\_\_ Primary Residence

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ , I served a copy of this request on the opposing counsel/party.

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \_\_\_\_\_ Counsel



I verify that the statements made in this demand for Court hearings are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
(Petitioner or Petitioner's Attorney)

NOTE: Prior to the scheduling of a hearing date, both parties will be required to attend a Pre-Hearing Conference, scheduled for: \_\_\_\_ / \_\_\_\_ / \_\_\_\_, before \_\_\_\_\_ Hearing Officer, in \_\_\_\_\_ Blair County Courthouse.

[Pa.B. Doc. No. 99-6. Filed for public inspection December 31, 1998, 9:00 a.m.]

### CLARION COUNTY

#### Order Amending Local Rules of Procedure for Civil Actions; No. 1505-1998

##### Order

And Now December 15, 1998, Rule L1301 (Scope of Arbitration) of the rules of procedure for civil actions in the Court of Common Pleas of Clarion County is hereby amended so that all references to the amount of \$10,000.00 are changed to \$25,000.00. In all other respects Rule L1301 shall remain unchanged. This increase in the scope of compulsory arbitration from \$10,000.00 to \$25,000.00 is being made pursuant to the authority set forth at 42 Pa.C.S.A. § 7361.

The Court Administrator is directed to comply with Rule 239 of the Pennsylvania Rules of Civil Procedure

and this amendment will become effective 30 days after compliance with Rule 239 has been completed and a copy of the new rule has been published in the *Pennsylvania Bulletin*.

The Prothonotary shall include a copy of the newly adopted local Rule L1301 with all copies of local rules of procedure for civil actions when those rules are delivered to any person requesting a copy.

*By the Court*

CHARLES R. ALEXANDER,  
*President Judge*

[Pa.B. Doc. No. 99-7. Filed for public inspection December 31, 1998, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 22, 1998.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-16-98	Susquehanna Bancshares, Inc., Lititz, to acquire 100% of the voting shares of Cardinal Bancorp, Inc., Everett	Lititz	Effective
12-21-98	Harleysville National Corporation, Harleysville, to acquire 100% of the voting shares of Northern Lehigh Bancorp, Inc., Slatington	Harleysville	Approved

##### Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-21-98	HomeTowne Heritage Bank Intercourse Lancaster County	3540 Old Philadelphia Pike Intercourse Lancaster County	Approved

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-16-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market Germantown Pike and Route 202 Norristown Montgomery County	Filed
12-16-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 4275 County Line Road Chalfont Bucks County	Filed
12-16-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market Old Bethlehem Pike and Moore Road Spring House Montgomery County	Filed
12-16-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 1844 Bethlehem Pike Flourtown Montgomery County	Filed
12-21-98	FirstService Bank Lansdale Montgomery County	200 Radcliff Street Bristol Bucks County	Approved

#### SAVINGS ASSOCIATIONS

No activity.

#### CREDIT UNIONS

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 99-8. Filed for public inspection December 31, 1998, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of the Academy of the New Church for Approval of Amendment of Articles of Incorporation; Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of The Academy of the New Church for a Certificate of Authority approving the institution's request for amendment of its Articles of Incorporation in their entirety.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

All petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-7572 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Dr. Evans at the above stated telephone number to discuss how the Department of Education may best accommodate their needs.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 99-9. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Application of Philadelphia College of Textiles and Science for Approval of Amendment of Articles of Incorporation; Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Philadelphia College of Textiles and Science for a Certificate of Authority approving the institution's request for amendment of its Articles of Incorporation that will add standard language referenced in Section 501(c)(3) of the Federal Internal Revenue Code.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice

of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

All petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-7572 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Dr. Evans at the above stated telephone number to discuss how the Department of Education may best accommodate their needs.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 99-10. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Request for Proposals; Professional Development for the Pennsylvania Academic Standards

The Department of Education (Department) invites applications for funding to create high quality web-based professional development programs and resources to enable teachers in grades 3, 5, 8, and 11 to implement the Pennsylvania Academic Standards and prepare their students for the Pennsylvania State Academic Assessments. The anticipated product of each funded project is a web-based module for one or more of the following academic standards: reading, writing, speaking and listening; mathematics; science and technology.

*Selection Criteria:* Funding priority will be given to proposed projects that demonstrate:

—Application of educational technology to expand access and facilitate learning and networking of educational resources.

—Experience and qualifications of staff, including graphics designer and programmers for the website.

—Creation of permanent electronic resources for professional development that will be part of the Department's website and will supplement and support the Department's *Classroom Connections* and Link-to-Learn professional development website.

#### *Application Format:*

Applicants must describe:

—the institutional base for the project

—institutional support for the project

—the design and content of the proposed website

—the Academic Standards addressed in the website

—accessibility and applications of the proposed project for K-12 teachers seeking to enhance professional skills

—the project timeline (not to extend beyond June 30, 1999)

—staff qualifications for the proposed project

The application must include a detailed and itemized budget.

*Eligible Applicants:* All institutions of higher education, Intermediate Units, and private providers, including museums.

*Funding Level:* Grants from \$100,000 to \$525,000 are available, depending on the merit and scope of the proposed project.

*Deadline:* Applications must be postmarked no later than January 22, 1999. Applications should be addressed to John Bailey, Office of Educational Technology, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 99-11. Filed for public inspection December 31, 1998, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

#### (Part I Permits)

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

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

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

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

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

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

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#### Applications for National Pollutant Discharge Elimination System (NPDES) Permit to Discharge to State Waters

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

**PA 0055034.** Sewage, **Barbara Hobyak-Tatta**, 9 Hilldale Drive, Malvern, PA 19355.

This application is for issuance of an NPDES permit to discharge treated sewage from Hobyak-Tatta residential SRSTP in Willistown Township, **Chester County**. This is an existing discharge to unnamed tributary to Crum Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60

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

*Other Conditions:*

The EPA waiver is in effect.

**PA 0036978.** Sewage, **Telford Borough Authority**, P. O. Box 209, Telford, PA 18969-0209.

This application is for renewal of an NPDES permit to discharge treated sewage from the Telford Borough STP in Franconia Township, **Montgomery County**. This is an existing discharge to Indian Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.95 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	3.0		6.0
Phosphorus (as P)			
(4-1 to 10-31)	2.0		4.0
Total Residual Chlorine			
(years 0-2)	monitor/report		monitor/report
(years 3-5)	0.01		0.03
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Copper	.019		
Dissolved Copper	monitor/report		
Total Lead	.0077		
Dissolved Lead	monitor/report		
Hardness, as CaCO <sub>3</sub>	monitor/report		

*Other Conditions:*

The EPA waiver is in effect.

Requirement to submit a toxics reduction evaluation.

Submit a WQM Part II permit application for dechlorination or alternate disinfection facilities.

A maximum monthly hydraulic capacity of 1.1 mgd effective upon issuance of a WQM Part II permit for the rerate.

*Northeast Region: Environmental Protection Manager—Water Management—2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2553.*

**PA 0045985-A1.** Sewerage, **Mountaintop Area Joint Sanitary Authority**, R. R. 4, Morio Drive, Mountaintop, PA 18707.

This proposed action is for amendment of an NPDES permit to discharge treated sewage into Big Wapwallopen Creek in Dorrance Township, **Luzerne County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing proposed downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Co. located on the north branch of the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 4.16 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Avg.</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5	—	5
(11-1 to 4-30)	7.5	—	15
Dissolved Oxygen	A minimum of 5 mg/l at all times		

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Avg.</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	maximum at .05 mg/l at all times		
Total Fluoride	monitor/report		monitor/report
Copper	monitor/report		monitor/report

The EPA waiver is not in effect.

**PA 0063118.** Industrial waste, SIC: 3084, **Tri-Cel Plastics**, 1149 Franklin Street, Old Forge, PA 18518.

This proposed action is for renewal of an NPDES permit to discharge noncontact cooling water into St. Johns Creek in Old Forge Borough, **Lackawanna County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Authority on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.003 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	6.0 to 9.0 standard units at all times.	
Oil/Grease	15 mg/l	30 mg/l

The EPA waiver is in effect.

*Northcentral Region: Environmental Program Manager, Water Management, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-3666.*

**PA 0209635.** SIC: 4952. **United Salt Northeast, L.L.C.**, 4800 San Felipe, Houston, Texas 77056

This proposed action is for issuance of an NPDES permit for the proposed discharge of treated sewage and salt evaporation process wastewater to Bear Creek, and stormwater to an unnamed tributary of Crooked Creek, in Tioga Township, **Tioga County**.

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

For the purposes of modeling for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the assumed nearest downstream potable water supply intake is the PA/NY state line. This assumed intake is 11.2 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of up to 2.3 mgd, are:

All discharges to Outfall 001 shall be monitored at internal monitoring locations.

*Internal Monitoring Point 101*—salt evaporation process condenser water.

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Minimum</i>	<i>Daily Averages</i>	<i>Instantaneous Maximum<sup>2</sup></i>
Flow (mgd)	report			
Dissolved Oxygen		monitor		
pH (Std units)		within the range 6.0 to 9.0		
Total Dissolved Solids	monitor			
Chloride	monitor			
Temperature			monitor	

*Internal Monitoring Point 201*—Draw down of the retention basin. Discharge only allowed with Department approval after reviewing the test results for the following parameters prior to release.

<i>Discharge Parameter</i>	<i>Average Monthly</i>
Flow (mgd)	report
C-BOD <sub>5</sub>	monitor
Chemical Oxygen Demand	monitor
Oil/Grease	monitor
pH (Std units)	within the range 6.0 to 9.0
Total Kjeldahl Nitrogen	monitor
Total Suspended Solids	monitor
Total Phosphorous	monitor
Dissolved Iron	monitor
Total Dissolved Solids	monitor
Chloride	monitor

*Outfall: 002*—receives emergency stormwater overflow from a 24-hour-100 year frequency storm exceeding the holding capacity of the retention basin from the plant surface drainage.

The proposed effluent limits, based on a design flow which varies, are:

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Flow (mgd)	report				
C-BOD <sub>5</sub>				monitor	
Chemical Oxygen Demand				monitor	
Oil/Grease				monitor	
pH (Std units)			within the range	6.0 to 9.0	
Total Kjeldahl Nitrogen				monitor	
Total Suspended Solids				monitor	
Total Phosphorous				monitor	
Dissolved Iron				monitor	
Total Dissolved Solids				monitor	
Chloride				monitor	

sampling required during every storm event which exceeds the holding capacity of the retention basin.

*Outfall 003 and Outfall 004*—receives stormwater from roof drains only within the manufacturing complex.

The proposed effluent limits, based on a design flow which varies, are:

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Flow (mgd)	report				
C-BOD <sub>5</sub>				monitor	
Chemical Oxygen Demand				monitor	
Oil/Grease				monitor	
pH (Std units)			within the range	6.0 to 9.0	
Total Kjeldahl Nitrogen				monitor	
Total Suspended Solids				monitor	
Total Phosphorous				monitor	
Dissolved Iron				monitor	
Total Dissolved Solids				monitor	
Chloride				monitor	

*Outfall 005*—Package sewage treatment plant effluent. The proposed effluent limits, based on a design flow of 0.005 mgd, are:

<i>Discharge Parameter</i>			<i>Minimum</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum<sup>2</sup></i>
Flow (mgd)	Report	Report			
pH (Std Units)			Within the range	6.0 to 9.0	
Total Cl <sub>2</sub> Residual				2.0	4.6
CBOD <sub>5</sub>				10	20
TSS				20	40
Fecal Coliform (5-1 to 9-30)			200/100 ml as a geometric average		
(10-1 to 4-30)			2,000/100 ml as a geometric average		

*Other Conditions:* Requirement to implement Best Management Practices (BMP) to control stormwater discharges from outfalls 002, 003, 004.

The EPA waiver is in effect.

**PA 0111953.** Sewerage, SIC: 4952, **United Methodist Continuing Care S V C**, Route 42, Laporte, PA 18626.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Unnamed Tributary of Mill Creek in Laporte Borough, **Sullivan County**.

The receiving stream is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001 from permit effective date to permit effective date plus 3 years, based on a design flow of 0.015 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
TSS	30		60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia-N (5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24
Total Cl <sub>2</sub> Residual	Report		
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The proposed effluent limits from permit effective date plus 3 years to permit expiration, based on a design flow of 0.015 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
TSS	30		60
Ammonia-N (5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24
Total Cl <sub>2</sub> Residual	0.33		0.89
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

**PA 0208914.** Sewerage, SIC: 4952, **Strick Corporation**, R. R. 8, Box 281, Danville, PA 17821.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to an unnamed tributary of County Line Branch in Limestone Township, **Montour County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Sunbury Municipal Authority located approximately 25 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.0046 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10		20
(11-1 to 4-30)	20		40
TSS (5-1 to 10-31)	10		20
(11-1 to 4-30)	20		40
Ammonia-N (6-1 to 10-31)	3		6
(11-1 to 5-3)	6		12
Total Cl <sub>2</sub> Residual	2		6.5
Fecal Coliforms	200 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

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

**PAS326101.** Industrial waste, SIC: 3299, **Innovative, Inc.**, U. S. Route 30, Box 185, Latrobe, PA 15650.

This application is for an issuance of an NPDES permit to discharge stormwater from Innovative, Inc. in Unity Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, UN Tributary to Sewickley Creek, classified as a high quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation.



*Outfall 001, 002, 003:* new discharge, design flow of N/A mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

Discharge consists of uncontaminated stormwater runoff only.

The EPA waiver is in effect.

**PA 0028525.** Sewage, **Bell Acres Municipal Sewage Authority**, Municipal Building, 1151 Camp Meeting Road, Sewickley, PA 15143.

This application is for renewal of an NPDES permit to discharge treated sewage from the Bell Acres Sewage Treatment Plant # 1 in Bell Acres Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Little Sewickley Creek, which are classified as a high quality trout stocked 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.

*Outfall 001:* existing discharge, design flow of 0.016 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-5 Day	10	15		20
Suspended Solids	25	37.5		50
Ammonia Nitrogen				
(5-1 to 10-31)	1.5	2.3		3
(11-1 to 4-30)	4.5	6.8		9
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.06			0.13
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0030376.** Sewage, **Bell Acres Municipal Sewage Authority**, Municipal Building, R. D. 3, Camp Meeting Road, Sewickley, PA 15143.

This application is for renewal of an NPDES permit to discharge treated sewage from Bell Acres STP No. 3 in Bell Acres Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Little Sewickley Creek, which are classified as a high quality trout stocked 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.

*Outfall 001:* existing discharge, design flow of 0.008 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-5 Day	10	15		20
Suspended Solids	25	37.5		50
Ammonia Nitrogen				
(5-1 to 10-31)	1.5	2.3		3
(11-1 to 4-30)	4.5	6.8		9
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0038211.** Sewage, **The Hempfield Township Municipal Authority**, R. D. 6, Box 501, Greensburg, PA 15601.

This application is for renewal of an NPDES permit to discharge treated sewage from the West Hempfield Plaza Sewage Treatment Plant in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Little Sewickley Creek, which are classified as a trout stock 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: McKeesport Municipal Water Authority.

*Outfall 001:* existing discharge, design flow of 0.064 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-5 Day	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	3.5	5.3		7.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.1			0.2
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0041301.** Sewage, **Uniontown Area School District**, 23 East Church Street, Uniontown, PA 15401.

This application is for renewal of an NPDES permit to discharge treated sewage from the A. J. McMullen Middle School STP in Henry Clay Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Beaver Creek, which are classified as a high quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the North Fayette County Municipal Authority.

*Outfall 001:* existing discharge, design flow of .004 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-5 Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.2			4.4
(11-1 to 4-30)	4.5			9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	.21			.50
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0095435.** Sewage, **Bell Acres Municipal Sewage Authority**, Municipal Building, R. D. 3, Camp Meeting Road, Sewickley, PA 15143.

This application is for issuance of an NPDES permit to discharge treated sewage from Bell Acres Borough STP No. 2 in Bell Acres Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Little Sewickley Creek, which are classified as a High Quality Trout Stocked 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.

*Outfall 001:* existing discharge, design flow of 0.028 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-5 Day	10	15		20
Suspended Solids	10	15		20
Ammonia Nitrogen				
(5-1 to 10-31)	1.5	2.3		3
(11-1 to 4-30)	3.7	5.6		7.4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.05			0.11
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0097136.** Sewage, **Laurel Land Development Ltd.**, P. O. Box 253, Hopwood, PA 15445.

This application is for renewal of an NPDES permit to discharge treated sewage from the Hopwood Village Mobile Home Park Sewage Treatment Plant in North Union Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Redstone 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 Newell Municipal Authority on the Monongahela River (approximately RMI 51).

*Outfall 001:* existing discharge, design flow of 0.018 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-5 Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	7.5			15.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.2			0.5
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0097713.** Sewage, **Catholic Institute of Pittsburgh**, Gilmary Diocesan Center, 601 Flaugherty Run Road, Coraopolis, PA 15108.

This application is for renewal of an NPDES permit to discharge treated sewage from Gilmary Diocesan Center Sewage Treatment Plant in Findlay Township, **Allegheny County**.

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

*Outfall 001:* existing discharge, design flow of 0.013875 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-5 Day	25			50
Suspended Solids	30			60

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	5.5			11.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.2			0.4
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0205761.** Sewage, **S-2 Properties**, P. O. Box 24509, Pittsburgh, PA 15234.

This application is for issuance of an NPDES permit to discharge treated sewage from the Harshbarger Mobile Home Park Sewage Treatment Plant in Hanover Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Little Traverse 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 Midland Borough Water Authority.

*Outfall 001:* existing discharge, design flow of 0.025 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-5 Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	2.8			5.6
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.08			0.18
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0218031.** Sewage, **Intercare Lakewood, Inc.**, 2575 Boyce Plaza, Pittsburgh, PA 15241.

This application is for issuance of an NPDES permit to discharge treated sewage from Mansion House at Old Concord Village STP in Morris Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Short Creek, which are classified as a trout stocked 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 Marianna Municipal Water Works on Tenmile Creek.

*Outfall 001:* new discharge, design flow of 0.0063 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-5 Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
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.

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

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

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

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

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

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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

NPDES No.	Facility Name and Address	County and Municipality	Tributary Stream	New Permit Requirements
PA0047198	Crown American Properties, L.P. Pasquerilla Plaza Johnstown, PA 15907-0879	Schuylkill New Castle Township	Unnamed Tributary to Mud Run	TRC

*Southcentral Regional Office: Water Management Program, 909 Elmerton Avenue—2nd Floor, Harrisburg, PA 17110, (717) 705-4707.*

PA0085782	National Golf Properties 10 Stonehedge Drive Fleetwood, PA 19522	Berks Ruscombmanor Twp.	UNT of Furnace Creek	TRC
PA0085197	Kampel Enterprises, Inc. 8920 Carlisle Rd. Wellsville, PA 17365-0157	York Warrington Twp.	UNT to North Branch of Bermudian Creek	TRC

### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

#### Applications under the Pennsylvania Clean Streams Law (Part II Permits)

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise

statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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.

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

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*Southcentral Regional Office: Water Management Program Manager; 909 Elmerton Avenue, 2nd Floor; Harrisburg, PA 17110-8200, (717) 705-4707. Persons who wish to review any of these applications, should contact Mary DiSanto at (717) 705-4732.*

**A. 0178403 (98-1).** Sewage, submitted by **Hoffman Homes, Inc.**, 815 Orphanage Road, Littlestown, PA 17340 in Mount Joy Township, **Adams County** to construct an additional rapid sand filter at the existing sewage treatment plant was received in the Southcentral Region on November 18, 1998.

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

**WQM Permit No. 6298416.** Sewage, **Raymond M. Miller, SRSTP**, 365 Hirtzel Rd., Warren, PA 16335. This project is for the construction of a single residence sewage treatment plant in Pleasant Township, **Warren County**.

**INDIVIDUAL PERMITS  
(PAS)**

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**NPDES Individual**

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The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface 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 and special conditions. The proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision of 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 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 the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin*

at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected 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.

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

**NPDES Permit PAS10-G353.** Stormwater. **John R. and Jeanne H. Shanahan**, 2240 Beaver Dam Road, Honeybrook, PA 19344, has applied to discharge stormwater from a construction activity located in Honey Brook Township, **Chester County**, to Pequea Creek.

**NPDES Permit PAS10-G354.** Stormwater. **All County Properties, Inc.**, 365 Valley Park Road, Phoenixville, PA 19460, has applied to discharge stormwater from a construction activity located in East Coventry Township, **Chester County**, to Tributary to Pigeon Creek.

**NPDES Permit PAS10-J004.** Stormwater. **Naamans Creek Center, LLC**, 342 Willowbrook Lane, West Chester, PA 18382, has applied to discharge stormwater from a construction activity located in Upper Chichester Township, **Delaware County**, to Naamans Creek.

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

**NPDES Permit PAS101503.** Stormwater. **Allegheny Valley Trails Association, AVTA Venango County Planning Commission**, County Courthouse Annex, Franklin, PA 16323, has applied to discharge stormwater from a construction activity located in Ashland and Elk Townships, **Clarion County**, to East Sandy Creek.

**SAFE DRINKING WATER**

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

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

**A. 4698508.** Public water supply. **Moyer Packing Company Beef Division**, P. O. Box 395, Souderton, PA 18964. This proposal involves the installation of an onion exchange unit for the removal of nitrates from wells Nos. 7 and 8 in Franconia Township, **Montgomery County**.

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

**4098505.** Public water supply. **Lake Lehman School District**, P. O. Box 38, Lehman, PA 18627, Kathleen Williams, Business Manager. This proposal involves the construction of corrosion control treatment facilities at the Lake Lehman Middle School located in Lehman Township, **Luzerne County**. *Engineer: Douglas F. Trumbower, P.E., Douglas R. Trumbower & Associates.*

**4598508.** Public water supply. **Community Association of Pocono Farms**, Donald Weaver, General Man-

ager, 7000 Lake Road, Tobyhanna, PA 18466. This proposal involves the construction of corrosion control treatment facilities at Well No. 1, 2 and 4. The treatment proposed passivation by pH/alkalinity adjustment by the addition of caustic soda. *Engineer:* Russ Scott, IV, P.E.—RKR Hess Associates, Inc.

**5498509.** Public water supply. **Honey Brook Water Co.**, William Miller, Sr., 76 South Kennedy Drive, McAdoo, PA 18237. This proposal involves the installation of corrosion control treatment at the Honey Brook Water Supply System consisting of soda ash and orthophosphate addition. It is located in McAdoo Borough, **Schuylkill County**. *Engineer:* John Synoski, Schumacher Engineering, Inc.

*Bureau of Water Supply Management: Division of Drinking Water Management, 400 Market Street, Harrisburg, PA 17105. Contact: Godfrey C. Maduka, (717) 787-9037.*

**A. 9996471. AmSource L.L.C.**, 135 Maple Avenue, Claremont, NH 03743, Joe Edwards, Vice President Operations. Applicant requests Department approval to sell bottled water in Pennsylvania under the brand names: Aurora Springs Pure Natural Spring Water, Blizzard Springs Pure Natural Spring Water, Premium Springs Pure Natural Spring Water and Aqua Ice Pure Natural Spring Water.

## 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 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD

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

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

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

**East Norriton Shopping Center Associates, L.P.**, East Norriton Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Ave., Bala Cynwyd, PA 19004, has submitted an amended Notice of Intent to Remediate site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health and background standards.

**Granite Substation Site No. 259 (Decommissioned)**, Richland Township, **Bucks County**. Lisa A. Palfey, PP&L, Inc., Two N. Ninth St., Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A Final Report was simultaneously submitted.

**Metroplex Shopping Center**, Plymouth Township, **Montgomery County**. Kimberly L. Ward, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted an amended Notice of Intent to Remediate site soil contaminated with heavy metals and asbestos; and groundwater contaminated with lead and benzene. The applicant proposes to remediate the site to meet site-specific standards.

*Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

**Shoemaker Residence**, Lemon Township, **Wyoming County**. David Crowther, Geologist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Notice of Intent to Remediate (on behalf of his client, Linda Shoemaker, 13219 Raccoon Ford Road, Culpeper, VA 22701) concerning the remediation of site soils and groundwater found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polycyclic aromatic hydrocarbons (PAHs). The applicant proposes to remediate the site to meet the Statewide human health standard. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Decommissioned Buttonwood Substation**, City of Hazleton, **Luzerne County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The applicant proposes to remediate the site to meet the Statewide human health standard. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Decommissioned Sullivan Trail Substation**, Exeter Township, **Luzerne County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate

concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The applicant proposes to remediate the site to meet the Statewide human health standard. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

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Sections 304 and 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 a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period a municipality may request that the person identified, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**Chalfont Plaza Associates, L.P.**, New Britain Township, **Bucks County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil contaminated with solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *Intelligencer Record* on December 4, 1998.

## AIR QUALITY

### Plan Approval and Operating Permit Applications

#### Nonmajor Sources and Modifications

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

The Department has received applications for plan approvals and/or operating permits from the following facilities. Although the sources covered by these applications may be located at a major facility, the sources being installed or modified do not trigger major new source review or prevention of significant deterioration requirements.

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department's Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

## OPERATING PERMITS

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

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a



Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the regional office telephone number noted. For additional information, contact the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

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

*Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Attn: Kanubhai L. Patel, (717) 705-4702.*

**38-05012: North American Refractories Co.** (415 East Memorial Blvd.) located in Millcreek Township, **Lebanon County**. The facility is a non-clay refractories manufacturer. The operation primarily emits nitrogen oxides (Nox).

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**Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**48-322-001B: Grand Central Sanitary Landfill, Inc.** (P. O. Box 2449, Doylestown, PA 18901) for operation of two landfill gas flares in Plainfield Township, **Northampton County**.

*Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.*

**17-302-018: Pennsylvania Department of Corrections** (P. O. Box 598, Camp Hill, PA 17001-0598) for operation of two micronized bituminous coal/No. 2 fuel oil-fired boilers and associated air cleaning devices (two fabric collectors and two dry hydrated lime flue gas injection systems) as well as for the operation of a No. 2 fuel oil-fired boiler at SCI-Houtzdale in Woodward Township, **Clearfield County**. The boilers are subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.*

**OP-26-00329: Tedesco Mfg. Co., Inc.** (2241 Industrial Drive, Connellsville, PA 15425) for installation of shot blasting and grinding at Connellsville Plant in Bullsken Township, **Fayette County**.

**OP-65-00800: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue S. E., Charleston, WV 25325) for installation of natural gas transmission station at Delmont Compressor Station in Salem Township, **Westmoreland County**.

**OP-11-00283: Portage Area School District** (84 Mountain Avenue, Portage, PA 15946) for operation of high school in Portage Borough, **Cambria County**.

**PLAN APPROVALS**

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**Applications received and intent to issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**45-320-003B: The Mack Printing Co.** (1991 Northampton Street, Easton, PA 18042) for construction of a printing line at 34 North Crystal Street, East Stroudsburg, **Monroe County**.

*Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.*

**06-3004A: Baldwin Hardware Corp.** (P. O. Box 15048, Reading, PA 19612) for a nickel/chrome plating process controlled by a wet scrubber in Reading, **Berks County**. This source is subject to 40 CFR 63, Subpart N, National Emission Standards for Hazardous Air Pollutants for Source Categories.

**06-3063A: EAFCO, Inc.** (Spring and Schaeffer Streets, Boyertown, PA 19512) for a gray iron cupola controlled by a venturi scrubber in Boyertown, **Berks County**.

**06-5035A: ICI Paints North America d/b/a The Glidden Co.** (301 Bern Street, Reading, PA 19601) for a VOC storage tank controlled by a pressure/vacuum vent in Reading, **Berks County**.

**07-05001A: Appleton Papers Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673) for modification of the No. 2 and No. 3 paper machines air flotation drying ovens in Roaring Spring Borough, **Blair County**.

**36-05093: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506-0550) for installation of a new drum mix asphalt plant to replace an existing batch asphalt plant in East Cocalico Township, **Lancaster County**. This source is subject to 40 CFR 60, Subpart I, Standards of Performance for New Stationary Sources.

**36-310-027F: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506-0550) for installation of a larger capacity baghouse to control particulate emissions from their stone crushing facility in East Cocalico Township, **Lancaster County**.

*Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.*

**41-318-044: Ralph S. Alberts Co., Inc.** (60 Choate Circle, Montoursville, PA 17754) for construction of a polyurethane foam parts painting operation in Fairfield Township, **Lycoming County**.

**08-313-049C: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) for construction of two bulk hydrochloric acid storage tanks, one bulk nitric acid storage tank and one hydrochloric acid railcar unloading station as well as for the installation of a scrubber system on these air contamination sources and on four existing bulk nitric, hydrochloric and sulfuric acid storage tanks and associated hydrochloric acid railcar unloading station in Towanda Borough, **Bradford County**.

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

**PA-43-003A: Cooper-Bessemer Reciprocating** (150 Lincoln Avenue, Grove City, PA 16127) for construction of a paint booth (DeVilbiss) in Grove City, **Mercer County**.

**Philadelphia Air Management Services (AMS)**

**Notice of Intent to Approve Construction and Operation of Kvaerner Philadelphia Shipyard's Fabrication and Panel Shops**

*Applicant:* Kvaerner Philadelphia Shipyard, Inc.

*Plant Location:* Philadelphia Naval Business Center, Bridge and Porter Avenues, Philadelphia, PA 19112

*Source Description:* Welding Operations

Kvaerner Philadelphia Shipyard has requested approval for construction and operation of fabrication and panel shops. The annual allowable emissions from these shop operations are 6 tons of particulate, 1.0 ton of hazardous air pollutants, 17 tons of nitrogen oxides, 4 tons of carbon monoxide, 1.4 tons of volatile organic compounds, 0.1 ton of sulfur oxides.

Copies of all documents and information concerning this permit are available for review in the offices of AMS Room 218, 321 University Avenue, Philadelphia, PA 19104-4543 during normal business hours. Persons wishing to review these documents or to submit written comments should contact Brenda Bonner at (215) 685-7572 or at the above address. All written comments must be received by January 11, 1999. Comments received by facsimile will not be considered.

**Notice of Public Hearing  
Waste Permit Application No.  
400593—Renewal/Modification**

**Air Plan Approval Application No. PA-23-0004  
American Ref-Fuel of Delaware County, L.P.  
Delaware Valley Resource Recovery Facility**

The Department of Environmental Protection (Department) will hold a public hearing on the above applications concerning the Delaware Valley Resource Recovery Facility, located at 10 Highland Avenue in the City of Chester. This public hearing will be held on Thursday, February 4, 1999, at 7 p.m. in the Chester High School Auditorium, 9th and Penn Streets in Chester. In the event of postponement due to weather conditions, the meeting will be held on February 11 at 7 p.m. at the same location.

Copies of the above applications are available for public review at the J. Lewis Crozer Library, 620 Engle Street in Chester. Individuals wishing to review the complete public file on these applications at the Department's Southeast Regional Office should call (610) 832-6268 to schedule an appointment.

The waste application is for a 10-year permit renewal and for modification of the American Ref-Fuel Delaware

Valley Resource Recovery Facility. Listed is a summary of the requests contained in the waste application:

1. Renewal of the facility's waste permit for an additional 10 years.
2. Modifications to the existing waste operation requested for the following items:
  - a) Replacement of the 2,688 tons/day waste processing limitation with steam flow measurement (pounds of steam produced per unit time, for example, pounds of steam per hour or tons of steam per year).
  - b) Increase the 4,350 tons/day maximum waste acceptance limitation to a 6-day average of 4,350 tons/day limitation. This would include a new maximum waste acceptance limitation of 5,800 tons/day.
  - c) Additional Form R (Residual) and Form S (Municipal-like Residual) wastes being requested.
  - d) Reclassification of certain Form R wastes, currently approved in the permit, to be considered as Form S wastes.
  - e) Incineration of facility-generated used oil for energy recovery at the facility.
  - f) Language modification to some existing permit conditions to provide clarification and improve operational effectiveness.
  - g) Increase in waste storage volumes.

Based on the information provided by the applicant and the Department's own analysis, the Department would place the following conditions in the proposed Air Quality Plan Approval to assure compliance with the applicable standards:

*General Requirements*

1. This Plan Approval is issued to the owner and operator, American Ref-Fuel Company of Delaware Valley, LP, for the modification of its six Westinghouse-O'Connor mass-burn rotary municipal waste combustors (MWC). This Plan Approval allows an increase in the waste charging rate of the MWC. Each unit is equipped with individual dry acid gas scrubbers and pulse-jet cleaning type fabric collectors.

2. Each combustor shall be limited to a maximum MWC unit load of 158,000 pounds of steam per hour (calculated in 4-hour block arithmetic averages), or 110% of the maximum demonstrated unit load during the most recent annual dioxin/furan performance test, whichever is less.

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

a) The Department must receive written notice from the owner/operator at least 5 working days, prior to its increased firing rate as stated in Condition 2B above. The notice should state when the increased unit load is expected. An administrative amendment shall be required to revise the facility's operating permit.

b) 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 source, a detailed schedule for establishing compliance and the reasons compliance has not been established.

c) The company shall comply with all of the existing requirements of its Operating Permit No. OP-23-0004, originally issued on November 16, 1996, and as subsequently amended, unless specifically revised in this Plan Approval. The conditions and requirements of Operating Permit No. OP-23-0004 are incorporated by reference into this Plan Approval. The provisions in this Plan Approval shall be construed to supersede any contrary provisions in any previous Plan Approval or Operating Permit.

The conditions of Operating Permit No. OP-23-0004 are revised as follows. Please note these conditions are numbered to correspond with condition changes for the existing Air Quality Operating Permit No. OP-23-004.

#### 5. Stack Emission Limitations

##### A. Criteria Pollutants

3. Carbon monoxide (CO) emissions per combustor shall not exceed 29.95 pounds per hour and 100 ppm by volume on a 4 hour average, corrected to 7% O<sub>2</sub> (dry basis). The owner/operator shall also comply with Condition 8.K of this Plan Approval.

##### B. Non-criteria Pollutants

2. The owner/operator shall demonstrate facility compliance with the following levels and shall not exceed the calculated maximum annual ambient concentrations listed as follows using the actual stack emission rates and the exhaust parameters from the stack test specified in Condition 9 of this Operating Permit and the dispersion modeling techniques used in the application as approved by the Department. The Department may waive the modeling requirement after the issuance of this Operating Permit, if the measured pollutant levels are below those used in the application, the volumetric flow rate has not significantly increased from the value used in the application, and the stack gas temperature has not significantly decreased from the value used in the application.

<i>Contaminants</i>	<i>Ambient Concentration (ug/m<sup>3</sup>)</i>
PCDD & PCDF Expressed as 2, 3, 7, 8 TCDD Equivalents <sup>1</sup>	0.30 x 10 <sup>-7</sup>
Arsenic and Compounds	0.23 x 10 <sup>-3</sup>
Beryllium and Compounds	0.42 x 10 <sup>-3</sup>
Cadmium and Compounds	0.56 x 10 <sup>-3</sup>
Nickel and Compounds	0.33 x 10 <sup>-2</sup>
Hexavalent Chromium and Compounds	0.83 x 10 <sup>-4</sup>
Lead and Compounds	0.09
Mercury and Compounds	0.24 x 10 <sup>-1</sup>
Hydrogen Chloride	7.0
Benzo(a)pyrene	0.59 x 10 <sup>-3</sup>

Maximum allowable emission rate per combustor for total PCDD and PCDF shall not exceed 30 ng/dscm corrected to 7% O<sub>2</sub>.

Compliance shall be based on the average of three consecutive test runs.

#### 3.b. Footnote

<sup>1</sup> Emission rate was based on the exhaust rate of 68,679 dscfm at 7% O<sub>2</sub>.

#### 6. Operating Requirements

A. The combustor(s) shall maintain the combustion gases at a temperature greater than 1800°F for at least 1 second. The temperature shall be calculated on an hourly (1-hour block arithmetic) average. To verify compliance with this requirement, a temperature sensor shall be

located at the furnace roof position approved by the Department for each unit. The temperature at this location shall be maintained at a temperature greater than 850°F, a Department approved reference temperature which corresponds to 1800°F, for at least 1 second. The combustor(s) auxiliary burners shall be automatically controlled to maintain the combustion gases at the aforementioned condition whenever refuse is being incinerated.

#### D. Tipping Floor Negative Pressure Requirements

1. Whenever the combustor(s) is in operation, the tipping area shall be operated at a negative pressure. The air passing through all natural draft openings surrounding the tipping floor including the MWC charging area shall flow inward continuously. The continuous inward flow of air shall be verified by continuous observation using streamers or other means approved by the Department.

2. This condition for the submission of a plan by November 15, 1995 is deleted.

L. The ash shall be tested annually for total combustibles. Results of this analysis shall be kept for a period of 2 years and shall be made available to the Department upon its request.

N. Revisions are dependent upon joint Air Quality and Solid Waste Permit revisions.

O. Revisions are dependent upon joint Air Quality and Solid Waste Permit revisions.

Q. Revisions are dependent upon joint Air Quality and Solid Waste Permit revisions.

#### 8. Continuous Monitoring Requirements

H. The Department reserves the right to require the owner/operator to install, operate and maintain an uninterruptable power supply (UPS) for the continuous monitoring system at the facility. The requirement to install an UPS shall be based on future power outages and loss of data and the affect on the CEM system. In the event of power loss from the provider, an existing turbine generator shall remain available at the facility to power all CEMS. In addition, the owner/operator shall ensure that the Data Acquisition System maintains at least 4 hours of an uninterruptable power supply.

K. Any changes to current Department certified monitoring method, equipment, procedures shall be approved by the Department following the procedures specified in the Department Continuous Source Monitoring Manual. Phase I application shall be submitted within 60 days after the issuance of this Plan Approval. Phase III Department approval shall be obtained no later than 6 months after the issuance of this Plan Approval.

#### 9. Testing Requirements

B.1. For PM, PM10 and toxic metals indicated in 9.A above, except PCDD/PCDF—semi-annually. In every 2 year period, source testing shall be done in each of the four seasons. The stack test schedule may be altered by the Department as a data base is developed.

B.3. For PCDD/PCDF, VOC, PAH, SO<sub>2</sub>, NO<sub>x</sub>, HCl, and CO—annually.

F. Tests shall be conducted semiannually or as required by the Department to verify the Department approved reference temperatures monitored by the sensor located at the Department approved location corresponding to combustion gas temperatures of 1800°F and 1600°F respectively for combustion gas retention times in each

instance of 1 second. Temperature monitor verification tests shall be performed during stack testing. The test plan required under Condition 9E of this Operating Permit shall also include procedures to assure compliance with the above temperature monitoring conditions. The testing frequency may be altered, if the temperature verification records at a particular MWC unit indicate that a lesser schedule is adequate.

H. Within 30 days after the source test, two copies of the complete test report shall be submitted to the Regional Manager for approval. The test report shall include all operating conditions and indicate the amount of wastes combusted, classification of wastes, amount of each type of waste, Btu content of wastes and composition of wastes.

#### 10. *Start-up Requirements*

No solid waste shall be charged into the combustor(s) until equilibrium has been attained in the furnace zones, the temperature of the combustion gases reaches 1800°F (based upon a surrogate temperature of 850°F as displayed on the facility CEMS) for 1 second of retention time and the combustor is empty. All control equipment shall be operational and functioning properly prior to the introduction of solid waste into the combustor(s).

#### 16. *Recordkeeping and Reporting Requirements*

G. Temperature values submitted in each quarterly report shall consist of actual temperature values plus 950°F, the difference between the temperatures measured at the surrogate location and the demonstrated 1800°F for 1 second retention time location.

Interested persons may testify during the hearing within the time provided or submit written comments during the 30-day post-hearing open comment period. The Department will consider testimony relevant to the requirements of the Solid Waste Management Act and the Air Pollution Control Act.

Individuals who want to present testimony at this hearing should contact Lynda Rebarchak at (610) 832-6219 at least 1 week prior to the hearing to reserve a time slot. Oral testimony is limited to 5 minutes for each witness, 10 minutes for those testifying on behalf of a group. Witnesses are requested to submit a copy of their testimony at the time of the hearing. Individuals may also submit written comments to John J. Kennedy, Assistant Regional Director, DEP—Southeast Region, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428. Written comments must be received by March 4, 1999. Comments by fax will not be accepted.

After the hearing, the Department will prepare a summary of the relevant written and oral testimony submitted at the hearing and the Department's responses to that testimony. Copies of this summary will be provided to all who submitted comments and to others, as requested.

Individuals in need of accommodations as provided for in the Americans with Disabilities Act who would like to attend the hearing should contact Lynda Rebarchak at (610) 832-6219 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

## REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

### Public Hearing

#### Proposed Revision to the State Implementation Plan for Volatile Organic Compounds (VOC) Approval of a Reasonably Available Control Technology Plan and Operating Permit

#### Huntingdon County

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for a fiberglass reinforced plastic (FRP) tank manufacturing facility owned and operated by Fluid Containment, Incorporated in Shirley Township, Huntingdon County.

The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 31-02005 for the existing facility to comply with current regulations.

The preliminary RACT determination, when approved, will be incorporated into an Operating Permit for the facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's SIP.

A VOC RACT determination is being made for the entire FRP tank manufacturing facility. The preliminary VOC RACT determination for the facility will require various work practices to minimize the emissions of VOC's. Upon final approval of the company's case-by-case analysis, the operating permit will include conditions requiring recordkeeping and reporting of operational data to verify VOC emissions.

An appointment to review the pertinent documents at the Department's Altoona District Office at 615 Howard Avenue, Altoona may be scheduled by contacting Kathy Ciampoli at (814) 946-7290 between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on February 9, 1999, at the Department's Altoona District Office, located at 615 Howard Avenue, Altoona, PA 16601 from 10 a.m. until all scheduled comments are received.

Those wishing to comment are requested to contact Sandra Roderick Frank at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Those wishing to comment are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Steve Weyandt, Air Pollution Control Engineer, 615 Howard Avenue, Altoona, PA 16601, on or before February 10, 1999.

Persons with a disability who wish to attend the hearing scheduled for February 9, 1999, at the Altoona District Office and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly at (717) 705-4931 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

### York County

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for Waste Management Disposal Services of PA, Inc.'s facility located in Lower Windsor and Windsor Townships, York County.

The proposed SIP revision does not adopt new regulations. Upon final approval, the operating permit will include emission limits, recordkeeping and reporting requirements for three internal combustion engines and an enclosed ground flare.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed operating permit and SIP revisions. The hearing will be held on February 17, 1999, at the Wise Haven Hall, 2985 East Prospect Street, York, PA 17402 from 1 p.m. until all scheduled comments on the proposed action are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Scott Werkheiser, Air Pollution Control Engineer, DEP, 909 Elmerton Avenue, Harrisburg, PA 17110 during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for February 17, 1999, at the Wise Haven Hall and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly.

### Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen (NO<sub>x</sub>) and Volatile Organic Compounds (VOC); Public Hearing

*Approval of Reasonably Available Control Technology (RACT) Plans for: Montenay Montgomery Limited Partnership (Plymouth Township, Montgomery County); PECO Energy Company (Falls Township, Bucks County); Atlas Roofing Corporation (Quakertown Borough, Bucks County)*

The Department has made a preliminary determination to approve RACT plans as amendments to the State Implementation Plan (SIP) for the above facilities. The proposed SIP revisions do not adopt new regulations. They incorporate the provisions and requirements contained in RACT approvals for these facilities to comply with current regulations.

These preliminary determinations, if finally approved, will be incorporated into Plan Approvals and/or Operating Permits for the facilities and will be submitted to the United States Environmental Protection Agency (EPA) as revisions to Pennsylvania's SIP.

The following is a summary of the preliminary RACT determinations for these facilities:

### Montenay Montgomery Limited Partnership (Operating Permit OP-46-0010A)

Source	NO <sub>x</sub> Emission Limit (tons/year)	Control Technique	Implementation Schedule
Two Municipal Waste Combustors	615 each	Source Monitoring	Upon Issuance of Permit

The facility is a minor VOC source.

### PECO Energy Company (Operating Permit OP-09-0066)

Source	NO <sub>x</sub> Emission Limit (tons/year)	Control Technique	Implementation Schedule
Boiler No. 3	322	Annual Tune-Up or Adjustment	Implemented
Boiler No. 4	322	Annual Tune-up or Adjustment	Implemented
Boiler No. 5	322	Annual Tune-up or Adjustment	Implemented

The facility is a minor VOC source.

### Atlas Roofing Corporation (Operating Permit OP-09-0039)

Source	VOC Emission Limit (tons/year)	Control Technique	Implementation Schedule
Shingle Saturator, Coating Felt Saturator	43.4	Manufacturer Specifications	Implemented
Felt Saturator	23.2	Manufacturer Specifications	Implemented
Felt Line Saturator	4.9	Manufacturer Specifications	Implemented
Vent Saturator	6.1	Manufacturer Specifications	Implemented
Cleaning Outside Saturator	4.1	Manufacturer Specifications	Implemented
Cleaning Inside			

The facility is a minor NO<sub>x</sub>.

One public hearing will be held for the purpose of receiving comments on the proposed SIP revisions. The hearing will be held at 2 p.m. on February 2, 1999, at the Department of Environmental Protection Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA. The hearing will represent the opportunity for oral comment to the Department on the proposed SIP revisions and will not be a question and answer session. Persons wishing to present testimony at the hearing are encouraged to contact Clarke Rupert, Community Relations Coordinator, at (610) 832-6020 to register prior to the hearing, but may also register at the hearing. Those unable to attend the hearing but who wish to comment should send their written comments to Francine Carlini, Air Quality Program Manager, Department of Environmental Protection, Southeast Regional

Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428 on or before February 2, 1999.

Individuals in need of accommodations as provided for in the Americans With Disabilities Act who would like to attend the hearing should contact Clarke Rupert at (610) 832-6020 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

Copies of the pertinent documents are available for review at the Southeast Regional Office. Appointments for scheduling a review may be made by calling (610) 832-6268.

## MINING

### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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 the 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. The 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.

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

#### *Coal Applications Received*

**17820176.** Permit Renewal, **K & J Coal Company, Inc.**, (P. O. Box 189, Westover, PA 16692), commencement, operation and restoration of bituminous strip mine, reclamation, only in Chest Township, **Clearfield County**, affecting 138.2 acres, receiving stream unnamed tributary to Chest Creek. Application received December 9, 1998.

**56980110.** **Fritz Coal, Inc.** (412 Brownstown Hill, Stoystown, PA 15563), commencement, operation and restoration of bituminous strip mine in Quemahoning and Somerset Townships, **Somerset County**, affecting 39 acres, receiving stream Wells Creek and unnamed tributaries to Wells Creek. Application received December 9, 1998.

**11980104.** **A. W. Lewis Coal Corporation** (1072 Skyline Drive, Box 451, Blandburg, PA 16619), commencement, operation and restoration of bituminous strip mine in Reade Township, **Cambria County**, affecting 43.0 acres, receiving stream unnamed tributary to Turner Run to Turner Run. Application received December 8, 1998.

**32930105.** Permit Renewal, **P & N Coal Company, Inc.** (240 West Mahoning Street, P. O. Box 332, Punxsutawney, PA 15767), commencement, operation and restoration of bituminous strip mine in Banks Township, **Indiana County**, affecting 86.7 acres, receiving stream unnamed tributaries to Cush Creek and unnamed tributary to South Branch Bear Run. Application received December 9, 1998.

**32980201.** **Ridge Energy Company** (R. D. 2, Box 429, Clymer, PA 15728), commencement, operation and restoration of a coal refuse reprocessing mine in Pine Township, **Indiana County**, affecting 16.0 acres, receiving stream Yellow Creek to Two Lick Creek to the Conemaugh River. Application received December 11, 1998.

**32803037.** Permit Renewal, **Kent Coal Mining Company** (P. O. Box 729, Indiana, PA 15701), commencement, operation and restoration of bituminous strip mine, for reclamation, only in Armstrong Township, **Indiana County**, affecting 656.0 acres, receiving stream Reeds Run and unnamed tributary to Reeds Run. Application received December 14, 1998.

**32813031.** Permit Renewal, **Kent Coal Mining Company** (P. O. Box 219, Shelocta, PA 15774), commencement, operation and restoration of bituminous strip mine in Center Township, **Indiana County**, affecting 925.8 acres, receiving stream Tearing Run and unnamed tributary to Tearing Run. Application received December 15, 1998.

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

**03920111R. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728-0157). Renewal application received for continued reclamation of a bituminous surface mine located in Wayne Township, **Armstrong County**. Receiving streams: unnamed tributaries to South Branch Pine Creek and South Branch Pine Creek. Renewal application received: December 15, 1998.

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

**40880101R2. Silverbrook Anthracite Inc.** (1 Market Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Newport Township, **Luzerne County**, affecting 144.2 acres, receiving stream—Black Creek. Application received December 7, 1998.

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

**56841307. Reitz Coal Company** (509 15th Street, Windber, PA 15963), to revise the permit for the No. 23 J. T. Mine in Shade Township, **Somerset County** to revise post mining land use change of 0.1 acre from forest land to industrial/commercial, no additional discharges. Application received November 30, 1998.

**56831602. Reitz Coal Company** (509 15th Street, Windber, PA 15963), to revise the permit for the Reitz No. 4 preparation plant in Shade Township and Central City Borough, **Somerset County** to revise postmining land use change from forest land to industrial/commercial, no additional discharges. Application received November 30, 1998.

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

#### *Noncoal Applications Received*

**60910302C3. Iddings Quarry, Inc.** (900 Chestnut Street, Mifflinburg, PA 17844), correction to an existing quarry operation in Limestone Township, **Union County** affecting 33.8 acres, receiving stream—none. Application received December 3, 1998.

**8074SM3C4. M & M Stone Company** (P. O. Box 189, Telford, PA 18969), correction to an existing quarry operation in Lower Salford Township, **Montgomery County** affecting 0.39 acre, including a stream variance, receiving stream—Perkimonville Creek. Application received December 7, 1998.

**6276SM4T. Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506), transfer of an existing quarry operation from Valley Forge Stone Co. in Honey Brook and Caernarvon Townships, **Chester and Lancaster Counties** affecting 163.0 acres, receiving stream—East Branch Brandywine Creek. Application received December 8, 1998.

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

### **ENCROACHMENTS**

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313,

1316 and 1317, as well as relevant State requirements. Initial requests for 401 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 Safety or Encroachment Permit or the approval of Environmental Assessments must submit 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.

### **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.**

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

**E15-600.** Encroachment. **Michael Taylor**, 29 Slokom Avenue, Christiana, PA 17509. To construct and maintain a 50 foot long single span steel beam bridge, with a 4.0 foot underclearance, across Rattlesnake Run (TSF-MF) which will provide access to a proposed private residence. This site is located approximately 500 feet southwest of the intersection of Rattlesnake Run Road and Glenville Road (Oxford USGS Quadrangle N: 20.2 inches; W: 13.6 inches) in Upper Oxford Township, **Chester County**.

**E23-374.** Encroachment. **Chetty Builders**, P. O. Box 805, Concordville, PA 19331. To perform the following activities associated with the Hidden Valley II Subdivision: 1. To construct and maintain 18 feet of 24-inch CMP driveway crossing for Lot 23 and Lot 24 across an unnamed tributary to Naamans Creek (WWF) and impacting 0.01 acre of adjacent wetlands (PFO). 2. To construct and maintain 75 feet of 60-inch reinforced concrete pipe for the Spring Meadow Land cul-de-sac extension across Naamans Creek (WWF) and impacting 0.29 acre of adjacent wetlands (PFO). 3. To relocate and fill 860 linear feet of an unnamed tributary to Naamans Creek (WWF), to place fill in 0.03 acre of wetland (PFO), to construct 180 linear feet of stream enclosure and 50 linear feet of relocated channel to convey the relocated streamflows of the unnamed tributary to a different unnamed tributary to Naamans Creek. A 660 linear foot segment of intermittent watercourse will be filled to facilitate the construction of yard areas associated with lots 20, 21, 22, 25 and the common driveway for lots 24 and 25, as well as a portion of the proposed Spring Meadow Lane. Also a 200 linear foot segment of intermittent watercourse will be filled or excavated to facilitate the construction of a stormwater management facility. The Hidden Valley II subdivision is located approximately 1,500 feet northwest of the intersection of Goodley Road and Naamans Creek Road (Route 135) (Marcus Hook, PA-NJ-DE Quadrangle N: 16.6 inches; W: 15.4 inches) in Bethel Township, **Delaware County**. This application includes a request for an environmental assessment to construct an on-stream nonjurisdictional dam impacting 200 linear feet of an intermittent watercourse. The applicant proposes to make a monetary contribution to the Pennsylvania Wetland Replacement Fund.

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

**E39-344.** Encroachment. **Anna H. Tercha**, 1919 Tercha Road, Fogelsville, PA 18051. To place fill in 0.15 acre of PEM Wetlands; to relocate approximately 2,950

linear feet of Iron Run (HQ-CWF) with the construction of approximately 3,550 linear feet of channel change consisting of the construction of a trapezoidal channel; to construct and maintain approximately 3,550 linear feet of 15-inch diameter sanitary sewer line in the floodway of Iron Run; to remove the existing structure and to construct and maintain a culvert crossing in Iron Run consisting of two 12-foot × 5-foot and one 12-foot × 6-foot concrete box culvert for the extension of Nestle Way. The project is associated with the development of an industrial complex known as the Haaf-Tercha Industrial Park. The project is located immediately east of the intersection of S. R. 3015 and T523 (Topton, PA Quadrangle N: 13.0 inches; W: 4.0 inches), Upper Macungie Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

*Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.*

**E21-234-R.** Encroachment. **Messiah College**, Kenneth Martin, Grantham, PA 17027. To place fill materials along the right bank's 100-year floodway of an unnamed tributary to Yellow Breeches Creek (CWF) (locally called Trout Run) for the improvement of an existing access drive and for the construction of an additional building to the Lenhart Building and associated parking lot (Lemoyne, PA Quadrangle N: 5.8 inches; W: 16.8 inches) in Upper Allen Township, **Cumberland County**.

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

**E19-182.** Encroachment. **TCBA Farms**, R. R. 5, Box 290, Bloomsburg, PA 17815. To modify, operate and maintain an existing public road crossing to enclose an unnamed tributary to Montour Run (a cold water fishery) for the development of a commercial facility. The modification work shall consist of extending an existing 8.0-foot × 5.8-foot × 70.0-foot concrete arch culvert to a length of 150-feet. The extension of the culvert shall be made with a 6.0-foot diameter corrugated metal culvert pipe. The stream enclosure impacts an additional 80.0-foot of waterway and 0.047 acre of wetlands that is located along the western right-of-way of S. R. 0011 approximately 250-feet west of the intersection of S. R. 4004 and T-416 (Danville, PA Quadrangle N: 18.6 inches; W: 0.95 inch) in Montour Township, **Columbia County**. The project will permanently impact 0.047-acre of wetlands, for which, the applicant will make a contribution to the National Fish and Wildlife Foundation, Pennsylvania Wetland Replacement Fund, in lieu of onsite replacement wetlands.

**E53-321.** Encroachment. **Walter Hafner**, R. R. 1, Box 187AB, Coudersport, PA 16915. To maintain a 48-inch diameter by 30-foot long CMP culvert in North Hollow Creek off S. R. 1002 approximately 0.25 mile east of the intersection of S. R. 1002 with S. R. 4013 (Sweden Valley, PA Quadrangle N: 6.7 inches; W: 9.7 inches) in Sweden Township, **Potter County**. The project will not impact wetlands while impacting approximately 40 feet of waterway. North Hollow Creek is a cold water fisheries stream.

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

**E24-207.** Encroachment. **Headwaters Charitable Trust**, 478 Jeffers Street, DuBois, PA 15801. To remove the existing bridge and to construct and maintain a 13.5-foot-wide by 8.5-foot-high CM arch pipe culvert in

Coward Run on the Little Toby-Clarion Rails to Trails project approximately 500 feet upstream of the mouth of Coward Run in State Game Lands No. 44 (Carman, PA Quadrangle N: 15.4 inches; W: 10.5 inches) located in Spring Creek Township, **Elk County**.

**E25-578.** Encroachment. **James P. Lay, Esq.**, 558 West 6th Street, Erie, PA 16507-1129. To operate and maintain an existing concrete pier measuring 4 feet wide by 40 feet long into Lake Erie, and to widen and extend this pier to the new measurements of 10 feet wide by 70 feet long into Lake Erie. The project is located along the shore of Lake Erie approximately 2,200 feet northwest of the intersection of West Lake Road (Alternate S. R. 0005) and Powell Avenue (S. R. 0299) (Swanville, PA Quadrangle N: 18.4 inches; W: 6.6 inches) located in Millcreek Township, **Erie County**.

**E20-465.** Encroachment. **One Ten Corporation**, Diane Hendrich, 3939 West Ridge Road, Suite B-20, Erie, PA 16506. To place fill within the FEMA mapped floodway of French Creek for development of a retail store. The project site is located in the undeveloped lot adjacent to the Peebles store in the Park Avenue Plaza, approximately 2,200 feet northwest of the intersection of S. R. 0322/0019/0006 and S. R. 0102 (Geneva, PA Quadrangle N: 22.35 inches; W: 4.75 inches) located in Vernon Township, **Crawford County**.

**E61-220.** Encroachment. **Multi-Tech Communications**, 1717 French Street, P. O. Box 219, Sligo, PA 16255-0219. To place and maintain a 3/4-inch-diameter cable television utility cable within the utility conduit bank within the S. R. 3008 Kennerdell Bridge across the Allegheny River in the Village of Kennerdell (Kennerdell, PA Quadrangle N: 2.5 inches; W: 12.5 inches) located in Rockland and Clinton Townships, **Venango County**.

*Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E65-700-A1.** Encroachment. **PA Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To amend Permit E65-700 to construct and maintain an additional temporary roadway crossing consisting of a 58-inch × 91-inch elliptical concrete pipe culvert in an unnamed tributary to Beaver Run (HQ-CWF) for the purpose of accessing a borrow area. This work includes the placement and maintenance of fill in 0.05 acre of palustrine emergent wetlands. The replacement of 0.05 acre of palustrine emergency wetlands is included at the replacement site authorized by Permit No. E65-700 the project is located off of S. R. 0066 just north of the S. R. 0022/S. R. 0066 interchange (Slickville, PA Quadrangle N: 4.4 inches; W: 10.1 inches) in Salem Township, **Westmoreland County**.

**E32-396.** Encroachment. **William J. Scott**, 145 Mill Run Drive, Indiana, PA 15701. To place and maintain fill along the left bank of an unnamed tributary to McCarthy Run (CWF); to construct and maintain a structure on the proposed access road off SR 422; to place and maintain fill in 0.25 acre of wetlands (PEM) located at the southern corner of SR 286 and SR 422. The purpose of the project is to construct a commercial development (Indiana, PA Quadrangle N: 18.5 inches; W: 8.5 inches) in White Township, **Indiana County**. The applicant proposes to make a monetary contribution to the PA Wetland Replacement Fund in lieu of constructing replacement wetlands.

**E04-263.** Encroachment. **United States Gypsum Company**, 125 South Franklin Street, Chicago, IL 60606-4678. To construct and maintain a 60 inch Sure Lok Polyethylene Pipe for a distance of 620 feet inside an



existing 10 span and 7 foot underclearance arch culvert in a tributary to the Ohio River (WWF) (locally known as Jones Run). The void between the proposed structure and the existing structure will be filled with a concrete slurry mix for the purpose of constructing a wallboard plant. The site is located along the east side of S. R. 51 at the former LTV Steel Plant near River Mile 19.5 (Baden, PA Quadrangle N: 0.8 inch; W: 16.1 inches) in the City of Aliquippa, **Beaver County**.

**E56-287.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a two-span bridge having a normal clear span of 55.25 feet each, and an underclearance of 12.92 feet across Coxes Creek (WWF), located on S. R. 0653, Section 003 located east of S. R. 3015 and S. R. 653 intersection. The project includes construction and maintenance of three nonconcurrent temporary causeways during construction. Also, to permanently place and maintain fill in 0.093 acre of PEM/PSS wetlands for the purpose of improving the highway alignment. The applicant will install stone/tip deflectors in said stream to compensate for wetlands and stream impacts. The project is located in (Rockwood, PA Quadrangle N: 8.3 inches; W: 3.4 inches) Milford and Black Townships and Rockwood Borough, **Somerset County**.

**E63-464.** Encroachment. **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To place and maintain fill in 0.02 acre of wetlands (PEM) for the purpose of reconstructing 0.75 mile of an urban arterial road S. R. 2025 (Coyle Curtain Road) as part of the Mon Fayette Expressway (S. R. 0043) construction Section 52C. This construction section is located on Coyle Curtain Road between its intersections with S. R. 0088 and T-882 (Bogan Road) (Monongahela, PA Quadrangle N: 7.0 inches; W: 6.8 inches) in Carroll and Fallowfield Townships, **Washington County**. The wetland replacement has been constructed under Permit No. E02-1132 for this project.

## ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

##### (Part I Permits)

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

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, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of

receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

#### Industrial waste and sewerage actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

**NPDES Permit No. PA-0061255.** Sewerage. **Wallace R. McDonald**, 1647 Forest Acre Drive, Clarks Summit, PA 18411 is authorized to discharge from a facility located in Newton Township, **Lackawanna County**, to an unnamed tributary of Gardner Creek.

**NPDES Permit No. PA-0060445.** Sewerage. **Eckley Miner's Village**, R. R. 2, Box 236, Weatherly, PA 18255 is authorized to discharge from a facility located in Foster Township, **Luzerne County**, to an unnamed tributary to Black Creek.

**NPDES Permit No. PA-0060780.** Sewerage. **GFC-Dura Bond, Inc.**, R. R. 1, Box 1845-Bldg., Berwick, PA 18603 is authorized to discharge from a facility located in Salem Township, **Luzerne County**, to an unnamed tributary to the Susquehanna River.

**NPDES Permit No. PA-0063827.** Sewerage. **Mr. and Mrs. James Saunders**, 39 Cornerstone Drive, Mohrsville, PA 19541 is authorized to discharge from a facility located in West Penn Township, **Schuylkill County**, to Lizard Creek.

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

**NPDES Permit No. PA0009083.** Industrial waste. **American Color & Chemical LLC**, Mount Vernon Street, P. O. Box 88, Lock Haven, PA 17745. Renewal granted to discharge stormwater to Bald Eagle Creek. Facility located at Castanea Township, **Clinton County**.

**NPDES Permit No. PA0113981.** Industrial waste. **Pennsylvania Industrial Development Authority**, 481 Forum Building, Harrisburg, PA 17120. Renewal granted to facility to discharge treated wastewater from a groundwater cleanup site to a storm drain to unnamed tributary. Facility located at Delaware Township, **Northumberland County**.

**NPDES Permit No. PA0008451-A2, Amendment.** Industrial waste. **Pennsylvania Power and Light Company**, 2 North Ninth Street, Allentown, PA 18101-1179. The permit amendment consists of changing the monitoring frequencies for metals of the Sunbury Steam Electric plant discharge. Facility located at Shamokin Dam Borough, **Snyder County**.

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

**NPDES Permit No. PA0101788.** Sewage. **Eldred Division of Ethan Allen, Inc.**, Route 466, Eldred, PA 16731 is authorized to discharge from a facility located in Eldred Township, **McKean County** to an unnamed tributary to Carpenter Creek.

**NPDES Permit No. PA0102270.** Sewage. **Summit Road Mobile Home Park, Skyline Development, Inc.**, P. O. Box 806, Indianola, PA 15051 is authorized to discharge from a facility located in West Salem Township, **Mercer County** to an unnamed tributary to Booth Run.

**NPDES Permit No. PA0100838.** Industrial waste. **Barkeyville Municipal Authority**, R. D. 1, Box 52, Harrisville, PA 16038 is authorized to discharge from a facility located in Barkeyville Borough, **Venango County** to an unnamed tributary to the North Branch of Slippery Rock Creek.

**NPDES Permit No. PA0222607.** Sewage, **David Q. Steele**, R. R. 1, Box 96B, Wilcox, PA 15870 is authorized

to discharge from a facility located in Jones Township, **Elk County** to East Branch Clarion River.

**WQM Permit No. 2598413.** Sewage. **Tannery Road Subdivision, Woodberry Development, Inc.**, 4720 Wattsburg Road, Erie, PA 16504. This project is for the construction and operation of a small flow sewage treatment facility located in Fairview Township, **Erie County**.

**WQM Permit No. 2498402.** Sewerage, **David Q. and Lorraine H. Steele, SRSTP**, R. R. 1, Box 96B, Wilcox, PA 15870. Construction of David Q. and Lorraine H. Steele SRSTP located in Jones Township, **Elk County**.

## INDIVIDUAL PERMITS

### (PAS)

The following NPDES Individual Permits for discharges of stormwater from construction activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G337	Prime Hospitality Corporation 700 Route 46 East Fairfield, NJ 07007	East Whiteland Township Chester County	Little Valley Creek
PAS10-G304	The Hankin Group 717 Constitution Drive P. O. Box 562 Exton, PA 19341	Uwchland and Upper Uwchland Townships Chester County	Pickering Creek
PAS10-J041	Glen Mills School P. O. Box 137 Concordville, PA 19331	Chester Creek	Thornbury Township Delaware County
PAS10-T022-R	Granor Price Homes 721 Dresher Road Horsham, PA 19044	Unnamed Tributary to Crossman Run	Upper Providence Township Montgomery County
PAS10-G342	WDD, Inc. 1244 West Chester Pike Suite 406 West Chester, PA 18382	East Goshen Township Chester County	Ridley Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10V024	Milford Bible Church of Deacons 303 Ann St. Milford, PA 18337	Pike County Dingman Township	Raymondskill Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10L019	Pa. Dept. of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 149 Ebensburg, PA 15931	Fayette County Stewart Township	Glade Run and Jonathan Run
PAS10W069	Pa. Turnpike Commission P. O. Box 67676 Harrisburg, PA 17105-7676	Washington County Carroll Township Nottingham Township Union Township	Dry Run Mingo Creek Froman Run

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10X090	Pa. Dept. of Transportation P. O. Box 459 Uniontown, PA 15401-0459	Westmoreland County Salem Township Delmont Borough	Beaver Run
PAS10X091	R.W.S. Development Company, Inc. Rural Route 1 Box 61 Rillton, PA 15678	Westmoreland County North Huntingdon Township	Long Run
PAS10X092	Redstone Highlands North Huntingdon 6 Garden Center Greensburg, PA 15601-1397	Westmoreland County North Huntingdon Township	Long Run

### INDIVIDUAL PERMITS

#### (PAR)

#### Approvals to Use NPDES General Permits

The following parties have submitted Notices of Intent (NOI) for Coverage under General NPDES Permits to discharge wastewater into the surface waters of the Commonwealth of Pennsylvania. The Department of Environmental Protection approves the following coverages under the specified General Permit. This approval is subject to applicable effluent limitations, monitoring and reporting requirements and other conditions set forth in the respective General Permit.

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

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

List of NPDES General Permits issued by the Department of Environmental Protection:

#### *NPDES General Permit Type*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems

#### *General Permit Type—PAG-2*

#### *Facility Location*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Allegheny County City of Pittsburgh	PAR10A223-1	Beacon/Corcoran Jennison Partner 2 Oliver Street, 2nd Floor Boston, MA 02109	Monongahela River	Allegheny County CD (412) 241-7645
Allegheny County North Fayette Township	PAR10A290	Pittsburgh Technical Institute 650 Smithfield Street Pittsburgh, PA 15222	Robinson Run	Allegheny County CD (412) 241-7645
Allegheny County North Versailles Township	PAR10A303-1	North Versailles Outparcels CDS 5 Screen Outparcels Commonwealth Warehouse Bldg. 123—36th Street Pittsburgh, PA 15201	Turtle Creek	Allegheny County CD (412) 241-7645
Allegheny County Findlay Township	PAR10A305-1	Regional Industrial Development Corp. of SWPA 425 Sixth Avenue, Suite 500 Pittsburgh, PA 15219-1822	McClaren Run	Allegheny County CD (412) 241-7645

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Allegheny County Franklin Park Borough	PAR10A306	North Allegheny School District 200 Hillvue Lane Pittsburgh, PA 15237-5391	UNT Pine Creek UNT Lowries Run	Allegheny County CD (412) 241-7645
Allegheny County Moon Township	PAR10A307	A. Richard and Susan Nernberg 5541 Walnut Street Pittsburgh, PA 15232	UNT Meeks Run	Allegheny County CD (412) 241-7645
Allegheny County Indiana Township	PAR10A309	Daniel J. Eichenlaub P. O. Box 111282 Indianola, PA 15051	Deer Run	Allegheny County CD (412) 241-7645
Allegheny County McCandless Township	PAR10A315	North Allegheny School District 200 Hillvue Lane Pittsburgh, PA 15237	Little Pine Creek	Allegheny County CD (412) 241-7645
Allegheny County Forward Township	PAR10A316	Nancy Ann Kolosvary 195 Guffey Road Elizabeth, PA 15037	Gillespie Run	Allegheny County CD (412) 241-7645
Armstrong County Gilpen Township	PAR10B025	Gilpen Township Sewage Authority Pauline Sproull R. D. 5, Box 1186 Leechburg, PA 15656	Elder Run, etc. Tribes of the Allegheny River	Armstrong County CD (724) 548-3425
Armstrong County Ford City Borough	PAR10B028	PPG Industries, Inc. Guys Run Road P. O. Box 11390 Pittsburgh, PA 15238	Allegheny River Fort Run	Armstrong County CD (724) 548-3425
Fayette County South Union Township	PAR10L045	CHL Development Corporation R. D. 1, Box 296A Hopwood, PA 15445	Redstone Creek	SW Regional Office (412) 442-4315
Somerset County Windber Township	PAR106129	Windber Medical Center 600 Somerset Street Windber, PA 15963	Paint Creek	Somerset County CD (814) 445-4652
Washington County West Blairsville Borough Brownsville Borough	PAR10W130	PA DOT District 12-0 P. O. Box 459 Uniontown, PA 15401	Monongahela River	Washington County CD (724) 228-6774
Washington County Union Township Jefferson Borough	PAR10W132	Carnegie Interstate Pipeline Corp. 800 Regis Avenue Pittsburgh, PA 15236	UNT to Peters Creek	Washington County CD (724) 228-6774
Caln Township Chester County	PAR10-G298	Janice Builders 1518 Meadowbrook Lane West Chester, PA	Unnamed Tributary to Beaver Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19426 (610) 832-6130
City of Philadelphia Philadelphia County	PAR10-5316	The Andorra Group P. O. Box 727 2201 Barren Hill Road Conshohocken, PA 19428	Schuylkill River	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19426 (610) 832-6130
City of Philadelphia Philadelphia County	PAR10-5321	Pennypack Woods Home Ownership Assoc. 8724 Crispin St. Philadelphia, PA 19136	Pennypack Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19426 (610) 832-6130

## NOTICES

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
City of Philadelphia Philadelphia County	PAR10-5323	DePaul Healthcare Company 1750 Walton Road Blue Bell, PA 19422	Pennypack Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19426 (610) 832-6130
City of Philadelphia Philadelphia County	PAR10-5322	Philadelphia Authority for Industrial Dev. 2600 Centre Square West 1500 Market St. Philadelphia, PA 19102	Municipal Storm Sewer City of Philadelphia	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Richland Township Bucks County	PAR10-D341	Core States Banks, NA 4256 West Swamp Rd. Doylestown, PA	Morgan Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Warrington Township Bucks County	PAR10-D353	Preit-Rubin 200 South Broad St. Philadelphia, PA	Little Neshaminy Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Warrington Township Bucks County	PAR10-D372	The Cutler Group P. O. Box 629 Horsham, PA 19944	Mill Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Schuylkill Township Chester County	PAR10-G287	Longview Development 992 Old Eagle School Road, Suite 905 Wayne, PA 19087	French Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Concord Township Delaware County	PAR10-J128	Pulte Homes—Corp. of Delaware 1210 Northbrook Dr. Trevoise, PA 19053	West Branch Chester Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Conshohocken Borough Montgomery County	PAR10-T491	Six Oliver Tower Corporation 100 Front Street West Conshohocken, PA	Schuylkill River	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Upper Dublin Township Montgomery County	PAR10-T481	Westrum Susquehanna LP 792 Penllyn Pk., Suite 101 Blue Bell, PA	Tributary to Wissahickon Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Upper Frederick Township Montgomery County	PAR10-T453	Panos Papantoniou 210 Bassett Court Limerick, PA	Scioto Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Whitpain Township Montgomery County	PAR10-T488	Normany Farm, LP 1421 Morris Rd. Blue Bell, PA	Stoney Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Upper Providence Township Montgomery County	PAR10-T470	Upper Providence Township 1286 Black Rock Rd. P. O. Box 406 Oaks, PA 19456	Unnamed Tributary to Perkiomen Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Towamencin Township Montgomery County	PAR10-T440	Cruz Bay Properties, Inc. 1228 Old Rt. 309 Sellersville, PA 18960	Skippack Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Whitemarsh Township Montgomery County	PAR10-T468	S. Paone, Inc. T. 1120 Paone, Inc. Spring House, PA	Plymouth Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Erie County Fairview Township	PAR10K119	James Hornyak P. O. Box 182 Girard, PA 16417	Unnamed Tributary to Lake Erie	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Lawrence County Neshannock Township	PAR103730	Leo Golba A. G. Development Co. Adam's Grove 233 West Parkside Drive New Castle, PA 16105	Unnamed Tributary to Shenango River	Lawrence Conservation Dist. Lawrence Co. Government Center 430 Court Street New Castle, PA 16101-3593 (724) 652-4512
Centre Township Berks County	PAR-10-C105-R	Jordan Crossing James Saunders Maiden Creek Assoc. IVC 39 Cornerstone Drive Mohrsville, PA 19529	Tributary to Irish Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Amity Township Berks County	PAR-10-C231	Pleasant Meadow Subdivision Mike Roding MDR Construction 37 West Lancaster Avenue Rear Reading, PA 19607	Tributary to Manatawny Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
New Morgan Borough Berks County	PAR-10-C244	Terradyne Ceramics of PA LLC Robert Twombly JR VP 405 North Providence Road Media, PA 19063	Tributary to Conestoga Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Middlesex Township Cumberland County	PAR-10-H184	Equilibrium Equities Inc. Crossroads Commerce Center 101 West 55th Street No 6C New York, NY 10019	UNT to Letort Spring Run	Cumberland County CD 43 Brookwood Ave. Suite 4 Carlisle, PA 17013 (717) 240-7812

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Springettsbury Township York County	PAR-10-Y363	Meadowlands Business Park Yorland Associates R. D. 8, Box 232 York, PA 17403	UNT to Kreutz Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
York Township York County	PAR-10-Y364	Spangler Meadows Evergreen Investment Group 274 Pine View Lane York, PA 17403	UNT to Mill Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

*General Permit Type—PAG-03*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
York County Jackson Township	PAR113539	MIT Aquisitions Company 500 S. 16th Street Manitowoc, WI 54221-0066	Honey Run	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Straban Township	PAR803501	Helicopter Applicators, Inc. 1670 York Road Gettysburg, PA 17325	UNT to Rock Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
York County Stewartstown Borough	PAR233535	Fypon Limited 22 West Pennsylvania Avenue Stewartstown, PA 17363	UNT to Ebaugh's Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-05*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Cumberland County Middlesex Township	PAG053525	CF MotorFreight P. O. Box 3010 Menlo Park, CA 94026-3010	retention basin	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

**SEWAGE FACILITIES ACT  
PLAN APPROVAL**

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

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

*Location—*Quincy Township, Franklin County, 7575 Mentzer Gap Rd., Waynesboro, PA 17268. The approved plan modifies a previous plan (A1-28918-Act) approved in October 1994. It expands a proposed .2 mgd sewage treatment plant to .3 mgd. It expands the previous collection system to include the Slabtown and Biesecker Gap areas of the Township. The plan also selects a hybrid collection system using small diameter variable grade technology with low pressure collection where necessary. An OLDS Management Ordinance will address the remainder of the municipality. The Department's review of the sewage facilities update revision has not identified 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.

*Location—*Cumru Township, Berks County, R. D. 3, Box 3005, Mohnton, PA 19540. Approved plan provides for extension of public sewers to serve the Steever's Glen, Alpine Drive and Hemlock Road areas of the Township. Implementation of several portions of these projects is dependent upon completion of developer driven projects. Special studies will be conducted for the Agelica and Kohl's Mill areas. Areas with elevated levels of nitrate-nitrogen groundwater contamination are identified and the Subdivision and Land Development Ordinance new land development procedures will be modified accordingly. The Department's review of the sewage facilities update revision has not identified 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.

*Location—*Ephrata Township, Lancaster County, 265 Rear Akron Rd., Ephrata, PA 17522. The approved special study examined sewage disposal needs in the Hanstown and Brunnerville Road areas of the Township. While a

small number of problems were located, sufficient area is available to make suitable repairs to the onlot disposal systems. Other than repairs to the problem OLDS, no further action is necessary.

## SAFE DRINKING WATER

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

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

**Permit No. 0997514.** Public water supply. **Heritage-Steeple-Chase, L. P.**, 3326 Old York Road, Suite B, Furlong, PA 18925. A permit has been issued to the Heritage Steeple-Chase to construct and operate a public water supply system with three wells to serve the proposed Steeple-Chase developments in Plumstead Township, **Bucks County**. *Type of Facility:* Public Water Supply System. *Consulting Engineer:* Boucher and James, P. O. Box 904, Downingtown, PA 18901. *Permit to Construct Issued:* December 10, 1998.

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

**Permit No. 4898504.** Public water supply. **Century Estates III**, George Gasper, Chairperson, Bath Borough Authority, Race and Main Streets, Bath, PA 18014-0037. This proposal involves the construction of a booster pumping station serving Century Estates III. It is located Bath Borough and East Allen Township, **Northampton County**. Construction permit issued December 7, 1998.

**Permit No. 5498506.** Public water supply. **Schuylkill County Municipal Authority—Mount Laurel Water Treatment Plant**, 221 South Centre Street, Pottsville, PA 17901, David Holley, General Manager. This proposal involves an increase in the permitted water treatment flow rate from 1.0 mgd, the construction of a new 1 mg distribution storage tank, a SCADA monitoring system, a new raw and treated water pumps and new clear well. It is located in New Castle Township, **Schuylkill County**. Construction permit issued December 22, 1998.

**Permit No. 1398501.** Public water supply. **Nathan's Hamlet Water Supply System**, Jeffery Maithland, Box 303, HCR 1, Lakeside Drive, Sciota, PA 18354. This proposal involves construction of a new pump station to include chlorine contact tanks, three hydro tanks, chlorination system and electric controls. It is located in Franklin Township, **Carbon County**. Construction permit issued November 17, 1998.

**Minor Amendment for Permit No. 3989503.** Public water supply. **Madison Park Water Company**, Alex Horstein, 1150 South Cedar Crest Boulevard, Suite 200, Allentown, PA 18103. This proposal involved modification of the existing booster pump station. It is located in Lynn Township, **Lehigh County**. Construction permit issued on December 3, 1998.

**Minor Amendment for Permit No. 5282501.** Public water supply. **Well No. 8, Matamoras Municipall Authority**, 304 Pennsylvania Avenue, Matamoras, PA 18336. This proposal involves changing the existing pump. It is located in Matamoras Borough, **Pike County**. Construction permit issued on November 19, 1998.

**Minor Amendment.** Public water supply. **Tenth Street Water Tank, Tower City Borough Authority**, 219 East Colliery Avenue, P. O. Box 37, Tower City, PA

17980. This proposal involves the rehabilitation of the Tenth Street Water Tank. It is located in Tower City Borough, **Schuylkill County**. Construction permit issued on December 3, 1998.

**Operations Permit** issued on December 10, 1998, to **Blue Spring Water Company**, East Allen Township, **Northampton County**.

**Operations Permit** issued on November 9, 1998, to **Bowmanstown Municipal Authority** water system (formerly Bowmanstown Borough and Meadow Crest systems), Bowmanstown Borough, **Carbon County**.

**Operations Permit** issued on November 12, 1998, to **Pennsylvania American Water Company**, Coolbaugh Township, **Monroe County**.

**Operations Permit** issued on December 1, 1998, to **The Municipal Authority of the Borough of Shenandoah**, Shenandoah Borough, **Schuylkill County**.

**Operations Permit** issued on December 9, 1998, to **Cherry Hill Mobile Home Court**, Cherry Ridge Township, **Wayne County**.

*Southcentral Regional Office: Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.*

**Permit No. 6798503.** Public water supply. **West Manchester Township Authority**, West Manchester Township, **York County**. *Responsible Official:* Samuel Null, Chairperson, 2115 Log Cabin Road, York, PA 17404. *Type of Facility:* Well No. 8 at a rate of 150 gallons per minute (gpm). Treatment will consist of disinfection with chlorine gas.

**Permit No. 2298503.** Public water supply. **Elizabethville Area Authority**, Washington Township, **Dauphin County**. *Responsible Official:* Andrew W. Hills, Chairperson, P. O. Box 271, Elizabethville, PA 17023. *Type of Facility:* Development of Well No. 5.

*Regional Office: Northcentral Field Operations, Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**Application No. 4198502.** The Department issued a construction permit to **Fulmer's Personal Care Home** (R. R. 2, Box 146, Williamsport, PA 17701; Old Lycoming Township, **Lycoming County**) for construction of the public water system.

**Application No. M. A.** The Department issued an operating permit to **Middleburg Municipal Authority** (13 North Main Street, Middleburg, PA 17842; Middleburg Borough, **Snyder County**) for authorization of a change in the chemical applied for coagulation from alum to Delpac 2020, a polyaluminum chloride.

**Application No. 4496453-MA3.** The Department issued a construction permit to **Augusta Boys, Inc.** (R. R. 1, Box 132B, Sunbury, PA 17801; Upper Augusta Township, **Northumberland County**) for construction of the two additional vended water.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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



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

For further information concerning the final report, contact the Environmental Cleanup Program in the Department's 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 report:

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

**Vilmeier Auction Company**, Horsham Township, **Montgomery County**. Sunand Mabbula, P. G., Hardy Environmental Services, 425 Old Airport Road, New Castle, DE 19720, has submitted a Final Report concerning remediation of site soil contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**East Norriton Shopping Center Associates, L. P.**, East Norriton Township, **Montgomery County**. Edward H. Prout, Jr., ARC, Inc., P. O. Box 2227, Doylestown, PA 18901, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet Statewide health and background standards.

**Granite Substation Site No. 259 (Decommissioned)**, Richland Township, **Bucks County**. Lisa A. Palfey, PP&L, Inc., Two N. Ninth St., Allentown, PA 18101-1179, has submitted a Final Report concerning remediation of site soil contaminated with PCBs. The report is intended to document remediation of the site to meet the Statewide health standard.

**F. P. Woll & Company Facility**, City of Philadelphia, **Philadelphia County**. Terence A. O'Reilly, P. G., TriState Environmental Management Services, Inc., 362 Dunks Ferry Road, Bensalem, PA 19020, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents, BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

*Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

**Shoemaker Residence**, Lemon Township, **Wyoming County**. David Crowther, Geologist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Final Report (on behalf of his client, Linda Shoemaker, 13219 Raccoon Ford Road, Culpepper, VA 22701) concerning the remediation of site soils and groundwater found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polycyclic aromatic hydrocarbons (PAHs). The report was submitted to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Decommissioned Buttonwood Substation**, City of Hazleton, **Luzerne County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The report was submitted to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Decommissioned Sullivan Trail Substation**, Exeter Township, **Luzerne County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The report was submitted to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

## SOLID AND HAZARDOUS WASTE

### RESIDUAL WASTE PROCESSING FACILITIES

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

*Regional Office: Regional Solid Waste Manager, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428.*

**Permit No. 300725. Philadelphia Suburban Water Co.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This permit was issued for the re-permitting of the company's captive water treatment plant sludge landfill known as their Neshaminy Falls Residual Waste Landfill located in Middletown Township, **Bucks County**. Permit issued in the Southeast Regional Office on December 11, 1998.

**Permit No. 300997. Philadelphia Suburban Water Co.**, 726 West Lancaster Avenue, Bryn Mawr, PA 19010. This permit was issued for the re-permitting of the company's captive water treatment plant sludge landfill known as their Foxcroft Residual Waste Landfill located in Marple Township, **Delaware County**. Permit issued in the Southeast Regional Office on December 11, 1998.

**Permit No. 301299. Philadelphia Suburban Water Co.**, 726 West Lancaster Avenue, Bryn Mawr, PA 19010. This permit was issued for the re-permitting of the company's captive water treatment plant sludge landfill known as their Pickering Creek Residual Waste Landfill located in Schuylkill Township, **Chester County**. Permit issued in the Southeast Regional Office on December 11, 1998.

#### HAZARDOUS WASTE, TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

**Permit ID No. PAD061779815. Van Waters & Rogers, Inc.**, 6000 Casteel Drive, Coraopolis, PA 15108. Operation of a hazardous waste storage facility in North Fayette Township, **Allegheny County**. Permit terminated in the Regional Office on December 15, 1998.

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

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

*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653.*

**Permit No. 101243. Major Modification. Bradford County Landfill, Northern Tier Solid Waste Authority** (P. O. Box 10, Burlington, PA 18814). Major modification for addition of leachate collection lateral to existing municipal waste landfill located in W. Burlington Township, **Bradford County**. Modification issued in the regional office on December 15, 1998.

### AIR QUALITY

#### OPERATING PERMITS

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

*Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.*

**GP7-36-3083: Steckel Printing, Inc.** (2100 State Road, Lancaster, PA 17601) authorized use of the general permit for four sheetfed presses in E. Hempfield Township, **Lancaster County**.

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

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.*

**PA-32-330A: Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) issued December 17, 1998, for installation of coal screening/loading at Ondo Mine in Brushvalley Township, **Indiana County**.

**TV-65-00865: Sony Chemicals Corporation of America** (1001 Technology Drive, Mt. Pleasant, PA 15666) issued December 10, 1998, for thermal transfer ribbon manufacturing facility at the Pittsburgh Manufacturing Center in Mt. Pleasant Township, **Westmoreland County**.

#### PLAN APPROVALS

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

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

**40-308-001: Bright Star Industries, Inc.** (380 Stewart Road, Wilkes-Barre, PA 18706) issued December 9, 1998, for construction of a battery manufacturing operation in Hanover Township, **Luzerne County**.

**45-302-061: Tobyhanna Army Depot** (11 Hap Arnold Boulevard, Tobyhanna, PA 18466) issued December 10, 1998, for construction of a boiler in Coolbaugh Township, **Monroe County**.

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.*

**PA-65-370A: Winco Salvage** (P. O. Box 196, Connelville, PA 15425) issued December 17, 1998, for installation of aluminum recycling furnace at Budd's Ferry Road Site in Rostraver Township, **Westmoreland County**.

**PA-56-258A: PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541) issued December 17, 1998, for construction of coal crushing facility at Job 200 (Paxton Strip) in Brothersvalley Township, **Somerset County**.

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

**25-316-006A: International Paper Co.** (1540 East Lake Road, Erie, PA 16533) issued December 2, 1998, for modification of the bleach plant operations in Erie, **Erie County**.

**PA-61-016B: Pennzoil Products Co.** (2 Main Street, Rouseville, PA 16344) issued December 15, 1998, for reconstruction of a wastewater drain system in Cornplanter Township, **Venango County**.

**PA-61-016C: Pennzoil Products Co.** (2 Main Street, Rouseville, PA 16344) issued December 15, 1998, for installation of a vacuum tower, pump and heat exchangers in Cornplanter Township, **Venango County**.

**61-399-007D: A. G. Industries, Inc.** (671 Colbert Avenue, Oil City, PA 16301) issued December 8, 1998, for modification of Plan Approval 61-399-007C to establish the facility as a small existing hard chromium electroplating facility in Oil City, **Venango County**.

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

*Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.*

**07-302-031: Appleton Papers, Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673) granted November 19, 1998, to authorize temporary operation of the power Boiler No. 4 covered by this Plan Approval until March 18, 1999, in Roaring Spring Borough, **Blair County**. This source is subject to 40 CFR 60, Subpart Db, Standards of Performance for New Stationary Sources.

**67-310-009B: Milestone Materials, Inc.** (P. O. Box 231, Easton, PA 18040) granted December 8, 1998, to authorize temporary operation of the stone crushing and screening operation controlled by wet suppression, covered by this Plan Approval until at the York Quarry, in Manchester Township, **York County**. These sources are subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.*

**PA-04-445A: VEKA, Inc.** (100 Veka Drive, Fombell, PA 16123) issued December 17, 1998, for installation of coating of PVC lineals in Marion Township, **Beaver County**.

**PA-04-483B: Interforest Corp.** (119 AID Drive, P. O. Box 444, Darlington, PA 16115) issued December 17, 1998, for installation of 2 Hurst Boilers at Penn-Beaver Veneers Corp. in Darlington Township, **Beaver County**.

**PA-04-044B: Zinc Corp. of America** (300 Frankfort Road, Monaca, PA 15061) issued December 17, 1998, for construction of bulk material storage building at Monaca Zinc Smelter in Potter Township, **Beaver County**.

**PA-56-263A: Penn Coal, Inc.** (214 College Park Plaza, Johnstown, PA 15904) issued December 16, 1998, for installation of coal screening at Sarah Mine in Jenner Township, **Somerset County**.

**26-000-119: Anchor Glass Container Corp.** (4343 Anchor Plaza Parkway, Tampa, FL 33634) issued April 1, 1998, for operation of glass container manufacturing at Plant 5 in South Connellsville Borough, **Fayette County**.

## MINING

### APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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 the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

#### Coal Applications Issued

**56803020. Permit Renewal. Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552), commencement, operation and restoration of a bituminous strip-coal refuse disposal mine in Summit Township, **Somerset County**, affecting 79.5 acres, receiving stream Blue Lick Creek, an unnamed tributary to Blue Lick Creek and an unnamed tributary to the Casselman River, application received September 21, 1998. Permit issued December 11, 1998.

**56930107. Permit Renewal. Future Industries, Inc.** (P. O. Box 157, Meyersdale, PA 15552), commencement, operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 78.5 acres, receiving stream unnamed tributaries to Buffalo Creek and Buffalo Creek, application received August 31, 1998, permit issued December 11, 1998.

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

**65980102. V. P. Smith Co., Inc.** (P. O. Box 242, Ligonier, PA 15658). Revision issued to add 10.0 acres and allow mining in two pits on an existing bituminous surface mine located in Fairfield Township, **Westmoreland County**, now affecting 82.8 acres. Receiving streams: unnamed tributaries to Hannas Run to Hannas Run to Mill Creek to Loyalhanna River. Revision application received October 2, 1998. Revision issued December 17, 1998.

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

**17803176. Al Hamilton Contracting Company** (R. R. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine-fly ash disposal permit in Decatur Township, **Clearfield County** affecting 117.7 acres. Receiving streams: Morgan Run to Clearfield Creek and unnamed tributary of Coal Run to Coal Run to Moshannon Creek, all to West Branch Susquehanna River to Susquehanna River. Application received October 6, 1998; permit issued December 2, 1998.

**17753159. Al Hamilton Contracting Company** (R. R. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Decatur Township, **Clearfield County** affecting 475 acres. Receiving streams: an unnamed tributary of Little Laurel Run, Little Laurel Run, and Shimmel Run; Little Laurel and Shimmel Run to Moshannon Creek, Moshannon Creek to the West Branch Susquehanna; the West Branch Susquehanna River to the Susquehanna. Application received September 21, 1998, permit issued December 2, 1998.

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

**35910102R. Silverbrook Anthracite, Inc.** (1 Market Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Archbald Borough, **Lackawanna County** affecting 1000.3 acres, receiving stream—unnamed tributary to Aylesworth Creek. Renewal issued December 14, 1998.

**54830102R3. Joe Kuperavage Coal Company** (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 263.0 acres, receiving stream—none. Renewal issued December 14, 1998.

**54870206R2. White Pine Coal Co., Inc.** (P. O. Box 59, Ashland, PA 17921), renewal of an existing coal refuse reprocessing operation in Butler, Barry, Eldred, East and West Cameron Townships and Gordon Borough, **Schuylkill and Northumberland Counties** affecting 870.0 acres, receiving stream—Mahanoy Creek. Renewal issued December 14, 1998.

**54920203CR. B-D Mining Co.** (P. O. Box 423, Gilberton, PA 17934), correction and renewal of an existing coal refuse reprocessing operation in Mahanoy Township and Shenandoah Borough, **Schuylkill County** affecting 86.0 acres, receiving stream—none. Correction/Renewal issued December 15, 1998.

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

**03831305. Keystone Coal Mining Corporation,** (P. O. Box 729, Indiana, PA 15701), to renew the permit for the Jane Mine in Plumcreek Township, **Armstrong County**, no additional discharges. Permit issued December 8, 1998.

**30841316. Consol PA Coal Company, Waynesburg Operations,** P. O. Box 174, Graysville, PA 15337, to revise the permit for the Bailey Mine in Richhill and West Finley Townships, **Greene and Washington Counties** to add 147.7 acres to the subsidence control plan, no additional discharges. Permit issued November 23, 1998.

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

*Small Noncoal (Industrial Mineral) Permits Issued:*

**08980813. Melvin R. Adams** (R. D. 2, Box 199, Laceyville, PA 18623), commencement, operation and restoration of a Small Industrial Mineral (Bluestone) permit in Wilmot Township, **Bradford County** affecting 1 acre, receiving streams: unnamed tributary to Sugar Run Creek. Application received September 17, 1998, Permit issued December 3, 1998.

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

**58980824. Steven Jones** (R. R. 2, Box 69V, New Milford, PA 18834), commencement, operation and restoration of a bluestone quarry operation in New Milford Township, **Susquehanna County** affecting 2.0 acres, receiving stream—none. Permit issued December 15, 1998.

**06980802. Robert L. Garber** (276 Spies Church Road, Reading, PA 19606), commencement, operation and restoration of a small quarry operation in Alsace Township, **Berks County** affecting 2.0 acres, receiving stream—none. Permit issued December 17, 1998.

**58980850. Elaine H. Helvig** (R. R. 1, Box 78, Laceyville, PA 18623), commencement, operation and restoration of a bluestone quarry operation in Auburn Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued December 17, 1998.

**52980801. Grassy Island Creek Rod & Gun Club, Inc.** (115 North Main Street, Nazareth, PA 18064), commencement, operation and restoration of bluestone quarry operation in Lackawaxen Township, **Pike County** affecting 2.0 acres, receiving stream—none. Permit issued December 17, 1998.

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

*Noncoal Permits Issued*

**44930301C. Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454), renewal of NPDES Permit No. PA0595985 in Armagh Township, **Mifflin County**, receiving stream—Laurel Creek. Renewal issued December 14, 1998.

**60840401A1C2. Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454), renewal of NPDES Permit No. PA0614181 in Buffalo Township, **Union County**, receiving stream—Buffalo Creek. Renewal issued December 14, 1998.

**35840602C2. Wyoming Sand & Stone Company** (6 Wyoming Sand Road, Tunkhannock, PA 18657), renewal of NPDES Permit No. PA0595012 in South Abington and Scott Townships, **Lackawanna County**, receiving stream—unnamed tributary to Griffin Pond. Renewal issued December 15, 1998.

**6476SM10A1C2. John F. Walter Excavating, Inc.** (P. O. Box 175, Newville, PA 17241), renewal of NPDES Permit No. PA0594172 in Middlesex Township, **Cumberland County**, receiving stream—unnamed tributary to Conodoguinet Creek. Renewal issued December 15, 1998.

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

*Coal Applications Returned*

**17850120. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), revision to an existing bituminous surface mine permit to add 5 acres Upper Kittanning coal acres and to Change the Permit Acreage from 902.4 to 924.7 acres, Bigler Township, **Clearfield County**. Receiving streams: unnamed tributaries of Haslett Run and Haslett Run to Whisky Run contributory to West Branch of the Susquehanna River. Application received November 25, 1998, application returned December 7, 1998.

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

*Coal Mining Permits Cancelled and Returned:*

**63951601. Vesta Mining Company,** P. O. Box 409, Fredericktown, PA 15333, to cancel the Coal Preparation Plant and Refuse Disposal Permit in North Bethlehem Township, **Washington County**. Permit cancelled and returned November 25, 1998.

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

*Coal Mining Applications Returned:*

**63971301. Hillsboro Coal Company,** P. O. Box 548, Fredericktown, PA 15333, to operate the Hillsboro Mine in North Bethlehem Township, **Washington County** for a new mine, receiving streams are unnamed tributary to Little Daniels Run, unnamed tributary to Daniels Run and unnamed tributary to Brush Run. Application returned November 25, 1998.

#### ABANDONED MINE RECLAMATION

*Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA 17105-8476.*

**Bond Forfeiture Contract Awarded: BF 417-101.1.** Manor Township, **Armstrong County**. AMR Project, William J. McIntire Coal Company, Inc., Manor Township, Armstrong County. *Contractor: J & J Snyder, Inc. Amount: \$88,882.50. Date of Award: October 2, 1998.*

**Bond Forfeiture Contract Awarded: BF 139-101.1.** Conemaugh Township, **Indiana County.** AMLR Project, Kowalski and Kowalczyk Forfeiture Site, Conemaugh Township, Indiana County. *Contractor: Glenn Shick Jr. and Sons Excavating. Amount: \$286,510.00. Date of Award: October 7, 1998.*

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

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

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, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (*Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.*)

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

**E39-341.** Encroachment. **Pennsylvania Department of Transportation, District 5-0,** 1713 Lehigh Street, Allentown, PA 18103-4727. To remove the existing structure and to construct and maintain a 12 foot × 3 foot precast concrete box culvert, depressed 1.0 feet below stream bed elevation, in Shaefer Run. The project is located on S. R. 3011 approximately 0.1 mile south of the intersection of S. R. 0222 and S. R. 3011 (Topton, PA Quadrangle N: 7.6 inches; W: 6.5 inches) in Upper Macungie Township, **Lehigh County.**

**E39-354.** Encroachment. **Jaindl Land Company,** 3150 Coffeetown Road, Orefield, PA 18069. To construct and maintain two culvert crossings in Iron Run as follows: one 22 foot × 7.5 foot and three 22 foot × 6 foot concrete box culverts depressed 0.5 feet below stream bed elevation at Bridgestone Drive and one 22 foot × 8 foot and three 22 foot × 6 foot concrete box culverts depressed 0.5 feet below stream bed elevation at Industrial Boule-

vard and a 48 inch diameter R.C.P. stormwater outfall structure at Industrial Boulevard. The project, associated with the Lehigh Valley West, 2 Industrial Park, is located on the west side of S. R. 0100 approximately 1.0 mile south of S. R. 0078 (Allentown West, PA Quadrangle N: 11.9 inches; W: 16.4 inches) in Upper Macungie Township, **Lehigh County.**

**E35-294.** Encroachment. **Northeast Real Estate Development, Inc.,** P. O. Box 128, Waverly, PA 18471. To fill in 0.28 of wetlands for the construction of Village Square at Blakely, a 56 residential lot subdivision. The project is located approximately 0.8 mile east of S. R. 1023 and S. R. 0247 (Olyphant, PA Quadrangle N: 20.1 inches; W: 10.5 inches) in Blakely Borough, **Lackawanna County.** The permittee is required to provide for 0.28 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project.

*Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.*

**E28-259.** Encroachment. **Letterkenny Army Depot,** Building 618, Chambersburg, PA 17021. To (1) replace and maintain Floodgate Numbers 5 to 9 in the channel of an unnamed tributary to Rocky Spring Branch (TSF); and, (2) remove vegetated sedimentary deposits in order to widen and realign the channel, and to repair and maintain Bridge Numbers 1 to 5, 13, 14, 21, 22, 34, 37, 38 and 42 over an unnamed tributary to Rocky Spring Branch on Louisiana and Georgia Avenues (Chambersburg, PA Quadrangle N: 19.1 inches; W: 10.58 inches; to N: 22.25 inches; W: 12.4 inches) in Letterkenny Township, **Franklin County.** This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E28-260.** Encroachment. **Letterkenny Army Depot,** Building 618, Chambersburg, PA 17021. To realign the channel of an unnamed tributary to Keasey Run and to rehabilitate Bridge No. 29 (Roxburg, PA Quadrangle N: 9.0 inches; W: 7.2 inches) in Letterkenny Township, **Franklin County.** This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E28-261.** Encroachment. **Letterkenny Army Depot,** Building 618, Chambersburg, PA 17021. To remove vegetated sedimentary deposits in order to widen and realign the channel; and, to repair and maintain Bridge Numbers 8, 10, 12, 25, 28, 35, 39, 40 and 41 over Muddy Run and its tributaries on Virginia, Pennsylvania and Florida Avenues (Roxbury, PA Quadrangle from N: 5.1 inches; W: 5.08 inches to N: 5.4 inches; W: 10.5 inches) in Letterkenny Township, **Franklin County.** This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E28-262.** Encroachment. **Letterkenny Army Depot,** Building 618, Chambersburg, PA 17021. To remove the existing Bridge 47 structure and to construct and maintain a 9-foot × 6-foot box culvert in the channel of Dennis Creek off Dud Road (Fannettsburg, PA Quadrangle N: 1.5 inches; W: 0.3 inch) in Letterkenny Township, **Franklin County.** This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-633.** Encroachment. **Raymond Cwiklinski,** 7425 Paxton Road, Falls Church, VA 22043. To replace the deck and provide scour protection to an existing 20-foot, 4-inch

single span steel beam bridge on a private drive over South Branch Codorus Creek located east of SR 0616 approximately 120 feet south of Krebs Road, south of Seitzville (Glen Rock, PA Quadrangle N: 10.2 inches; W: 17.2 inches) in Springfield and Codorus Townships, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-637.** Encroachment. **York County Board of Commissioners**, One West Marketway, 4th Floor, York, PA 17401. To maintain the existing York County Rail/Trail Bridge at M. P. 44.84 over the south Branch of the Codorus Creek located south of Seitzville Road just east of SR 0616, 1 mile south of Seven Valleys (Seven Valleys, PA Quadrangle N: 14.4 inches; 1.7 inches) in Codorus and Springfield Townships, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E08-336.** Encroachment. **Earl Chadwick**, 229 Oxbow Rd., Waverly, NY 14892. To place fill or excavate in 0.09 acre of a 0.09 area palustrine emergent wetland for the purpose of constructing a mobile home park known as Wolcott Creek Mobile Home Park. To compensate for unavoidable impacts and to fulfill the wetland replacement requirement, the permittee will participate in the Pa. Wetland Replacement Project. The project site is located approximately 0.83 mile west of the SR 220/T-332 intersection on the west side of Macaffe Road (T-332) (Sayre, PA Quadrangle N: 8.5 inches; W: 5.9 inches) in Athens Township, **Bradford County**.

**E41-428.** Encroachment. **Muncy Creek Twp. Supervisors**, P. O. Box 336, Muncy, PA 17756. To realign the channel of Little Muncy Creek and to construct and maintain stream bank stabilization for the protection of public and private property from flood damage. The realignment work shall consist of the removal of gravel deposition that shall not exceed a maximum length of 500 feet, a maximum width of 80 feet and a maximum depth of 5 feet. The stream bank stabilization work shall consist of installing 1,700 feet of earthen fill, riprap and vegetative measures along the embankment of T-869. The project is located along the southern right-of-way of SR 0442 approximately 1.8 miles west of the intersection of T-869 and SR 0442 (Hughesville, PA Quadrangle N: 11.3 inches; W: 12.3 inches) in Muncy Creek Township, **Lycoming County**. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-375.** Encroachment. **Pa. Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To maintain a twin cell 10 foot by 12 foot concrete culvert located 300 feet west on SR 287 from its intersection with SR 4024 2) and to maintain a clear and stable channel for 600 linear feet upstream and 150 linear feet downstream of the culvert in Elkhorn Creek 3) associated concrete/gabion basket deflectors and gabion stream bank protection located within 600 linear feet upstream of the culvert (Tioga, PA Quadrangle N: 5.7 inches; W: 4.8 inches) in Tioga Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E10-287.** Encroachment. **Center Township Supervisors**, Municipal Building, 419 Sunset Drive, Butler, PA 16001-1337. To remove the existing structure and to construct and maintain a prefabricated concrete arch bridge (Con/Span or equivalent) having a span of 20 feet and an underclearance of 4.4 feet across a tributary to Stoney Run on Stoney Run Road approximately 0.4 mile east of S. R. 0308 (Mount Chestnut, PA Quadrangle N: 11.8 inches; W: 2.8 inches) located in Center Township, **Butler County**.

**E37-123.** Encroachment. **Plain Grove Township**, R. D. 3, Slippery Rock, PA 16057. To remove the existing bridge and to construct and maintain a metal box culvert having a span of 13.5 feet and a rise of 7 feet in a tributary to Taylor Run on T-585 (McConahy Road) approximately 1,500 feet north of S. R. 1016 (Harlansburg, PA Quadrangle N: 15.4 inches; W: 7.6 inches) located in Plain Grove Township, **Lawrence County**.

*Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E03-377.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To remove the existing structure and to construct and maintain a 1.0-foot depressed single cell 18.0-foot concrete box culvert in Cessna Run for the purpose of improving the transportation safety. The project is located on S. R. 2003, Segment 0050, Offset 0585, Station 40+95 (Elderton, PA Quadrangle N: 15.5 inches; W: 9.5 inches) in Plumcreek Township, **Armstrong County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E26-246.** Encroachment. **Pennsylvania Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 26.0 feet and an underclearance of 7.6 feet across Furnace Run for the purpose of improving transportation safety and roadway standards. This permit also authorizes the relocation and maintenance of 110.0 feet of Furnace Run upstream from the bridge and the construction and maintenance of a temporary roadway crossing consisting of two 12-inch corrugated metal pipes in Furnace Run upstream from the bridge. The project is located on S. R. 1008, Section C01, Station 22+92 (Dawson, PA Quadrangle N: 7.2 inches; W: 9.6 inches) in Franklin Township, **Fayette County**.

**E56-286.** Encroachment. **Lee J. College**, 2220 Casselman Road, Rockwood, PA 15557-0914. To relocate and maintain a 200-LF section of an unnamed tributary to Middle Creek (TSF), to remove 20 LF of gravel bar, and to construct and maintain approximately 100 LF earth berm along the channel of said stream for the purpose of reducing flooding. The project is located just downstream of S. R. 3006 (Rockwood, PA Quadrangle N: 4.7 inches; W: 11.8 inches) in Milford Township, **Somerset County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E65-712.** Encroachment. **Pennsylvania Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. To remove the existing

structure and to construct and maintain a 30.48-centimeter depressed single cell concrete box culvert having a normal span of 4.87 meters and an underclearance of 2.43 meters in an unnamed tributary to Barren Run. This permit also authorizes channel cleaning for a distance of 29.0 meters upstream from the proposed culvert, the installation of rock bank protection along the left bank of an unnamed tributary to Barren Run for a distance of 16.5 meters upstream from the proposed culvert and the temporary impact of 0.004 acre of palustrine emergent wetlands. The project is located on S. R. 0981, Segment 0120, Offset 1478 (Smithton, PA Quadrangle N: 4.4 inches; W: 7.7 inches) in South Huntingdon Township, **Westmoreland County**.

**E65-701. Encroachment. Redevelopment Authority of the County of Westmoreland**, Courthouse Square, Suite 601, 2 North Main Street, Greensburg, PA 15601. To construct and maintain a 120-foot × 40-foot concrete launching ramp, a parking area, a paved walkway and an access roadway along the right bank of the Monongahela River and to operate and maintain an existing 30-foot × 25-foot floating dock and an existing submerged barge docking facility having a total length of 250 feet and a width of 20 feet in and along the right bank of the Monongahela River for the purpose of providing public recreational boat access. The project is located at approximately Mile Point 38.6 (Donora, PA Quadrangle N: 6.5 inches; W: 17.2 inches) in Rostraver Township, **Westmoreland County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

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### SPECIAL NOTICES

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#### Consent Order and Agreement Borough of Tyrone

On the 15th day of December, 1998 the Commonwealth of Pennsylvania and the Borough of Tyrone entered into a Consent Order and Agreement with the following actions agreed to:

1. Until completion of the sewage treatment plant upgrade and expansion, Tyrone shall comply with an interim daily maximum effluent limitation for total residual chlorine of 0.5 mg/l.
2. Within 30 days of execution of the COA, Tyrone shall pay a civil penalty of \$7,000 to the Commonwealth's Clean Water Fund.
3. In the event Tyrone fails to comply with the interim effluent limit established in condition #1, Tyrone Borough shall pay a civil penalty in the amount of \$400 per day.

Anyone desiring to review the entire Consent Order and Agreement should contact Mary DiSanto at the Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4732 to arrange a time and date to see the COA.

#### Certified Emission Reduction Credits in Pennsylvania's ERC Registry

Emission reduction credits (ERCs) are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NOx), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SOx), particulate matter (PM), PM-10 and PM-10 precursors.

The Department of Environmental Protection (Department) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—127.208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered, and certified ERCs in the ERC Registry are currently available for use as follows:

- (1) To satisfy new source review (NSR) emission offset ratio requirements;
- (2) To "net-out" of NSR at ERC-generating facilities;
- (3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown below, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expire for use as offsets 10 years after the emission reduction occurs. ERCs generated by the over control of emissions by an existing facility do not expire for use as offsets. However, credits in the registry which are not used in a plan approval will be discounted if new air quality requirements are adopted by the Department or United States Environmental Protection Agency (EPA).

For additional information concerning this listing of certified ERCs, contact Virendra Trivedi, Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
American National Can Company County: Lehigh, PA Nonattainment status: Moderate Contact Person: R. M. Rivetna Telephone: (312) 399-3392	VOCs	166.7	11/06/2002	Trading
National Fuel Gas Supply Corp. Knox Compressor Station County: Jefferson, PA Nonattainment status: Moderate Contact Person: Gary A. Young Telephone: (814) 871-8657	NOx	145.7	06/30/2002	Internal Use

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
National Fuel Gas Supply Corp. Roystone Compressor Station County: Warren, PA Nonattainment status: Moderate Contact Person: Gary A. Young Telephone: (814) 871-8657	NOx	103.3	12/28/2002	Internal Use
U. S. Naval Hospital County: Philadelphia Nonattainment Status: Severe Contact Person: Mark Donato Telephone: (215) 897-1809	NOx	30.5	3/31/2005	Trading
United States Steel Group County: Bucks Nonattainment Status: Severe Contact Person: Nancy Hirko Telephone: (412) 433-5914	NOx VOC	1301.7 18.1	8/01/2001	Trading
Lord Corporation Source: Two coal fired boilers County: Erie Ozone nonattainment status: Moderate Contact Person: Matthew Comi Telephone: (814) 868-0924	NOx	30.5	12/20/2004	Trading
Julian B. Slevin, Inc. Recipient/Holder: Ronald W. Lockhart Sandra S. Lockhart Source Location: Lansdowne County: Delaware Ozone nonattainment status: Severe Contact Person: Pamela H. Woldow Telephone: (215) 979-1836	VOCs	85.22	12/20/2005	Trading
Graphic Controls Corporation Recipient/Holder: RIDC Southwestern Pennsylvania Growth Fund Ozone nonattainment status: Moderate Contact Person: F. Brooks Robinson Telephone: (412) 471-3939	VOCs	104.0	5/15/2002	Trading
R. R. Donnelley & Sons Co. County: Lancaster Ozone nonattainment status: Moderate Contact Person: David A. York Telephone: (717) 293-2056	VOCs	147		Internal Use
Kurz Hastings Inc. County: Philadelphia Ozone nonattainment status: Severe Contact Person: Robert Wallace Telephone: (215) 632-2300	VOCs	323.0		Trading
Pennsylvania Electric Company (Penelec) Source Location: Williamsburg Station County: Blair Ozone nonattainment status: Moderate Contact Person: Tim McKenzie Telephone: (814) 533-8670	NOx VOCs	452 3.0	1/18/2001	Trading
Pennsylvania Electric Company (Penelec) Recipient: Carpenter Technology Corp. Ozone nonattainment status: Moderate	NOx	15.36	01/18/2001	Internal Use
Sharon Steel Corp. Source Location: Farrell County: Mercer Ozone nonattainment status: Moderate Contact Person: Robert Trbovich Telephone: (412) 983-6161	NOx VOCs	96.3 10.7	11/30/2002	Trading



## NOTICES

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Pennsylvania Power Company (PA Power) Source Location: New Castle Plant County: Lawrence Ozone nonattainment status: Moderate Contact Person: Donald R. Schneider Telephone: (412) 652-5531	NOx	214	4/02/2003	Trading
Pennsylvania Power Company (PA Power) Recipient: General Electric Company Ozone nonattainment status: Moderate	NOx	14	4/02/2003	Internal Use
DMi Furniture Inc. Recipient: Wood Mode Inc. Ozone nonattainment status: Moderate	VOCs	85.2	12/01/2005	
Ford New Holland, Inc. Source Location: Mountville County: Lancaster Ozone nonattainment status: Moderate Contact Person: William E. Knight Telephone: (717) 355-4903	NOx VOCs	4 78	1/22/2003	Trading
Mercersburg Tanning Company Source Location: Mercersburg County: Franklin Ozone nonattainment status: Moderate Contact Person: David W. Warne Telephone: (717) 765-0746	VOCs	20	10/1/2004	Trading
I.H.F.P., Inc. Source Location: Milton Borough County: Northumberland Ozone nonattainment status: Moderate Contact Person: Michael West Telephone: (717) 742-6639	NOx VOCs	24.45 12.88	4/1/2006	Trading
3M Minnesota Mining & Manufacturing Source: 1E Coater Source: 2E Coater Source: 3E Coater Source: 4E Coater Source: 5E Coater Source: 3W Coater Source: 4W Coater Source Location: Bristol, Bucks Ozone nonattainment status: Moderate Contact Person: Belinda Wirth Telephone: (612) 778-6014	VOCs VOCs VOCs VOCs VOCs VOCs VOCs	0.10 0.25 44.80 0.10 17.90 303.65 275.10	5/02/2001 5/06/2001 4/18/2001 4/16/2001 4/26/2001 10/18/2001 5/13/2001	Trading
Leggett & Platt, Inc. Source Location: Harris Hub-Columbia County: Lancaster Ozone nonattainment status: Moderate Contact Person: Bob Anderson Telephone: (417) 358-8131	VOCs	30	10/01/2004	Trading
Scranton-Altoona Terminal Corporation Source Location: Pittston Township County: Luzerne Ozone nonattainment status: Moderate Contact Person: John M. Arnold Telephone: (717) 939-0466	VOCs	18.36	1/1/2003	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Metallized Paper Corporation of America Recipient/Holder: PNC Bank, National Association, assignee (by private lien foreclosure) from Metallized Paper Corp. Source Location: McKeesport County: Allegheny Ozone nonattainment status: Moderate Contact Person: Martin Mueller Telephone: (412) 762-5263	VOCs	41.7	06/30/2006	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Ozone nonattainment status: Moderate Contact Person: Lori Burgess Telephone: (412) 274-3884	VOCs	171.82		Trading
York International Corporation Sources: Trichloroethylene Vapor Degreaser (151) Trichloroethylene Vapor Degreaser (152) Source Location: Spring Garden Township County: York Ozone nonattainment status: Moderate Contact Person: Garen Macdonald Telephone: (717) 771-7346	VOCs VOCs	12.2 2.7	06/01/2006 10/01/2005	Trading
Pennzoil Products Company Source Location: Rouseville County: Venango Ozone nonattainment status: Moderate Contact Person: Lee E. Wilson Telephone: (814) 678-4649	NOx	31.6	04/15/2002	Trading
REXAM DSI Source Location: Muhlenberg Township County: Berks Ozone nonattainment status: Moderate Contact Person: LeRoy H. Hinkle Telephone: (610) 916-4248	NOx SOx	9.42 51.05	11/22/2005	Trading
Avery Dennison Corporation Fasson Roll North America Source Location: Quakertown County: Bucks Ozone nonattainment status: Severe Contact Person: Roy R. Getz Telephone: (215) 538-6271	VOCs	273		Trading
United States Steel Source Location: Edgar Thomson Works County: Allegheny Ozone nonattainment status: Moderate Contact Person: Harry F. Klodowski Telephone: (412) 281-7997	NOx VOCs SOx PM	136.6 83.9 46.4 64.7	11/02/2002	Trading
Baldwin Hardware Corporation Source Location: Reading County: Berks Ozone nonattainment status: Moderate Contact Person: D. David Hancock, Jr. Telephone: (215) 777-7811	VOCs	18	7/28/2005	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Magee Rieter Automotive Systems Source Location: Bloomsburg County: Columbia Ozone nonattainment status: Moderate Contact Person: Tim Bergerstock Telephone: (717) 784-4100	NOx VOCs CO PM-10	0.39 0.02 0.08 0.01	4/17/2006	Internal Use
Graphic Controls Corporation County: Allegheny Ozone nonattainment status: Moderate Contact Person: Harry F. Klodowski Telephone: (412) 281-7997	NOx	5.0	5/15/2002	Trading
White Consolidated Industries Quaker Maid Plant (Division of Schrock Cabinets) Source Location: Ontelaunee Township, Berks Ozone nonattainment status: Moderate Contact Person: Douglas McWilliams Telephone: (216) 479-8500	VOCs	95.5	7/1/2006	Trading
Susquehanna Steel Corporation Source Location: Milton County: Northumberland County Ozone nonattainment status: Moderate Contact Person: Harry F. Klodowski Telephone: (412) 281-7997	NOx VOCs SOx CO	45 25 25 220	02/28/2001	Trading
National Fuel Gas Supply Corporation Sources: I. C. Engines #1, 2, 3 and 4 Source Location: Ellisburg Facility County: Potter Ozone nonattainment status: Moderate Contact Person: Gary A. Young Telephone: (814) 871-8657	NOx VOC CO	49.0 0.4 2.5	7/2/2008	Internal Use

### Quarterly Summary of ERC Transactions

The following ERC transactions are approved by the Bureau of Air Quality, Department of Environmental Protection, Commonwealth of Pennsylvania. The ERC transaction requirements are specified in 25 Pa. Code § 127.208.

#### 1 ERC Generating Facility Information

ERC Generating Facility Name: Caparo Steel Company  
Location of Source: Farrell Plant, Mercer County  
ERCs available for future use: None

Three Recent ERC Transactions:

- A. **Purchaser/Recipient of ERCs:** Allegheny Ludlum Corporation  
Location of Source: Vandergrift, Westmoreland, PA  
Date of ERCs Transfer: 9/14/98  
NOx credits available for future use: 84.3 tpy
- B. **Purchaser/Recipient of ERCs:** AES Ironwood Inc.  
Location of Source: Lebanon, PA  
Date of ERCs Transfer: 10/15/98  
NOx credits available for future use: 171.82 tpy  
VOC credits available for future use: 206.8 tpy
- C. **Purchaser/Recipient of ERCs:** AES Ironwood Inc.  
Location of Source: Lebanon, PA  
Date of ERCs Transfer: 12/8/98  
NOx credits available for future use: 98.48 tpy

#### 2 ERC Generating Facility Information

ERC Generating Facility Name: Ball Corporation, Heekin Can Inc.  
Location of Source: Allegheny County, PA

Certified ERCs (tpy): 64.5 tons per year of VOCs and 5.4 tons per year of NOx  
Amount of ERCs traded to Purchaser/Recipient: 16.5 tons per year of VOCs ERCs transferred to Dart Container Corp.; 48 tpy of VOCs and 5.4 tpy of NOx ERCs transferred to AES Ironwood Inc.  
Date of ERCs Transfer: 09/08/1998 and 10/15/98  
ERCs available for future use: None

#### A. Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: Dart Container Corporation  
Location of Source: 60 East Main Street, Leola, PA  
VOCs credits used: 0  
VOC credits available for future use: 16.5 tons per year of VOCs

#### B. Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: AES Ironwood Inc.  
Location of Source: Lebanon, PA  
NOx credits used: 0  
VOCs credits used: 0  
NOx credits available for future use: 5.4 tpy  
VOC credits available for future use: 48 tpy

#### 3 ERC Generating Facility Information

ERC Generating Facility Name: Rexam DSI  
Location of Source: Muhlenberg Township, Berks County, PA  
Certified ERCs (tpy): 60.84 tpy of VOCs (without seasonal restriction), 9.42 tpy of NOx and 51.05 tpy of SOx  
Amount of ERCs traded to Purchaser/Recipient: 60.84 tpy of VOCs

Date of ERCs Transfer: 9/16/98  
 ERCs available for future use: 9.42 tpy of NOx and  
 51.05 tpy of SOx

**Purchaser/Recipient of ERCs**

Purchaser/Recipient of ERCs: Dart Container Corporation

Location of Source: 60 East Main Street, Leola, PA  
 VOCs credits used: 0

VOC credits available for future use: 60.84 tons per  
 year of VOCs

**4 ERC Generating Facility Information**

ERC Generating Facility Name: Package Service Company, Inc.

Location of Source: Cheswick, Allegheny County  
 Certified ERCs (tpy): 39.6 tons per year of VOCs

Amount of ERCs traded to Purchaser/Recipient: 39.6  
 tons per year of VOCs

Date of ERCs Transfer: 11/2/98

ERCs available for future use: None

**Purchaser/Recipient of ERCs**

Purchaser/Recipient of ERCs: Dart Container Corporation

Location of Source: 60 East Main Street, Leola, PA  
 VOC credits used: 0

VOC credits available for future use: 39.6 tpy of VOCs

**5 ERC Generating Facility Information**

ERC Generating Facility Name: Hershey RHC, Inc.

Location of Source: Long Island City, Queens, NY

Certified ERCs (tpy): 24.5 tpy of NOx

Amount of ERCs traded to Purchaser/Recipient: Merck  
 & Co., Inc.

Date of ERCs Transfer: 11/3/1998

ERCs available for future use: 0

**Purchaser/Recipient of ERCs**

Purchaser/Recipient of ERCs: Merck & Co., Inc.

Location of Source: West Point Facility, PA

NOx credits used: 0

NOx credits available for future use: 24.5 tpy of NOx

**6 ERC Generating Facility Information**

ERC Generating Facility Name: Kurz-Hastings, Inc.

Location of Source: 10901 Dutton Road, Philadelphia,  
 PA 19154

Certified ERCs (tpy): 388 tons per year of VOCs

Amount of ERCs traded to Purchaser/Recipient: 65 tons  
 per year of VOCs

Date of ERCs Transfer: 11/24/1998

ERCs available for future use: 323 tpy of VOCs

**Purchaser/Recipient of ERCs**

Purchaser/Recipient of ERCs: TRW Inc.

Location of Source: 445 County Road 101, Yaphank,  
 New York

Plan Approval Number: 1-4722-00898

VOCs credits used: 65 tpy of VOCs

VOC credits available for future use: 0

[Pa.B. Doc. No. 99-12. Filed for public inspection December 31, 1998, 9:00 a.m.]

**Applications for the County Water Supply Planning  
 Grant Program**

The Department of Environmental Protection (Department) announces the opening of the application period for funding of the County Water Supply Planning Grant Program. This grant program is available to any county to develop a comprehensive county water supply plan.

The goal of this incentive grant program is to protect the public from the hazards of unsafe drinking water and assure safe and reliable water service to the citizens of the Commonwealth. County water supply planning can insure development of water supply systems in an efficient, cost-effective manner and promote early recognition of viability concerns by reaching developers, local officials and other key participants at an early stage of water system development.

This incentive grant program is funded from the Department's Safe Drinking Water Account under the authority of the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) and section 1905-A(a) of The Administrative Code of 1929. This grant program will provide money to eligible applicants for the preparation of a county water supply plan or updating an existing plan.

Grant awards are limited to 80% of all Department approved project costs or \$100,000, whichever is less. The grantee must provide local share in the form of matching funds or in-kind services at a minimum of 20% of the total project costs.

The application period runs from January 4, 1999, to January 29, 1999. Grants will be awarded on a competitive basis based on complete applications which best meet the criteria contained in the grant guidelines established by the Department.

For more information or to obtain the grant guidelines and application, contact the Department of Environmental Protection, Bureau of Water Supply Management, Division of Technical Assistance and Outreach, Technical Assistance Center for Small Water Systems, P. O. Box 8467, Harrisburg, PA 17105-8467 or call Donna L. Green at (717) 787-0125 or email Green.Donna@a1.dep.state.pa.us.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-13. Filed for public inspection December 31, 1998, 9:00 a.m.]

**Applications for the Formation of Water Authorities  
 Grant Program**

The Department of Environmental Protection's (Department) Technical Assistance Center for Small Water Systems is accepting applications under the Formation of Water Authorities Grant Program. The grant program is available to any county or two or more municipalities that are interested in forming a water authority. The water authority must form a regionalized water system which incorporates at least one community water system, serving 3,300 or fewer people.

The goal of this grant program is to improve the viability of small water systems through the formation of water authorities, where economies of scale associated with a regional approach to water service can be realized.

The incentive grant program is funded from the Department's Safe Drinking Water Account under the authority of the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) and section 1905-A(a) of The Administrative Code of 1929. The program will provide grants to eligible applicants for the start-up cost of forming a water authority.

The grant will fund 80% of all approved costs or \$50,000, whichever is less. The grantee must provide local share for the remaining costs in the form of matching funds or in-kind services.

The application period runs from January 4, 1999, to January 29, 1999. Based on the availability of funding, applicants that submit a final work plan and budget which are approved by the Department will be given preference to receive a grant based on a first-come, first-served basis.

For more information or to obtain a grant application, contact the Department of Environmental Protection, Bureau of Water Supply Management, Division of Technical Assistance and Outreach, Technical Assistance Center for Small Water Systems, P. O. Box 8467, Harrisburg, PA 17105-8467, or call Donna L. Green at (717) 787-0125 or email Green.Donna@a1.dep.state.pa.us.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 99-14. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Availability of Addendum to Multipathway Risk Assessment Report

*Hazardous Waste Combustion Activities at the Keystone Cement Co., Bath, PA*

The Department of Environmental Protection (Department) received the *Margin of Incremental Exposure Analysis for Dioxins and Furans* for the Keystone Cement Facility, Bath, PA report on November 2, 1998. The report was submitted in response to the Department's request for an analysis of non-cancer health effects of dioxins and furans. The report is an addendum to Keystone's July 1997 multipathway risk assessment report, for which notice was published in the *Pennsylvania Bulletin* on August 2, 1997.

The addendum to the risk assessment report and the risk assessment report can be reviewed at the Department's Bethlehem Office, 4530 Bath Pike, Bethlehem, PA 18017. Please call (610) 862-2070 to schedule an appointment.

Questions or comments on the addendum to the risk assessment report as well as the risk assessment report itself can be directed to Thomas DiLazaro, Air Quality Program Manager, Department of Environmental Protection, Two Public Square, Wilkes-Barre, PA 18711-0790. Comments should be submitted by February 1, 1999.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 99-15. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Availability of Final General Plan Approval and General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3)

The Department of Environmental Protection (Department) finalized the revisions to General Plan Approval and General Operating Permit No. BAQ-PGPA/GP-3 for portable nonmetallic mineral processing plants. Notice

regarding the availability of the draft general permit was published in the *Pennsylvania Bulletin* on August 15, 1998 (28 Pa.B. 3997—3998).

A 45-day comment period was provided, but no comments were received. The revised general permit is now available for use by qualifying applicants. Copies of the final general permit BAQ-PGPA/GP-3 and an application form may be obtained by contacting Kimberly Maneval, Bureau of Air Quality, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

The documents have also been placed on the Department's World Wide Web site on the Internet which can be accessed at <http://www.dep.state.pa.us>, select Bureau of Air Quality, then Division of Permits.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 99-16. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "July 1998 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

#### Ordering Paper Copies of DEP Technical Guidance

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### Changes to Guidance Documents

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

#### Final Guidance—Minor Revision

DEP ID: 383-3200-016 Title: Quality Assurance Work Plan for Groundwater Quality Monitoring Stations Description: This guidance applies to DEP staff for the implementation of the Ambient and Fixed Station Network groundwater monitoring programs in DEP Regions, as described in *Pennsylvania's Groundwater Quality Monitoring Network Ambient and Fixed Station Network (FSN) Monitoring Programs*, (#383-3200-009, June 1997) Effective Date: March 2, 1998 Contact: Trudy Troutman at (717) 783-3795

*Draft Guidance*

DEP ID: 393-2320-001 Title: Statement of Policy, Definition of "underground storage tank" Description: The purpose of this statement of policy is to minimize duplicative regulatory requirements by excluding existing field-constructed hazardous substance tanks at facilities regulated under the Safe Drinking Water Act from the definition of underground storage tank in Act 32 (P. L. 169) Interim Effective Date: December 22, 1998 Comment by: February 2, 1999 Contact: Glenn Rider at (717) 772-5599

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-17. Filed for public inspection December 31, 1998, 9:00 a.m.]

Compensation Law (43 P. S. §§ 761 and 804(e)(2) and 34 Pa. Code § 65.111) the table for 1999 is being adopted by this notice and will be codified at 34 Pa. Code Chapter 65, Appendix A. See 14 Pa.B. 4688 (December 29, 1984).

The deadline for conformity is January 1, 1999, as established by section 404(e)(2) of the Unemployment Compensation Law.

Questions concerning this notice should be directed to Alan Williamson, Deputy Secretary for Unemployment Compensation Programs, Labor and Industry Building, Harrisburg, PA 17120.

JOHNNY J. BUTLER,  
*Secretary*

Bureau of Research and Statistics  
14-Dec-98

# DEPARTMENT OF LABOR AND INDUSTRY

## Unemployment Compensation Benefit Rate Table

The purpose of this notice is to effect the automatic extension of the Unemployment Compensation Benefit Rate Table. Each year the maximum weekly benefit rate is calculated as 66 2/3% of the average weekly wage in covered employment for the preceding fiscal year. The maximum weekly benefit rate for unemployment compensation purposes in Pennsylvania during calendar year 1999 will be \$393.

Under the authority contained in section 201 of Article II and section 404(e)(2) of Article IV of the Unemployment

## Unemployment Compensation Maximum Weekly Benefit Rate Table

	1998	1999
Average covered employment for preceding fiscal year	5,100,187	5,210,989
Average weekly wage for preceding fiscal year	\$ 561.01	\$ 588.06
66-2/3% weekly wage	\$ 374.01	\$ 392.04
Maximum weekly benefit rate	\$ 375	\$ 393
Maximum dependent allowance	\$ 8	\$ 8
Total maximum weekly benefit	\$ 383	\$ 401

<i>Part A Highest Quarterly Wage</i>		<i>Part B Rate of Compensation</i>		<i>Part C Qualifying Wages</i>		<i>Part D Amount of Compensation</i>		<i>Part E</i>	
\$ 800	—	\$ 812	\$ 35	\$ 1,320	\$ 910	\$ 560			
813	—	837	36	1,360	936	576			
838	—	862	37	1,400	962	592			
863	—	887	38	1,440	988	608			
888	—	912	39	1,480	1,014	624			
913	—	937	40	1,520	1,040	640			
938	—	962	41	1,560	1,066	656			
963	—	987	42	1,600	1,092	672			
988	—	1,012	43	1,640	1,118	688			
1,013	—	1,037	44	1,680	1,144	704			
1,038	—	1,062	45	1,720	1,170	720			
1,063	—	1,087	46	1,760	1,196	736			
1,088	—	1,112	47	1,800	1,222	752			
1,113	—	1,162	48	1,840	1,248	768			
1,163	—	1,187	49	1,880	1,274	784			
1,188	—	1,212	50	1,920	1,300	800			
1,213	—	1,237	51	1,960	1,326	816			
1,238	—	1,262	52	2,000	1,352	832			
1,263	—	1,287	53	2,040	1,378	848			
1,288	—	1,312	54	2,080	1,404	864			
1,313	—	1,337	55	2,120	1,430	880			
1,338	—	1,362	56	2,160	1,456	896			
1,363	—	1,387	57	2,200	1,482	912			
1,388	—	1,412	58	2,240	1,508	928			
1,413	—	1,437	59	2,280	1,534	944			

## NOTICES

	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part D Amount of Compensation</i>	<i>Part E Amount of Compensation</i>	
1,438	—	1,462	60	2,320	1,560	960
1,463	—	1,487	61	2,360	1,586	976
1,488	—	1,512	62	2,400	1,612	992
1,513	—	1,537	63	2,440	1,638	1,008
1,538	—	1,562	64	2,480	1,664	1,024
1,563	—	1,587	65	2,520	1,690	1,040
1,588	—	1,612	66	2,560	1,716	1,056
1,613	—	1,637	67	2,600	1,742	1,072
1,638	—	1,662	68	2,640	1,768	1,088
1,663	—	1,687	69	2,680	1,794	1,104
1,688	—	1,712	70	2,720	1,820	1,120
1,713	—	1,737	71	2,760	1,846	1,136
1,738	—	1,762	72	2,800	1,872	1,152
1,763	—	1,787	73	2,840	1,898	1,168
1,788	—	1,812	74	2,880	1,924	1,184
1,813	—	1,837	75	2,920	1,950	1,200
1,838	—	1,862	76	2,960	1,976	1,216
1,863	—	1,887	77	3,000	2,002	1,232
1,888	—	1,912	78	3,040	2,028	1,248
1,913	—	1,937	79	3,080	2,054	1,264
1,938	—	1,962	80	3,120	2,080	1,280
1,963	—	1,987	81	3,160	2,106	1,296
1,988	—	2,012	82	3,200	2,132	1,312
2,013	—	2,037	83	3,240	2,158	1,328
2,038	—	2,062	84	3,280	2,184	1,344
2,063	—	2,087	85	3,320	2,210	1,360
2,088	—	2,112	86	3,360	2,236	1,376
2,113	—	2,137	87	3,400	2,262	1,392
2,138	—	2,162	88	3,440	2,288	1,408
2,163	—	2,187	89	3,480	2,314	1,424
2,188	—	2,212	90	3,520	2,340	1,440
2,213	—	2,237	91	3,560	2,366	1,456
2,238	—	2,262	92	3,600	2,392	1,472
2,263	—	2,287	93	3,640	2,418	1,488
2,288	—	2,312	94	3,680	2,444	1,504
2,313	—	2,337	95	3,720	2,470	1,520
2,338	—	2,362	96	3,760	2,496	1,536
2,363	—	2,387	97	3,800	2,522	1,552
2,388	—	2,412	98	3,840	2,548	1,568
2,413	—	2,437	99	3,880	2,574	1,584
2,438	—	2,462	100	3,920	2,600	1,600
2,463	—	2,487	101	3,960	2,626	1,616
2,488	—	2,512	102	4,000	2,652	1,632
2,513	—	2,537	103	4,040	2,678	1,648
2,538	—	2,562	104	4,080	2,704	1,664
2,563	—	2,587	105	4,120	2,730	1,680
2,588	—	2,612	106	4,160	2,756	1,696
2,613	—	2,637	107	4,200	2,782	1,712
2,638	—	2,662	108	4,240	2,808	1,728
2,663	—	2,687	109	4,280	2,834	1,744
2,688	—	2,712	110	4,320	2,860	1,760
2,713	—	2,737	111	4,360	2,886	1,776
2,738	—	2,762	112	4,400	2,912	1,792
2,763	—	2,787	113	4,440	2,938	1,808
2,788	—	2,812	114	4,480	2,964	1,824

	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part D Amount of Compensation</i>	<i>Part E Amount of Compensation</i>
2,813	—	2,837	115	4,520	1,840
2,838	—	2,862	116	4,560	1,856
2,863	—	2,887	117	4,600	1,872
2,888	—	2,912	118	4,640	1,888
2,913	—	2,937	119	4,680	1,904
2,938	—	2,962	120	4,720	1,920
2,963	—	2,987	121	4,760	1,936
2,988	—	3,012	122	4,800	1,952
3,013	—	3,037	123	4,840	1,968
3,038	—	3,062	124	4,880	1,984
3,063	—	3,087	125	4,920	2,000
3,088	—	3,112	126	4,960	2,016
3,113	—	3,137	127	5,000	2,032
3,138	—	3,162	128	5,040	2,048
3,163	—	3,187	129	5,080	2,064
3,188	—	3,212	130	5,120	2,080
3,213	—	3,237	131	5,160	2,096
3,238	—	3,262	132	5,200	2,112
3,263	—	3,287	133	5,240	2,128
3,288	—	3,312	134	5,280	2,144
3,313	—	3,337	135	5,320	2,160
3,338	—	3,362	136	5,360	2,176
3,363	—	3,387	137	5,400	2,192
3,388	—	3,412	138	5,440	2,208
3,413	—	3,437	139	5,480	2,224
3,438	—	3,462	140	5,520	2,240
3,463	—	3,487	141	5,560	2,256
3,488	—	3,512	142	5,600	2,272
3,513	—	3,537	143	5,640	2,288
3,538	—	3,562	144	5,680	2,304
3,563	—	3,587	145	5,720	2,320
3,588	—	3,612	146	5,760	2,336
3,613	—	3,637	147	5,800	2,352
3,638	—	3,662	148	5,840	2,368
3,663	—	3,687	149	5,880	2,384
3,688	—	3,712	150	5,920	2,400
3,713	—	3,737	151	5,960	2,416
3,738	—	3,762	152	6,000	2,432
3,763	—	3,787	153	6,040	2,448
3,788	—	3,812	154	6,080	2,464
3,813	—	3,837	155	6,120	2,480
3,838	—	3,862	156	6,160	2,496
3,863	—	3,887	157	6,200	2,512
3,888	—	3,912	158	6,240	2,528
3,913	—	3,937	159	6,280	2,544
3,938	—	3,962	160	6,320	2,560
3,963	—	3,987	161	6,360	2,576
3,988	—	4,012	162	6,400	2,592
4,013	—	4,037	163	6,440	2,608
4,038	—	4,062	164	6,480	2,624
4,063	—	4,087	165	6,520	2,640
4,088	—	4,112	166	6,560	2,656
4,113	—	4,137	167	6,600	2,672
4,138	—	4,162	168	6,640	2,688
4,163	—	4,187	169	6,680	2,704



## NOTICES

	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part D Amount of Compensation</i>	<i>Part E Amount of Compensation</i>	
4,188	—	4,212	170	6,720	4,420	2,720
4,213	—	4,237	171	6,760	4,446	2,736
4,238	—	4,262	172	6,800	4,472	2,752
4,263	—	4,287	173	6,840	4,498	2,768
4,288	—	4,312	174	6,880	4,524	2,784
4,313	—	4,337	175	6,920	4,550	2,800
4,338	—	4,362	176	6,960	4,576	2,816
4,363	—	4,387	177	7,000	4,602	2,832
4,388	—	4,412	178	7,040	4,628	2,848
4,413	—	4,437	179	7,080	4,654	2,864
4,438	—	4,462	180	7,120	4,680	2,880
4,463	—	4,487	181	7,160	4,706	2,896
4,488	—	4,512	182	7,200	4,732	2,912
4,513	—	4,537	183	7,240	4,758	2,928
4,538	—	4,562	184	7,280	4,784	2,944
4,563	—	4,587	185	7,320	4,810	2,960
4,588	—	4,612	186	7,360	4,836	2,976
4,613	—	4,637	187	7,400	4,862	2,992
4,638	—	4,662	188	7,440	4,888	3,008
4,663	—	4,687	189	7,480	4,914	3,024
4,688	—	4,712	190	7,520	4,940	3,040
4,713	—	4,737	191	7,560	4,966	3,056
4,738	—	4,762	192	7,600	4,992	3,072
4,763	—	4,787	193	7,640	5,018	3,088
4,788	—	4,812	194	7,680	5,044	3,104
4,813	—	4,837	195	7,720	5,070	3,120
4,838	—	4,862	196	7,760	5,096	3,136
4,863	—	4,887	197	7,800	5,122	3,152
4,888	—	4,912	198	7,840	5,148	3,168
4,913	—	4,937	199	7,880	5,174	3,184
4,938	—	4,962	200	7,920	5,200	3,200
4,963	—	4,987	201	7,960	5,226	3,216
4,988	—	5,012	202	8,000	5,252	3,232
5,013	—	5,037	203	8,040	5,278	3,248
5,038	—	5,062	204	8,080	5,304	3,264
5,063	—	5,087	205	8,120	5,330	3,280
5,088	—	5,112	206	8,160	5,356	3,296
5,113	—	5,137	207	8,200	5,382	3,312
5,138	—	5,162	208	8,240	5,408	3,328
5,163	—	5,187	209	8,280	5,434	3,344
5,188	—	5,212	210	8,320	5,460	3,360
5,213	—	5,237	211	8,360	5,486	3,376
5,238	—	5,262	212	8,400	5,512	3,392
5,263	—	5,287	213	8,440	5,538	3,408
5,288	—	5,312	214	8,480	5,564	3,424
5,313	—	5,337	215	8,520	5,590	3,440
5,338	—	5,362	216	8,560	5,616	3,456
5,363	—	5,387	217	8,600	5,642	3,472
5,388	—	5,412	218	8,640	5,668	3,488
5,413	—	5,437	219	8,680	5,694	3,504
5,438	—	5,462	220	8,720	5,720	3,520
5,463	—	5,487	221	8,760	5,746	3,536
5,488	—	5,512	222	8,800	5,772	3,552
5,513	—	5,537	223	8,840	5,798	3,568
5,538	—	5,562	224	8,880	5,824	3,584

	<i>Part A</i> <i>Highest</i> <i>Quarterly</i> <i>Wage</i>		<i>Part B</i> <i>Rate of</i> <i>Compensation</i>		<i>Part C</i> <i>Qualifying</i> <i>Wages</i>		<i>Part D</i> <i>Amount of Compensation</i>		<i>Part E</i> <i>Amount of Compensation</i>
5,563	—	5,587	225		8,920		5,850		3,600
5,588	—	5,612	226		8,960		5,876		3,616
5,613	—	5,637	227		9,000		5,902		3,632
5,638	—	5,662	228		9,040		5,928		3,648
5,663	—	5,687	229		9,080		5,954		3,664
5,688	—	5,712	230		9,120		5,980		3,680
5,713	—	5,737	231		9,160		6,006		3,696
5,738	—	5,762	232		9,200		6,032		3,712
5,763	—	5,787	233		9,240		6,058		3,728
5,788	—	5,812	234		9,280		6,084		3,744
5,813	—	5,837	235		9,320		6,110		3,760
5,838	—	5,862	236		9,360		6,136		3,776
5,863	—	5,887	237		9,400		6,162		3,792
5,888	—	5,912	238		9,440		6,188		3,808
5,913	—	5,937	239		9,480		6,214		3,824
5,938	—	5,962	240		9,520		6,240		3,840
5,963	—	5,987	241		9,560		6,266		3,856
5,988	—	6,012	242		9,600		6,292		3,872
6,013	—	6,037	243		9,640		6,318		3,888
6,038	—	6,062	244		9,680		6,344		3,904
6,063	—	6,087	245		9,720		6,370		3,920
6,088	—	6,112	246		9,760		6,396		3,936
6,113	—	6,137	247		9,800		6,422		3,952
6,138	—	6,162	248		9,840		6,448		3,968
6,163	—	6,187	249		9,880		6,474		3,984
6,188	—	6,212	250		9,920		6,500		4,000
6,213	—	6,237	251		9,960		6,526		4,016
6,238	—	6,262	252		10,000		6,552		4,032
6,263	—	6,287	253		10,040		6,578		4,048
6,288	—	6,312	254		10,080		6,604		4,064
6,313	—	6,337	255		10,120		6,630		4,080
6,338	—	6,362	256		10,160		6,656		4,096
6,363	—	6,387	257		10,200		6,682		4,112
6,388	—	6,412	258		10,240		6,708		4,128
6,413	—	6,437	259		10,280		6,734		4,144
6,438	—	6,462	260		10,320		6,760		4,160
6,463	—	6,487	261		10,360		6,786		4,176
6,488	—	6,512	262		10,400		6,812		4,192
6,513	—	6,537	263		10,440		6,838		4,208
6,538	—	6,562	264		10,480		6,864		4,224
6,563	—	6,587	265		10,520		6,890		4,240
6,588	—	6,612	266		10,560		6,916		4,256
6,613	—	6,637	267		10,600		6,942		4,272
6,638	—	6,662	268		10,640		6,968		4,288
6,663	—	6,687	269		10,680		6,994		4,304
6,688	—	6,712	270		10,720		7,020		4,320
6,713	—	6,737	271		10,760		7,046		4,336
6,738	—	6,762	272		10,800		7,072		4,352
6,763	—	6,787	273		10,840		7,098		4,368
6,788	—	6,812	274		10,880		7,124		4,384
6,813	—	6,837	275		10,920		7,150		4,400
6,838	—	6,862	276		10,960		7,176		4,416
6,863	—	6,887	277		11,000		7,202		4,432
6,888	—	6,912	278		11,040		7,228		4,448
6,913	—	6,937	279		11,080		7,254		4,464

## NOTICES

	<i>Part A Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part D Amount of Compensation</i>	<i>Part E Amount of Compensation</i>
6,938	—	6,962	280	11,120	4,480
6,963	—	6,987	281	11,160	4,496
6,988	—	7,012	282	11,200	4,512
7,013	—	7,037	283	11,240	4,528
7,038	—	7,062	284	11,280	4,544
7,063	—	7,087	285	11,320	4,560
7,088	—	7,112	286	11,360	4,576
7,113	—	7,137	287	11,400	4,592
7,138	—	7,162	288	11,440	4,608
7,163	—	7,187	289	11,480	4,624
7,188	—	7,212	290	11,520	4,640
7,213	—	7,237	291	11,560	4,656
7,238	—	7,262	292	11,600	4,672
7,263	—	7,287	293	11,640	4,688
7,288	—	7,312	294	11,680	4,704
7,313	—	7,337	295	11,720	4,720
7,338	—	7,362	296	11,760	4,736
7,363	—	7,387	297	11,800	4,752
7,388	—	7,412	298	11,840	4,768
7,413	—	7,437	299	11,880	4,784
7,438	—	7,462	300	11,920	4,800
7,463	—	7,487	301	11,960	4,816
7,488	—	7,512	302	12,000	4,832
7,513	—	7,537	303	12,040	4,848
7,538	—	7,562	304	12,080	4,864
7,563	—	7,587	305	12,120	4,880
7,588	—	7,612	306	12,160	4,896
7,613	—	7,637	307	12,200	4,912
7,638	—	7,662	308	12,240	4,928
7,663	—	7,687	309	12,280	4,944
7,688	—	7,712	310	12,320	4,960
7,713	—	7,737	311	12,360	4,976
7,738	—	7,762	312	12,400	4,992
7,763	—	7,787	313	12,440	5,008
7,788	—	7,812	314	12,480	5,024
7,813	—	7,837	315	12,520	5,040
7,838	—	7,862	316	12,560	5,056
7,863	—	7,887	317	12,600	5,072
7,888	—	7,912	318	12,640	5,088
7,913	—	7,937	319	12,680	5,104
7,938	—	7,962	320	12,720	5,120
7,963	—	7,987	321	12,760	5,136
7,988	—	8,012	322	12,800	5,152
8,013	—	8,037	323	12,840	5,168
8,038	—	8,062	324	12,880	5,184
8,063	—	8,087	325	12,920	5,200
8,088	—	8,112	326	12,960	5,216
8,113	—	8,137	327	13,000	5,232
8,138	—	8,162	328	13,040	5,248
8,163	—	8,187	329	13,080	5,264
8,188	—	8,212	330	13,120	5,280
8,213	—	8,237	331	13,160	5,296
8,238	—	8,262	332	13,200	5,312
8,263	—	8,287	333	13,240	5,328
8,288	—	8,312	334	13,280	5,344

	<i>Part A</i> <i>Highest</i> <i>Quarterly</i> <i>Wage</i>	<i>Part B</i> <i>Rate of</i> <i>Compensation</i>	<i>Part C</i> <i>Qualifying</i> <i>Wages</i>	<i>Part D</i> <i>Amount of Compensation</i>	<i>Part E</i> <i>Amount of Compensation</i>	
8,313	—	8,337	335	13,320	8,710	5,360
8,338	—	8,362	336	13,360	8,736	5,376
8,363	—	8,387	337	13,400	8,762	5,392
8,388	—	8,412	338	13,440	8,788	5,408
8,413	—	8,437	339	13,480	8,814	5,424
8,438	—	8,462	340	13,520	8,840	5,440
8,463	—	8,487	341	13,560	8,866	5,456
8,488	—	8,512	342	13,600	8,892	5,472
8,513	—	8,537	343	13,640	8,918	5,488
8,538	—	8,562	344	13,680	8,944	5,504
8,563	—	8,587	345	13,720	8,970	5,520
8,588	—	8,612	346	13,760	8,996	5,536
8,613	—	8,637	347	13,800	9,022	5,552
8,638	—	8,662	348	13,840	9,048	5,568
8,663	—	8,687	349	13,880	9,074	5,584
8,688	—	8,712	350	13,920	9,100	5,600
8,713	—	8,737	351	13,960	9,126	5,616
8,738	—	8,762	352	14,000	9,152	5,632
8,763	—	8,787	353	14,040	9,178	5,648
8,788	—	8,812	354	14,080	9,204	5,664
8,813	—	8,837	355	14,120	9,230	5,680
8,838	—	8,862	356	14,160	9,256	5,696
8,863	—	8,887	357	14,200	9,282	5,712
8,888	—	8,912	358	14,240	9,308	5,728
8,913	—	8,937	359	14,280	9,334	5,744
8,938	—	8,962	360	14,320	9,360	5,760
8,963	—	8,987	361	14,360	9,386	5,776
8,988	—	9,012	362	14,400	9,412	5,792
9,013	—	9,037	363	14,440	9,438	5,808
9,038	—	9,062	364	14,480	9,464	5,824
9,063	—	9,087	365	14,520	9,490	5,840
9,088	—	9,112	366	14,560	9,516	5,856
9,113	—	9,137	367	14,600	9,542	5,872
9,138	—	9,162	368	14,640	9,568	5,888
9,163	—	9,187	369	14,680	9,594	5,904
9,188	—	9,212	370	14,720	9,620	5,920
9,213	—	9,237	371	14,760	9,646	5,936
9,238	—	9,262	372	14,800	9,672	5,952
9,263	—	9,287	373	14,840	9,698	5,968
9,288	—	9,312	374	14,880	9,724	5,984
<b>9,313</b>	—	<b>(or more)- 9,337</b>	<b>375</b>	<b>(*) 14,920</b>	<b>9,750</b>	<b>6,000</b>
<b>9,338</b>	—	<b>9,362</b>	<b>376</b>	<b>14,960</b>	<b>9,776</b>	<b>6,016</b>
<b>9,363</b>	—	<b>9,387</b>	<b>377</b>	<b>15,000</b>	<b>9,802</b>	<b>6,032</b>
<b>9,388</b>	—	<b>9,412</b>	<b>378</b>	<b>15,040</b>	<b>9,828</b>	<b>6,048</b>
<b>9,413</b>	—	<b>9,437</b>	<b>379</b>	<b>15,080</b>	<b>9,854</b>	<b>6,064</b>
<b>9,438</b>	—	<b>9,462</b>	<b>380</b>	<b>15,120</b>	<b>9,880</b>	<b>6,080</b>
<b>9,463</b>	—	<b>9,487</b>	<b>381</b>	<b>15,160</b>	<b>9,906</b>	<b>6,096</b>
<b>9,488</b>	—	<b>9,512</b>	<b>382</b>	<b>15,200</b>	<b>9,932</b>	<b>6,112</b>
<b>9,513</b>	—	<b>9,537</b>	<b>383</b>	<b>15,240</b>	<b>9,958</b>	<b>6,128</b>
<b>9,538</b>	—	<b>9,562</b>	<b>384</b>	<b>15,280</b>	<b>9,984</b>	<b>6,144</b>
<b>9,563</b>	—	<b>9,587</b>	<b>385</b>	<b>15,320</b>	<b>10,010</b>	<b>6,160</b>
<b>9,588</b>	—	<b>9,612</b>	<b>386</b>	<b>15,360</b>	<b>10,036</b>	<b>6,176</b>
<b>9,613</b>	—	<b>9,637</b>	<b>387</b>	<b>15,400</b>	<b>10,062</b>	<b>6,192</b>
<b>9,638</b>	—	<b>9,662</b>	<b>388</b>	<b>15,440</b>	<b>10,088</b>	<b>6,208</b>
<b>9,663</b>	—	<b>9,687</b>	<b>389</b>	<b>15,480</b>	<b>10,114</b>	<b>6,224</b>

<i>Part A Highest Quarterly Wage</i>		<i>Part B Rate of Compensation</i>		<i>Part C Qualifying Wages</i>	<i>Part D Amount of Compensation</i>	<i>Part E</i>
9,688	—	9,712	390	15,520	10,140	6,240
9,713	—	9,737	391	15,560	10,166	6,256
9,738	—	9,762	392	15,600	10,192	6,272
9,763	—	or more	393	*15,640	10,218	6,288

\*The claimant will be ineligible for benefits unless 20% of the (\$14,920) \$15,640 qualifying wages was paid in a quarter or quarters other than the high quarter.

[Pa.B. Doc. No. 99-18. Filed for public inspection December 31, 1998, 9:00 a.m.]

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### Revised Income Restrictions for Admission to a Pennsylvania State Veterans' Home

Effective immediately, the allowable income for a single domiciliary care applicant is \$23,874 per year plus \$1,398 per year per dependent, the maximum income paid to a 100% disabled veteran by the United States Department of Veterans Affairs. An income below the \$23,874 will demonstrate the applicant may be incapable of self-support and demonstrate a financial need. An amount above the \$23,874 may qualify an applicant for admission on his/her ability to pay the full per diem cost.

JAMES MACVAY,  
*Adjutant General*

[Pa.B. Doc. No. 99-19. Filed for public inspection December 31, 1998, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Medical Assistance Items and Services Requiring Prior Authorization

The purpose of this notice is to provide a listing of additional Medical Assistance items and services requiring prior authorization.

Section 443.6(b)(7) of the Public Welfare Code (62 P. S. § 443.6(b)(7)) authorizes the Department of Public Welfare (Department) to add other items and services to its list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

In addition to the items and services listed in section 443.6(b)(1)—(6) of the Public Welfare Code, the following items and services require prior authorization before payment will be made:

1. All home health services. The first visit will be approved following hospitalization, the onset of an illness which does not involve a hospitalization, the onset of a new primary diagnosis or the exacerbation of an existing diagnosis which causes a change in the recipient's condition and requires a change in the plan of treatment, even if the balance of services in the plan or treatment is disapproved.

2. Psychiatric partial hospitalization services that exceed the limit of 240 3-hour sessions (720 total hours) of

psychiatric partial hospitalization in a 365 consecutive day period for recipients under 21 years of age.

3. Multisource legend brand name products, identified by the Department, having therapeutically equivalent "A" rated generic products available for substitution, when the licensed prescriber certifies that the particular brand name product is medically necessary for a specific recipient.

4. Multisource brand name products that are subject to a State Maximum Allowable Cost.

5. Anti-ulcer drugs as identified by the Department for one of the following situations:

a. When prescribed or dispensed for periods that exceed the initial 90 days of treatment. Prior authorization is not required if the product has an indication for the treatment of gastric or duodenal ulcers; the product's recommended dosage includes a short-term treatment for gastric or duodenal ulcers until a reduced maintenance therapy to prevent the recurrence of gastric or duodenal ulcers; and the daily dose is reduced to the recommended maintenance therapy.

b. When prescribed or dispensed concurrently with another anti-ulcer drug at any time.

c. When the prescription is changed from one anti-ulcer drug to another during the initial 90 days of treatment.

6. Behavioral health rehabilitative services not included on the Medical Assistance Fee Schedule provided to individuals under 21 years of age.

7. Medical Assistance case management services provided to individuals under 21 years of age.

#### *Fiscal Impact*

The Department has required prior authorization of these services under Notices of Rule Change published at 24 Pa.B. 3761 (July 30, 1994); 25 Pa.B. 347 (January 28, 1995); 24 Pa.B. 4423 (August 27, 1994); 25 Pa.B. 3782 (September 9, 1995); and 24 Pa.B. 2654 (May 21, 1994), consequently, no future fiscal impact is anticipated as a result of these amendments.

#### *Contact Person*

A copy of this notice is available for review at local County Assistance Offices. Interested persons are invited to submit written comments to this notice within 30 days of this publication. These comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another

alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-189. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 99-20. Filed for public inspection December 31, 1998, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

#### Statewide

#### Project Reference No. 08430AG2276

The Department of Transportation will retain an engineering firm for two (2) Statewide Open-End Contracts administered by the Bureau of Design to provide for various engineering services; engineering management services; project management services; development and implementation of familiarization sessions for highway, structures, right-of-way, contract management, consultant liaison, engineering computing, project management, photogrammetry/surveying, CADD, development and/or usage of PC software and expert system engineering software applications; and other related work. Each Open-End Contract will be for a period of five (5) years with a maximum cost of \$3.0 million with projects being assigned on an "as-needed" basis.

The selected firms will be required to provide all necessary professional services through a team of highly qualified engineering, system engineering and public involvement professionals to assist the Department through the preliminary engineering and final design phases of project development and to ensure consistency and compliance with all applicable State and Federal laws, regulations and procedures.

The Department will establish an order of ranking of a minimum of five (5) firms for the purpose of negotiating two (2) Open-End Contracts based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Project management team experience, knowledge of State and Federal laws, regulations, policies and procedures.
- c. Knowledge of the Department's project development process.
- d. Experience in preparing plans, specifications and estimates in accordance with established design criteria.
- e. Experience in engineering computing, engineering and/or project development related expert system development and/or implementation, CADD, usage of PC software and networking.

f. Experience in implementation of engineering programs.

g. Past performance with the Department.

h. Location of the consultant from Central Office. (We will not pay for travelling or lodging for meetings or work in the Harrisburg area).

The District's copy of the Letter of Interest and required forms) see general requirements and information section) shall be sent to: Mr. Charles W. Allwein, P.E., Consultant Agreement Division, 555 Walnut Street, 7th Floor, Forum Place, Harrisburg, PA 17101.

Any technical questions concerning the requirements for this project should be directed to: Mr. Charles W. Allwein, P.E., Bureau of Design, at (717) 783-9309.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### Cumberland County

#### Project Reference No. 08430AG2277

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately five (5) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 0081, Section 022, Cumberland County, Interstate 81, PA 114 to George Wade Bridge. This project involves rehabilitation and resurfacing (Superpave) 7.1 miles of the existing roadway and shoulders. Also, drainage improvements and guide rail updates.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Number of available inspectors in each payroll classification.
- c. Number of N.E.C.E.P.T. Certified Inspectors, as indicated below:
 

First Year	50%
Second Year	75%
Third Year (if necessary)	100%
- d. Number of NICET certified inspectors in each payroll classification.
- e. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of traffic, soils, structures, concrete, asphalt paving, drainage, construction documentation procedures and "CDS" operations.
- f. Understanding of Department's requirements, policies, and specifications.
- g. Past Performance.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the

qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	4 (4)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

Payroll Classification	Maximum Straight Time Reimbursement Per Hour Of Inspection
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity

provisions of the contract item; additional work tasks, as indicated and perform other duties as may be required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

5	Two-Way Radios
1	Two-Way Radio Repeater Station

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	2
TCI	5

No resumes are required for the TA Classification.

The second copy of the letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Barry G. Hoffman, P.E., District Engineer, District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699. Attention: Construction Unit

Any technical questions concerning the requirements for this project should be directed to: Mr. Richard K. Waddell, District 8-0, at (717) 787-5054.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### **General Requirements and Information**

Firms interest in providing the above work and services are invited to submit two copies of a Letter of Interest are required information for each Project reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to:

Mr. Charles W. Allwein, P.E., Chief  
Consultant Selection Committee  
7th Floor, Forum Place  
555 Walnut Street  
P. O. box 3060  
Harrisburg, Pennsylvania 17105-3060

Note: The Zip Code for express Mailing is 17101-1900

The Letter of Interest and required information must be received within twenty (20) calendar days of this Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 p.m. prevailing time of the twentieth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual,

firm, or corporate which is permitted under the state law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement. If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The Act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The Department requests that each Letter of Interest include the following information and that the information be packaged and presented in the order indicated below to facilitate the Department's review and evaluation.

The firm's ability and willingness to package and present the requested information in the above order to facilitate the Department's review and evaluation will be the first factor considered in the evaluation process.

1. Transmittal Letter (Maximum of two (2) 8 1/2 x 11" typed pages, one side)

2. A fact sheet that includes the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant should indicate on this fact sheet the names and Professional Engineer License Number of Individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm. If the project advertisement indicated the Department will retain an Land Surveying firm for the project, the applicant should indicate on this fact sheet the names and Professional

Land Surveyor Registration Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's land surveying activities, and whose names and seals shall be stamped on all plans, plats, and reports issued by the firm.

3. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart should show key staff from the prime and each subconsultant and their area of responsibility.

4. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

The Standard Form 255 should be signed, dated, and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work and service they will perform on the project.

Under Item 4 of this form, Column A must specify only the number of subconsultant personnel and Column B should specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do not include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant should not include more than one page each for Items 10 and 11.

If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

5. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, should accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

These Forms should be assembled with the prime's form firms, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Standard Form 255.

6. Authorization Letters (if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Standard Form 255.

7. Registration To Do Business

Firms with out-of-state headquarters or corporations not incorporated in Pennsylvania must include, with each Letter of Interest, a copy of their registration to do business in the Commonwealth as provided by the De-



partment of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

#### 8. Overhead Rates (one page)

A single page summary should indicate the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Accountant must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

The single page summary of the latest audited overhead rate for the prime consultant and each subconsultant is optional for construction inspection services.

#### 9. Additional Information

Additional information, not to exceed ten (10) one sided 8 1/2 x 11" pages or five (5) double sided 8 1/2 x 11" pages may be included at the discretion of the submitting firm.

Letters of Interest will be rejected for the following reasons:

1. Received after the cut-off time and date specified above.
2. Failure to identify a Disadvantaged Business Enterprise (DBE) if a DBE participation goal is identified in the advertised project.
3. Failure to include a copy of the registration to do business in the Commonwealth.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-21. Filed for public inspection December 31, 1998, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

At the December 15, 1998, meeting of the Environmental Quality Board (Board), the Board accepted two rulemaking petitions for further study under 25 Pa. Code, Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy).

The petitions request changes to stream designations. Both petitions were submitted by the Berks County Conservancy and District Township and request that Oysterville Creek and West Branch Perkiomen Creek be redesignated from Cold Water Fishes to Exceptional Value Waters.

The Department of Environmental Protection (Department) is reviewing these petitions and will forward its report evaluating them to the Board. The Department's recommendation will be processed as a proposed rulemaking with an opportunity for public comment.

Copies of the petitions are available from the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, e-mail to RegComments@dep.state.pa.us.

JAMES M. SEIF,  
*Chairperson*

[Pa.B. Doc. No. 99-22. Filed for public inspection December 31, 1998, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meeting Notice

The Health Care Cost Containment Council has scheduled the following meetings for January: Data Systems Committee, Wednesday, January 6, 1999, at 10 a.m.; Council Meeting, Thursday, January 7, 1999, at 10 a.m. The meetings will be held in the Council's conference room at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings, should contact Cherie Kauffman, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, or call (717) 232-6787, at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 99-23. Filed for public inspection December 31, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

Highmark Inc. d/b/a Pennsylvania Blue Shield d/b/a/ Highmark Blue Cross Blue Shield; Filing No. 98230000: Proposed Reduction to UCR Level IIs (customary allowances) Based on Site-of-Service

By Filing No. 98230000, Highmark, Inc. proposes a reduction to the customary allowance for certain procedure codes based on site of service. This 15% reduction applies to procedures most commonly performed in a facility-based setting. The impact of this proposed change is a potential 0.7% reduction in claims costs.

Copies of the filing are available for public inspection during normal working hours by appointment, at the Insurance Department's Harrisburg, Pittsburgh, Erie and Philadelphia Regional Offices.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, 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. 99-24. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Limit on Cancellations, Refusals to Renew, Refusals to Write, Surcharges, Rate Penalties and Point Assignments; No. 1999-01

This notice is to inform all insurers writing private passenger automobile insurance in Pennsylvania that section 1799.3(a) of Act 6 of 1990 states, "No insurer shall cancel or refuse to renew a policy or apply any surcharge, rate penalty or driver record point assignment where, during the preceding 3-year period, the aggregate cost to the insurer for any person injured or property damaged is determined to be less than \$650 in excess of any self-insured retention or deductible applicable to the named insured."

Section 1799.3(e) further provides that the Insurance Department, at least once every 3 years, shall adjust the \$650 cap or limit relative to changes in the seasonally adjusted medical care and automobile maintenance and repair costs components of the Consumer Price Index (Urban).

The Insurance Department has measured the changes and determined the cap shall be increased to \$950 effective July 1, 1999. The last adjustment to the cap was effective July 1, 1996, when the cap increased to \$850.

Each individual insurer, ISO and AIPSO should file the above change for prior approval by April 1, 1999, and specify an effective date of no later than July 1, 1999.

Questions regarding this notice may be directed to Randy Rohrbaugh, Director, Property & Casualty Bureau, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-3044, or e-mail at rrohrbau@ins.state.pa.us.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 99-25. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Regal Corrugated Box Company; Hearing

*Appeal of Regal Corrugated Box Company under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; Doc. No. UT98-12-010*

A prehearing conference shall be held on January 20, 1999, at 10 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protest petitions to intervene or notices of intervention, if any, must be filed with the Docket Clerk on or before January 13, 1999.

The hearing shall occur on February 3, 1999, at 10 a.m. in Room 200, Administrative Hearing Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 99-26. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Joanne Fonzone; file no. 98-181-08319; New Hampshire Indemnity Company; doc. no. P98-12-017; January 27, 1999, at 10 a.m.;

Appeal of Jason D. Halley; file no. 98-181-08319; Progressive Insurance Company; doc. no. P98-12-016; January 27, 1999, at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to partici-

pate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 99-27. Filed for public inspection December 31, 1998, 9:00 a.m.]

**The Fidelity Group, Inc., National Association of  
Business Owners and Professionals (NABOP);  
Doc. No. MS98-12-011**

On December 21, 1998, the Insurance Department (Department), filed a petition for injunctive relief seeking entry of an order by the Insurance Commissioner of Pennsylvania ordering The Fidelity Group, Inc., and the National Association of Business Owners and Professionals (NABOP) (collectively the Respondents) to cease and desist doing the business of insurance in this Commonwealth. The Commissioner found that there is articulable evidence that Respondents are doing an insurance business in this Commonwealth without a certificate of authority and that the interests of policyholders, creditors or the public may be irreparably harmed by delay in the absence of a cease and desist order. Under the cease and desist authority under 40 P. S. § 47, the Commissioner granted the Department's Petition by Order dated December 21, 1998.

In addition to ordering the Respondents to cease and desist doing the business of insurance in this Commonwealth, the Commissioner ordered the Respondents to continue providing ongoing coverage to current insureds until such time as the insureds secure effective replacement coverage or 30 days from the date of her order, whichever date is earlier. The Commissioner also ordered Respondents to cease and desist from refusing or failing to pay legitimate claims incurred and reported by Pennsylvania insureds and that all such claims shall be paid within 45 days of entry of the Order. The Commissioner ordered Respondents to provide a copy of her order to all their Pennsylvania agents or representatives and to all Pennsylvania insureds participating in the Respondents' plan.

Finally, the Commissioner specifically retained jurisdiction over the matter and ordered the scheduling of a hearing.

Under the provisions of 40 P. S. § 47, the cease and desist Order of the Commissioner dated December 21, 1998, and 1 Pa. Code §§ 35.111—35.116, and § 121 a hearing shall occur on January 4, 1999, at 10 a.m. in Room 200, Administrative Hearing Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. The hearing will be held in accordance with the requirements of the Act, Administrative Rules of Practice and Procedure, 1 Pa. Code § 31.1 et seq. and the Insurance Department's Special Rules of Administrative Practice and Procedure, 31 Pa. Code §§ 56.1—56.3.

A written request for continuance of the scheduled hearing, for good cause, will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the

hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 99-28. Filed for public inspection December 31, 1998, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board seeks the following new site:

York County, Wine & Spirits Shoppe # 6715, Spring Grove Borough.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space on PA Route 116 within 3 miles of the intersection of Roths Church Road, Spring Grove Borough.

*Proposals due:* January 29, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

The following Liquor Control Board leases will expire:

Berks County, Wine & Spirits Shoppe # 0605, Village Square Plaza, 45 Constitution Blvd., Kutztown, PA 19530-1737

*Lease Expiration Date:* March 31, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space within 2 miles of the intersection of Main Street and Constitution Avenue, Kutztown Borough.

*Proposals due:* January 29, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

Luzerne County, Wine & Spirits Shoppe # 4010, 602 Centre Street, Freeland, PA 18224-1911.

*Lease Expiration Date:* February 29, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 to 2,550 net useable square feet of new or existing retail commercial space within the Borough of Freeland.

*Proposals due:* January 29, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Ronald Hancher, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 99-29. Filed for public inspection December 31, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of RCN Telecom Services of Pennsylvania, Inc. (RCN) for Designation as an Eligible Telecommunications Carrier for the Purpose of Receiving Universal Service Support; Doc. No. P-00981578

On October 22, 1998, RCN Telecom Services of Pennsylvania, Inc. (RCN) submitted a petition with the Pennsylvania Public Utility Commission (Commission) seeking designation as an Eligible Telecommunications Carrier (ETC) under section 214(e) of the Federal Telecommunications Act of 1996 (TA-96) and Sections 54.201—54.207 of the Rules of the Federal Communications Commission. RCN seeks ETC designation in order to receive Federal interstate funding for universal service purposes.

The Commission has made several ETC designations in order to assure the receipt of Universal Service Fund (USF) support for other local exchange carriers (LECs). After a careful review of the Petition in light of the competition envisioned by TA-96 and Chapter 30 of the Pennsylvania Public Utility Code, the Commission believes that the solicitation of public comment is appropriate. Consequently, the Commission is providing this public notice with a deadline for comments and reply comments. The deadline for comments shall be 7 days following publication in the *Pennsylvania Bulletin*. The deadline for reply comments shall be 14 days following publication in the *Pennsylvania Bulletin*.

Persons or entities submitting any comments must file an original and 15 copies of any comment or reply comment with the Office of the Secretary, Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Any comment or reply comment must reference Docket No. P-00981578.

The contact person at the Commission is Stephen E. Gorka, Assistant Counsel, Law Bureau, (717) 772-8840. A copy of the Petition is available from Lisa Higley of the Office of the Secretary, (717) 787-1013.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-30. Filed for public inspection December 31, 1998, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a

common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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 January 25, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.**

**A-0011367, Folder 2, Chandler Hall Health Services, Inc.** (99 Barclay Street, Newtown, Bucks County, PA 18940), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Bucks. *Attorney:* Barbara R. Merlie, 86 Woodland Drive, New Britain, PA 18901.

**A-00115502, Sophia E. Guarrasi** (4974 Durham Road, Pipersville, Bucks County, PA 18947)—persons in limousine service between points in the county of Bucks, and from points in said county, to points in Pennsylvania, and return.

**A-00115503, George E. Sullenberger, t/d/b/a All Occasion Limo Service** (RR 2, Box 341, Mill Hall, Clinton County, PA 17751)—persons in limousine service between points in the counties of Clinton, Lycoming and Centre.

**A-00115500, Tony's Class Act Limousine Service, Inc.** (3309 Concord Drive, Cinnaminson, NJ 08077), a corporation of the state of New Jersey—persons in limousine service, between points in the counties of Philadelphia, Bucks, Delaware, Montgomery and Chester, and from points in said counties, to points in Pennsylvania, and return.

**Applications of the following for approval amendment of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-00113582, Folder 2, Am-A Concord Limousine, Inc.** (2752 Mt. Carmel Avenue, Glenside, Montgomery County, PA 19038), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand: (1) in the Bala-Cynwyd Section of Lower Merion Township, Montgomery County, between the Schuylkill River on the east and Wynnewood Avenue on the west and extending to Rock Hill Road, Bryn Mawr Avenue and Montgomery Avenue on the north and from points in that area to other points in Pennsylvania, and vice versa; all transportation to be on call by telephone to the carrier's office; and (2) in that part of the City of Philadelphia, Philadelphia County, beginning at the intersection of City Line Avenue and 52nd Street, thence continuing south along 52nd Street to Wynnefield Avenue, thence continuing south along Wynnefield Avenue to Belmont Avenue, thence continuing south along Belmont Avenue to its intersection with Montgomery Avenue, thence continuing in an easterly direction along Montgomery Avenue until the same intersects with the Schuylkill River, thence continuing in a northerly direction to City Line Avenue and the place of beginning; all transportation to be upon call by telephone to the carrier's office; which is to be a transfer of all of the call or demand rights authorized under the certificate

issued at A-00107814, F. 2, to Boston Coach-Pennsylvania Corp., t/d/b/a Boston Coach, subject to the same limitations and conditions. *Attorney:* Edward L. Ciemniecki, One Liberty Place, 32nd Floor, 1650 Market Street, Philadelphia, PA 19103-7393.

**Application of the following for the approval of the transfer of stock as described under each application.**

**A-00109627, F. 5000. Airport Express, Inc.** (3655 Hulmeulle Road, Bensalem, Bucks County, PA 19120), a corporation of the Commonwealth of Pennsylvania—stock transfer—approval of the transfer of 100 shares of issued and outstanding stock from Scott A. Weinberg to Barry J. London (100 shares held). *Attorney:* Richard T. Mulcahey, Jr., Two Penn Center, Suite 1400, 1500 John F. Kennedy Boulevard, Philadelphia, PA 19102-1890.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-31. Filed for public inspection December 31, 1998, 9:00 a.m.]

**Water Service  
Without Hearing**

**A-212285F0059, A-212285F0060. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of (1) the transfer, by sale, of the water works property and rights of the Applewold Borough Water System to Pennsylvania-American Water Company, and (2) the rights of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in all of Applewold Borough, Armstrong County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before January 20, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan D. Simms, Esquire, Corporate Counsel, Pennsylvania-American Water Company, 800 Hersheypark Drive, Hershey, PA 17033.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-32. Filed for public inspection December 31, 1998, 9:00 a.m.]

**PUBLIC SCHOOL  
EMPLOYEES' RETIREMENT  
BOARD**

**Hearings Scheduled**

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School

Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

January 20, 1999	Jeanne E. Brimmeier (Purchase of Service)	1 p.m.
	Lewis K. Bazilian (Waiver of Adjustment-HOP)	2:30 p.m.

Persons with a disability who wish to attend the above-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JAMES A. PERRY,  
*Secretary*

[Pa.B. Doc. No. 99-33. Filed for public inspection December 31, 1998, 9:00 a.m.]

**TURNPIKE COMMISSION**

**Request for Bids**

The Turnpike Commission is requesting sealed bids for:

1) Drug & Alcohol Testing Service

*Bid Opening:* January 18, 1999 at 11:30 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal forms and conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Department, (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 99-34. Filed for public inspection December 31, 1998, 9:00 a.m.]

**Request for Proposals**

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated for the following contract:

**Contract No. 97-002-RF90**—Design/Build project for the replacement of Bridge No. B-445 at M. P. 151.97 and the demolition of Bridge No. B-444 at M. P. 151.83 and

the bituminous overlay, ID-3, SRL-E between M. P. 149.57 and M. P. 156.50 on the Pennsylvania Turnpike System in Bedford County, PA

*Bid Opening Date*—February 4, 1999, 11 a.m.

*Bid Surety*—5%

Plans, Specifications and Contract documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$30 per set by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the

Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

A nonmandatory prebid meeting for this design/build project is scheduled for 10 a.m., January 12, 1999, in the Large Board Room, at the Pennsylvania Turnpike's Administration Building.

Contact the Purchasing Manager for a listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 99-35. Filed for public inspection December 31, 1998, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

### Reader's Guide

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.
- 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*

**Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340**

### Commodities

**1424118** Construction and Building Materials—4 each doors, 3080-14 gauge galvanized 16 steel stiffened seamless continuously welded beveled. Prep door to fit Sentrol Magnetic Contact 2757-L right hand reverse; 3 each doors, 3080-14 gauge galvanized 16 steel stiffened seamless continuously welded beveled. Prep door to fit Sentrol Magnetic Contact 2757-L right hand reverse; 1 each doors, 3080-14 gauge galvanized 16 steel stiffened seamless continuously welded beveled. Prep door to fit Sentrol Magnetic Contact 2757-L right hand reverse. This door will be one to be used as a double pair; 1 each doors, 3080-14 gauge galvanized 16 steel stiffened seamless continuously welded beveled. Prep door to fit Sentrol Magnetic Contact 2757-L right hand reverse. This door will be one to be used as a double pair; 4 each Folger Adam 86 deadbolt RHRB 1/2" bolt projection galvanized w/No. 1 and No. 2 CS Escutheons and HM mount. Call for keying for above lock; 3 each Folger Adam 8G deadbolt LHRB 1/2" bolt projection galvanized w/No. 1 and No. 2 CS Escutheons and HM mount. Call for keying for above lock; 7 each Folger Adam No. 4 recessed pull US32D; 7 each 80-40DB Folger Adam Strike; 7 each Folger Adam No. 8 wire pull US32D; 6 each Folger Adam Paracentric cut key to order; 9 each armor plate 34" x 34" x .050 x stainless; 9 each SL11 x 93" x heavy duty x clear continuous hinge; 6 each box of 50, 12.24 Torx self tapping screws; 1 each 380-380P weather strip astragal set; 5 each LCN 4111 RH cush closer; 4 each LCN 4111 LH cush closer; 9 each Sentrol magnetic contacts 2757-L; 9 each furnish and installation of doors.

**Department:** Corrections  
**Location:** Somerset, Somerset County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**8249090** Construction, mining, excavating and highway maintenance equipment—6 each loader, all wheel drive w/snow thrower (012400).

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1338118** Fire fighting, rescue and safety equipment—12 each Scott Air-Pak Fifty 2216 PSI featherweight composite cylinder w/EBSS (Buddy Breather) MFG No. 804486-06; 12 each Featherweight Cylinder 2216 PSI 30 minute MFG No. 804103-01.

**Department:** Corrections  
**Location:** Pittsburgh, Allegheny County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1441078** Medical, dental and vet equipment and supplies—9,000 gross latex condoms, FDA approved, reservoir end, lubricated without Nonoxynol-9, packaged into three condoms to a single package, and bulk packaged (144 condoms to a bulk, e.g., 48 packages of 3 to a box or shrink wrap).

**Department:** Health  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1442078** Medical, dental and vet equipment and supplies—400 case "Reality" female condom, woman-controlled contraception barrier that also protects against STDs, including HIV/AIDS, manufactured by the female health company product No. 709, or approved equal; 60 condoms per case.

**Department:** Health  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1385118** Plumbing, heating and sanitation equipment—1 project furnish and install boiler connection.

**Department:** Corrections  
**Location:** Dallas, Luzerne County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1423118** Refrigerator and AC equipment—1 project furnish and install replacement units for the 8 air conditioning condensers located on the roofs of cellblocks A, B, C and D at the State Correctional Institution at Retreat, Hunlock Creek, Luzerne County, PA. Vendor shall be responsible for all tools, equipment, material and labor required to complete the job. New condensers shall be: McQuay 3CH-2-22A, Model RPS020BW, or approved equal.

**Department:** Corrections  
**Location:** Hunlock Creek, Luzerne County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**67062** Plumbing, heating and sanitation equipment—Supply six Sch-1 one-piece replacement stainless steel shower cabinets 30" x 30" x 88" high (Metcraft or equal). The shower cabinets will be installed by the institution.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA  
**Duration:** FY 98—99  
**Contact:** Jack Loughry, Graterford, (724) 853-3502

**735-090** Clothing and individual equipment—Counters, men's fiber approximately 46,000 pair various sizes. Box toes, men's approximately 55,000 pair various sizes.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA  
**Duration:** FY 98—99  
**Contact:** Joseph Kanjorski, State Correctional Institution Mahanoy, (717) 773-2158, Ext. 560

**735-091** Clothing and individual equipment—Insole material, 5 iron, pre-sensitized, 2,300 sheets, 44 x 50, color cream.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA  
**Duration:** FY 98—99  
**Contact:** Joseph Kanjorski, State Correctional Institution Mahanoy, (717) 773-2158, Ext. 560

**FL018** Clothing and individual equipment—Embroidered polo shirts—(Reference King Louie Shirt Spencer Series J330) no substitutes; 482 shirts various sizes.

**Department:** Revenue/PA Lottery  
**Location:** Middletown, Dauphin County, PA  
**Duration:** FY 98—99  
**Contact:** Sharon Soulliard, Middletown, (717) 986-4773

**Revenue Paper and printing—35 each Inheritance Tax Docket Books page size 18" x 12" with 500 pages and A to Z index. Requires a different county imprint on the canvas cover and jacket of each book.**

**Department:** Revenue  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 98—99  
**Contact:** Carol Kirkpatrick, Harrisburg, (717) 772-0506



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# SERVICES

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## Agricultural Services—02

**PGC2591** The equivalent of Game Bird Breeder (Pheasant) Feed—70 tons, pellet size 5/32. Bulk delivery, pneumatic blower unloading. Delivery in 8—24 ton lots, as requested by the Game Farm Superintendent. Feed quantities are estimates only, the actual amounts ordered may be greater or less than the estimated quantity. Feed to be in strict accordance with PA Game Commission formula.

**Department:** Game Commission  
**Location:** Western Game Farm, 25761 Highway 408, Cambridge Springs, PA 16403  
**Duration:** February 1, 1999 to May 15, 1999  
**Contact:** Larry Mears, Superintendent, (814) 398-2271

**PGC2592** The equivalent of Game Bird Breeder (Pheasant) Feed—70 tons, pellet size 5/32. Bulk delivery, pneumatic blower unloading. Delivery in 8—24 ton lots, as requested by the Game Farm Superintendent. Feed quantities are estimates only, the actual amounts ordered may be greater or less than the estimated quantity. Feed to be in strict accordance with PA Game Commission formula.

**Department:** Game Commission  
**Location:** Loysock Game Farm, R. D. 2, Box 803, Montoursville, PA 17754  
**Duration:** February 1, 1999 to May 31, 1999  
**Contact:** C. Clair Souter, (717) 435-2043

## Computer Related Services—08

**No. 39** Provide locking hardware needed to change existing locking system to Best locking system at North Central Secure Treatment Unit, 210 Clinic Road, Danville, PA 17821, on the grounds of Danville State Hospital. No installation required.

**Department:** Public Welfare  
**Location:** North Central Secure Treatment Unit, 210 Clinic Road, Danville, PA 17821  
**Duration:** January 1, 1999 to June 30, 1999  
**Contact:** Mary Lou Auman, Purchasing Agent, (717) 789-5508

## Construction—09

**No. 38** Replace the roof on the boiler plant located at the Loysville Youth Development Center, R. D. 2, Box 365B, Loysville, PA 17047.

**Department:** Public Welfare  
**Location:** Loysville Complex, Youth Development Center, R. D. 2, Box 365B, Loysville, PA 17047  
**Duration:** January 1, 1999—June 30, 1999  
**Contact:** Mary Lou Auman, Purchasing Agent, (717) 789-5508

**Project No. 625** On-call roof repairs.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armories, Pine Grove, Pottsville, Williamstown, Schuylkill and Dauphin Counties, PA  
**Duration:** July 1, 1999—June 30, 2002  
**Contact:** Emma Schroff, (717) 861-8518

**1112** Repair of four roofs within the institutions. Repairs will also include cleanup and disposal of all project related debris.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, Pittsburgh, PA 15233  
**Duration:** February 01, 1999 to June 30, 1999  
**Contact:** Carol R. Schaeffer, Purchasing Agent II, (412) 761-1955

**DGS A 251-512** Project title: Roof Replacement. Brief description: Remove existing ballasted EPDM roof system, gravel stop built-up roofing system, insulation, etc. Install new thermoplastic single ply roofing system, insulation, etc. and new gravel stop. Estimated range: \$100,000 to \$500,000. General construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Contact the office listed to arrange for delivery of documents. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, January 20, 1999 at 11 a.m.

**Department:** General Services  
**Location:** PennDOT District Office Building, Uniontown, Fayette County, PA  
**Duration:** 90 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. FDC-318-462** Construction, renovation and installation of ADA alterations to a modern cabin (includes a small amount of plumbing and electrical work). Project is located at Canoe Creek State Park.

**Department:** Conservation and Natural Resources  
**Location:** Frankstown Township, Blair County, PA  
**Duration:** 120 days  
**Contact:** Construction Management Section, (717) 787-5055

**33** West Chester University is soliciting sealed bids for the renovation of 12 existing tennis courts including, but not limited to, new pavement "Cushioned Acrylic" sports surfacing, net posts, center strap anchors, nets and retaining wall repairs by the general contractor. Also new luminaries on existing poles, new lighting, new electrical distribution system for lighting the courts, embedded conduit work and upgrading of existing poles by the electrical contractor. Six courts must remain available for use during the project. It is anticipated that the work will begin on or about May 26, 1999. Prevailing wages apply.

**Department:** State System of Higher Education  
**Location:** West Chester University, West Chester, PA 19383  
**Duration:** 90 days from notice to proceed  
**Contact:** Jacki Marthinsen, Contracts Manager, (610) 436-2705

## HVAC—22

**CL-499—Replace HVAC, Campbell** Clarion University is soliciting bids for furnishing and installing heating, ventilation and air conditioning systems in the basement of Campbell Hall a residence hall on the Clarion campus. Contracts to be awarded for mechanical and asbestos removal work. Prebid meeting: 10 a.m., January 15, 1999. Bids due: 2 p.m., January 28, 1999. Bid packages available by forwarding \$15 (check only) to attention of contact person, 218 Carrier Hall, Clarion University, Clarion, PA 16214.

**Department:** State System of Higher Education  
**Location:** Clarion University, Clarion County, PA  
**Duration:** 90 days from Notice to Proceed  
**Contact:** Judy McAninch, Contract Manager, (814) 226-2240

**Contract No. FDC-305-370** Coordination of utility relocation; and provide and install electrical hookups throughout the campground. Project is located at Cowans Gap State Park.

**Department:** Conservation and Natural Resources  
**Location:** Todd Township, Fulton County, PA  
**Duration:** 90 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-406-466** General, plumbing and electrical work associated with cabin renovations for ADA accessibility (porch rehabilitation; renovations to kitchen and bath areas; bedroom addition; new floor coverings; new roofing shingles and site work). Project is located at French Creek State Park.

**Department:** Conservation and Natural Resources  
**Location:** Union Township, Berks County, PA  
**Duration:** 120 days  
**Contact:** Construction Management Section, (717) 787-5055



**Project No. 642** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** OMS, 125 Goodridge Lane, Washington, Washington County, PA  
**Duration:** October 1, 1999—September 30, 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Service Purchase Contract No. 3864298001** Campground electrification—Lackawanna State Park. Documents containing all pertinent information must be obtained from the park office—Lackawanna State Park, R. R. 1, Box 230, Dalton, PA 18414, (570) 945-3239.

**Department:** Conservation and Natural Resources  
**Location:** Lackawanna State Park, R. R. 1, Box 230, Dalton, PA 18414  
**Duration:** June 30, 1999  
**Contact:** Park Manager, (570) 945-3239

**WC 648** West Chester University is soliciting sealed bids for the connection to municipal sanitary sewer and domestic water systems. The sanitary sewer line will be extended from the main in High Street to the property at 814 South Matlack Street. The line has been sized for future additions to the west of the existing property. Water service will be extended from a main on Matlack Street. Philadelphia Suburban Water will install the first segment to a curb stop from which the contractor will extend service to the basement of the property. Prevailing wages apply. A site visit will be conducted at 10 a.m. on January 14, 1999. Parking will be available in the M lot next to the property at 814 South Matlack Street. Bids are due and will be publicly opened at 11 a.m. on January 26, 1999.

**Department:** State System of Higher Education  
**Location:** West Chester University, 814 South Matlack Street, West Chester, PA 19383  
**Duration:** 20 days from notice to proceed  
**Contact:** Jacki Marthinsen, Contracts Manager, (610) 436-2705

## Medical Services—29

**6505-8515-000** Potassium iodide, 130 mg tablets, 14 tablets per pack, 300 packs per case. 5 year shelf life. Ship with longest expiration date possible with full dating.

**Department:** Health  
**Location:** PEMA Rim and C Facility, Attn: Dick Kenyon, Building T-16-5, Ft. Indiantown Gap, Annville, PA 17033-5002  
**Duration:** 60 days  
**Contact:** Mark D. Hubbard, (717) 787-7166

## Property Maintenance—33

**Inquiry No. 7655** Modified toilet stalls. Proof of visit required.

**Department:** Public Welfare  
**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821  
**Duration:** Indeterminate 1998—99  
**Contact:** Pamela Bauman, Purchasing Agent, (570) 271-4578

**WC 707** West Chester University is soliciting sealed bids for renovations to the main stage theater in the E. O. Bull Center. Work includes select demolition of railings and pipes, fabrication and installation of a walkable tension grid, miscellaneous railings, shelves and pipes, structural reinforcement and painting by the general contractor. The electrical contractor shall provide select demolition of theater circuitry and installation of new circuitry and conduit. Prevailing wages apply. It is anticipated that the work shall begin on or about May 21, 1999.

**Department:** State System of Higher Education  
**Location:** West Chester University, E. O. Bull Center, West Chester, PA 19383  
**Duration:** 11 weeks  
**Contact:** Jacki Marthinsen, Contracts Manager, (610) 436-2705

## Security Services—37

**00721-000-98-FSR** Fire and Security System Replacement and Maintenance. Installation of Commission supplied fire and security panel and equipment as manufactured by Ademco, including Commission supplied wiring and devices in up to seven outbuildings at the Drake Well Museum. A mandatory prebid meeting and sign-in will be held on January 26, 1999 at 10:30 a.m. in the Museum Building at Drake Well Museum. No bids will be accepted by any contractors who do not make the mandatory prebid. For directions and a map showing the detour to enter the site, please contact the site at (814) 827-2797. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by any contractors who do not make the mandatory prebid. Bids are due on Thursday, February 11, 1999 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Drake Well Museum, R. D. 3, Box 7, Titusville, PA 16354-8902  
**Duration:** February 1, 1999 to October 31, 1999  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**00717-001-99-FSR-PRR** Renovate/Maintain Fire and Security. Renovate and replace existing fire and security panel and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Museum of Anthracite Mining Building, including up to 3 years of post-renovation maintenance and repair. A mandatory prebid meeting and sign-in will be held on Wednesday, January 20, 1999 at 10:30 a.m. at the Museum of Anthracite Mining. No bids will be accepted from vendors who do not attend the mandatory prebid. For directions, please contact the site at (717) 875-4708. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by any contractors who do not make the mandatory prebid. Bids are due on Friday, February 5, 1999 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Museum of Anthracite Mining-Ashland, 17th and Pine Streets, Ashland, PA 17921  
**Duration:** July 1, 1999 to June 30, 2002  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

## Vehicle, Heavy Equipment—38

**2-2-00034** Contractor shall provide and install fiberglass utility beds on (2) PA Department of Transportation crew cab chassis with dual rear wheels. Installation shall be performed at contractor's location. Successful bidder must pickup and deliver trucks to and from PennDOT Garage at Hyde, PA. All manufacturer's installation repairs shall be performed at PennDOT facility located at Washington Avenue and Hall Street, Hyde, PA.

**Department:** Transportation  
**Location:** District 0220, Washington Avenue and Hall Street, Hyde, PA  
**Duration:** April 1, 1999 through March 31, 2000  
**Contact:** Debbie Swank or Walter Bacher, (814) 765-0524

**Miscellaneous—39**

**LBP-97-097** To provide and deliver approximately 225 each liquid cryogenic oxygen vessels (VGL) of 180 liters of oxygen. To be delivered on an "as needed basis".

**Department:** Military and Veterans Affairs

**Location:** Northeastern PA Veterans Center, 401 Penn Avenue, Scranton, PA 18503-1213

**Duration:** February 1, 1999 through January 31, 2000

**Contact:** Joseph Libus, Purchasing Agent II, (717) 961-4318

**OAGCEB0199** Development and presentation of a course of instruction in death investigation for newly elected coroners, chief deputy coroners, and full-time deputy coroners with an examination to measure completion of the program as stipulated in Act 22 of 1988. The selected contractor will present the course from November 29, 1999 through December 4, 1999 and once during the Spring of 2000.

**Department:** Office of Attorney General

**Location:** Harrisburg, PA

**Duration:** One (1) year w/option to renew up to two, 1 year contracts

**Contact:** Jean M. Kreiser, (717) 783-2369

[Pa.B. Doc. No. 99-36. Filed for public inspection December 31, 1998, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
8925-02	01/01/99	Feeser's, Inc.	1,571,700.36
1133218-01	12/21/98	Wacor Electronic Systems	15,987.52
1135118-01	12/21/98	Acme Textile Company Ltd.	42,000.00
1139118-01	12/21/98	ATD American Co.	46,850.00
1191358-01	12/21/98	Atlantic Lining Co., Inc.	29,202.00
1191358-02	12/21/98	Kukurin General Contracting, Inc.	525.00
1194048-01	12/21/98	Sensitive Measurements, Inc.	17,600.00
1198158-01	12/21/98	Wacor Electronics Systems	12,594.00
1202118-01	12/21/98	Kar-Tex, Inc.	39,539.00
1202118-02	12/21/98	Atlantic Textiles Co.	3,528.00
1235148-01	12/21/98	Tron-Tek, Inc.	46,248.00
1258048-01	12/21/98	Stults Scientific Engineering Corp.	12,671.00

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
1279218-01	12/21/98	Carter's Construction & Associates, Inc. d/b/a Carter's Diversified II	16,188.76
1286048-01	12/21/98	Pulva Corp.	9,625.00
1322118-01	12/21/98	W. M. Wagner Sales Co., Inc.	12,894.00
1329118-01	12/21/98	Pac Industries, Inc.	37,500.00
1334158-01	12/21/98	Ludy Greenhouse Mfg. Corp.	46,917.00
1344218-01	12/21/98	Aerotherm, Inc.	15,035.00
1345158-01	12/21/98	Hoffman Ford Sales, Inc.	20,657.00
8118400-01	12/21/98	J & L Systems Ltd.	108,000.00
8215720-01	12/21/98	S & S Machine Co., Inc.	26,596.55
8249560-01	12/21/98	Highway Equipment and Supply Co.	16,500.00

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 99-37. Filed for public inspection December 31, 1998, 9:00 a.m.]