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# PENNSYLVANIA BULLETIN

Volume 29  
Saturday, January 16, 1999 • Harrisburg, Pa.  
Number 3  
Pages 321—442

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State Board of Education's  
Academic Standards and Assessment

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Resources  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Labor and Industry  
Department of Public Welfare  
Department of Transportation  
Fish and Boat Commission  
Health Care Cost Containment Council  
Insurance Department  
Legislative Reference Bureau  
Pennsylvania Public Utility Commission  
Port of Pittsburgh Commission  
State Board of Education  
Turnpike Commission

**Detailed list of contents appears inside.**

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

**No. 290, January 1999**

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**PENNSYLVANIA**



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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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## 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.

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# PENNSYLVANIA BULLETIN

Volume 29  
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## **Part II**

This part contains the  
State Board of Education's  
Academic Standards and Assessment



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# THE COURTS

## Title 231—RULE OF CIVIL PROCEDURE

### PART II. ORPHAN'S COURT RULES

#### [231 PA. CODE PART II]

#### Amendment to Orphans' Court Rule 5.6 and Adoption of Rule 5.7; No. 213 Supreme Court Rules Doc. No. 1

#### Order

*Per Curiam:*

Now, this 23rd day of December, 1998, upon the recommendation of the Orphans' Court Procedural Rules Committee; the proposal having been published for adoption at 25 Pa. Bulletin 2802-2804 (July 16, 1995) and 26 Pa. Bulletin 4079 (August 24, 1996):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Orphans' Court Rule 5.6 is amended and new Rule 5.7 is adopted, all in the following form, and shall apply to decedents dying on or after January 1, 1999. Rule 5.6 as adopted on April 30, 1992 shall continue to apply to decedents dying on or after July 1, 1992 and before the date of adoption of these amendments.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 1999.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART II. ORPHAN'S COURT RULES

#### RULE 5. NOTICE

#### Rule 5.6. Notice to Beneficiaries and Intestate Heirs.

(a) *Requirement of notice.* Within three (3) months after the grant of letters, the personal representative to whom original letters have been granted or **[ his ] the personal representative's** counsel shall send a written notice of estate administration in **[ substantially ]** the form **[ prescribed to ]** set forth in Rule 5.7.

(1) every person, corporation, association, entity or other party named in decedent's will as an outright beneficiary whether individually or as a class member;

**(2) the decedent's spouse and children, whether or not they are named in, or have an interest under, the will;**

**(3) where there is an intestacy in whole or in part, to every person entitled to inherit as an intestate heir under Chapter 21 of the Probate, Estate and Fiduciaries Code;**

**[ (2) ] (4)** the appointed guardian of the estate, parent or legal custodian of any beneficiary who is a minor child under the age of **eighteen** (18) years;

**[ (3) ] (5)** the appointed guardian of the estate or, in the absence of such appointment, the institution or person with custody of any beneficiary who is an adjudicated **[ mental incompetent ]** incapacitated person;

**[ (4) ] (6)** the Attorney General on behalf of any charitable beneficiary whose interest exceeds \$25,000 or which will not be paid in full;

**[ (5) ] (7)** the Attorney General on behalf of any governmental beneficiary; **[ or in default of the other heirs of the estate;**

**(6) ] (8)** the trustee of any trust which is a beneficiary; and

**[ (7) the spouse, children or other intestate heirs of the decedent as determined under Chapter 21 of the Probate Estates and Fiduciaries Code. ]**

**(9) such other persons and in such manner as may be required by any local rule of court.**

**[ (b) Contents of notice.** The notice shall contain the following information:

**(1) the date and place of decedent's death;**

**(2) whether decedent died testate or intestate;**

**(3) the county in which original letters were granted;**

**(4) the names, addresses and telephone numbers of all appointed personal representatives and their counsel; and**

**(5) a copy of the will or a description of the beneficiary's interest in the estate. ]**

**(b) Definition of Beneficiary.** "Beneficiary" shall be deemed to include any person who may have an interest by virtue of the Pennsylvania anti-lapse statute, 20 Pa.C.S. § 2514.

(c) *Manner of notice.* Notice shall be given by personal service or by first-class, prepaid mail to each **[ party ]** person and entity entitled to notice under subdivision (a)(1)—(9) whose address is known or reasonably available to the personal representative.

(d) *Certification of notice.* Within ten (10) days after giving the notice required by subdivision (a) of this Rule, the personal representative or **[ his ] the personal representative's** counsel shall file with the Register or Clerk **[ his, her or its ]** a certification in **[ substantially ]** the **[ attached ]** from set forth in Rule 5.7(b) that notice has been given as required by this Rule. No fee shall be charged by the Register or Clerk for filing the certification required by **[ paragraph (d) ]** this subdivision.

(e) *Failure to file certification.* Upon the failure by the personal representative or **[ his ] the personal representative's** counsel to file the certification on a timely basis, the Register shall, after ten (10) days prior written notice to the delinquent **[ fiduciary ]** personal representative and his counsel, notify the Court of such delinquency **[ along with a request that the Court conduct a hearing to determine whether sanctions shall be imposed upon the delinquent personal representative or his counsel ].**

**Official Note:** The 1998 amendment to subdivision (e) is not intended to limit the inherent power of the Court to impose sanctions upon a delinquent personal representative or counsel.

(f) *Effect of notice.* This Rule shall not alter, diminish or confer [ **additional substantive rights upon any beneficiary** ] existing rights.

(g) *Copies of rule.* The Register shall deliver a copy of [ **this Rule** ] **Rules 5.6 and 5.7** to each personal representative and counsel at the time letters are granted.

**Official Note: It is not the intention of the Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of**

**the Probate, Estates and Fiduciaries Code.**

*(Editor's Note: The form of Notice and Certification following Rule 5.6 is rescinded and new Rule 5.7 is adopted to replace the form of Notice and Certification. Rule 5.7 is printed in regular type to enhance readability.)*

**Rule 5.7 Form of notice and certification of notice to beneficiaries and intestate heirs.**

(a) *Form of Notice to Beneficiaries and Intestate Heirs.*

**IMPORTANT NOTICE**

**NOTICE OF ESTATE ADMINISTRATION**

**THIS NOTICE DOES NOT MEAN THAT YOU WILL RECEIVE ANY MONEY OR PROPERTY FROM THIS ESTATE OR OTHERWISE.**

Whether you will receive any money or property will be determined wholly or partly by the decedent's will. If the decedent died without a will, whether you will receive any money or property will be determined by the intestacy laws of Pennsylvania.

BEFORE THE REGISTER OF WILLS, COUNTY OF PENNSYLVANIA

In re Estate of \_\_\_\_\_, deceased,  
 No. \_\_\_\_\_ of \_\_\_\_\_  
 TO:

(Name and Address)

Please take notice of the death of decedent and the grant of letters to the personal representative(s) named below.

The Decedent \_\_\_\_\_, died on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ County, Pennsylvania.

The Decedent died testate (with a Will); or

The Decedent died intestate (without a Will).

The personal representative of the Decedent is \_\_\_\_\_ (name, address and telephone number).

If the Decedent died testate, the will has been filed with the Office of the Register of Wills of \_\_\_\_\_ County (address and telephone number).

If the Decedent died intestate, a Petition for the Grant of Letters of Administration was filed with the Office of the Register of Wills of \_\_\_\_\_ County (address and telephone number).

A copy of the Will or Petition may be obtained by contacting the Register of Wills and paying the charges for duplication.

Date:

Signature:  
 Name  
 Address

Telephone ( )

Capacity: Personal Representative  
 Counsel for personal  
 representative

(b) *Form of Certification of Notice.***CERTIFICATION OF NOTICE UNDER RULE 5.6(a)**

Name of Decedent:

Date of Death:

Will No.

Adm. No.

To the Register:

I certify that notice of **[beneficial interest] estate administration** required by Rule 5.6(a) of the Orphans' Court Rules was served on or mailed to the following beneficiaries of the above-captioned estate on

NameAddress

Notice has now been given to all persons entitled thereto under Rule 5.6 (a) except \_\_\_\_\_

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

Signature

Name

Address

Telephone (    )

Capacity: Personal Representative

Counsel for Personal Representative

[Pa.B. Doc. No. 99-76. Filed for public inspection January 15, 1999, 9:00 a.m.]

**PART II. ORPHANS' COURT RULES****[231 PA. CODE PART II]****Amendment to Orphans' Court Rules 14.1—14.4;  
No. 214 Supreme Court Rules Doc. No. 1****Order***Per Curiam:*

Now, this 23rd day of December, 1998, upon the recommendation of the Orphans' Court Procedural Rules Committee; the proposal having been published for adoption at 25 Pa. Bulletin 5505 (December 2, 1995):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 14.1—14.4 are amended, all in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 1999.

**Annex A****TITLE 231. RULES OF CIVIL PROCEDURE****PART II. ORPHANS' COURT RULES****Amendments to Orphans' Court Rules 14.1—14.4****Rule 14. [INCOMPETENTS' ESTATES]****GUARDIANSHIP OF INCAPACITATED PERSONS****Rule 14.1. Local rules.**

The practice and procedure with respect to **[ incompetents' estates ] incapacitated persons'** shall be as

prescribed by local rules, which shall not be inconsistent with **[ Rules 14.2 and 14.3 hereof ] Rules 14.2—14.5.**

**Rule 14.2 is repealed and replaced with the following.**

**Rule 14.2. Adjudication of incapacity and appointment of a guardian of the person and/or estate of an incapacitated person.**

**A petition to adjudicate incapacity shall meet all requirements set forth at 20 Pa.C.S. § 5511. A citation and notice in the form set forth in Rule 14.5 shall be attached to and served with a petition. The procedure for determination of incapacity and for appointment of a guardian shall meet all requirements set forth at 20 Pa.C.S. §§ 5512 and 5512.1.**

**Rule 14.3. [Adjudication of competency] Review hearing.**

**A petition [ to adjudicate that a person previously adjudged incompetent has become competent ] for a review hearing shall set forth:**

(1) the date of the adjudication of **[ incompetency ] incapacity;**

(2) the name and address of the guardian;

(3) if the **[ incompetent ] incapacitated person** has been a patient in a mental hospital, the name of such institution, the date of **[ his ]** admission, and the date of discharge;

(4) the present address of the [ **incompetent,** ] **incapacitated person** and the name of the person with whom [ **he** ] **the incapacitated person** is living;

(5) the names and addresses of the [ **next of kin** ] **presumptive adult heirs** of the [ **incompetent** ] **incapacitated person**; and

(6) an averment that [ **the mental health of the incompetent has been restored** ] (i) **there has been significant change in the person's capacity;** (ii) **there has been a change in the need for guardianship services;** or (iii) **the guardian has failed to perform duties in accordance with the law or act in the best interest of the incapacitated person.**

**Official Note: See 20 Pa.C.S. § 5512.2.**

**Rule 14.4. Proceedings relating to real estate.**

A petition for the public or private sale, exchange, lease, or mortgage of real estate of an [ **incompetent** ] **incapacitated person** or the grant of an option for the sale, exchange or lease of the same shall conform as far as practicable to the requirements of these rules for personal representatives, trustees and guardians of minors in a transaction of similar type.

[Pa.B. Doc. No. 99-77. Filed for public inspection January 15, 1999, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Adoption of Local Procedure for the Automated Expungement of Records at Conclusion of Accelerated Rehabilitative Disposition Program; No. 139 MI 98

##### Administrative Order No. 16-1998

*And Now*, this 29th day of December, 1998, it is hereby *Ordered and Decreed* that Carbon County *Adopts* the following local procedure governing the Automated Expungement of Records at the Conclusion of Accelerated Rehabilitative Disposition Program which shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

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

1. File seven (7) certified copies of this Administrative Order and Procedure with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Criminal Procedural Rules Committee.
4. Forward one (1) copy for publication in the Carbon County Law Journal.
5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Order and Procedure in the Clerk of Courts Office.

*By the Court*

JOHN P. LAVELLE,  
*President Judge*

#### Automated Expungement of Records at Conclusion of Accelerated Rehabilitative Disposition Program

##### A) *Disposition*

The following procedure shall be used to finalize disposition of all cases in the Accelerated Rehabilitative Disposition (ARD) Program:

1) The Court Data Processing Director will create an alphabetically sequenced file, which lists those persons presently under the Accelerated Rehabilitative Disposition (ARD) Program, or having ever participated in such a program. The Chief of Adult Probation and the District Attorney will each receive a copy.

2) Each month, the Data Processing Unit will create a list of all probationers whose ARD probation period has terminated the previous month. This list will be distributed as in (1) above.

3) The District Attorney will be responsible for reviewing the list. If the District Attorney has an objection, he must voice that objection within thirty (30) days of creation of the list.

4) If a case is reinstated for cause prior to the completion of the stipulated ARD probation period, the District Attorney must notify the Court Calendar Officer so that the case will then be properly relisted for trial.

##### B) *Expungement*

The following procedure shall be effective immediately to automatically expunge the criminal case record for those defendants who have completed the conditions(s) of the ARD Program.

1) At the end of each month, the Adult Probation Office will prepare a list of all cases reaching final disposition under the ARD Program during the month. A copy of the list shall be provided to the District Attorney. The produced list will carry a date on which the cases will be tentatively scheduled before the President Judge or his/her appointee. This date will be the first scheduled motion list date of the next month.

2) The District Attorney will review the listing of potential expungements and present the complete list to the President Judge indicating any cases which he/she feels should not be expunged along with the reason why the expungement should not take place. For proper cause, the case will be deleted from the expungement list by the President Judge.

3) In those cases in which the item is deleted, a letter will be produced and forwarded to the last known address of the defendant and to his attorney-of-record informing each that the case will not be automatically expunged by the Court, but that a petition may be initiated.

The intent of an expungement will be to prevent the inquiry into a person's criminal history of the expunged case by reference to the criminal records of 1) the local police department, 2) the Pennsylvania State Police, 3) the Federal Bureau of Investigation, and 4) the file

folders and computer files of the Carbon County Common Pleas Court and District Justice Courts.

4) The fashion in which this will be accomplished will be as follows:

a) The defendant computer record will be removed from the computer file maintained by the Clerk of Courts Office so that reference to an individual's computer criminal history may not be made from either the video screens or current batch-processed disposition listing.

b) At the same time the Court's computer record is expunged as in 4(a) above, an Order will be automatically produced ordering the local police department to destroy all criminal records, fingerprints, photographs, and photographic plates and to update the criminal extract to totally eliminate reference to the expunged incident.

c) The order in (b) above shall also order the Carbon County Bureau of Collections, the Adult Probation Office, the District Justice Offices, the Pennsylvania State Police and the Federal Bureau of Investigation to destroy all records pertaining to the same arrest.

d) The order in (b) above shall also order the Court Data Processing Director to remove all references pertaining to the same arrest from the computer indices of the Court of Common Pleas of Carbon County and the District Justices of Carbon County.

e) A letter shall be automatically produced for the District Attorney and mailed to the local police department and to the last known address of the defendant, informing him or her that the local police department, the Pennsylvania State Police, and the Federal Bureau of Investigation have been ordered to expunge the criminal record for that specific case, that this procedure will be allowed only once in a person's life and that expungement will take place within ninety (90) days of the date of the Expungement Order. A copy of this letter shall also be sent to the defendant's attorney-of-record.

f) A certification, which states that the destruction of records has taken place as ordered, affixed to the Expungement Order shall be signed and returned by the local police department to the Clerk of Courts. Said certification shall also be signed by the Court Data Processing Director. The Clerk of Courts shall then insert a copy of the certification with each appropriate case folder. The applicable case folder shall then be placed in a confidential status.

5. A monthly updated confidential list of completed expungements under this procedure shall be maintained by the Court.

[Pa.B. Doc. No. 99-78. Filed for public inspection January 15, 1999, 9:00 a.m.]

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## SUPREME COURT

### Accreditation of the National Board of Trial Advocacy as a Certifying Organization; No. 0491 Disciplinary Doc. No. 3

#### Order

*Per Curiam:*

*And Now*, this 29th day of December, 1998, upon consideration of the recommendation of the Pennsylvania Bar Association Review and Certifying Board, the National Board of Trial Advocacy is hereby accredited as a certifying organization in the areas of family law trial advocacy, criminal law trial advocacy and civil law trial advocacy for a period of five calendar years.

[Pa.B. Doc. No. 99-79. Filed for public inspection January 15, 1999, 9:00 a.m.]

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# PROPOSED RULEMAKING

## HEALTH CARE COST CONTAINMENT COUNCIL

[28 PA. CODE CHS. 911 AND 912]

### Severity Methodology

The Health Care Cost Containment Council (Council), under the authority of section 5(b) of the Pennsylvania Health Care Cost Containment Act (35 P. S. § 449.5(b)), proposes to amend §§ 911.1, 911.3, 911.4, 912.1, 912.3 and 912.31. The proposed amendments remove specific reference to a particular methodology currently used by the Council to afford the Council flexibility in selecting an alternative methodology for measuring provider quality and provider service effectiveness.

#### *Purpose*

The purpose of the proposed amendments is to give the Council greater flexibility in responding to the marketplace than the present regulations allow. The proposed amendments will enable the Council to change its vendor if the vendor fails to meet its contractual requirements.

#### *Summary of Proposed Amendments*

The proposed amendments remove specific reference to the MedisGroups methodology to afford the Council flexibility in selecting a methodology for measuring provider quality and provider service effectiveness.

#### *Affected Parties*

All data sources in this Commonwealth are currently required to use the MedisGroups methodology.

#### *Paperwork Requirements*

The proposed amendments will not impose additional paperwork on the private sector, the general public or the Commonwealth and its political subdivisions.

#### *Fiscal Impact*

The proposed amendments will have no fiscal impact on the regulated community, the State or local governments.

#### *Effective Date*

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

#### *Sunset Date*

The Council continually monitors its regulations. Therefore, no sunset date has been assigned.

#### *Public Comment/Contact Person*

Written comments, suggestions or objections will be accepted for 30 days after publication of the proposed amendments in the *Pennsylvania Bulletin*. Comments should be addressed to Marc P. Volavka, Executive Director, Health Care Cost Containment Council, Suite 400, 225 Market Street, Harrisburg, PA 17101.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 5, 1999, the Council submitted a copy of the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Health and Human Services and the Senate Committee on Public Health and

Welfare. In addition to submitting the proposed amendments, the Council has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form, prepared by the Council. A copy of this material is available to the public upon request.

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

MARC VOLAVKA,  
*Executive Director*

**Fiscal Note:** 100-14. No fiscal impact; (8) recommends adoption.

### Annex A

### TITLE 28. HEALTH AND SAFETY

### PART VI. HEALTH CARE COST CONTAINMENT COUNCIL

### CHAPTER 911. DATA SUBMISSION AND COLLECTION

### Subchapter A. STATEMENT OF POLICY

#### § 911.1. Definitions.

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

\* \* \* \* \*

[ **MedisGroups**—A computerized system that calculates patient morbidity and patient severity according to a methodology developed by Mediquel Systems, Inc.

[ **Patient morbidity**—A score indicating the presence or absence of a major or minor morbidity as measured by MedisGroups defined methodology. ]

[ **Patient severity**—A [ score from 0 to 4 reflecting the ] measure of severity of illness as defined by [ **MedisGroups methodology** ] the Council using [ **key** ] appropriate clinical findings, such as physician examinations, radiology findings, laboratory findings and pathology findings or any other relevant clinical factors.

\* \* \* \* \*

§ 911.3. Council adoption of [ **MedisGroups derived index for patient severity upon admission and morbidity** ] methodology.

[ **The MedisGroups methodology for determining patient severity upon admission and patient morbidity is the nationally recognized methodology of quantifying and collecting data on provider quality and provider service effectiveness for purposes of sections 5 and 6 of the act (35 P. S. §§ 449.5 and 449.6). The following four options are acceptable to the Council:**

(1) A hospital may purchase the full MedisGroups license, which includes information and services beyond the Council's requirements for calculating admission severity and morbidity.

(2) A hospital may purchase an abridged MedisGroups license, which includes only information and services required to provide the Council with patient severity upon admission and morbidity.

(3) A hospital may purchase a service contract for the abridged version from a provider licensee—for example, another hospital—of the full version of MedisGroups.

(4) A hospital may purchase a service contract with a nonprovider licensee of abridged MedisGroups. ]

Under section 6(d) of the act (35 P. S. § 449.6), the Council will adopt a methodology required to collect and report provider quality and provider service effectiveness. Periodically, the Council will review the methodology and, if a change is necessary, it will be made by majority vote of the Council at a public meeting. Notice of the change will be given to the appropriate data sources within 30 days and at least 180 days before the change is to be implemented.

§ 911.4. Adoption of data elements to be reported to the Council.

\* \* \* \* \*

TABLE A

PENNSYLVANIA UNIFORM CLAIMS AND BILLING FORM DATA ELEMENTS

Field	Data Element	Definition
		* * * * *
[ 21a	Patient Severity Upon Admission	A score from 0 to 4 reflecting the severity of illness as defined by MedisGroups methodology using key clinical findings, such as physical examination, radiology findings, laboratory findings, and pathology findings.
21b	Patient Morbidity	A score indicating the presence or absence of a major or minor morbidity as measured by MedisGroups defined methodology. ]
		* * * * *

CHAPTER 912. DATA REPORTING REQUIREMENTS

Subchapter A. GENERAL PROVISIONS

§ 912.1. Legal base and purpose.

\* \* \* \* \*

[ (c) The Council hereby adopts the MedisGroups' methodology for determining patient morbidity and patient severity upon admission to a hospital for purposes of quantifying and collecting data on provider quality and provider service effectiveness. The MedisGroups' methodology is available to hospitals either as the full MedisGroups' system or the MedisPA system. ]

§ 912.3. Definitions.

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

\* \* \* \* \*

[ *MedisGroups*—A computerized system that calculates patient morbidity and patient severity according to a methodology developed by MediQual Systems, Inc.

*MedisPA*—The abridged version of MedisGroups using the MedisGroups' methodology.

*Patient morbidity*—A score indicating the presence or absence of a major or minor morbidity as measured by MedisGroups' defined methodology.

*Patient severity*—A score from 0 to 4 reflecting the severity of illness as defined by MedisGroups' methodology using key clinical findings, such as physician examinations, radiology findings, laboratory findings and pathology findings. ]

\* \* \* \* \*

Subchapter B. PENNSYLVANIA UNIFORM CLAIMS AND BILLING FORM SUBMISSION SCHEDULES EXCEPTIONS

§ 912.31. Principle.

The Council may, within its discretion and for good reason, grant exceptions to sections within this chapter when the policy and objectives of this chapter and the act are otherwise met. [ Failure of MediQual, Inc. to perform shall be reason for the Council to grant an exception to hospitals under § 912.22(1)(iii) and (2) (relating to data element submission schedules). ]

[Pa.B. Doc. No. 99-80. Filed for public inspection January 15, 1999, 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 January 5, 1999.

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-30-98	Southwest National Bank of Pennsylvania Greensburg Westmoreland County <i>To:</i> Southwest Bank Greensburg Westmoreland County Represents conversion from a nationally-chartered banking institution to a State-chartered banking institution. <i>Branches Acquired By Conversion:</i> 1121 Brackenridge Avenue Brackenridge Allegheny County Heights Plaza Shopping Center Natrona Heights Allegheny County 331 E. Sixth Avenue Tarentum Allegheny County 38 Greensburg Street Delmont Westmoreland County 200 S. Chestnut Street Derry Westmoreland County 5780 Kennedy Avenue Export Westmoreland County 750 E. Pittsburgh Street Greensburg Westmoreland County U.S. Route 30 East Greensburg Westmoreland County	Greensburg Greensburg Westmoreland County 900 Greengate Plaza Greensburg Westmoreland County Route 119 South Greensburg Westmoreland County (Drive-Up Facility) Route 30 Shopping Plaza Latrobe Westmoreland County 3880 Old William Penn Highway Murrysville Westmoreland County 412 W. Main Street New Alexandria Westmoreland County Center & Highland Avenues New Stanton Westmoreland County 5 S. Fourth Street Youngwood Westmoreland County	Effective
1-1-99	Iron Workers' Savings and Loan Association Aston Delaware County <i>To:</i> Iron Workers Savings Bank Aston Delaware County Represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.	Aston	Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	<i>Branch Acquired By Conversion:</i>		
	3 State Road Media Delaware County		
1-1-99	Bally Building and Loan Association Bally Berks County	Bally	Effective
	<i>To:</i>		
	Bally Savings Bank Bally Berks County		
	Represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.		

### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-29-98	Berks County Bank, Reading, and Heritage National Bank, Pottsville Surviving Institution—Berks County Bank, Reading, with a change in corporate title to "Main Street Bank"	Reading	Approved Effective 1-1-99
	<i>Branches Acquired By Merger:</i>		
	200 Tunnel Street Williamstown Dauphin County	24-28 E. Main Street Schuylkill Haven Schuylkill County	
	6144 Cressona Mall Pottsville Schuylkill County	Route 61 South Schuylkill Haven Schuylkill County (Drive-Up Facility)	
	Route 54 Tamaqua Schuylkill County	2-4 N. Main Street Shenandoah Schuylkill County	
	247 Sunbury Street Minersville Schuylkill County	Routes 895 & 309 New Ringgold Schuylkill County	
	Wayne & S. Liberty Sts. Orwigsburg Schuylkill County	408 E. Broad Street Tamaqua Schuylkill County	
	29 E. Pottsville Street Pine Grove Schuylkill County	757 South Route 183 Schuylkill Haven Schuylkill County	
	76 Coal Street Port Carbon Schuylkill County	120 S. Centre Street Pottsville Schuylkill County	
1-4-99	First Capitol Bank, York, and Susquehanna Interim Bank, York Surviving Institution—First Capitol Bank, York	York	Effective
	Merger is being effected to facilitate the acquisition of First Capitol Bank, York, by Susquehanna Bancshares, Inc., Lititz, a bank holding company.		

### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-29-98	Lebanon Valley Farmers Bank Lebanon Lebanon County	Northport Industrial Park, Micro Drive Union Township Lebanon County	Filed
12-29-98	Twin Rivers Community Bank Easton Northampton County	2400 Schoenersville Rd. Bethlehem Hanover Township Northampton County	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-29-98	Twin Rivers Community Bank Easton Northampton County	3815 Linden Street Bethlehem Bethlehem Township Northampton County	Filed
12-31-98	First Commonwealth Trust Company Indiana Indiana County	111 South Main Street Greensburg Westmoreland County	Approved
12-31-98	First Commonwealth Trust Company Indiana Indiana County	15 South Main Street Chambersburg Franklin County	Approved
12-31-98	Lebanon Valley Farmers Bank Lebanon Lebanon County	119 W. Main Street Campbelltown South Londonderry Twp. Lebanon County	Filed
1-4-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 4275 County Line Road Chalfont Bucks County	Approved
1-4-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 1844 Bethlehem Pike Flourtown Montgomery County	Approved
1-4-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market Germantown Pike and Route 202 Norristown Montgomery County	Approved
1-4-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market Old Bethlehem Pike and Moore Road Spring House Montgomery County	Approved

#### Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-2-99	Lebanon Valley Farmers Bank Lebanon Lebanon County	<i>Into:</i> Palmyra Shopping Center 901 East Main Street Palmyra Lebanon County  <i>From:</i> 41 N. Londonderry Square Palmyra Lebanon County	Effective

#### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-31-98	First Commonwealth Trust Company Indiana Indiana County	501 Penn Street Huntingdon Huntingdon County	Approved

#### SAVINGS ASSOCIATIONS

##### Conversions

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
12-30-98	Security Savings Association of Hazleton Hazleton Luzerne County	Hazleton	Effective
Represents conversion from a State-chartered mutual savings association to a State-chartered stock savings association.			

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
1-4-99	Schuylkill Savings & Loan Association, Schuylkill Haven, and Sobieski Building & Loan Association, Mount Carmel Surviving Institution—Schuylkill Savings & Loan Association, Schuylkill Haven (A Federal Savings Bank)	Schuylkill Haven	Effective

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

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-31-98	Pennsylvania State Employees Credit Union, Harrisburg, and PREA Credit Union, Harrisburg Surviving Institution—Pennsylvania State Employees Credit Union, Harrisburg	Harrisburg	Filed

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 99-81. Filed for public inspection January 15, 1999, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of February 1999**

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of February, 1999, is 7 3/4%.

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

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.29 to which was added 2.50 percentage points for a total of 7.79 that by law is rounded off to the nearest quarter at 7 3/4%.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 99-82. Filed for public inspection January 15, 1999, 9:00 a.m.]

**DEPARTMENT OF  
CONSERVATION AND  
NATURAL RESOURCES****Conservation and Natural Resources Advisory  
Council; Meeting Notice**

Notice is hereby given of a meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources on Wednesday, January 27, 1999. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

RANDY COOLEY,  
*Chairperson*

[Pa.B. Doc. No. 99-83. Filed for public inspection January 15, 1999, 9:00 a.m.]

### Pennsylvania Rivers Conservation Registry

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the "Susquehanna River Conservation Plan" and is placing the portion of the Susquehanna River Watershed studied in the plan on the Pennsylvania Rivers Conservation Registry (Registry).

Dauphin County submitted the Susquehanna River Conservation Plan and other required information to gain Registry status.

After review of the Plan and other information, the DCNR has determined that Pennsylvania Rivers Conservation Program requirements have been satisfied and places the following on the Registry:

1. A portion of the Susquehanna River Watershed, located within the municipal boundaries of Upper Paxton Township, Halifax Township, Halifax Borough, Millersburg Borough and Reed Township, Dauphin County.
2. All tributary streams within the Susquehanna River Watershed area that are located within the municipal boundaries of Upper Paxton Township, Halifax Township, Halifax Borough, Millersburg Borough and Reed Township, Dauphin County.

This action becomes effective January 16, 1999. Projects identified in the Susquehanna River Conservation Plan become eligible for implementation, development or acquisition grant funding through the Pennsylvania Rivers Conservation Program.

A copy of the Final Plan is available for review at Tri-County Regional Planning Commission, 112 Market Street, 7th Floor, Harrisburg, PA 17101-2015, (717) 234-2639 and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17105-8475, (717) 787-2316.

Maps and supporting data are on file at the Tri-County Regional Planning Commission.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 99-84. Filed for public inspection January 15, 1999, 9:00 a.m.]

### Proposed Transfer of Lands from DCNR, Bureau of Forestry, to Department of Transportation

The Department of Conservation and Natural Resources, acting through the Bureau of Forestry, is preparing to transfer approximately 1.48 acres of land in Cameron County, Lumber Township, to the Department of Transportation by an Interdepartmental Agreement.

The purpose of this transfer is to allow for the relocation of S. R. 0120 where it crosses the Driftwood Branch of Sinnemahoning Creek at the Village of Cameron.

As is the policy of the Department of Conservation and Natural Resources, the public is hereby notified of this transfer. A 30-day period for public inquiry and/or comment will be in effect commencing January 19, 1999, and ending February 17, 1999. Oral or written comments or questions concerning this proposed transfer may be ad-

ressed to: Dr. James R. Grace, State Forester, Pennsylvania Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552; (717) 787-2703. These oral and/or written comments will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department of Conservation and Natural Resources may schedule a public informational meeting.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 99-85. Filed for public inspection January 15, 1999, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of the University of Phoenix for Approval to Operate in Pennsylvania; Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S.A. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of the University of Phoenix for a Certificate of Authority approving the institution's operation in this Commonwealth at campuses in the Philadelphia and Pittsburgh metropolitan areas. The institution is seeking authorization to provide the following seven adult-centered educational degree programs at these sites: Bachelor of Science in Business Administration, Management or Marketing; Bachelor of Science in Information Technology; Master of Business Administration; Master of Business Administration/Global Management or Technology Management.

In accordance with 24 Pa.C.S.A. § 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).

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 (717) 787-7572 to discuss how the Department may best accommodate their needs.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 99-86. Filed for public inspection January 15, 1999, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

#### (Part I Permits)

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful 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.

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the 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.

#### Applications for National Pollutant Discharge Elimination System (NPDES) permit to discharge to State waters.

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

**PA 0043818.** Industrial waste, **G.R.O.W.S. Landfill, A Division of Waste Management Disposal Services of Pennsylvania, Inc.**, 1121 Bordentown Road, Morrisville, PA 19067.

This application is for renewal of an NPDES permit to discharge treated landfill leachate wastewater and stormwater from G.R.O.W.S. Landfill IWWTP in Falls Township, **Bucks County**. This is an existing discharge to Delaware River (Zone 2).

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.1 mgd are as follows:

Parameter	Average Annual (mg/l)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
BOD <sub>5</sub>		53	106	132.5
BOD <sub>5</sub> % Removal		95% removal per DRBC requirements		
Total Suspended Solids		30	60	75
Total Dissolved Solids		6,560	13,120	16,400
Oil and Grease		15	30	30
Fecal Coliform		200 colonies/100 ml as a geometric average		
pH		within limits of 6.0—9.0 standard units at all times		
Temperature				monitor/report
Ammonia (as N)		35	70	87.5
CBOD <sub>20</sub> (lbs/day)		62	124	
True Color (Pt-Co)				750
Nitrate-Nitrite (as N)		monitor/report	monitor/report	
Total Organic Nitrogen		monitor/report	monitor/report	
Total Residual Chlorine				

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
(Issuance—Year 2)		monitor/report	monitor/report	
(Year 3—Expiration)		0.5	1.0	1.2
Total Antimony		0.45	0.90	1.13
Total Arsenic		0.05	0.10	0.125
Beryllium		0.005	0.010	0.0125
Boron				
(Issuance—Year 2)		monitor/report	monitor/report	
(Year 3—Expiration)		0.38	0.76	1.13
Hex Chromium		monitor/report	monitor/report	
Total Chromium		0.05	0.10	0.125
Total Cadmium		0.005	0.01	0.0125
Total Aluminum		0.275	0.55	0.68
Total Cobalt		0.05	0.10	0.125
Total Iron		2.5	5.0	6.3
Barium		0.10	0.20	0.25
Mercury		0.0019	0.0038	0.0047
Nickel		0.30	0.60	0.75
Silver		monitor/report	monitor/report	
Total Cyanide		0.10	0.20	0.25
Vanadium		monitor/report	monitor/report	
Phenol		0.05	0.10	0.125
Total Phenols		0.27	0.54	0.68
Thallium		0.10	0.20	0.25
Total Copper		0.05	0.10	0.125
Total Lead		0.036	0.072	0.090
Manganese		1.0	2.0	2.5
Total Zinc		0.3	0.6	0.75
Bromoform	0.54			6.48
Total Halomethanes	0.027			0.324
Chloroform		0.01	0.02	0.025
Chloromethane		0.1	0.2	0.25
Methylene Chloride		0.1	0.2	0.25
Toluene		0.05	0.1	0.125
Butyl Benzyl Phthalate		0.01	0.02	0.025
2-Chloronaphthalene		0.01	0.02	0.025
Diethyl Phthalate		0.025	0.05	0.063
Lindane		0.010	0.020	0.025
Isophorone		0.05	0.10	0.125
Acetone		0.109	0.218	0.273
2-Butanone		0.210	0.420	0.525
1,2,3-Trichloropropane		0.10	0.20	0.25
Xylene		0.01	0.02	0.025
1-Propanol		0.55	1.1	1.35
2-Propanol		0.54	1.1	1.35
4,4-DDT		0.00004	0.00008	0.0001
Tetrahydrofuran		0.025	0.05	0.063
P-cresol		0.05	0.10	0.125
2-Hexanone		0.015	0.030	0.037
4-Methyl-2-Pentanone		0.015	0.030	0.037
Dibromomethane		0.010	0.02	0.025
1,1,1-Trichloroethane		0.10	0.20	0.25
1-2, Trans Dichloroethylene		0.03	0.06	0.075
Benzene		0.05	0.10	0.125
1-1 Dichloroethane		0.09	0.18	0.23
Chlorobenzene		0.05	0.10	0.125
Di-N-Butyl Phthalate		0.83	1.66	2.08
Pentachlorophenol		monitor/report	monitor/report	
1-2, Dichloroethane		monitor/report	monitor/report	
Tetrachloroethylene		monitor/report	monitor/report	
Trichloroethylene		monitor/report	monitor/report	
Toxicity				
(Toxics Unit Chronic)			monitor/report	
(Issuance—Year 2)				

This permit also covers stormwater discharges from the landfill Outfalls 003, 004, 006, 009, 010, 011 and 012 are to a tributary to the Delaware River.

The proposed effluent limits for Outfalls 003, 004, 006, 009, 010, 011 and 012 are as follows:

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	monitor/report	monitor/report
TSS	monitor/report	monitor/report
Oil and Grease	monitor/report	monitor/report
pH	monitor/report	monitor/report
Total Lead	monitor/report	monitor/report
Total Organic Carbon	monitor/report	monitor/report
Total Chromium	monitor/report	monitor/report
Total Barium	monitor/report	monitor/report
Total Cadmium	monitor/report	monitor/report
Total Mercury	monitor/report	monitor/report
Total Selenium	monitor/report	monitor/report
Ammonia	monitor/report	monitor/report
Total Arsenic	monitor/report	monitor/report
Total Cyanide	monitor/report	monitor/report
Nitrate plus Nitrite Nitrogen	monitor/report	monitor/report
Dissolved Iron	monitor/report	monitor/report
Dissolved Magnesium	monitor/report	monitor/report

The EPA waiver is in effect.

*Other Requirements:*

1. DMR to DRBC, BCHD and PADEP
2. Effective disinfection
3. Remedial measure
4. Right to modify the permit
5. BOD<sub>5</sub>% removal
6. Specified test methods
7. Ownership test methods
8. TRC/TTHM monitoring requirements
9. Definitions—Total Halomethanes
10. Grab sampling requirements
11. Proper sludge disposal
12. Definition—Annual Average
13. TMDL—WLA data requirements
14. Monitoring of untreated leachate quality and quantity
15. Control of stormwater runoff
16. Effluent chlorine minimization
17. Management of leachate discharge rate
18. BAT study for boron
19. Removal of 100% pollutant loading from nonhazardous waste stream outside DRBC area
20. DRBC pollutant loading and recordkeeping requirements
21. Twice per month sampling requirements
22. Instantaneous maximum sampling requirement
23. Stormwater Outfalls requirements
24. Permit reopener clause
25. Toxicity—chronic monitoring

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*Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.*

The Department of Environmental Protection (Department) has developed a proposed Total Maximum Daily Load (TMDL) for low flow conditions and will be submitting the TMDL to the United States EPA for review and approval under 40 CFR 130.7(d) of the Federal regulations. The TMDL is for BOD, TSS, dioxin, chloroform, color and temperature for Codorus Creek. The draft permit described as follows for a discharge to the stream segment is based on the proposed TMDL. The data used in the development of the TMDL and the permit are documented in the Department's fact sheet for the permit.

The Department is requesting public comments and will consider all comments received within 30 days of the publication of this notice. The EPA also will use the comments in making its approval or denial determination on the Department's request for the TMDL.

**PA 0008869.** Industrial waste, SIC: 2621, **P. H. Glatfelter Company**, 228 South Main Street, Spring Grove, PA 17362-0500.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Codorus Creek in Spring Grove Borough, **York County**.

The receiving stream is classified for warm water fishes, recreation and water supply. The discharge is not expected to impact any potable water supply.



A. *Outfall 001 receives wastewater from production of pulp and paper by bleach kraft process and from secondary treated municipal wastewater.*

1. Interim limitations are as follows:

<i>Discharge Parameter</i>	<i>Mass Units (lbs/day)</i>		<i>Discharge Limitations</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	report	report	XXX	XXX	XXX
pH	XXX	XXX	6.0—9.0 standard units at all times		
D.O. (minimum)	XXX	XXX	5 mg/l at all times		
BOD <sub>5</sub>					
(5-1 to 10-31)	1,168	2,335	monitor	20	30
(11-1 to 4-30)	1,751	3,503	monitor	25	35
Total Suspended Solids	3,000	6,000	monitor	60	90
NH <sub>3</sub> -N					
(5-1 to 10-31)	XXX	XXX	1.5	3.0	3.8
(11-1 to 4-30)	XXX	XXX	2.0	4.0	5.0
Color (pcu)					
(Filter Plant Intake)	XXX	XXX	monitor	monitor	XXX
(Effluent)	XXX	XXX	300	600	XXX
(Downstream)	XXX	XXX	monitor	monitor	monitor
AOX	monitor	monitor	monitor	monitor	XXX
Temperature °F					
(Effluent)	XXX	XXX	monitor	monitor	XXX
(Bair Bridge)	XXX	XXX	monitor	monitor	XXX
COD	XXX	XXX	monitor	monitor	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	5.0
Chloroform	XXX	XXX	XXX	monitor	XXX
Dioxin 2,3,7,8-TCDD	XXX	XX	XXX	monitor	XXX
Furan 2,3,7,8-TCDF	XXX	XXX	XXX	monitor	XXX
Aldrin	XXX	XXX	XXX	monitor	XXX
4,4' DDE	XXX	XXX	XXX	monitor	XXX
WETT	XXX	XXX	XXX	monitor	XXX

2. Final limitations are as follows:

<i>Discharge Parameter</i>	<i>Mass Units (lbs/day)</i>		<i>Discharge Limitations</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	report	report	XXX	XXX	XXX
pH	XXX	XXX	6.0—9.0 standard units at all times		
D.O. (minimum)	XXX	XXX	5 mg/l at all times		
BOD <sub>5</sub>					
(5-1 to 10-31)	1,168	2,335	monitor	20	30
(11-1 to 4-30)	1,751	3,503	monitor	25	35
Total Suspended Solids	3,000	6,000	monitor	60	90
NH <sub>3</sub> -N					
(5-1 to 10-31)	XXX	XXX	1.5	3.0	3.8
(11-1 to 4-30)	XXX	XXX	2.0	4.0	5.0
Color (pcu)					
(Route 116 Bridge)	XXX	XXX	monitor	monitor	monitor
(Effluent)	XXX	XXX	85	170	212
(Downstream)	XXX	XXX	monitor	monitor	monitor
AOX	969	1,480	monitor	monitor	XXX
Temperature °F					
(Effluent)	XXX	XXX	monitor	monitor	XXX
(Downstream of 001)	XXX	XXX	monitor	monitor	XXX
COD	XXX	XXX	monitor	monitor	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	5.0
Chloroform	XXX	XXX	0.02	0.04	0.05
Dioxin 2,3,7,8-TCDD	XXX	XX	XXX	3.5 x 10 <sup>-5</sup> pg/l	XXX
Furan 2,3,7,8-TCDF	XXX	XXX	XXX	monitor	XXX
Aldrin	XXX	XXX	XXX	monitor	XXX
4,4' DDE	XXX	XXX	XXX	monitor	XXX

Discharge Limitations

Discharge Parameter	Mass Units (lbs/day)		Concentrations (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
WETT	XXX	XXX	XXX	monitor	XXX

B. Outfall 002 receives wastewater from noncontact cooling water.

Discharge Limitations

Discharge Parameter	Mass Units (lbs/day)		Concentrations (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	report	report	XXX	XXX	XXX
Temperature (Upstream)	XXX	XXX		monitor and report	
(Effluent)	XXX	XXX		monitor and report	
(Rt. 116 Bridge)	XXX	XXX		varies each month	
pH	XXX	XXX	6.0—9.0 standard units at all times		
Total Residual Chlorine	XXX	XXX		monitor and report	
BOD <sub>5</sub>	XXX	XXX		monitor and report	
Total Suspended Solids	XXX	XXX		monitor and report	
Streamflow at Gage (cfs) (5-1 to 10-31)	21.3 min. 7-day avg.	monitor and report minimum daily		XXX	
(11-1 to 4-30)	15.8 min. 7-day avg.	monitor and report minimum daily		XXX	
Streamflow at Gage (cfs)	16.4 annual average	XXX		XXX	

C. Outfall 101, Internal Monitoring Point—Bleach Plant Effluent—Softwood

Outfall 102, Internal Monitoring Point—Bleach Plant Effluent—Hardwood

1. Interim limitations are as follows:

Discharge Limitations

Discharge Parameter	Mass Units (lbs/day)		Concentrations (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
AOX	XXX	XXX	monitor	monitor	XXX
COD	XXX	XXX	monitor	monitor	XXX
Color (PCU)	XXX	XXX	monitor	monitor	XXX
Chloroform	monitor	monitor	monitor	monitor	XXX
2,3,7,8-TCDD	XXX	XXX	XXX	monitor	XXX
2,3,7,8-TCDF	XXX	XXX	XXX	monitor	XXX
Trichlorosyringol	XXX	XXX	XXX	monitor	XXX
3,4,5-trichlorocatechol	XXX	XXX	XXX	monitor	XXX
3,4,6-trichlorocatechol	XXX	XXX	XXX	monitor	XXX
Tetrachlorocatechol	XXX	XXX	XXX	monitor	XXX
3,4,5-trichloroguaiacol	XXX	XXX	XXX	monitor	XXX
3,4,6-trichloroguaiacol	XXX	XXX	XXX	monitor	XXX
4,5,6-trichloroguaiacol	XXX	XXX	XXX	monitor	XXX
Tetrachloroguaiacol	XXX	XXX	XXX	monitor	XXX
2,4,5-trichlorophenol	XXX	XXX	XXX	monitor	XXX
2,4,6-trichlorophenol	XXX	XXX	XXX	monitor	XXX
2,3,4,6-tetrachlorophenol	XXX	XXX	XXX	monitor	XXX
Pentachlorophenol	XXX	XXX	XXX	monitor	XXX
Flow (mgd)	monitor	monitor	XXX	XXX	XXX

2. Final limitations are as follows:

<i>Discharge Parameter</i>	<i>Mass Units (lbs/day)</i>		<i>Discharge Limitations Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
AOX	XXX	XXX	monitor	monitor	XXX
COD	XXX	XXX	monitor	monitor	XXX
Color (PCU)	XXX	XXX	monitor	monitor	XXX
Chloroform	6.44	10.77	monitor	monitor	XXX
2,3,7,8-TCDD	XXX	XXX	XXX	<ML	XXX
2,3,7,8-TCDF	XXX	XXX	XXX	31.9 pg/l	XXX
Trichlorosyringol	XXX	XXX	XXX	<ML	XXX
3,4,5-trichlorocatechol	XXX	XXX	XXX	<ML	XXX
3,4,6-trichlorocatechol	XXX	XXX	XXX	<ML	XXX
Tetrachlorocatechol	XXX	XXX	XXX	<ML	XXX
3,4,5-trichloroguaiacol	XXX	XXX	XXX	<ML	XXX
3,4,6-trichloroguaiacol	XXX	XXX	XXX	<ML	XXX
4,5,6-trichloroguaiacol	XXX	XXX	XXX	<ML	XXX
Tetrachloroguaiacol	XXX	XXX	XXX	<ML	XXX
2,4,5-trichlorophenol	XXX	XXX	XXX	<ML	XXX
2,4,6-trichlorophenol	XXX	XXX	XXX	<ML	XXX
2,3,4,6-tetrachlorophenol	XXX	XXX	XXX	<ML	XXX
Pentachlorophenol	XXX	XXX	XXX	<ML	XXX
Flow (mgd)	monitor	monitor	XXX	XXX	XXX

D. Stormwater Outfalls SW1—SW46 shall be monitored for the following parameters:

<i>Discharge Parameters</i>	<i>Monitoring Requirements</i>	
	<i>Composite Sample (mg/l)</i>	<i>Grab Sample (mg/l)</i>
BOD <sub>5</sub>	monitor and report	monitor and report
COD	monitor and report	monitor and report
Oil and Grease	XXX	monitor and report
pH (s.u.)	XXX	monitor and report
Total Suspended Solids	monitor and report	monitor and report
Total Phosphorus	monitor and report	monitor and report
Total Kjeldahl Nitrogen	monitor and report	monitor and report
Total Iron	monitor and report	monitor and report

In addition to the above effluent limitations, the permit requires the following:

1. Maintain winter, summer and annual stream flows of 15.8, 21.3 and 16.4 cfs at the USGS Gaging Station.
2. Chronic whole effluent toxicity testing of Outfall 001.
3. Control of any chemical additives to prevent environmental impacts.
4. Completion of a new 316(a) Study (fish and macroinvertebrates) to demonstrate the impact of the existing heat discharges on the Codorus Creek and recommend reductions if necessary.
5. Meeting color standards in accordance with the schedule in the consent order and agreement.
6. A solids, odor and sediment bioassay study to assess impact of the discharge on the Codorus Creek.
7. Sampling of parameters found by the EPA during development of the "Cluster Rule" at a predefined detection limit.
8. Implementation of best management practices to comply with the "Cluster Rule."
9. Elimination of elemental chlorine bleaching by conversion of both bleach plants to chlorine dioxide substitution or other processes.

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

**PA 0035157.** Industrial waste, SIC: 2015, **Farmer's Pride, Inc.**, West Main Street, P. O. Box 39, Fredericksburg, PA 17026.

This application is for issuance of an NPDES permit for expansion of an existing discharge of treated industrial waste to Deep Run, in Bethel Township, **Lebanon County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pennsylvania American Water Company located in South Hanover Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for the expanded design flow of 0.9 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen (min)		5.0 mg/l at all times	
Total Residual Chlorine	<0.1	XXX	<0.2
Total Suspended Solids	25	50	75
CBOD <sub>5</sub>	20	40	50
NH <sub>3</sub> -N as N			
(5-1 to 10-31)	1.0	2.0	2.5
(11-1 to 4-30)	3.0	6.0	7.5
Total Phosphorus	2.0	4.0	5.0
Fecal Coliform			
(5-1 to 9-30)	200	XXX	XXX
(10-1 to 4-30)	2,100	XXX	XXX
Total Organic Nitrogen as N	monitor and report	monitor and report	XXX
Nitrite Nitrate as N	monitor and report	monitor and report	XXX

These effluent limits are for a facility expansion. The effluent limits in the current permit will be incorporated as interim limits in the new permit. Outfall 003 is a stormwater outfall.

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

The EPA waiver is not in effect.

**PA 0013862.** Industrial waste, SIC: 2834, **Wyeth-Ayerst Laboratories, Inc.**, Wasp and Biddle Streets, P. O. Box 304, Marietta, PA 17547.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to the Susquehanna River, in East Donegal Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 004 for a design flow of 0.321 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50	62.5
Total Suspended Solids	30	60	75
Total Phosphorus	2	4	5
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen		minimum 5.0 mg/l	
Fecal Coliforms			
(10-1 to 4-30)		100,000/100 ml geometric mean	
(5-1 to 9-30)		200/100 ml geometric mean	
pH		6—9	
Total Copper		monitor	
Total Mercury		monitor	

The proposed effluent limits for Outfall 100 for a design flow of 0.247 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	53.1 lbs/day		
Total Suspended Solids	90.4 lbs/day		
COD	86	228	
pH		6—9	

The proposed effluent limits for Outfalls 002, 003, 005, 006, 007 and 008 for stormwater are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>		monitor	
COD		monitor	
Oil and Grease		monitor	
pH		monitor	
TSS		monitor	
Total Kjeldahl Nitrogen		monitor	
Total Phosphorus		monitor	
Dissolved Iron		monitor	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Mercury		monitor	
Total Copper		monitor	

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

The EPA waiver is not in effect.

**PA 0026727.** Sewage, SIC: 4952, **Borough of Tyrone**, 1100 Logan Avenue, Tyrone, PA 16686.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Little Juniata River, in Snyder Township, **Blair County**.

The receiving stream is classified for trout stocking fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was United Water Company located in Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed interim effluent limits for Outfall 001 for a design flow of 9.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	XXX	50
Total Suspended Solids	30	45	XXX	60
NH <sub>3</sub> -N				
(5-1 to 10-31)	5.5	XXX	XXX	11
(11-1 to 4-30)	12	XXX	XXX	24
Total Phosphorus	monitor and report	XXX	XXX	XXX
Total Residual Chlorine	monitor and report	XXX	0.5	XXX
Total Nitrogen	monitor and report	XXX	XXX	XXX
Total Copper	monitor and report	XXX	XXX	XXX
Hexavalent Chromium	monitor and report	XXX	XXX	XXX
Free Cyanide	monitor and report	XXX	XXX	XXX
Dissolved Oxygen		minimum of 5.0 at all times		
pH		from 6.0—9.0 inclusive		
Fecal Coliforms				
(5-1 to 9-30)		200/100 ml as a geometric average		
(10-1 to 4-30)		4,600/100 ml as a geometric average		

The proposed final effluent limits for Outfall 001 for a design flow of 9.0 mgd are the same as the interim limits except as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine			deleted	
Total Copper	0.028			0.07
Hexavalent Chromium	0.019			0.048
Free Cyanide	0.018			0.045

Part C requirements for toxics are briefly listed as:

1. Water quality based effluent goals for total copper, hexavalent chromium and free cyanide.
2. Requirements to submit the first phase of a toxics reduction evaluation.
3. Conditions for future permit modifications.
4. Procedures for granting time extensions to achieve final water quality based effluent limitations.
5. Procedures for demonstrating alternative site-specific bioassay based effluent limitations.
6. Procedures for demonstrating alternative method detection limits.

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

The EPA waiver is not in effect.

**PA 0011100, Amendment 99-1.** Industrial waste, SIC: 3674, **Lucent Technologies**, 2525 North 12th Street, P. O. Box 13396, Reading, PA 19612-3396.

This application is for amendment of an NPDES permit for an existing discharge of treated industrial waste to Bernhart Creek, in Muhlenberg Township, **Berks County**.

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

The proposed effluent limits for Outfall 101 for a design flow of 0.855 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6.0—9.0 s.u.	
Total Suspended Solids	30	60	75
Free Cyanide	0.009	0.018	0.023
Total Cyanide	0.490	0.980	1.225
Total Cadmium	0.006	0.012	0.015
Total Chromium	0.271	0.542	0.678
Total Copper	0.070	0.140	0.175
Total Lead	0.015	0.030	0.038
Total Nickel	0.082	0.164	0.205
Total Silver	0.008	0.016	0.020
Total Zinc	0.050	0.100	0.125
Fluoride			
(Final)	3.700	7.400	9.250
(Interim)	15	15	30
Total Iron	2.46	4.92	6.15
Total Toxic Organics	XXX	1.38	XXX

The proposed effluent limits for Outfall 001 for a design flow of 0.921 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6.0—9.0 s.u.	
Total Suspended Solids	16	32	40
Total Dissolved Solids	3,500	7,000	8,750

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

The EPA waiver is in effect.

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

**PA 0096318.** Sewage, **Municipal Authority of the Township of Robinson**, P. O. Box 15539, Pittsburgh, PA 15244-0539.

This application is for a renewal of an NPDES permit to discharge treated sewage from Covi/Douglas Sewage Treatment Plant in Robinson Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tributary of Moon 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 Sewickley Water Authority.

*Outfall 001:* existing discharge, design flow of .1583 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**Public Notice**

**Granville Township Municipal Authority**

Granville Township Municipal Authority has applied to renew its current NPDES Permit, PA 0084778, to allow the continued discharge of controlled wastewaters into the waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew the permit, subject to the 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.

Persons wishing to comment on the proposed permit are invited to submit a statement to the following address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered before taking a final permit action. Comments should include the name, address and telephone number of the writer and a brief statement to inform the Regional Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Department of Environmental Protection, Southcentral Regional Office, Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

Following the 30-day comment period, the 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 permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file in the Regional Office. Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

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

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). 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 the Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0060941	Crestwood School District 3700 Church Road Mountaintop, PA 18707	Luzerne Rice Township	Unnamed Tributary to Little Wapwallopen 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 name, address and telephone number of the protester, identifica-

tion of the plan or application to which the protest is addressed and a concise statement or protest 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 protester will be notified in writing of the time and place of a scheduled hearing or conference concerning the plan, action or application to which the protest relates. 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.

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

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

**A. 1398404.** Sewerage. **East Side Borough**, R. R. 1, White Haven, PA 18661. Application for construction and operation of a central sewage collection system, located in East Side Borough, **Carbon County**. Application received in the Regional Office—December 29, 1998.

**A. 4898404.** Sewerage. **Township of Williams**, 650 Cider Press Road, Easton, PA 18042. Application to construct and operate a sewage pumping station, to serve the Lehigh Valley Stadium, located in Williams Township, **Northampton County**. Application received in the Regional Office—December 17, 1998.

**A. 5498405.** Sewerage. **James E. and Judy C. Saunders**, 39 Cornerstone Drive, Mohrsville, PA 19541. Application for construction of a sewage treatment plant to serve West Penn Pines Mobile Home Park, located in West Penn Township, **Schuylkill County**. Application received in the Regional Office—December 30, 1998.

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

**WQM Permit No. 0998425.** Sewerage. **East Rockhill Township**, 1622 Ridge Road, Perkasio, PA 18944-2296. This project is for the construction and operation of a new domestic wastewater treatment plant located in East Rockhill Township, **Bucks County**.

**WQM Permit No. 4698444.** Sewerage. **Upper Gwynedd Township**, Box 1, West Point, PA 19486. This project is for the construction and operation of 18-inch diameter sanitary sewer line to serve West Point Sanitary Sewer located in Upper Gwynedd Township, **Montgomery County**.

*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. 3898404.** Sewage, submitted by **South Londonderry Township Municipal Authority**, Center and Market Streets, P. O. Box 3, Campbelltown, PA 17010-0003 in South Londonderry Township, **Lebanon County** to construct a new wastewater treatment plant and collection system pump station was received in the Southcentral Region on December 18, 1998.

**A. 3898201.** Industrial waste, for a concentrated animal feeding operation was submitted by **Agway, Inc.**, 512 West King Street, Shippensburg, PA 17257 in Lurgan Township, **Franklin County** to construct a manure storage facility for Agway Dream Farm Heifer Project a 3,600 head, full confinement, heifer raising operation was received in the Southcentral Region on December 21, 1998.

**A. 3698413.** Sewage, submitted by **John J. Zook**, 83 Fairview Road, New Providence, PA 17560 in Providence Township, **Lancaster County** to construct a small-flow treatment system to serve his residence was received in the Southcentral Region on December 21, 1998.

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**INDIVIDUAL PERMITS  
(PAS)**

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**Stormwater 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. These proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharge.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be 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 County Conservation District Office or the Department's Regional Office indicated above the application.

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

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

*Northampton County Conservation District, District Manager, R. R. 4, Nazareth, PA 18064-9211, (610) 746-1971.*

**NPDES Permit PAS10U104.** Stormwater. **Oakleaf Properties, Inc.**, 824 Eighth Ave., Bethlehem, PA 18018, has applied to discharge stormwater from a construction activity located in Lower Saucon Township, **Northampton County**, to Cooks Creek.



## SAFE DRINKING WATER

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

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

**A. 5598501.** The Department has received a construction permit application from **Penns Creek Municipal Authority** (P. O. Box 148, Penns Creek, PA 17862-0148; Center Township, **Snyder County**) for replacement of the existing treated water storage tank with a new 25' diameter × 57' high 210,000 gallon storage tank. Also, install a new well treatment facility and interconnecting piping.

**A. 1798502.** The Department has received a construction permit application from **Quehanna-Covington-Karthaus-Area Authority** (P. O. Box 104, Frenchville, PA 16836, Covington Township, **Clearfield County**) for development of an additional groundwater supply source to be known as Well No. 1. The source will be treated by the Authority's existing approved disinfection facility.

**A. 5598502.** The Department has received a construction permit application from **Penn Township Municipal Authority** (12 Clifford Road, Selinsgrove, PA 17870; Penn Township, **Snyder County**) for construction of a replacement Well No. 1; Well No. 1A; relocation of Well No. 1 pumping equipment to the new well; onsite discharge pipe tie-in to existing Well No. 1 discharge pipe; and abandonment of existing Well No. 1, well hole.

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

**6598505. Wilksburg-Penn Joint Water Authority,** 2200 Robinson Boulevard, Pittsburgh, PA 15221-1193. Construction of a new standpipe to replace existing standpipe, construct a new booster pumping station, pipelines and new booster chlorination building serving Trafford Borough and North Huntingdon Township, **Westmoreland County**.

**2698504. Pennsylvania-American Water Company,** P. O. Box 1290, 300 Galley Road, McMurray, PA 15317. Upgrade of existing filters and related piping, new control room, new lavatory facilities, replacement of high service soft starters and sodium bisulfite feed pump serving Brownsville, **Fayette County**.

**5695501-A1. Central City Water Authority,** 241 Sunshine Avenue, Central City, PA 15926. Existing well control tank serving Shade Township, **Somerset County**.

**6375501-A1. Authority of the Borough of Charleroi,** 325—327 McKean Avenue, P. O. Box 211, Charleroi, PA 15022-0211. Change in chlorination at the Fallowfield, Oakland and Maple Avenue pump stations serving the Borough of Charleroi, **Washington County**.

**0298507. Moon Township Municipal Authority,** 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108-4307. Equipping and completion of Well No. 3 and permitting of existing Well Nos. 1 and 2, and the horizontal collector serving Moon Township, **Allegheny County**.

## 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.*

**Domino Salvage, Inc.,** Plymouth Township, **Montgomery County**. Philip F. Gray, Jr., Project Geologist, Storb Environmental, Inc., 410 N. Easton Road, Willow Grove, PA 19090, has submitted a Notice of Intent to Remediate site groundwater contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet background standards.

**Herzog Farm,** Upper Uwchlan Township, **Chester County**. Paul R. Rosone, Eldredge Wastewater Management, 896 Fernhill Road, West Chester, PA 19380-4256, has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard.

**Philadelphia Industrial Correction Center/Department of Corrections,** City of Philadelphia, **Philadelphia County**. Charles Chelotti, AET Environmental Inc., 501 King Ave., Cherry Hill, NJ 08002, has submitted a Notice of Intent to Remediate site soil contaminated

with polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard.

**Proietto Residence**, Borough of Conshohocken, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil contaminated with heavy metals and solvents. The applicant proposes to remediate 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.*

**Bennick Residence**, Hegins Township, **Schuylkill 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 clients, Paul and Lois Bennick, 101 Division Street, Valley View, PA 17983) concerning the remediation of site soils 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.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

### 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 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 circula-

tion 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.*

**NJ Transit Morrisville Railyard**, Falls Township, **Bucks County**. Michael D. Weaver, LFR, 5 Johnson Drive, Rariton, NJ 08869, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead, heavy metals, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The site is located in a Special Industrial Area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in *Bucks County Courier* on December 7, 1998.

**Dickman Sargeant Energy Corp. (Former) Site**, Pennel Borough, **Bucks County**. Charlene R. Drake, React Environmental Services, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142, has submitted a Notice of Intent to Remediate site soil contaminated with naphthalene and benzene; and groundwater contaminated with naphthalene, benzene, ethylbenzene and MTBE. The applicant proposes to remediate the site to meet background, Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *Bucks County Courier Times* on November 27, 1998.

## SOLID AND HAZARDOUS WASTE RESIDUAL WASTE PROCESSING FACILITIES

### Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a 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.*

**A. 300683. Gabriel Sacco**, Box 368, Ridge Road, Ambridge, PA 15003-1519. **Ambridge Landfill**, State Route 989, Ambridge, PA 15003-1519. An application for a residual waste landfill permit renewal in **Beaver County**, Ambridge Borough was received in the Regional Office on December 31, 1998.

### Request for Proposals for Municipal Solid Waste Services for Dauphin County

In accordance with section 272 of the Pennsylvania Municipal Solid Waste Regulations (as amended) and section 502(d) of Act 101 of 1988, the Municipal Waste Planning, Recycling and Waste Reduction Act, the County of Dauphin has determined that it requires additional municipal waste processing and/or municipal waste disposal capacity. On behalf of Dauphin County, PA, the Dauphin County Intermunicipal Solid Waste Authority is requesting recommendations regarding facilities and programs and proposals for long-term waste processing/disposal service contracts for the municipal solid waste generated within the municipalities of Dauphin County. Recommendations regarding facilities and programs are requested to be provided in writing on or before February 9, 1999, to the Dauphin County Intermunicipal Solid Waste Authority, at its office located at Suite 103, 1800 Linglestown Road, Harrisburg, PA 17110.

The Dauphin County Intermunicipal Solid Waste Authority is in the process of drafting a form "Request for Proposals for Municipal Solid Waste Processing/Disposal Services" (RFP) which will be issued on or after January 11, 1999, with responses due February 9, 1999. Copies of the RFP Information summary explanation can be obtained at a cost of \$3 at the address stated previously. Copies of the complete RFP package, including Instructions to Respondents, the form "Available Tonnage Processing/Disposal Agreement" and other proposal forms, may be obtained at a cost of \$50 at the address stated previously, or by calling (717) 234-1850. Checks shall be made payable to the Dauphin County Intermunicipal Solid Waste Authority.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and the municipal waste regulations for a general permit to operate infectious waste processing facilities.**

*Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301.*

**General Permit Application No. WMGI011. Antaeus Group, Inc.,** P. O. Box 432, Hunt Valley, MD 21030. An application was received for the processing of infectious waste through the use of mechanical grinding, superheated water and steam. The Department accepted the application as administratively complete on January 4, 1999.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit and requested modification may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

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

**A. 100113. Modern Trash Removal of York, Inc., Modern Landfill** (P. O. Box 317, York, PA 17402). On December 17, 1998, the Department rescinded the September 28, 1998 denial of the Northwest Expansion for the Modern Landfill. Modern Trash Removal of York, Inc. has provided additional information showing that the area which included the carbonate rock was grandfathered under 25 Pa. Code § 273.202 because the area was permitted prior to April 9, 1988. The Department has received additional information called "Final Report Soil Boring and Rock Core Exploration Program" to support the Northwestern Expansion application. This information is available for review at the South Central Regional Office of the DEP.

## 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 the *Pennsylvania Bulletin* at least 30 days prior to 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

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

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

**01-329-001A: Department of the Army, Alternative Joint Communications Center** (1500 Porter Street, Fort Detrick, MD 21701) for modification of six uncontrolled no. 2 oil fired engine-generator sets located in Liberty Township, **Adams County**.

**21-317-057A: Land O' Lakes, Inc.** (405 Park Drive, Carlisle, PA 17013) for operation of a milk powder processing plant in South Middleton Township, **Cumberland County**.

**67-2001A: J. E. Baker Co.** (P. O. Box 1189, York, PA 17405) for operation of a shaped refractory production facility in West Manchester Township, **York County**.

**67-03057A: FYPON LTD** (22 West Pennsylvania Avenue, Stewartstown, PA 17363) for the operation of a molded millwork production facility in Stewartstown, **York County**.

**67-309-083A: J. E. Baker Co.** (P. O. Box 1189, York, PA 17405) for operation of a lime pelletizing plant and decorative stone bagging operation controlled by two fabric filters in West Manchester Township, **York County**.

**67-309-106: J. E. Baker Co.** (P. O. Box 1189, York, PA 17405) for operation of two rotary kiln feed systems controlled by a fabric filter in West Manchester Township, **York County**.

## PLAN APPROVALS

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

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

**PA-46-0005J: Merck & Co., Inc.** (770 Sumneytown Pike, West Point, PA 19486) for construction of a 1040 kw emergency generator in Upper Gwynedd Township, **Montgomery County**.

**PA-46-0077: Doehler-Jarvis Pottstown, Inc.** (400 Old Reading Pike, Stowe, PA 19464) for installation of an aluminum melting furnace in West Pottsgrove Township, **Montgomery County**.

**PA-09-0025: Delbar Products, Inc.** (7th and Spruce Streets, Perkasio, PA 18944) for an amendment to an afterburner (control device) in Perkasio Borough, **Bucks County**.

**PA-09-0112: Superior Woodcraft, Inc.** (160 North Hamilton Street, Doylestown, PA 18901) for construction of three surface coating (wood cabinet) processes in Doylestown Borough, **Bucks County**.

**PA-46-0069A: Highway Materials, Inc.** (500 Stenton Avenue, Plymouth Meeting, PA 19462) for an amendment to two baghouses in Whitmarsh Township, **Montgomery County**.

**PA-23-0041: Tosco Refining Co.** (4101 Post Road, Trainer, PA 19061) for construction of a storage tank in Trainer Borough, **Delaware County**.

**PA-46-0108: Highway Materials, Inc.** (1128 Crusher Road, Perkiomenville, PA 18074) for construction of an asphalt batch plant in Marlborough Township, **Montgomery County**.

**PA-15-0083: D'Anjolell Memorial Home** (392 Lancaster Avenue, Frazer, PA 19355) for construction of a human crematory in East Whiteland Township, **Chester County**.

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

**05-310-010D: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) for modification of the existing limestone crushing plant controlled by wet suppression at the the Ashcom Quarry located in Snake Spring Township, **Bedford County**.

**22-310-005D: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) for installation of a new air classifier and a new fabric collector and the replacement of an existing fabric collector in South Hanover Township, **Dauphin County**.

**29-05001A: JLG Industries, Inc.** (1 JLG Drive, McConnellsburg, PA 17233-9533) for modification of three post assembly spray paint booths located at their McConnellsburg facility in Ayr Township, **Fulton County**.

**36-03084: Lancaster Aluminum Co., Inc.** (10 Wynfield Drive, Lititz, PA 17543) for installation of a secondary aluminum production facility in Warwick Township, **Lancaster County**.

**36-05094: Keystone Wood Specialties, Inc.** (P. O. Box 10127, Lancaster, PA 17605-0127) for installation of three spray booths located in East Lampeter Township, **Lancaster County**.

**67-03055: Vulcan Materials Co.** (P. O. Box 1590, Manassas, VA 20108-1590) for installation of a stone crushing plant controlled by wet suppression in West Manchester Township, **York County**. The plant is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

**67-03056: Hanover Lantern, Inc.** (350 Kindig Lane, Hanover, PA 17331) for construction of six paint spray booths located in Hanover Borough, **York County**.

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

**OP-14-0007A: Cerro Metal Products Co.** (P. O. Box 388, Bellefonte, PA 16823) for construction of two natural gas-fired brass billet furnaces in Spring Township, **Centre County**.

**OP-59-0008A: Westfield Tanning Co.** (360 Church Street, Westfield, PA 16950) for construction of a leather finishing operation consisting of six spray booths and one automatic spray line in Westfield Borough, **Tioga County**.

**14-313-038: Rutgers Organics Corp.** (201 Struble Road, State College, PA 16801) for modification of existing chemical process equipment, and the construction of new chemical process equipment, to manufacture a new product (Product 514) in College Township, **Centre County**.

**12-399-014A: GKN Sinter Metals** (R. R. 2, Box 47, Emporium, PA 15834) for construction of two sintered metal parts induction hardeners, associated draw furnaces and associated air cleaning device (an electrostatic precipitator) at Plant 6 in Emporium Borough, **Cameron County**.

**41-329-001A: Lycoming County Resource Management Services** (P. O. Box 187, Montgomery, PA 17752) for construction of two 780 horsepower landfill gas-fired internal combustion engines at the Lycoming County Landfill in Brady Township, **Lycoming County**.

**41-305-009C: Keystone Filler & Mfg. Co.** (P. O. Box 120, Muncy, PA 17756) for installation of an air cleaning device (a fabric collector) on a rotary coal dryer (no. 4 dryer) and associated coal handling equipment (screen, bucket elevator, loadout spout, and the like) in Muncy Creek Township, **Lycoming County**.

**49-313-032G: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821) for modification of a pharmaceutical process facility (installation of a new vacuum pump) and for the installation of an air cleaning device (a trim condenser) in Riverside Borough, **Northumberland County**.

**REASONABLY AVAILABLE CONTROL  
TECHNOLOGY  
(RACT)**

**Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an Operating Permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

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

**OP-09-0039: Atlas Roofing Corp.** (60 Pacific Drive, Quakertown, PA 18951) on December 9, 1998, for the approval of Facility VOC/NOx RACT in Richland Township, **Bucks County**.

**OP-46-0097: Spartech Vy-Cal Plastics** (Elm and Harry Streets, Conshohocken, PA 19428) on December 8, 1998, for the approval of Facility VOC/NOx RACT in Conshohocken Borough, **Montgomery County**.

**OP-46-0024: McNeil Consumer Products Co.** (7050 Camp Hill Road, Fort Washington, PA 19428) on July 15, 1994, for the approval of Facility Synthetic Minor VOCs/NOx RACT located in Whitemarsh Township, **Montgomery County**.

**Approval of Reasonably Available Control  
Technology (RACT) Plans**

The Department of Environmental Protection (Department) will hold a hearing at 10 a.m. in their offices at 400 Waterfront Drive, Pittsburgh, PA on February 22, 1999, to receive comments on the proposed approval of Reasonably Available Control Technology (RACT) Plans for the following facilities:

**03-000-023. West Penn Power Co., Armstrong Power Station,** Washington Township, **Armstrong County**. RACT is the installation of Low NOx burners on the large units, for a NOx emission rate of 0.5 lbs/mmbtu. The original RACT Plan has been amended and contains changes in emission limits. The volatile organic compound (VOC) emission limits have been removed from the permit.

**03-000-027. GPU Generation Corp., Keystone Station,** Plum Creek Township, **Armstrong County**. Proposed Operating Permit establishes Low NOx Burners with separate overfire air (LNCFS Level III) as meeting the presumptive RACT requirements of 25 Pa. Code § 129.93(b)(1) for main units 1 and 2, for an emission rate of 0.45 lb NOx/mmbtu based on a 30-day rolling average. VOC RACT and NOx RACT for all other sources

at this facility, including auxiliary units (10% capacity factor), diesel generators A, B, C and D, diesel fire pumps, space heaters and emergency diesel generators, is established as operation and maintenance in accordance with manufacturer's recommendations and good air pollution control practices.

**03-000-076. CNG Transmission Corp., Girty Station,** South Bend Township, **Armstrong County**. The proposed NOx RACT for this facility is the installation of combustion control equipment, timing modifications and operation in accordance with manufacturer specifications. The net effect will be a potential NOx emission reduction of approximately 58%.

**03-000-125. CNG Transmission Corp., Valley Station,** Cowshannock Township, **Armstrong County**. The proposed NOx RACT for this facility is the installation of combustion control equipment, timing modifications and operation in accordance with manufacturer specifications. The net effect will be a potential NOx emission reduction of approximately 64%.

**03-000-180. CNG Transmission Corp., South Bend Station,** South Bend Township, **Armstrong County**. CNG has complied with RACT requirements by retrofitting six Clark HLA-8 internal combustion engines driving natural gas compressors with lean emission combustion technology. NOx emissions from these engines have been reduced to 3 g/bhp-hr at full load/full speed conditions. CNG has retarded the ignition timing by degrees relative to standard timing on an Ingersoll Rand JVG-6 internal combustion engine used for moving natural gas through the facility's dehydration system. In addition, an operating limit of 500 hours per year has been accepted for the company's Caterpillar G3512 internal combustion engine which is used for auxiliary electric power generation. These actions satisfy the presumptive RACT requirements under 25 Pa. Code § 129.93 for these engines.

**03-000-182. Carnegie Natural Gas Co., Fisher Station,** Redbank Township, **Armstrong County**. Carnegie Natural Gas Company will modify one of the existing natural gas engines at this site with an Original Equipment Manufacture (OEM) retrofit kit. The other engine will take a Presumptive RACT 25 Pa. Code § 129.93(c)(5) restriction of operating the engine no more than 500 hours in any consecutive 12-month period. This will enable the facility to restrict the potential NOx and VOC emissions to levels below the major threshold.

**03-000-183. Carnegie Natural Gas Co., Shoemaker Station,** Bethel Township, **Armstrong County**. Carnegie Natural Gas Company will install Original Equipment Manufacture (OEM) retrofit controls on the two existing natural gas compressor engines at this facility. Kits consist of high energy ignition system with upgrades on the turbocharger and associated cooling system. This will enable the facility to restrict the potential NOx and VOC emissions to levels below the major threshold.

**03-000-185. Vista Metals, Inc., Kittanning Plant,** East Franklin Township, **Armstrong County**. The proposed RACT for Vista Metals Inc. includes the replacement of six existing Hobart dryers, and the installation of a Ross dryer equipped with a condenser and an after condenser. The proposed RACT establishes a potential VOC emission rate of 35 tons per year.

**04-000-013. J & L Specialty Steel, Midland Works,** Midland Borough, **Beaver County**. J & L intends to meet RACT by conducting an annual tune-up on appropriate combustion units. Other combustion units will continue to operate in accordance with the manufacturers'

specifications and good engineering practices. There is not expected to be reductions in actual emissions.

**04-000-032. LTV Steel, Aliquippa Tin Mill,** Aliquippa Borough, **Beaver County.** The proposed RACT approval involves the installation of Low-NOx burners on two of three package boilers while retaining the conventional burner on the third boiler, but limiting its annual fuel usage to 200 MMCF per year, and its potential annual NOx emissions to 14 tons per year. Annual NOx emissions from other small combustion sources would also be limited.

**04-000-033. NOVA Chemical, Beaver Valley Plant,** Potter Township, **Beaver County.** RACT is proposed to be a facility-wide VOC emission limitation based on VOC limitations for each individual source group.

**04-000-034. Valspar Coatings,** Rochester Township, **Beaver County.** Company proposes taking a production limitation which will establish them as a synthetic minor facility.

**04-000-043. United Coaters (formerly CENTRIA), Ambridge Plant, Beaver County.** The RACT Operating Permit is for the application of presumptive RACT to the three Cleaver Brooks Steam Boilers, and the operation of an incinerator on the emissions from the coil coating operation. This incinerator will perform with an efficiency adequate to reduce the volatile organic compounds (VOCs) emitted from the coating materials employed to a level meeting the requirements of 25 Pa. Code § 129.52. Based upon this information, the current work practices in the cleanup and paint mixing areas, limit solvent emissions to a level for which further environmental benefit would require expenditures beyond the RACT guidelines.

**04-000-044. Zinc Corp. of America,** Potter Township, **Beaver County.** ZCA proposes to modify and install bias-firing staged combustion technology on the George F. Wheaton power station, involving two coal-fired boilers for emissions of 0.45 lb NOx/mmBtu, based on a 30-day rolling average. All other sources at this facility will meet the presumptive RACT requirements of 25 Pa. Code § 129.93.

**04-000-059. Koppel Steel,** Koppel Borough, **Beaver County.** For the rotary hearth furnace, Koppel proposes to employ the use of the low excess air at 10% to minimize NOx formation. For the electric arc furnace and ladle refining station, Koppel proposed operation and maintenance in accordance with good air pollution control practice. All other sources at the facility will take the presumptive RACT provisions as described in the Department's regulations.

**04-000-065. Whemco Midland Foundry,** Midland, **Beaver County.** Facility will take a limitation of 983,000 Mcf natural gas/yr for the entire facility. Usage will be monitored and recorded monthly. This Federally enforceable condition will limit Whemco's NOx emissions to below 100 tons per year, establishing them as a synthetic minor.

**04-000-084. Anchor Hocking Specialty Glass Co., Phoenix Glass Plant, Monaca, Beaver County.** The RACT Operating Permit is for the operation of Low-NOx burners, underreport firing and low, excess air on a melter tank, the application of presumptive RACT on the annealing and decorating lehrs, the application of presumptive RACT on the quench lehrs, and the removal of niter addition from the glass-making processes by Anchor Hocking.

**04-000-108. Armstrong World Industries,** Beaver Falls, **Beaver County.** The proposed approval establishes a permanent restriction of the VOC emissions from each VOC source located at the facility.

**04-000-227. Koppel Steel Corp., Ambridge Plant,** Harmony Township, **Beaver County.** For the rotary hearth furnace, Koppel proposes to employ the use of the low excess air at 10% to minimize NOx formation. For the remaining six combustion sources, Koppel proposes meeting the presumptive RACT provisions as described in the Department's regulations.

**04-000-235. Pennsylvania Power Co.,** Bruce Mansfield, Shippingport, **Beaver County.** The proposed RACT permit approves the installation of low NOx burners with separate over-fire air on Units No. 1, 2 and 3 for emissions of 0.5 lb. NOx/MMBtu, based on a 30-day rolling average. The stand-by boilers No. 1, 2 and 3 will comply with the presumptive RACT emission limitations in 25 Pa. Code § 129.93(a), which identifies RACT as installation, maintenance and operation of the source in accordance with manufacturer's specifications. These stand-by boilers meet the criteria of § 129.93(c)(5) of an annual capacity factor of less than 5%.

**04-000-306. BASF Corp.,** Potter Township, **Beaver County.** The proposed approval establishes the continued operation of the thermal oxidizer unit (with an enclosed flare as backup) and the leak detection and repair (LDAR) program, and the operation and maintenance of all sources in accordance with manufacturer's recommendations and good air pollution control practices as RACT for this facility.

**04-000-400. Columbia Gas Transmission Corp., Ellwood City Station,** Ellwood City, **Beaver County.** Proposed RACT Operating Permit limits Ellwood City Station's potential to emit below the major NOx threshold. Each of the two Clark RA-5 engines will limit their bhp-hr operation schedule.

**04-000-446. AES Beaver Valley Partners,** Potter Township, **Beaver County.** The proposed RACT for this facility is the installation of Low-NOx burners and combustion optimization. The net result will be a potential NOx emission reduction of approximately 22%.

**04-000-467. J & L Structural Inc.,** Aliquippa Borough, **Beaver County.** J & L intends to meet RACT by continuing to operate the mill reheat furnace at the facility in accordance with manufacturer's specifications. No NOx emission reductions are expected.

**04-000-478. Emess Lighting Inc., Cycle II Facility,** Franklin Township, **Beaver County.** The RACT plan calls for Emess to accept operational limitations which restrict their emission of VOCs to 40 tons per year to meet the requirements under 25 Pa. Code Chapter 129.

**04-000-489. Sun Refining & Marketing, Beaver Terminal,** Brighton Township, **Beaver County.** The proposed RACT establishes a permanent restriction on VOC emissions from each VOC source located at the facility. As a result of these restrictions Sun is not considered a major VOC emitting facility as defined by 25 Pa. Code § 121.1, and shall be established as a "synthetic minor."

**04-000-490. CNG Transmission Co., Beaver Station,** North Sewickley Township, **Beaver County.** The proposed RACT is for the operation and maintenance of all sources at this facility in conformance with manufacturers' recommendations and good air pollution control

practices. Station was constructed in 1992 and 1993 and meeting Best Available Technology requirements at that time.

**04-000-497. Tuscarora Inc.,** New Brighton Township, **Beaver County.** Tuscarora Inc. intends to make a "process modification" by using reduced VOC bead technology in the expandable polystyrene molding process as meeting the RACT requirements of Chapter 129. This reduction in VOC content represents a decrease of about 35% of actual emissions.

**04-000-519. Columbia Gas Transmission, Blackhawk Station,** South Beaver Township, **Beaver County.** Proposed RACT limits Blackhawk's potential to emit to a level below the major NOx threshold. The Ingersoll-Rand 8TVR will be limited to 4,309,000 bhp-hrs annually.

**11-000-005. Bar Technologies, Inc., (BARTECH),** Franklin Borough, **Cambria County.** Proposed approval requires the use of low excess air in their steam station and reheat furnace, and presumptive RACT for other steel making sources at this facility.

**11-000-034. Johnstown Corp.,** Johnstown, **Cambria County.** The potential for NOx emissions will be reduced to less than 100 tons per year by accepting production limitations. RACT for VOC will be met by continuing to operate the facility in accordance with manufacturer specifications. No reductions in actual VOC or NOx emissions are anticipated.

**11-000-258. Texas Eastern Transmission Corp., Lilly Station,** Cresson Township, **Cambria County.** The proposed RACT approves the implementation of presumptive RACT on one Leroi L3460 engine.

**11-000-288. Johnstown America Corp.,** Franklin Borough, **Cambria County.** RACT permit proposes a voluntary reduction in potential to emit of 69 tons VOC per year. The major VOC sources at this facility are also subject to 25 Pa. Code § 129.52, Table (1)10.

**11-000-318. Ebensburg Power Co.,** Cambria Township, **Cambria County.** Proposed RACT permit is for the operation and maintenance of all sources at this facility in accordance with manufacturer's recommendations and good air pollution control practices. This site was constructed in 1989 and 1990 and met Best Available Technology requirements at that time.

**11-000-332. Cambria CoGen Co.,** Cambria Township, **Cambria County.** The proposed RACT for the CFB boilers limits NOx to 0.30 lbs/mmBtu on a 30-day rolling average basis and 1,472 tons/year on an annual basis. Other minor sources in the facility are covered by the presumptive RACT limitation.

**11-000-356. The Peoples Natural Gas Co., Rager Mountain Station,** Jackson Township, **Cambria County.** The proposed NOx RACT for this facility is the installation of combustion control equipment and operation in accordance with manufacturer specifications.

**26-000-119. Anchor Glass Container, Plant No. 5,** Connellsville, **Fayette County.** Proposed RACT is the implementation of manual control of air-to-fuel ratios on Furnaces Nos. 1, 2 and 3 for a 15% reduction in NOx emissions and the installation of combustion staging on Furnaces Nos. 1 and 2 to reduce NOx emissions to 5.5 lbs per ton of glass pulled. RACT for all sources at this facility will include their operation and maintenance in accordance with manufacturer's recommendations, and accepted air pollution control practices.

**26-000-405. CNG Transmission Corp., North Summit Station,** North Union Township, **Fayette County.** The proposed RACT permit is for the application of presumptive RACT to all sources at this station, which was constructed in 1991.

**26-000-413. Texas Eastern Transmission Corp., Uniontown Station,** North Union Township, **Fayette County.** Proposed RACT is for the operation of Non-Selective Catalytic Reduction (NSCR) on four Ingersoll Rand KVG-103 rich-burn engines, Dry Low-NOx Combustors on two Solar Mars turbines, and the implementation of presumptive RACT on eight ancillary sources.

**30-000-040. Cyprus Cumberland Resources Corp., Cumberland Mine,** Whitely Township, **Greene County.** Cyprus proposes low NOx burners as add-on controls for the thermal dryers and no additional control technologies for the frothing and degreasing operations. Cyprus proposes to meet the presumptive RACT requirements of 25 Pa. Code § 129.93 for all other sources at this facility.

Cyprus has applied for ERCs for the reduction of 64 tons/year of NOx and 15 tons/year of VOC emissions generated through the shutdown of the thermal dryer at the Cumberland Mine as provided for in 25 Pa. Code § 127.207(5)(I).

**30-000-063. Consolidation Coal, Robena Prep Plant,** Greensboro Borough, **Greene County.** The proposed VOC RACT for this facility is operation of sources in accordance with manufacturers' specifications. No emission reduction is expected.

**30-000-072. Consol Pennsylvania, Bailey Prep Plant,** Richhill Township, **Greene County.** Thermal dryers nos. 1 and 2 meet Pa. Code § 129.93(c)(6) requirements for presumptive RACT. VOC emissions from thermal dryers and the cleaning plant as these sources went through a more stringent LAER analysis.

**30-000-077. Texas Eastern Gas Transmission Corp., Holbrook Station,** Richhill Township, **Greene County.** The RACT approval is for the installation and operation of screw-in precombustion chambers on four Ingersoll Rand KVS412 engines, ignition retard on eight Cooper Bessemer GMV10S engines, the operation of Low-NOx burners on one Solar Mars turbine and the implementation of presumptive RACT on seven ancillary sources at the Holbrook Station.

**30-000-089. CNG Transmission Corp., Crayne Station,** Franklin Township, **Greene County.** The RACT approval is for the application of presumptive RACT to the Solar Taurus turbine (6,500 hp), which was installed in 1992, met BAT requirements at that time and will be retrofitted with an OEM low oxides of nitrogen (NOx) combustor kit at the first overhaul. All other sources at the station will be maintained and operated in accordance with manufacturer's specifications and good air pollution control practices as RACT.

**30-000-099. West Penn Power Co., Hatfield Station,** Monongahela Township, **Greene County.** Site met presumptive RACT requirements by installing low NOx burners with separate overfire air on the three cell-fired pulverized coal boilers. The original RACT Plan has been amended and contains changes in emission limits. VOC and NOx emission limits have been established in the permit.

**30-000-106. Carnegie Natural Gas Co., Waynesburg Station,** Greene County. RACT approves the installation of Original Equipment Manufacturer (OEM) controls on the two existing natural gas compressor



engines. Controls consist of a high energy ignition system with upgrades on the turbocharger and associated cooling system to both engines. This will enable Carnegie Natural Gas to restrict the emissions of oxides of NOx and VOCs to a level below the major threshold.

**30-000-109. Equitrans Inc., Rogersville Station,** Center Township, **Greene County.** The RACT plan approves the implementation of presumptive RACT on seven ancillary sources.

**30-000-110. Equitrans Inc., Pratt Station,** Waynesburg, **Greene County.** The RACT plan approves the implementation of presumptive RACT on five Cooper Bessemer GMV-8 engines and presumptive RACT on 12 ancillary sources.

**63-000-014. Duquesne Light Co., Elrama Station,** Union Township, **Washington County.** Duquesne Light proposes to meet the presumptive NOx RACT limitation of 25 Pa. Code § 129.93 by installing Low-NOx burners with separate overfire air on boilers 1 through 4. These modifications will reduce NOx emissions by approximately 35%.

**63-000-015. Flexsys America L. P., Carroll Township,** **Washington County.** The proposed VOC RACT for this facility is operation of sources in accordance with manufacturers' specifications. No emission reduction is expected.

**63-000-016. West Penn Power, Mitchell Station,** Courtney Township, **Washington County.** West Penn intends to meet the presumptive NOx RACT limitation of 25 Pa. Code § 129.93 through the installation of low NOx burners and separate overfire air on boilers nos. 1, 2, 3 and 33. These modifications have reduced NOx emissions by approximately 35%.

**63-000-023. Lukens Steel Co., Washington City,** **Washington County.** Facility intends to meet the NOx RACT requirements of 25 Pa. Code Chapter 129 through operating in compliance with the manufacturers' specifications for all sources of combustion. For the pickle lines, company proposes to use the packed tower acid fume scrubber that currently controls the emissions as RACT.

**63-000-027. Jessop Steel, Washington City,** **Washington County.** The proposed RACT permit is for the operation and maintenance of all sources at this facility in accordance with manufacturers' recommendations and good air pollution control practices.

**63-000-066. Wheeling-Pittsburgh Steel Corp.,** Alenport Borough, **Washington County.** The RACT approval is for the operation of two combination natural gas/oil fired boilers rated at 60.5 mmbtu/hr retrofitted with Low-NOx Burners/Flue Gas Recirculation and the application of presumptive RACT to 104 ancillary sources.

**63-000-069. Pennsylvania Department of Public Welfare, Western Center,** Cecil Township, **Washington County.** RACT proposes to limit Western Center's potential to emit to a level below the major NOx emitting facility threshold through a permit condition limiting coal usage.

**63-000-070. Dyno-Nobel, Donora Borough,** **Washington County.** RACT plan proposes the use of the existing nonselective catalytic reduction unit on the ammonia oxidation process. Company has selected presumptive RACT in accordance with § 129.93(b)(2) for the two boilers.

**63-000-080. Lukens Steel Co., Houston Borough,** **Washington County.** Facility intends to meet the NOx

RACT requirements of 25 Pa. Code Chapter 129 through operating in compliance with the manufacturer's specifications for all sources of combustion.

**63-000-110. Corning Consumer Products,** Charleroi, **Washington County.** The proposed approval is for combustion modifications to Tank 11, the continued operation of Tank 6 with full gas/oxygen on all ports, and the operation and maintenance of all other sources in accordance with manufacturers' recommendations and accepted air pollution control practices.

**63-000-631. Columbia Gas Transmission Corp., Donegal Station,** Donegal Township, **Washington County.** This RACT proposal approves operation of screw-in precombustion chambers on two Ingersoll Rand 36KVS engines, and the implementation of presumptive RACT on seven ancillary sources.

**63-000-642. Equitrans, Inc., Hartson Station,** Finleyville Borough, **Washington County.** This RACT Operating Permit is for the implementation of an hours of operation limitation on three Cooper Bessemer GV-10 engines and the implementation of presumptive RACT on seven ancillary sources.

**32-000-040. GPU Generation Corp., Seward Station,** East Wheatfield Township, **Indiana County.** GPU proposes the installation of Low NOx burners in Boiler No. 12 with an emission rate of 0.82 lb NOx/mmBtu and 808.11 tons NOx per year, and Boiler No. 14 with an emission rate of 0.5 lb NOx/mmBtu and 985.5 tons NOx per year. For Boiler No. 15 GPU proposed Low NOx burners with overfire air (LNCFS Level II) as meeting presumptive RACT. In accordance with 25 Pa. Code § 129.91(e), the Department plans to approve and modify GPU's proposal to include LNCFS level III on Boiler No. 15 as meeting the presumptive NOx RACT emission limitations. The expected emission rate of this unit is 0.5 lb NOx/mmBtu, and 3,254.65 tons per year. The preliminary facility emission rates are projected to be 51.30 tons VOC and 5,059.43 tons NOx annually. Proposed VOC RACT is operation in accordance with the manufacturers' specifications.

**32-000-055. GPU Generation Corp., Homer City Station,** Center Township, **Indiana County.** GPU proposes to meet the presumptive NOx RACT limitation of 25 Pa. Code § 129.93 by installing Low-NOx burners with separated overfire air on Boilers Nos. 1, 2 and 3. These modifications will reduce NOx emissions by approximately 45%. RACT for VOC emissions is operation in accordance with the manufacturer specifications. No reduction in VOC emissions is expected.

**32-000-059. GPU Generation Corp., Conemaugh Station,** West Wheatfield Township, **Indiana County.** Penelec proposed Low NOx Burners with separated overfire air (LNCFS Level II) as meeting the presumptive RACT emission limitation of 25 Pa. Code § 129.93(b)(1) for the main units 1 and 2, yielding an emission rate of 0.45 lb/mmBtu based on a 30-day rolling average. In accordance with 25 Pa. Code § 120.91(3) the Department plans to modify Penelec's proposal to include LNCFS level III as meeting the presumptive NOx RACT emission limitations. The preliminary facility emission rates are projected to be 225 tons VOX and 41,780 tons NOx annually. For the auxiliary units, Penelec intends to comply with the presumptive emission limitations of Chapter 129. Proposed RACT for VOCs is operation in accordance with the manufacturer specifications and recommendations.

**32-000-065. Specialty Tires of America Inc.,** Indiana Borough, **Indiana County.** STA satisfied RACT



requirements by reducing VOC emissions by 46% of a per tire basis as a result of substitution of solvent base paints with water base paints for green tire painting operations, installation of high volume, low pressure (HVL) guns for application of VOC-base paints, elimination of VOC-base cleansing agents, and other process changes and improved work practices.

**32-000-085. Information Display Technology Inc.'s Greensteel Division, Dixonville, Indiana County.** Greensteel has satisfied its RACT requirements by replacing most VOC brand paints and cleaning solvents with water-based and reduced-VOC products. This change enables Greensteel to reduce potential VOC emissions from 65 to 12 tons per year.

**32-000-100. Fisher Scientific Co. International, White Township, Indiana County.** Company wishes to accept operational limitations on the amount of coatings used at the facility. The facility also has substituted a non-VOC aqueous solution in the vapor degreasing operation. These limitations will restrict VOCs to a level below the major source threshold value, making the facility a synthetic minor.

**32-000-129. CNG Transmission Corp., Rochester Mills Station, East Mahoning Township, Indiana County.** The proposed approval is for the application of presumptive RACT to all sources at this facility. This will consist of four degree retard relative to standard timing on all for Ingersoll Rand SVG-8AS engines, and the operation and maintenance of all sources at this station according to manufacturer's specifications.

**32-000-132. GPU Generation Corp., Homer City Coal Prep Plant, Center Township, Indiana County.** The proposed NOx RACT for this facility is operation of sources in accordance with manufacturers' specifications. No emission reduction is expected.

**32-000-146. Columbia Gas Transmission Corp., Homer City Station, White Township, Indiana County.** This Synthetic Minor Operating Permit, through the use of a restricted annual bhp-hr operation schedule, limits facility's potential to emit to a level below the major NOx emitting facility threshold.

**32-000-147. Columbia Gas Transmission Corp., Kent Station, Blacklick Township, Indiana County.** This Synthetic Minor Operating Permit, through the use of a restricted annual bhp-hr operation schedule, limits the Kent Station's potential to emit to a level below the major NOx emitting facility threshold.

**32-000-157. T. W. Phillips Gas & Oil Co., Kinter Compressor Station, Rayne Township, Indiana County.** Under the Presumptive RACT regulations § 129.93(c)(3), six engines, all under 500 horse-power, are required to permanently retard the ignition four degrees from the standard full load.

**32-000-200. Indiana University of Pennsylvania (IUP), SW Jack Cogeneration Plant, Indiana Borough, Indiana County.** Proposed RACT permit is for the installation of Cooper-Bessemer Clean-burn Combustion System on the four dual fuel reciprocating engines, voluntarily replacing two of the coal fired boilers with two natural gas fired boilers, and two stand-by coal fired boilers with a limit of 720 hours of operation per boiler on a consecutive 12-month rolling basis.

**32-000-230. Texas Eastern Gas Transmission Corp., Armagh Station, West Wheatfield Township, Indiana County.** The RACT Operating Permit approves

the implementation of presumptive RACT on one ancillary source as part of its RACT plan.

**32-000-303. CNG Transmission Corp., Cherry Tree Station, Montgomery Township, Indiana County.** The proposed RACT is for the installation of Low NOx conversion kits on the two Ajax DPC-600 engines, and the application of presumptive RACT to the Lakota 2885-01A dehydrator.

**56-000-151. Fleetwood Folding Trailers, Inc., Somerset Borough, Somerset County.** Facility satisfied RACT requirements by switching to the use of compliant coatings as provided for by the presumptive RACT emission limits of 25 Pa. Code § 129.52, Table I, 10.(f) for extreme performance coatings. All coatings used in the coating process will have a maximum volatile organic compound (VOC) content of 3.5 lbs/gallon (minus water). Facility also experimented with the use of High Volume Low Pressure (HVL) spray guns in its coating processes and will continue to investigate material substitutions to reduce emissions from various cleaning processes.

**56-00153. Somerset State Hospital, Somerset Borough, Somerset County.** RACT for the Somerset State Hospital limits the consumption of coal in the three Riley Boilers to 18,947 tons calculated on a 12-month running total basis. The other sources associated with the hospital (two residential gas-fired furnaces and six emergency generators) will take presumptive RACT for maintenance and operation in accordance with the manufacturers' specifications.

**56-000-166. PBS Coals, Inc., Shade Creek Preparation Plant, Shade Township, Somerset County.** Proposed operating permit approves recent modifications to the thermal dryer as RACT. The drying deck was reduced to dry the coal more efficiently and combustion in the furnace was improved by increasing the height of the bridge wall. These modifications have reduced NOx emissions between 30 and 40%.

**65-000-016. Latrobe Steel Co., Latrobe Borough, Westmoreland County.** Company complied with RACT requirements for sources with rated gross heat inputs less than 20 mmbtu/hr by implementing presumptive RACT technology which is the installation, maintenance and operation of the sources in accordance with manufacturers' specifications. For sources larger than 20 mmbtu/hr, LSC will perform an annual tune-up on each source to ensure that it is operating at the lowest possible emission rate. LSC also agreed to accept an operating limit of 6,000 hours per year for the Salem Walking Beam Furnace.

**65-000-028. Freedom Forge Corp., Standard Steel Division, Latrobe Borough, Westmoreland County.** RACT limits Standard Steel's potential to emit below the major NOx emitting facility threshold through fuel-usage and production limitations.

**65-000-042. Ranbar Electrical, Manor Borough, Westmoreland County.** RACT for the resin plant consists of ducting the VOC-laden exhaust air from the thinning tanks to the existing incinerator, reducing VOC emissions by 10 tons per year.

**65-000-051. Elliott Turbomachine Co., Penn Township, Westmoreland County.** RACT proposes limiting facility's potential to emit to a level below the major NOx emitting facility threshold.

**65-000-137. Allegheny Ludlum, Vandergrift, Westmoreland County.** Proposed NOx RACT permit is con-

tinued operation of sources in compliance with manufacturers' specifications and good operating practices.

**65-000-163. Pennsylvania Department of Public Welfare, Torrance State Hospital, Derry Township, Westmoreland County.** This RACT Operating Permit limits Torrance State Hospital's potential to emit below the major NOx emitting facility threshold through coal usage limitations.

**65-000-181. Chestnut Ridge Foam Inc., Latrobe, Westmoreland County.** Proposed RACT approves substitution of nonsolvent adhesives on the glue and lamination lines. This reduces potential VOC emissions from this facility by more than 65%.

**65-000-183. Allegheny Ludlum Steel, West Leechburg, Westmoreland County.** Proposed RACT permit is continued operation of sources in compliance with manufacturers' specifications and good operating practices.

**65-000-207. Gen. Corp. Plastic Film Division, Jeanette, Westmoreland County.** Proposed RACT establishes a permanent restriction on NOx emissions from the boilers to a level below the major source threshold by limiting steam productions. RACT established VOC limits for uncontrolled sources.

**65-000-378. BP Oil Co., Greensburg Terminal, Hempfield Township, Westmoreland County.** RACT proposes to limit facility's potential to emit to a level below the major VOC emitting threshold.

**65-000-622. General Carbide Corp., Greensburg, Westmoreland County.** Company proposes to meet RACT by utilizing its dryers and condensers to recapture an estimated 93% of the VOCs involved with this process. General Carbide will not be required by the Department to add any additional emission controls to this process.

**65-000-634. CNG Transmission Corp., J. B. Tonkin Station, Murrysville, Westmoreland County.** Engine was equipped with the original equipment manufacturer's (OEM) controls at the time of engine installation. NOx emissions from the engine are currently at the post-RACT level.

**65-000-713. Waste Management Disposal Services, Greenridge Reclamation, East Huntingdon Township, Westmoreland County.** Proposed approval establishes operation and maintenance of sources in accordance with manufacturer's recommendations and good air pollution control practices as RACT.

**65-000-720. Carbide Corp., Hempfield Township, Westmoreland County.** RACT for facility has been determined to be the installation of a Ross dryer with condenser, sealed enclosures, fixed lids for mixers and storage tanks and a cool water chiller.

**65-000-837. CNG Transmission Corp., Oakford Station, Salem Township, Westmoreland County.** NGT has installed parametric controls on 14 natural gas fired, stationary reciprocating internal combustion engines. Twelve of these engines are Cooper GMW-10TF, 2,500 bhp lean burn engines which drive natural gas compressors for storage purposes. Two engines are Worthington SEHG-L, 1,445 bhp lean burn units used to drive auxiliary electric power generators. There are no restrictions on hours of operation at this facility. Other sources of NOx and VOCs include an Ingersoll Rand 110 bhp engine for glycol regeneration, a 14 bhp engine for driving an air compressor, three boilers and two process heaters. RACT increases allowable CO emission for 12 engines.

**65-000-839. Texas Eastern Gas Transmission Corp., Delmont Station, Sale Township, Westmore-**

**land County.** RACT approves the operation of nonselective catalytic reduction (NSCR) on six Ingersoll Rand KVG 410 engines, screw-in precombustion chambers on four Ingersoll Rand KVS 412 engines, and the implementation of presumptive RACT on eight ancillary sources.

**65-000-840. CNG Transmission Corp., South Oakford Station, Hempfield Township, Westmoreland County.** The two existing natural gas compressor engines have been equipped with a high energy plasma ignition system to meet RACT requirements. Modifications have also been made to the engines' turbochargers to reduce emissions to RACT levels.

**65-000-851. Newcomer Products, Inc., Latrobe, Westmoreland County.** Proposed RACT for this facility has been determined to be a change in solvent and the installation of a spray dryer.

**65-000-852. CNG Transmission Corp., Jeanette Station, Penn Township, Westmoreland County.** CNGT has modified the six existing natural gas compressor engines at the Jeannette Station by retarding the ignition timing on the engines to comply with RACT requirements. The ignition timing has also been retarded on two other natural gas engines which are used to drive auxiliary electric power generators.

**65-000-853. Koppers Industries, Monessen, Westmoreland County.** Proposed VOC RACT approves continuation of current operation practices and use of flare. Proposed NOx RACT approves operation and maintenance of all sources in accordance with manufacturers' specifications and good air pollution control practices.

**65-000-860. Fansteel Hydro Carbide, Unity Township, Westmoreland County.** Site has complied with the RACT through the installation of a Hobart mixer and a chiller, enabling Fansteel to reduce its VOC emissions by over 50%, below the major threshold for VOCs.

Persons wishing to present testimony at the hearings should contact Community Relations Coordinator Rita Zettelmayer at (412) 442-4183 by February 21, 1999. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the testimony should be provided. Each organization is requested to designate one witness to present testimony on its behalf.

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

Those unable to attend the hearings, but wishing to comment, should provide written comments to the Regional Air Quality Program Manager Joseph Pezze, 400 Waterfront Drive, Pittsburgh, PA 15222. Comments should be submitted within 30 days of the date of this publication notice.

All pertinent documents are available for review from 8 a.m. to 4 p.m. at the Department's Regional Office in Pittsburgh. Appointments for scheduling a review may be made by calling (412) 442-4000.

### Public Hearing

#### Pennsylvania Electric Company (Penelec)

The Department of Environmental Protection (Department) will conduct a public hearing on January 20, 1999, beginning at 1 p.m. in the Air Quality Conference Room of the DEP Regional Office Building located at 230 Chestnut Street, Meadville, PA 16335-3407.

The hearing is for the Department to accept testimony concerning its decision to approve, with conditions, Reasonably Available Control Technology (RACT) plan by Pennsylvania Electric Company (Penelec), Front Street Station, Erie, PA to meet the requirements under 25 Pa. Code § 129.91—129.95 (RACT), concerning the emissions of oxides of nitrogen (NOx) and volatile organic compounds (VOC) from various air contamination sources. The final RACT proposal will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan. This facility is located in Erie County.

The proposed SIP revisions do not adopt new regula-

tions. They incorporate the provisions and requirements contained in the RACT approval for the facility to comply with current regulations.

The preliminary RACT determination, if finally approved, will be incorporated into Plan Approvals and/or Operating Permits for the facility and will be submitted to the EPA as a revision to Pennsylvania's State Implementation Plan.

The following is a summary of the preliminary NOx RACT determination for the above listed facility (major sources only):

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*Penelec, Front Street Station, Erie*

*Source*

Boiler 7 and Boiler 8

*NOx RACT*

—NOx emissions shall not exceed 21 lb/ton of coal, as fired and 0.145 lbs/MMBtu of Oil No. 2, as fired.

—The sources shall be operated and maintained in accordance with the manufacturer's specifications. The sources shall also be operated and maintained in accordance with good air pollution control practices.

Boiler 9 and Boiler 10

—NOx emissions shall not exceed 14.4 lb/ton of coal, as fired and 0.145 lbs/MMBtu of Oil No. 2, as fired.

—The sources shall be operated and maintained in accordance with the manufacturer's specifications. The sources shall also be operated and maintained in accordance with good air pollution control practices.

Emergency Diesel and Fire Pump Diesel

—These sources shall be in compliance with the requirements of 25 Pa. Code § 129.93(c)(5).

For the above facility, a public hearing will be held for the purpose of receiving comments on the above proposed Plan Approvals and/or Operating Permits and the proposed SIP revisions. The public hearing is scheduled on Wednesday, January 20, 1999, 1 p.m.—3 p.m., Air Quality Conference Room, DEP Regional Conference Room, 230 Chestnut Street, Meadville, PA 16335-3407.

Persons wishing to present testimony at the hearing should contact Lori McNabb, Air Pollution Control Engineer, 270 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6940 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Lori McNabb (814) 332-6940, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing but wish to comment should provide written comments to the previously noted contact person. Comments should be submitted within 30 days of the date of this publication notice.

All the pertinent documents (applications, review memos and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional Office (Air Quality). Appointments for scheduling a review must be made by calling the contact person noted previously.

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## 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*

**32980115. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001), commencement, operation and restoration of bituminous strip-auger-coal refuse reprocessing-coal preparation mine in Ernest Borough and Rayne Township, **Indiana County**, affecting 27.5 acres, receiving stream McKee Run. Application received December 14, 1998.

**56980301. Keystone Lime Company** (P. O. Box 278, Springs, PA 15562), commencement, operation and restoration of bituminous strip mine in Addison and Elk Lick Townships, **Somerset County**, affecting 157.0 acres, receiving stream Christner Run, Tributaries to Christner Run, Tributary to Zehner Run. Application received December 21, 1998.

**32803010.** Permit Renewal, **Kent Coal Mining Company** (1800 Washington Road, Pittsburgh, PA 15241-1421), commencement, operation and restoration of bituminous strip mine in Blacklick Township, **Indiana County**, affecting 89.9 acres, receiving stream unnamed tributary to Aultmans Run. Application received December 23, 1998.

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

**26980105. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Saltlick Township, **Fayette**

**County**, proposed to affect 67.0 acres. Receiving streams: unnamed tributary to Little Champion Creek to Little Champion Creek to Champion Creek to Indiana Creek to the Youghiogheny River. Application received: December 15, 1998.

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

**17980127. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830, commencement, operation and restoration of a bituminous surface mine-auger permit in Lawrence Township, **Clearfield County** affecting 53 acres. Receiving streams: unnamed stream to Hogback Run. Application received December 18, 1998.

**17960114. Larry D. Baumgardner Coal Co., Inc.** (P. O. Box 186, Lanse, PA 16849), revision to an existing bituminous surface mine permit for a change in permit acreage from 57.0 to 80.9 acres and add limited mining of the Middle and Lower Kittanning coal seams, Brady Township, **Clearfield County**. Receiving streams: unnamed tributary to Luthersburg Branch, Laborde Branch. Application received December 15, 1998.

**17960121. K & J Coal Co., Inc.** (P. O. Box 189, Westover, PA 16692), major revision to an existing bituminous surface mine-auger permit to add mining of the Upper Kittanning coal seam on a 297.5 acre permit in Chest and Ferguson Townships, **Clearfield County**. Receiving streams: unnamed tributary to Wilson Run and McMasters Run. Application received December 16, 1998.

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

**33980111. Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201). Commencement, operation and restoration of a bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 98.0 acres. Receiving streams: Unnamed tributaries to Rose Run. Application received December 7, 1998.

**24980907. Floyd Mottern Coal, Inc.** (R. R., Box 118, Penfield, PA 15849). Commencement, operation and restoration of a bituminous surface strip incidental coal extraction operation in the city of Saint Marys, **Elk County** affecting 2.9 acres. Coal extraction is incidental to the development and construction of a Shop-N-Save market. Receiving streams: An unnamed tributary to Elk Creek and an unnamed tributary to South Fork. Application received December 8, 1998.

**10950107. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface strip operation in Slippery Rock Township, **Butler County** affecting 88.5 acres. Receiving streams; Two unnamed tributaries to Long Run and one unnamed tributary to Wolf Creek. Application for reclamation only. Application received December 18, 1998.

**16940103. RFI Energy, Inc.** (555 Philadelphia Street, Indiana, PA 15701). Transfer of an existing bituminous surface strip, refuse disposal and fly ash operation in Perry Township, **Clarion County**, affecting 764 acres. Receiving streams: Unnamed tributaries to Allegheny River; unnamed tributary to Clarion River. Dunlap Creek to the Allegheny River. Transfer from C & K Coal Company. Application received December 22, 1998.

**102911-10980110-E-1. Fleishner Excavating** (350 Lardintown Road, Sarver, PA 16055). Application for a stream encroachment to conduct mining activities within 100 feet of Unnamed Tributary "E" to Lardintown Run in Clinton Township, **Butler County**. Receiving streams: Unnamed Tributary to Lardintown Run. Application received: December 30, 1998.

**102911-10980110-E-2. Fleishner Excavating** (350 Lardintown Road, Sarver, PA 16055). Application for a stream encroachment to conduct mining activities within 100 feet of Lardintown Run for the purpose of constructing a haul road in Clinton Township, **Butler County**. Receiving streams: Unnamed Tributary to Lardintown Run. Application received: December 30, 1998.

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

**54931601R. Shermans Coal Company** (310 South Goodspring Road, Hegins, PA 17938), renewal of an existing coal preparation plant operation in Frailey Township, **Schuylkill County** affecting 7.3 acres, receiving stream—none. Application received December 21, 1998.

**54900101C. Blackwood, Inc.** (P. O. Box 639, Wind Gap, PA 18091), correction to an existing anthracite surface mine operation in Branch and Reilly Townships, **Schuylkill County** affecting 1,794.0 acres, receiving stream—Panther Creek. Application received December 21, 1998.

**54981302. George Manhart Coal** (R. R. 1, Box 664, Ashland, PA 17921), commencement, operation and restoration of an anthracite underground mine operation in Cass Township, **Schuylkill County**, affecting 3.0 acres, receiving stream—West Branch of Schuylkill River. Application received December 24, 1998.

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

**33980308-E-1. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary A to Little Sandy Creek at its confluence with Lick Run. Receiving streams: Lick Run and unnamed tributary to Lick Run. Application received: November 30, 1998.

**33980308-E-2. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary B to Little Sandy Creek. Receiving streams: Lick Run and unnamed tributary to Lick Run. Application received: November 30, 1998.

**33980308-E-3. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Application for a stream encroachment to conduct mining activities within 100 feet of Lick Run starting at the confluence with Little Sandy Creek. Receiving streams: Lick Run and unnamed tributary to Lick Run. Application received: November 30, 1998.

**33980308-E-4. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Application for a stream encroachment to conduct mining activities within 100 feet of Little Sandy Creek. Receiving streams: Lick Run and unnamed tributary to Lick Run. Application received: November 30, 1998.

**33980308-E-5. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Application for a stream encroachment to conduct mining activities within 100 feet of Little Sandy Creek. Receiving streams: Lick Run and unnamed tributary to Lick Run. Application received: November 30, 1998.

**37980305. Slippery Rock Materials, Inc.** (R. D. 2, Box 228, Golf Course Road, Volant, PA 16156). Commencement, operation and restoration of a sand and gravel operation in Plain Grove Township, **Lawrence County**, affecting 116.5 acres. Receiving streams: One unnamed tributary to Taylor Run. Application to include a land use change from forestland and cropland to unmanaged natural habitat. Application received December 17, 1998.

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

**06970301T. Dyer Quarry, Inc.** (150 Monument Drive, Suite 603, Bala Cynwyd, PA 19004), transfer of an existing quarry operation from John T. Dyer Quarry in Robeson Township, **Berks County** affecting 58.5 acres, receiving stream—none. Application received December 11, 1998.

**7775SM8T. Dyer Quarry, Inc.** (150 Monument Drive, Suite 603, Bala Cynwyd, PA 19004), transfer of an existing quarry operation from John T. Dyer Quarry in Robeson Township, **Berks County** affecting 310.0 acres, receiving stream—Indian Corn Creek. Application received December 11, 1998.

**1579601T. Lynn Hanaway** (151 North Church Street, Parkesburg, PA 19365), transfer of an existing quarry operation from C. Mark Wise in Parkesburg Borough, **Chester County** affecting 11.9 acres, receiving stream—Buck Run. Application received December 17, 1998.

#### **Bureau of Deep Mine Safety**

#### **Mountain Spring Coal Company**

#### **Request for Variance**

The Bureau of Deep Mine Safety has received a request for variance from Mountain Spring Coal Company. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (724) 439-7469.

The Department of Environmental Protection (Department) is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701 and 702) (act) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 253(b) states that, should a mine operator propose use of roof bolts in lieu of conventional timbering, the operator shall discuss the proposed plan with the mine inspector in the district. If roof bolts are to be used in a first mining area, the mine inspector in the district and the operator or the operator's representative shall arrange for a test area. Roof bolts shall be installed in conjunction with conventional timbering as the working places advance. After these places have advanced a predetermined distance, all entrances shall be fenced off

and approved danger signals displayed on the fences. The conventional timbering shall then be removed. Observations of the test area shall be made by the mine inspector in the district and the operator or the operator's representative. If they are satisfied that the roof bolting is successful, an application, together with a copy of the roof bolting plan, shall be sent to the secretary requesting a permit. The secretary shall either approve or reject the proposed roof bolting plan within 60 days after its initial submission to him. If the request for the permit is rejected, the secretary shall give reasons therefor in writing to the operator.

*Summary of the request:* Mountain Spring Coal Company requests a variance to use a roof bolt "pull test" in lieu of a test area as required by section 253(b) for approval to use roof bolts as the primary roof support system at their Mine No. 1.

## 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 any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

### Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the Federal Water Pollution Control Act.

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

**E20-466.** Encroachment. **PA Department of Transportation.** Engineering District 1-0, 1140 Liberty Street, Franklin, PA 16323. To remove the existing multispan bridge and to construct and maintain a reinforced concrete box culvert measuring 10 feet wide by 7 feet high by approximately 195 feet long with associated fill across a tributary to Pymatuning Reservoir (WWF) and a single span concrete I-beam bridge, with a clear span of 122 feet 9 inches across the Bessemer and Lake Erie Railroad on S. R. 0006 directly west of the Village of Shermansville. The fill associated with the box culvert will impact 0.2 acre of five separate wetlands. This project proposes to

utilize the Wetland Replacement Fund to replace 0.2 acre of impact (Linesville, PA Quadrangle N: 3.0 inches; W: 3.25 inches) located in Sadsbury Township, **Crawford County.**

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

**E15-601.** Encroachment. **Great Valley School District.** 47 Church Road, Malvern, PA 19355. To construct and maintain an 18-inch diameter concrete outlet pipe which will discharge flow from a proposed detention basin to a proposed riprapped outfall channel and constructed treatment wetland within the floodplain of an unnamed tributary to Valley Creek (EV) located approximately 1,900 feet north of the intersection of Church Road and Swedesford Road (Malvern Quadrangle N: 8.75 inches; W: 8.50 inches) in East Whiteland Township, **Chester County.**

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

**E26-251.** Encroachment. **North Fayette County Municipal Authority.** University Drive, Box 368 Ranch Road, Dunbar, PA 15431. To construct and maintain a low water crossing consisting of a 28-foot long, 10-foot wide, 1-foot thick concrete apron across Mountain Creek (CWF-Stocked). Also, to construct and maintain a 24-inch PVC transmission water line under the bed of said stream at the crossing. The project is located on a private access road approximately 500 feet south of T-375 and 600 feet east of SR 857 (Smithfield, PA Quadrangle N: 8.5 inches; W: 2.1 inches) in Georges Township, **Fayette County.**

**E02-1253.** Encroachment. **Municipality of Penn Hills.** 12245 Frankstown Road, Pittsburgh, PA 15235. To place and maintain fill in the floodway fringe of Plum Creek along the left bank side for a distance of approximately 1,500 feet for the purpose of constructing various ball fields. The project is located on the northeast side of Hulton Road at its intersection with Indiana Road (New Kensington West, PA Quadrangle N: 1.6 inches; W: 6.0 inches) in the Municipality of Penn Hills, **Allegheny County.**

### ENVIRONMENTAL ASSESSMENT

#### Requests for Environmental Assessment approval under 25 Pa. Code § 105.15 and requests for certification under section 401 of the Federal Water Pollution Control Act.

*Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**D43-001EA.** Environmental Assessment. **Greenville Municipal Authority** (44 Clinton Street, P. O. Box 638, Greenville, PA 16125). To breach and remove the Greenville Dam No. 3 across a tributary to Little Sheango River (TSF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 700 feet southeast of the intersection of S. R. 358 (Main Street) and S. R. 4006 (Greenville East, PA Quadrangle N: 6.65 inches; W: 14.55 inches) in Hempfield Township, **Mercer County.**

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**ACTIONS**


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

[National Pollution Discharge Elimination System  
Program (NPDES)]

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

The Department of Environmental Protection (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.

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

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

*Conshohocken, PA 19428, (610) 832-6130.*

**WQM Permit No. 4698435.** Sewerage. **Whitemarsh Township**, 616 Germantown Pike, Lafayette Hill, PA 19444. This project is for the construction and operation for the realigning and resloping of an existing 10-inch gravity sewer line located in Whitemarsh Township, **Montgomery County**.

**NPDES Permit No. PA0055280.** Sewerage. **David and Kathryn Jones**, 6179 Covered Bridge Road, Pipersville, PA 18947 is authorized to discharge from a facility located in Plumstead Township, **Bucks County** into an unnamed tributary to Tohickon Creek.

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

**NPDES Permit No. PA-0060895.** Sewerage. **Pocono Mountain Industries, Inc.**, 556 Main Street, Stroudsburg, PA 18360, is authorized to discharge from a facility located in Coolbaugh Township, **Monroe County**, to an unnamed tributary to Red Run.

**NPDES Permit No. PA-0060852.** Sewerage. **St. Michael's School**, P. O. Box 370, Tunkhannock, PA 18657, is authorized to discharge from a facility located in Falls Township, **Wyoming County**, to the North Branch Susquehanna River.

**Permit No. 4598408.** Sewerage. **Stroud Township Sewer Authority**, 1211 North Fifth Street, Stroudsburg, PA 18360. Permit to construct a sanitary sewer collection and conveyance system, located in Stroud Township, **Monroe County**.

**INDIVIDUAL PERMITS**
**(PAS)**

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10U101	Richard Groff 3831 Forester Dr. Doylestown, PA 18901	Northampton County Forks Township	Bushkill Creek
PAS10U102	Pektor Partners, L. P. 559 Main St. Suite 300 Bethlehem, PA 18018	Northampton County Williams Township	Frya Run

**INDIVIDUAL PERMITS**
**(PAR)**


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**Approvals to Use NPDES and/or Other General Permits**


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The following parties have submitted Notices of Intent (NOIs) for Coverage under (1) General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania. The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection approves the following coverages under the specified General Permit.

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

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

*List of NPDES and/or other  
General Permit Type*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit For Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

*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>
Luzerne County Jackson Township	PAR10R166	Rolling Meadows Dev. Co. 46 Pierce St. Kingston, PA 18704	Huntsville Creek	Luzerne CD (570) 674-7991
Luzerne County Lehman, Jackson, Dallas and Kingston Townships	PAR10R167	PA American Water Co. Northeast Region 20 E. Union St. Wilkes-Barre, PA 18701	Huntsville Reservoir and Huntsville Creek	Luzerne CD (570) 674-7991

*General Permit Type—PAG-4*

*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>
Lancaster County Providence Township	PAG043607	John J. Zook 83 Fairview Road New Providence, PA 17560	UNT to Beaver Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Derry Township	PAG043608	James and Linda Griffith 2105 Church Road Hummelstown, PA 17036-8200	UNT to Spring Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

## SAFE DRINKING WATER

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

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

**Application No. M. A.** The Department issued a construction permit to **Consumers Pa. Water Company** (P. O. Box 160, Sayre, PA 18840; Sayre Borough, **Bradford County**) for construction of a water transmission main known as the Wilawana Road water extension.

**Application No. MA.** The Department issued a construction permit to **Start Properties, L.L.C.** (1015 Cedar Knoll, P. O. Box 116, Gradyville, PA 19039; West Buffalo Township, **Union County**) for construction of 40,000 gallon finished water storage tank, booster pump station and interconnection with the campground distribution system.

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

**Permit No. 5698502.** Public water supply. **Addison Borough Water Authority**, P. O. Box 13, Addison, PA 15411.



*Type of Facility:* Whites Creek Well No. 2 (back-up well).

*Permit to Construct/Operate Issued:* December 10, 1998.

**Permit No. 6598502.** Public water supply. **Authority of the City of New Kensington**, P. O. Box 577, 920 Barnes Street, New Kensington, PA 15068.

*Type of Facility:* Garver's Ferry Road Pump Station.

*Permit to Construct Issued:* December 10, 1998.

**Permit No. 1198504-E.** Public water supply. **Vintondale Borough Council**, P. O. Box 218, Vintondale, PA 15961.

*Type of Facility:* Emergency use of well and emergency hauling.

*Permit to Operate Issued:* December 4, 1998.

**Permit No. 5696503.** Public water supply. **Rockwood Borough Municipal Authority**, 358 Market Street, Rockwood, PA 15557.

*Type of Facility:* Wells, pump station and chemical feed facilities.

*Permit to Operate Issued:* December 4, 1998.

**Permit No. 2698503.** Public water supply. **Pennsylvania-American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033.

*Type of Facility:* Interior/exterior coating of the Menallen Finished Water Tank.

*Permit to Operate Issued:* December 16, 1998.

**Permit No. 6598504.** Public water supply. **Municipal Authority Westmoreland County**, Lincoln Highway West, Greensburg, PA 15601.

*Type of Facility:* Murrysville Pump Station.

*Permit to Construct Issued:* December 15, 1998.

**Permit No. 1198502.** Public water supply. **Blacklick Valley Municipal Authority**, P. O. Box 161, Vintondale, PA 15961.

*Type of Facility:* Booster chlorination station, transmission and distribution system.

*Permit to Construct Issued:* November 24, 1998.

## 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 reports:

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

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 58149N46460 (Harper Street),** Dunmore Borough, **Lackawanna 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.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 57294N46144 (corner of Penn and Olive Streets),** City of Scranton, **Lackawanna 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.

**Bennick Residence,** Hegins Township, **Schuylkill County.** David Crowther, Geologist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Final Report (on behalf of his clients, Paul and Lois Bennick, 101 Division Street, Valley View, PA 17983) concerning the remediation of site soils 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.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 4

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program**

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the

*Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the Act 2 (Land Recycling and Environmental Remediation Standards Act) remediation standards. Plans and reports required by provisions of Act 2 for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis 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. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

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

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 58149N46460 (Harper Street),** Dunmore Borough, **Lackawanna County.** PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide human health standard, and was approved by the Department on January 4, 1999.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 57294N46144 (corner of Penn and Olive Streets),** City of Scranton, **Lackawanna County.** PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide human health standard, and was approved by the Department on January 4, 1999.

## AIR QUALITY

### OPERATING PERMITS

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**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.**

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

**GP1-22-3026: Milton Hershey School** (P. O. Box 830, Hershey, PA 17033) authorized use of the general permit for three natural gas boilers in Derry Township, **Dauphin County.**

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**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.**

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

**OP-46-0128: Bell Atlantic** (100 Greenwood Avenue, Jenkintown, PA) issued for operation of an emergency diesel generator in Abington Township, **Montgomery County.**

**OP-46-0127: Bell Atlantic** (1050 Virginia Drive, Ft. Washington, PA 19034) issued for operation of an emergency diesel generator in Upper Dublin Township, **Montgomery County.**

**OP-46-0061: Pennsylvania Department of Corrections—SCI Graterford** (Route 29, Graterford, PA 19426) issued for operation of a Facility NO<sub>x</sub>/VOCs RACT in Skippack Township, **Montgomery County.**

**OP-23-0021: Congoleum Corp.** (Ridge Road and Yates Avenue, Marcus Hook, PA 19061) issued December 31, 1998, for operation of a Facility VOCs RACT in Trainer Borough, **Delaware County.**

**TVOP-46-00013: Hatfield, Inc.** (2700 Funks Road, Hatfield, PA 19440) issued for operation of a Facility Title V Operating Permit in Hatfield Township, **Montgomery County.**

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

**TVOP-53-00006: CNG Transmission Corp., Ellisburg Station** (5th Floor, 625 Liberty Street, Pittsburgh, PA 15222-3197) issued December 22, 1998, for natural gas fired internal combustion engines, boilers and space heaters, located in Genesee Township, **Potter County.**

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

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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 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.

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

**36-05029: High Steel Structures, Inc.** (P. O. Box 10008, 1853 William Penn Way, Lancaster, PA 17605-0008) located in East Lampeter Township, **Lancaster County**. The facility is a fabricated structural steel manufacturer. The operation primarily emits volatile organic compounds (VOC).

**07-05008: Westvaco Corp.** (1600 Pennsylvania Avenue, Tyrone, PA 16686) located in Tyrone Boro, **Blair County**. The facility's operations include the dry milling of reclaimed and recycled paper with processed pulp in the production of finished paper. The facility is a primary emitter of nitrogen oxides (NOx), sulfur oxides (SOx) and carbon monoxide (CO).

**Administrative Amendment of 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.**

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

**15-310-016A: Martin Limestone, Inc.** (199 Quarry Road, Honey Brook, PA 19344) issued December 24, 1998, for stone crushing plant in Honeybrook Township, **Chester County**.

**OP-23-0014A: Kimberly-Clark Tissue Co.** (Front and Avenue of the States, Chester, PA 19013) issued December 31, 1998, for Facility VOC/NOx Ract in Chester Township, **Delaware County**.

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

**TVOP-17-00001: GPU Generation Inc. (Genco), Shawville Plant** (1001 Broad Street, Johnstown, PA 15907) issued Title IV (acid rain) permit on December 31, 1997. Amended on December 31, 1998, to include nitrogen oxides (NOx) requirements in accordance with 40 CFR Part 76, for the operation of four coal fired boilers, located in Bradford Township, **Clearfield County**.

**TVOP-47-00001: PP&L, Inc., Montour SES** (Two North Ninth Street, Allentown, PA 18101) issued Title IV (acid rain) permit on December 31, 1997. Amended on December 31, 1998, to include nitrogen oxides (NOx) requirements in accordance with 40 CFR Part 76, for the operation of two coal fired boilers, located in Derry Township, **Montour County**.

**TVOP-55-00001: PP&L, Inc., Sunbury SES** (Two North Ninth Street, Allentown, PA 18101) issued Title IV (acid rain) permit on December 31, 1997. Amended on December 31, 1998, to include nitrogen oxides (NOx) requirements in accordance with 40 CFR Part 76, for the operation of six coal fired boilers, located in Monroe Township, **Snyder County**.

**Operating Permits Minor Modification 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.**

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

**OP-09-0018: Moore, North America, Inc.** (100 American Drive, Quakertown, PA 18951) modified December 29, 1998, for nonheat lithographic printing in Richland Township, **Bucks County**.

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

**19-304-008B: Benton Foundry, Inc.** (R. R. 1, Box 110, Benton, PA 17814) amended on December 21, 1998, to increase the amount of chrome and manganese trim alloys allowed to be used in four iron foundry induction furnaces to 15,000 and 7,500 pounds per year respectively in Sugarloaf Township, **Columbia 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.**

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

**PA-46-0162: Hammond Lead Products** (10 South Grosstown Road, Pottstown, PA 19464) issued December 17, 1998, for operation of a lead oxide plant in West Pottsgrove Township, **Montgomery County**.

**PA-09-0009A: Webcraft Technologies, Inc.** (4371 County Line Road, Chalfont, PA 18914) issued December 22, 1998, for operation of a boiler in New Britain Township, **Bucks County**.

**PA-09-0094: Lepko Finishing** (111 North Seventh Street, Perkasio, PA 18944) issued December 22, 1998, for operation of a surface coating specialty job shop in Perkasio Borough, **Bucks County**.

**PA-46-0011A: Bethlehem Lukens Plate** (Conshohocken Road, Conshohocken, PA 19428) issued December 23, 1998, for operation of reheat furnaces no. 1 and no. 2 in Plymouth Township, **Montgomery County**.

**PA-46-0169: H & N Packaging, Inc.** (92 County Line Road, Colmar, PA 18915) issued December 28, 1998, for operation of a graphic arts facility in Hatfield Township, **Montgomery County**.

**PA-46-0081A: Markel Corp.** (416 School Lane, Norristown, PA 19404) issued December 30, 1998, for operation of eight extrusion vapor ovens in Plymouth Township, **Montgomery County**.

**PA-46-0036: Ford Electronics & Refrigeration Corp.** (2750 Morris Road, Lansdale, PA 19446) issued December 31, 1998, for operation of a selective soldering machine no. 6 in Worcester Township, **Montgomery County**.

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

**01-03002A: Tarmac America, Inc.** (P. O. Box 2016, Norfolk, VA 23501) issued December 24, 1998, for installation of an impact crusher and two conveyors controlled by wet suppression in Oxford Township, **Adams County**. These sources are subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

**01-03011: Dal-Tile Corp.** (411 North Fourth Street, Gettysburg, PA 17325) issued December 21, 1998, for installation of the trim presses No. 1 through No. 5 controlled by a fabric collector in Bendersville Borough, **Adams County**.

**67-03031: Pennex Aluminum Co.** (P. O. Box 100, Wellsville, PA 17365) issued December 23, 1998, for construction of a reverberatory furnace in Wellsville Borough, **York County**.

**67-05067: Persing Enterprises, Inc.** (214 North Franklin Street, Red Lion, PA 17356) issued December 18, 1998, for installation of a sealer/stain booth, lacquer booth and spray adhesive booth, controlled by dry filters in Red Lion Borough, **York 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.**

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

**46-399-101A: Brown Printing Co.** (668 Gravel Pike, East Greenville, PA 18041) issued December 15, 1998, for operation of eight lithographic printing presses in Upper Hanover Township, **Montgomery County**.

**PA-46-0005: Merck & Co., Inc.** (770 Sumneytown Pike, West Point, PA 19486) issued December 15, 1998, for operation of a Facility VOCs/NOx RACT in Upper Gwynedd Township, **Montgomery County**.

**46-320-033: Global Packaging, Inc.** (Brower and Montgomery Avenues, Oaks, PA 19456) issued December 22, 1998, for operation of a flexographic printing press in Upper Providence Township, **Montgomery County**.

**46-320-028: Global Packaging, Inc.** (Brower and Montgomery Avenues, Oaks, PA 19456) issued December 22, 1998, for operation of a flexographic printing press in Upper Providence Township, **Montgomery County**.

**46-320-028A: Global Packaging, Inc.** (Brower and Montgomery Avenues, Oaks, PA 19456) issued December 22, 1998, for operation of a flexographic printing press no. 1 in Upper Providence Township, **Montgomery County**.

**23-312-172C: Epsilon Products Co.** (Post Road and Blueball Avenue, Marcus Hook, PA 19061) issued December 23, 1998, for operation of storage bin vents in Marcus Hook Borough, **Delaware County**.

**15-399-044A: Quebecor Printing Atglen, Inc.** (Lower Valley Road and Route 372, West Sadsbury, PA 19365) issued January 4, 1999, for operation of a hard chrome electroplating bath in West Sadsbury Township, **Chester County**.

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

**21-312-021: Scranton-Altoona Terminals Corp.** (P. O. Box 2621, Harrisburg, PA 17105) granted December 27, 1998, to authorize temporary operation of the petroleum product loading rack controlled by a vapor combustion unit, covered by this Plan Approval until April 25, 1999, at the Mechanicsburg Terminal—Texaco Road, Silver Spring Township, **Cumberland County**. This source is subject to 40 CFR 63, Subpart XX, National Emission Standards for Bulk Gasoline Terminal of the Standards of Performance for New Stationary Sources.

**Administrative Amendment of 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.**

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

**46-320-028A: Global Packaging, Inc.** (Brower and Montgomery Avenues, Oaks, PA 19456) issued December 22, 1998, for a flexographic printing press no. 1 in Upper Providence Township, **Montgomery County**.

**Minor Modification of 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.**

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

**18-329-001: CNG Transmission Corp.** (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199) on December 19, 1998, to delete a condition erroneously placed in the plan approval which requires undue recordkeeping and to amend a condition to delete a continuous emissions monitoring requirement on one natural gas-fired internal combustion engine and allow the use of a predictive emissions monitoring system on a second such engine at the Finnefrock Compressor Station in Leidy Township, **Clinton County**.

**18-329-001A: CNG Transmission Corp.** (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199) on December 18, 1998, to delete a condition erroneously placed in the plan approval which requires undue recordkeeping at the Finnefrock Compressor Station in Leidy Township, **Clinton 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*

**32930105.** Revision, **P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767), for an additional 9.7 acres of Upper Kittanning coal seam removal is proposed for mining inside the existing 86.7 acre surface mine permit. Also, coal refuse disposal activities are proposed to be added as a type of operation in Banks Township, **Indiana County**, receiving stream unnamed tributaries to Cush Creek and unnamed tributary to South Branch Bear Run. Application received: October 26, 1998. Issued: December 23, 1998.

**56930110.** Permit Renewal, **Future Industries, Inc.** (P. O. Box 157, Meyersdale, PA 15552), commencement, operation and restoration of bituminous strip mine in Black Township, **Somerset County**, affecting 129.0 acres, receiving stream unnamed tributaries to Rhoades Creek; Rhoades Creek; unnamed tributary to Isers Run; and unnamed tributary to Casselman River. Application received: November 9, 1998. Issued: December 28, 1998.

**56773028.** Permit Renewal, **PBS Coals, Inc.** (P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine in Stonycreek and Somerset Townships, **Somerset County**, affecting 1,055.2 acres, receiving stream unnamed tributary to/and Kimberly Run; unnamed tributaries to/and Schrock Run; unnamed tributary to Glades Creek. Application received: October 1, 1998. Issued: December 24, 1998.

**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. Issued: December 24, 1998.

**56880109.** Permit Renewal, **PBS Coals, Inc.** (P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 154.2 acres, receiving stream unnamed tributaries of Bluelick Creek and Bluelick Creek. Application received: October 1, 1998. Issued: December 29, 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. Issued: December 29, 1998.

**17820176.** Permit Renewal for reclamation, only, **K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), for continued restoration of bituminous strip mine in Chest Township, **Clearfield County**, affecting 138.2 acres, receiving stream unnamed tributary to Chest Creek. Application received: December 9, 1998. Issued: December 24, 1998.

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

**65930105R.** **Urey Coal Company** (222 Forest Ridge Road, Indiana, PA 15701). Renewal issued for continued reclamation only of a bituminous surface/auger mine located in Mt. Pleasant Township, **Westmoreland County**, affecting 137.2 acres. Receiving streams: unnamed tributary to Brush Run to Brush Run. Application received: October 28, 1998. Renewal issued: January 5, 1999.

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

**17723164.** **Al Hamilton Contracting Company** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine-refuse disposal-preparation plant permit in Bradford Township, **Clearfield County** affecting 549.8 acres. Receiving streams: Forcey Run and Valley Fork Run and Roaring Run to West Branch Susquehanna River to Susquehanna River. Application received: October 5, 1998. Permit issued: December 15, 1998.

**17900115.** **M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319), renewal of an existing bituminous surface mine permit in Chest Township, **Clearfield County** affecting 173.9 acres. Receiving streams: unnamed tributary to Wilson Run and tributaries to Chest Creek to Chest Creek to the West Branch of the Susquehanna River. Application received: October 5, 1998. Permit issued: December 15, 1998.

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

**24880105.** **Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838). Renewal of an existing bituminous strip operation in Horton and Snyder Townships, **Elk and Jefferson Counties** affecting 241.4 acres. Receiving streams: Unnamed tributary to Whetstone Branch of Little Toby Creek, Unnamed tributary to Little Toby Creek, unnamed tributary to Rattlesnake Run. Application received: October 1, 1998. Permit Issued: December 7, 1998.

**10930111.** **J.M.W. Enterprises, Inc.** (P. O. Box 312, Bridgeville, PA 15017). Renewal of an existing bituminous strip and auger operation in Washington Township, **Butler County** affecting 115.5 acres. Receiving streams: Unnamed tributaries to South Branch Slippery Rock Creek. Application received: September 18, 1998. Permit Issued: December 23, 1998.

**102327-24960101-E-4.** **Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Application for a stream encroachment to conduct mining activities within 100 feet of and to construct and maintain a haul road crossing over unnamed tributary D in Horton Township, **Elk County**. Receiving streams: Four unnamed tributaries of Mead Run and Mead Run. Application received: September 23, 1998. Permit issued: December 23, 1998.

**102327-24960101-E-5.** **Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Application for a stream encroachment to conduct mining activities within 100 feet of and to construct and maintain a haul road crossing over Mead Run in Horton Township, **Elk County**. Receiving streams: Four unnamed tributaries of Mead Run and Mead Run. Application received: September 23, 1998. Permit Issued: December 23, 1998.

**24830103.** **Tamburlin Bros. Coal Company, Inc.** (P. O. Box 1419, Clearfield, PA 16830). Renewal of an existing bituminous strip and auger operation in Horton Township, **Elk County** affecting 134.0 acres. Receiving

streams: Johnson Run. Application received: October 15, 1998. Permit Issued: December 30, 1998.

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

**3779103. Medusa Cement Company** (2001 Portland Park, Wampum, PA 16157). Renewal of NPDES No. PA0109258, Shenango and Taylor Townships, **Lawrence County**. Receiving streams: Unnamed tributary to McKee Run and Unnamed tributary to Beaver Run. Application received: September 18, 1998. Permit Issued: December 7, 1998.

**37840409. Medusa Cement Company** (2001 Portland Park, Wampum, PA 16157). Renewal of NPDES No. PA0108596, Shenango Township, **Lawrence County**. Receiving streams: Unnamed tributary to Big Run, Unnamed tributary to McKee Run. Application received: October 20, 1998. Permit Issued: December 7, 1998.

**20800301. Conneaut Lake Sand & Gravel, Inc.** (P. O. Box 233, West Middlesex, PA 16159). Renewal of NPDES No. PA0211851, Vernon Township, **Crawford County**. Receiving streams: Unnamed tributary to Watson Run and Unnamed tributary to Mud Run. Application received: October 16, 1998. Permit Issued: December 7, 1998.

**43820603. Larry G. Temple** (228 Georgetown Road, Hadley, PA 16130). Renewal of NPDES No. PA0604607, Mill Creek Township, **Mercer County**. Receiving streams: Unnamed tributary to Mill Creek. Application received: October 9, 1998. Permit Issued: December 7, 1998.

**37860305. G. L. McKnight, Inc.** (P. O. Box 773, Slippery Rock, PA 16057). Renewal of NPDES No. PA0212032, Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run. Application received: October 21, 1998. Permit Issued: December 23, 1998.

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

*Small Noncoal (Industrial Mineral) Permits Issued*

**08980814. Ronald L. Keller** (P. O. Box 2, SR 1059, Warren Center, PA 18851), commencement, operation and restoration of a small industrial mineral (bluestone) permit in Warren Township, **Bradford County** affecting 1 acre. Receiving streams: Wappasening. Application received: September 22, 1998. Permit issued: December 28, 1998.

**53980801. William K. Robinson** (P. O. Box 76, Roulette, PA 16746-0076), commencement, operation and restoration of a small industrial mineral (bluestone) permit in Roulette Township, **Potter County** affecting 2 acres. Receiving streams: Lanigen Creek. Application received: June 26, 1998. Permit issued: December 21, 1998.

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

**37982803. Bruce Sikora** (8 Woodland Drive, Pulaski, PA 16143). Commencement, operation and restoration of a small noncoal sand and gravel operation in Pulaski Township, **Lawrence County** affecting 5.0 acres. Receiving streams: None. Application received: August 3, 1998. Permit issued: December 15, 1998.

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

*Large Industrial Mineral Permits Issued*

**4773SM2. Milestone Materials, Inc.** (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18044-0231), renewal of

the NPDES Permit on an existing large industrial mineral (quarry) permit in Potter Township, **Centre County** affecting 15 acres. Receiving streams: Stream to Cedar Run, Cedar Run to Spring Creek, Spring Creek to Bald Eagle Creek, Bald Eagle Creek to West Branch Susquehanna River. Application received: October 26, 1998. Permit issued: December 22, 1998.

**14980301. Bellefonte Lime Company** (P. O. Box 448, Bellefonte, PA 16823), commencement, operation and restoration of a large industrial mineral (limestone) permit in Spring and Benner Townships, **Centre County** affecting 481.1 acres. Receiving streams: underground or by pipeline to Logan Branch to Spring Creek to Bald Eagle Creek to West Branch Susquehanna River. Application received: March 16, 1998. Permit issued: December 29, 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 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, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**E09-754. Encroachment. Judd Builders Developers,** 1750 Walton Road, Blue Bell, PA 19422. To construct and maintain twin 98 foot long, 3 foot high, 7 foot wide box culverts in and along an unnamed tributary to the Tohickon Creek (TSF) beneath the proposed Valley View Drive roadway crossing which will impact 1.16 acres of wetlands and necessitate approximately 550 linear feet of

stream channel realignment, and to place and maintain fill in 0.31 and 0.25 acre of wetlands associated with the construction of Virginia Way and Heather Lane respectively. These activities will provide access to the Richland Farm and Heather Valley Subdivisions. The applicant also proposes to construct and maintain stormwater outfall pipes in wetlands located near the proposed Heather Lane cul-de-sac and Virginia Way road. The site is located southwest of the intersection of SR 212 and East Pumping Station Road (Quakertown, PA Quadrangle, N: 15-inches; W: 10.75-inches) in Richland Township, **Bucks County**. This permit includes approval of the environmental assessment for the construction of the outlet works for a nonscope detention basin dam in wetlands. The permittee proposes to construct 1.8 acres of replacement wetlands.

**E15-573.** Encroachment. **William Bernard**, Peddlers Village No. 19A, Christiana, DE 19702. To construct and maintain a 12-inch potable water main across the main branch of French Creek and associated wetlands (PFO) at several locations. Work also includes construction and maintenance of sanitary sewer line crossings of an unnamed tributary to French Creek and associated wetland at several locations. This authorization includes approval of the environmental assessment for the outlet works of two nonjurisdictional dams that will be extended through wetlands. This site is located along French Creek where Horses Hill Road crosses this water course on the Brimfull Farm tract for the proposed construction of residential housing development (Phoenixville, PA Quadrangle N: 3.5 inches; W: 9.5 inches) in East Pikeland Township, **Chester County**. This project will impact a de minimis of wetland (PFO).

**E46-822.** Encroachment. **Upper Merion Township**, 175 West Valley Forge Road, King of Prussia, PA 19406-1802. To remove sediments and modify an existing pond formed by an onstream nonjurisdictional dam across an unnamed tributary to Crow Creek (WWF). The modification request includes work to construct and maintain a sediment forebay within the pond and to stabilize and maintain approximately 1,200 linear feet of shoreline by grading and vegetative plantings. This permit also constitutes an Environmental Assessment approval for the reconstruction of a portion of the dam embankment and appurtenances, which will impact a de minimis 0.01 acre of wetland (PEM). The forebay construction will impact 0.03 acre of waters of this Commonwealth. This site is located approximately 1,000 feet south-southeast of the intersection of Valley Forge Road (S. R. 0023) and Henderson Road (Norristown USGS Quadrangle N: 18.1 inches; W: 17.0 inches) in Upper Merion Township, **Montgomery County**.

**E46-824.** Encroachment. **Six Tower Bridge**, One Tower Bridge, Front Street, Suite 900, West Conshohocken, PA 19428. To install and maintain a 36-inch outfall structure with associated R-5 riprap, to perform minor grading and to extend an existing sidewalk an additional 40 feet within the floodway of the Schuylkill River for the construction of a parking facility and walkway associated with the proposed Six Tower Bridge Complex, located at the corner of Washington Street and Ash Street (Norristown Quadrangle N: 12.8 inches; W: 7.8 inches) in Conshohocken Borough, **Montgomery County**. This permit was issued under section 105.13(e) "Small Projects."

*Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-5485.*

**E39-355.** Encroachment. **City of Allentown**, 435 Hamilton Street, Allentown, PA 18101-1699. To remove the existing structure and to construct and maintain a 36-inch diameter R.C.P. stormwater outfall structure along the right bank of Little Lehigh Creek. The project is located at the intersection of S. R. 2055 (South Eighth Street) and Little Lehigh Creek (Allentown East, PA Quadrangle N: 17.7 inches; W: 13.4 inches) in the City of Allentown, **Lehigh County**.

**E40-506.** Encroachment. **Martin Mullen**, 57 Bunker Hill, Wyoming, PA 18644. To modify and maintain an existing pile-supported dock/boathouse in Harveys Lake, with work consisting of constructing an additional 385 square feet of dock area, eliminating an existing boat slip. The structure, as modified, has dimensions of 35 feet (lakeward) by 33 feet, and is located at Pole No. 179 (Harveys Lake, PA Quadrangle N: 21.0 inches; W: 8.0 inches), in Harveys Lake Borough, **Luzerne County**.

**E48-277.** Encroachment. **Pektor Partners, L. P.**, 559 Main Street, Suite 300, Bethlehem, PA 18018. To construct and maintain a 60-inch diameter C.M.P. outfall structure and associated energy dissipator along the northern streambank of Frya Run. The outfall structure will discharge stormwater from the Royal Manor Ridge Residential Subdivision and is located approximately 0.2 mile west of the intersection of Township Road T-418 and S. R. 0611 (Riegelsville, PA Quadrangle N: 21.7 inches; W: 11.4 inches) in Williams Township, **Northampton County**.

**E64-195.** Encroachment. **Dunmore Oil Company, Inc.**, 1031 Reeves Street, Dunmore, PA 18512. To place fill in the 100-year floodway of a tributary to Van Auken Creek for the purpose of constructing a convenience market, two retail shops and associated parking areas. The project is located at the northwest corner of the intersection of S. R. 0006 and S. R. 0296 (Waymart, PA Quadrangle N: 16.2 inches; W: 4.7 inches) in Waymart Borough, **Wayne County**.

*Permits Issued and Actions on 401 Certification*

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

**E10-288.** Encroachment. **Butler County Commissioners**, P. O. Box 1208, Butler, PA 16003-1208. To remove the existing County Bridge No. 146 and to construct and maintain a composite steel beam bridge having a clear, normal span of 20 feet and an underclearance of 6 feet across a tributary to Breakneck Creek on Crowe Avenue approximately 200 feet south of Pittsburgh Street (Mars, PA Quadrangle N: 12.7 inches; W: 1.6 inches) in Mars Borough, **Butler County**.

**E10-289.** Encroachment. **Butler County Commissioners**, P. O. Box 1208, Butler, PA 16003-1208. To remove the existing County Bridge No. 148 and to construct and maintain a composite steel beam bridge having a clear, normal span of 41 feet and an underclearance of 9 feet across Breakneck Creek on Hook Street approximately 50 feet west of Spring Street (Mars, PA Quadrangle N: 13.1 inches; W: 0.9 inch) in Mars Borough, **Butler County**.

**E62-339.** Encroachment. **Brokenstraw Township Supervisors**, 770 Rouse Avenue, Box 156, Youngsville, PA 16371. To replace the existing superstructure and to rehabilitate and maintain Irvine Run Bridge No. 1 having an approximate span of 15 feet and underclearance of 6.5 feet across Irvine Run on T-444 (Irvine Run Road)



approximately 1 mile north of S. R. 0062 (Youngsville, PA Quadrangle N: 19.0 inches; W: 2.8 inches) in Brokenstraw Township, **Warren County**.

## WATER ALLOCATIONS

**Actions taken on applications filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.**

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

*Permits issued on December 15, 1998.*

**WA 11-1000B.** Water allocation. **Blacklick Valley Municipal Authority, Cambria County, PA.** The right to purchase 150,000 gallons per day of water, as a 30-day average, from the Nanty Glo Water Authority, **Cambria County**.

**WA 11-505D.** Water allocation. **Nanty Glo Water Authority, Cambria County, PA.** The right to withdraw 1,263,000 gallons per day of water, as a 30-day average, from Williams Run, **Cambria County**.

[Pa.B. Doc. No. 99-87. Filed for public inspection January 15, 1999, 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 soon to be updated "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.

DEP will continue to revise its documents, as necessary, throughout 1999.

### *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. Please check with the appropriate bureau for more information about the availability of a particular document as a publication.

### *Changes to Technical Guidance Documents*

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

### *Final Guidance*

DEP ID 393-4180-003 Title: Strategy for Addressing the 1998 Federal and State Deadline for Upgrading Existing Underground Storage Tanks Description: This document provides guidance on how the Department plans to bring

underground storage tanks into compliance with the December 22, 1998 deadline. Effective Date: November 24, 1998 Contact: Glenn H. Rider at (717) 772-5551.

DEP ID 383-2125-208 Title: Public Water Supply Manual - Part II Description: This guidance document applies to all community water systems with regard to permitting and design standards. Effective Date: November 28, 1998 Contact: Trudy Troutman at (717) 783-3795.

DEP ID 012-5500-002 Title: Environmental Education Grants Elective Program Description: The purpose of this guidance is to provide occasional Environmental Education Grants to sound environmental education proposals unable to be effective on the competitive grant time line or in the competitive grant process. Effective Date: January 1, 1999 Contact: Heidi Haertsch at (717) 705-3767.

DEP ID 580-3300-001 Title: Underground Accident and Production/Manhour Reporting Description: The purpose of this guidance is to assist operations by providing an option to submit reports on production, employment, and lost time accidents on the same forms at the same frequency as the MSHA requirements. Effective Date: January 1, 1999 Contact: Allison Trader at (724) 439-7469.

### *Final Guidance—Minor Revision*

DEP ID 383-3200-016 Title: Quality Assurance Workplan for Groundwater 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) of 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. 99-88. Filed for public inspection January 15, 1999, 9:00 a.m.]

## Plan Approval and Operating Permit Exemptions

Under 25 Pa. Code § 127.14, the Department of Environmental Protection (Department) may determine sources or classes of sources to be exempt from the plan approval and permitting requirements of 25 Pa. Code Chapter 127. A listing of these exemptions was last published in the *Pennsylvania Bulletin* on September 21, 1996, (26 Pa.B. 4559). Notice is hereby provided that, in accordance with section 127.14(d), the listing of these determinations is being revised and a draft is now available for review and comment. After a 30-day public comment period, the plan approval and operating permit exemptions list will be revised, as appropriate, and



published in final-form in the *Pennsylvania Bulletin*. Comments received by facsimile will not be accepted. Comments may be submitted electronically to the following e-mail address: lesher.douglas@a1.dep.state.pa.us.

The following changes are proposed to the Exemption List as published in the *Pennsylvania Bulletin* on September 21, 1996:

#### Revisions to Plan Approval Exemption List

1. Category 5 will be added to provide a plan approval exemption for internal combustion engines rated at less than 100 brake horsepower.

2. Category 13 applies to storage and dispensing facilities that handle fuel products and will be revised to specify that this exemption applies only to fuel products with a vapor pressure less than 1.5 psia.

3. Category 28 consists of the plan approval exemptions for sources of VOCs previously described in Categories 28 and 29. The proposed Category 28 exemption is based on threshold limits in 25 Pa. Code § 129.52.

4. Category 38 will be added to provide a plan approval exemption for sources qualifying for exemption based on criteria contained in a general permit developed in accordance with the procedures described in 25 Pa. Code §§ 127.601 through 127.642.

5. Category 39 will be added to provide a plan approval exemption for powdered metal sintering furnaces.

#### Revisions to Physical Changes Qualifying for Exemption under Section 127.14(a)(9)

6. Category 15 will allow physical changes qualifying for exemption under 25 Pa. Code § 127.14(a)(9) due to the temporary replacement of an existing source with a source that has a lower potential to emit.

#### Revisions to Exemption Criteria for Operating Permits

7. The operating permit exemption criteria for potential and actual emissions will be applied without regard to previous permit status.

8. EPA has finalized its regulation deferring the operating permitting process for area sources subject to Maximum Achievable Control Technology (MACT) until the year 2000. The owners and/or operators of affected area MACT sources must submit operating permit applications by December 9, 2000. (see 62 Fed. Reg. 27785, June 3, 1996). These facilities must still comply with all applicable emission control requirements established by the respective MACT standard.

Area MACT sources include non-major facilities [emitting or having the potential to emit less than 10 tons per year (tpy) of any hazardous air pollutant or 25 tpy of any combination of hazardous air pollutants] which contain the following: perchloroethylene dry cleaning, halogenated solvent cleaning, ethylene oxide commercial sterilization and fumigation operations, hard and decorative chromium electroplating, chromium anodizing tanks and secondary lead smelters. PADEP will follow the Federal schedule for deferring the permitting process for area MACT sources. The plan approval exemption for retail gasoline stations will also be included in the operating permit deferral listing of area sources.

#### Revisions to Trivial Activities List

9. The list of activities that need not be considered in the completion of an operating permit application will be described as a "trivial activities" list instead of being described as "insignificant activities." This revision is

being made at the request of EPA. According to EPA's White Paper for Streamlined Development of Part 70 Permit Applications (White Paper No. 1, dated July 10, 1995), "emissions units and activities without specific applicable requirements and extremely small emissions" are clearly trivial activities. State Permitting authorities may make trivial activity determinations on a case-by-case basis without obtaining EPA's approval.

10. Category 4 of the Trivial Activities List will be expanded to include propane and gas fired space heaters with a plant-wide capacity less than 2.5 million Btus per hour heat input.

11. In response to concerns raised by EPA, the Department will remove Category 61 from the exemptions list published in the *Pennsylvania Bulletin* on September 21, 1996 (26 Pa.B. 4559). This exemption applied to "Retail gasoline stations and vehicle fueling operations at industrial plant sites."

Copies of the proposed revisions to the Plan Approval and Operating Permit Exemptions may be obtained by contacting Kimberly Maneval, Division of Permits, Bureau of Air Quality, PADEP, 12th Floor Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, telephone (717) 787-4325. TDD users may telephone the Department through the AT&T Relay Service, (800) 654-5984. Internet users can access a copy of the general permit at <http://www.dep.state.pa.us>. Choose Public Participation, then Proposals Open for Comment, then Draft—Other Proposals, then Plan Approval and Operating Permit Exemptions.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 99-89. Filed for public inspection January 15, 1999, 9:00 a.m.]

### Proposed Source Water Assessment and Protection Program for Public Drinking Water Sources under the Safe Drinking Water Act Amendments—Revision

In the December 26, 1998 issue of the *Pennsylvania Bulletin* (Vol. 28, No. 52), the Department of Environmental Protection (Department) published a notice of a release date for the *Pennsylvania Proposed Source Water Assessment and Protection Program*. That notice is hereby rescinded. The purpose of this notice is to establish a new release date of February 27, 1999, for the document. The reason for the revised release date is to assure that public input to the Program obtained through a series of six workshops conducted around the State over the last several months is adequately represented in the proposal. The interested public will have 30 days to submit comments on the proposed program after which a revised final program will be submitted to EPA for approval.

In furtherance of the Department's desire to secure the widest possible public input to the development of the source water assessment and protection program, it is with this notice rescheduling an advisory committee meeting. The joint meeting of the citizen and technical advisory committees established to help direct the effort, scheduled for January 7, 1999, has been rescheduled for February 19, 1999. The meeting will be held in Room 105 of the Rachel Carson State Office Building located at 400 Market Street, Harrisburg, PA and begin at 9:30 a.m.

Contact: Joseph J. Lee, Jr., Chief, Source Protection Section, Division of Drinking Water Management, Bureau of Water Supply Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 772-4018.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-90. Filed for public inspection January 15, 1999, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Governor's Council on Physical Fitness and Sports

The Governor's Council on Physical Fitness and Sports is scheduled to hold a meeting on January 28, 1999, from 9:30 a.m. to 12:30 p.m. in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

For additional information, or persons with a disability who desire to attend the meeting and require an auxiliary aide service, or other accommodation to do so, should contact Emilie M. Tierney, Director, Department of Health, Bureau of Chronic Diseases or Terry L. Walker, Administrative Officer, at (717) 787-6214.

This meeting is subject to cancellation without notice. V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 99-91. Filed for public inspection January 15, 1999, 9:00 a.m.]

### Public Hearing and Invitation for Public Comments on the 1999 Grant Application under the Ryan White CARE Act

The Department of Health (Department), Bureau of Communicable Diseases, is applying for a grant from the United States Department of Health and Human Services under Title II of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (Ryan White CARE Act) (42 U.S.C.A. §§ 300ff-21—300ff-30), amended by, the Ryan White CARE Act Amendments of 1996, P. L. 104-146 (110 Stat. 1346). The grant is to be used for improving the quality availability and organization of health care support services for individuals with HIV disease and the families of those individuals.

In accordance with section 2617(b) of the Ryan White CARE Act (42 U.S.C.A. § 300ff-27(b)), the Department is conducting a public hearing to solicit comments on how it should utilize the portion of the grant money under Title II that is to be dedicated to specific program areas. Specifically, the Department intends to use funds awarded to it under Title II of the Ryan White CARE Act, as amended, in accordance with two of the five possible program areas specified in that act:

1. *HIV Care Consortia*: To establish and operate, within areas most affected by HIV disease, HIV care consortia designed to provide a comprehensive continuum of care to individuals and families with HIV disease; 42 U.S.C.A. § 300ff-22(2); and

2. *Provision of Treatments*: To provide therapeutics (including devices necessary to administer pharmaceuticals) to treat HIV disease or prevent the serious deterioration of health including treatment of opportunistic infections; 42 U.S.C.A. § 300ff-22(5).

The hearing will be held from 10 a.m. to 1 p.m. on Thursday, February 11, 1999, in the first floor conference room, 2635 Paxton Street, Harrisburg, PA 17111, and is subject to cancellation without further notice.

In addition, the Department will accept written comments until 4 p.m. May 1, 1999, on how the portion of the grant money that is to be dedicated to these two specific program areas should be utilized. These written comments should be sent to the Bureau of Communicable Diseases at the following address.

For additional information, or to obtain copies of the Department's grant application, contact George Schelzel, Department of Health, Bureau of Communicable Diseases, P. O. Box 90, Harrisburg, PA 17108, (717) 783-0479. Persons with a disability, who require an alternate format of the Department's grant application, who desire to comment in an alternate format (for example, large print, audiotape, braille), or who require an auxiliary aid service or other accommodation to attend the hearing should notify George Schelzel, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984[TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 99-92. Filed for public inspection January 15, 1999, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Maximum Pennsylvania Workers' Compensation Payable

Based upon the Statewide Average Weekly Wage, as determined by the Department of Labor and Industry for the fiscal year ending June 30, 1998, the maximum compensation payable under the Workers' Compensation Act, under Article 1, subsections 105.1 and 105.2, shall be \$588 per week for injuries occurring on and after January 1, 1999. For purposes of calculating the update to payments for medical treatment rendered on and after January 1, 1999, the percentage increase in the Statewide Average Weekly Wage is 4.8%.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 99-93. Filed for public inspection January 15, 1999, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Joint Committee on Documents Resolution 1998-1

Joint Committee on Documents Resolution 1998-1 published at 28 Pa.B. 2629 (June 6, 1998) requires that

regulations securing actions under any or all prior Joint Committee on Documents Resolutions must be submitted by the Secretary of Public Welfare to the Office of General Counsel by December 31, 1998, or be deemed withdrawn. (JCD Resolution 1998-1, paragraph 6.) There are 37 outstanding Notices of Rule Change (NORCs) issued under Joint Committee on Documents Resolutions 1990-1, 1992-1, 1994-1 and 1996-1. Effective December 31, 1998, the Department has submitted 17 sets of regulations to the Office of General Counsel to secure actions under 27 outstanding Notices of Rule Change. A list of these regulations and corresponding Notices of Rule Change appears as Attachment 1.

In addition, JCD Resolution 1998-1 requires the Department of Public Welfare to submit to the Legislative Reference Bureau a list of any withdrawn Notices of Rule Change by December 31, 1998, for publication in the *Pennsylvania Bulletin*. (JCD Resolution 1998-1, paragraph 7.) After careful consideration, the Department has decided to withdraw 10 outstanding NORCs. The list of withdrawn Notices of Rule Change appears as Attachment 2, along with a brief explanation of the reason for the withdrawal.

FEATHER O. HOUSTOUN,  
Secretary

### ATTACHMENT 1

#### Regulations Securing Action Under Outstanding NORCs

(#14-444)	Minor Parent 55 Pa.Code Ch. 141, 175, 177, & 183 Submitted to OGC: NORC publication date:	14-NRC-69 Final-Omit Rulemaking June 15, 1998 (Published: 28 Pa.B. 3939; 8-15-98) March 1, 1997 (27 Pa.B. 1089)
(#14-445)	MA Estate Recovery 55 Pa.Code Ch. 258 Submitted to OGC: NORC publication date:	14-NRC-56 Proposed Rulemaking June 24, 1998 May 13, 1995 (25 Pa.B. 1916)
(#14-446)	Pre-TANF Welfare Reform 55 Pa.Code Chs. 101 et seq. Submitted to OGC: NORC publication dates:	14-NRC-35,-52,-58,-64,-68 Final-Omit Rulemaking November 17, 1998 July 17, 1993 (23 Pa.B. 3433) August 27, 1994(24 Pa.B. 4425) July 8, 1995 (25 Pa.B. 2762) June 15, 1996 (26 Pa.B. 2865) March 1, 1997 (27 Pa.B. 1092) <sup>1</sup>
(#14-447)	TANF 55 Pa.Code Chs. 101 et seq. Submitted to OGC: NORC publication date:	14-NRC-68 Final-Omit Rulemaking December 23, 1998 March 1, 1997 (27 Pa.B. 1092) <sup>2</sup>
(#14-448)	Intentional Program Violation 55 Pa.Code Chs. 255, 275, 501 Submitted to OGC: NORC publication date:	14-NRC-66 Final-Omit Rulemaking December 24, 1998 November 16, 1996 (26 Pa.B. 5659)
(#14-449)	Exclusion of Resource Test 55 Pa.Code Chs. 140 & 178 Submitted to OGC: NORC publication date:	14-NRC-34 December 24, 1998 June 9, 1993 (23 Pa.B. 2878)
(#14-450)	Discontinue Mandatory 2nd Opinion 55 Pa. Code Ch. 1150 Submitted to OGC: NORC publication date:	14-NRC-70 December 24, 1998 March 29, 1997 (27 Pa.B. 1608)
(#14-451)	Physician Asst./Nurse Midwife 55 Pa.Code Ch. 1141 Submitted to OGC: NORC publication date:	14-NRC-71 December 24, 1998 August 9, 1997 (27 Pa.B. 4045)
(#14-452)	Early Intervention Services 55 Pa.Code Ch. 4225, 4226 Submitted to OGC: NORC publication date:	14-NRC-16 December 24, 1998 June 29, 1991 (21 Pa.B. 2953)

<sup>1</sup> The Notice of Rule Change for TANF (14-NRC-68) is cited in the Pre-TANF rulemaking because it implements the change of name resulting from the Aid to Families with Dependent Children (AFDC) cash assistance program being replaced by the Temporary Assistance to Needy Families (TANF) program.

<sup>2</sup> This rulemaking implements the substantive changes in the new Temporary Assistance to Needy Families (TANF) program under 14-NRC-68.

(#14-453)	Outpatient Drug & Alcohol Clinics 55 Pa.Code Ch. 1223 Submitted to OGC: NORC publication date:	December 28, 1998 March 7, 1998 (28 Pa.B. 1281)	14-NRC-72
(#14-454)	MA Case Management 55 Pa.Code Ch. 1239 Submitted to OGC: NORC publication date:	December 28, 1998 May 24, 1994 (24 Pa.B. 2654)	14-NRC-46
(#14-455)	GA Omnibus 55 Pa.Code Ch. 1101, 1149 Submitted to OGC: NORC publication dates:	December 30, 1998 September 25, 1993 (23 Pa.B. 4583) September 25, 1993 (23 Pa.B. 4585) September 10, 1994 (24 Pa.B. 4640) May 4, 1996 (26 Pa.B. 2132) October 19, 1996 (26 Pa.B. 5058)	14-NRC-36,-37,-54,-63,-65
(#14-456)	Criminal History 55 Pa. Code Chs. 125, 133, 141 Submitted to OGC: NORC publication dates:	December 30, 1998 March 2, 1996 (26 Pa.B. 945) <sup>3</sup> June 15, 1996 (26 Pa.B. 2865) <sup>4</sup> March 1, 1997 (27 Pa.B. 1092) <sup>5</sup>	14-NRC-62, -64, -68
(#14-457)	JCAHO & non-JCAHO Residential Treatment 55 Pa. Code Chs. 1157 & 1167 Submitted to OGC: NORC publication dates:	December 31, 1998 August 28, 1993 (23 Pa.B. 4155) September 9, 1995 (25 Pa.B. 3786) September 9, 1995 (25 Pa.B. 3791)	14-NRC-40,-59,-60
(#14-458)	EPSDT (OBRA-89) 55 Pa. Code Chs. 1101, 1121, 1123, 1147, 1241 Submitted to OGC: NORC publication date:	December 31, 1998 August 17, 1991 (21 Pa.B. 3755)	14-NRC-17
(#14-459)	Omnibus Pharmacy 55 Pa. Code Chs. 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243 Submitted to OGC: NORC publication dates:	December 31, 1998 July 30, 1994 (24 Pa.B. 3670) September 3, 1994 (24 Pa.B. 4539)	14-NRC-48, -53
(#14-460)	MH Wraparound 55 Pa. Code Ch. 1154 Submitted to OGC: NORC publication date:	December 31, 1998 September 9, 1995 (25 Pa.B. 3782)	14-NRC-61

<sup>3</sup> This Notice of Rule Change applied the change regarding eligibility for assistance of persons who have a criminal history to the State-funded General Assistance (GA) cash assistance program.

<sup>4</sup> This Notice of Rule Change made the change regarding eligibility for assistance of persons who have a criminal history to the State-funded General Assistance (GA) cash assistance program.

<sup>5</sup> This Notice of Rule Change made the change regarding eligibility for assistance of persons who have a criminal history to the Federally-funded Temporary Assistance to Needy Families (TANF) cash assistance program.

## ATTACHMENT 2

### Outstanding Notices of Rule Change Withdrawn by DPW

<i>Name</i>	<i>Original Publication Date</i>
1. Emergency Assistance (14-NRC-15)	June 29, 1991 (21 Pa.B. 2935)
<i>Reason for withdrawal:</i> In a notice of proposed rulemaking dated May 16, 1998 (28 Pa.B. 2287), the Department of Public Welfare announced its intent to rescind the provisions of 55 Pa. Code Ch. 289 relating to the Emergency Assistance program. Until such time as the rescission or other modification of this chapter, the Department will continue the enhanced benefits levels announced in the Notice of Rule Change.	
2. Community Work Experience Program (14-NRC-38)	August 28, 1993 (23 Pa.B. 4155)
<i>Reason for withdrawal:</i> The Community Work Experience Program is no longer in effect. The Notice of Rule Change is, therefore, obsolete.	
3. Removal of Liens (14-NRC-44)	June 11, 1994 (24 Pa.B. 2971)

Name

Original Publication Date

*Reason for withdrawal:* The Notice of Rule Change was based upon the self-executing provisions of Act 1993-17. Act 17 eliminated the Department's authority to place a lien on real property which is the primary residence of persons who apply for or receive cash assistance benefits. Act 17 also released such liens that existed on the law's effective date, August 6, 1993. The Department satisfied all applicable liens on cash assistance recipients' real estate throughout the Commonwealth by December 31, 1993. Effective August 6, 1993, the Department also discontinued the requirement that cash assistance applicants and recipients encumber their resident real property as a condition of cash assistance eligibility. The Department intends to issue a proposed rulemaking which is broader in scope than the original Notice of Rule Change. The Department intends to rescind 55 Pa.Code Ch. 257, regarding Reimbursement, which has been in effect since 1977. Instead, the Department will propose a new chapter governing reimbursement policy for cash assistance recipients and applicants who own personal property.

4. Underpayments  
(14-NRC-50) October 22, 1994 (24 Pa.B. 5376)

*Reason for withdrawal:* The Notice of Rule Change related to the now-obsolete Aid to Families with Dependent Children cash assistance program, which has been replaced with the Temporary Assistance to Needy Families (TANF) cash assistance program. The Department of Public Welfare is considering whether to continue the policy announced in the Notice of Rule Change and will issue a future rulemaking to address the issue. In the meantime, the Department will continue to correct underpayments to both current and former recipients.

5. Clozapine Supportive Services  
(14-NRC-29) June 13, 1992 (22 Pa.B. 3023)

*Reason for withdrawal:* The Notice of Rule Change announced a procedure rather than a rule change. Therefore, the Department has decided to withdraw the Notice of Rule Change and, instead, has issued the change in procedure as a Class I Bulletin on December 29, 1998.

6. Prior Authorization—Home Health  
(14-NRC-49) July 30, 1994 (24 Pa.B. 3761)

*Reason for withdrawal:* Section 443.6(b)(7) of the Public Welfare Code authorizes the Department of Public Welfare to add other items or services to its list of services requiring prior authorization by publication of a Notice in the *Pennsylvania Bulletin*. (62 P. S. § 443.6(b)(7)). The Department deposited a list in the Legislative Reference Bureau on December 16, 1998 which identifies all home health services as requiring prior authorization. Thus, the previously issued Notice of Rule Change is superseded by the new Notice.

7. Prior Authorization—Partial Hospitalization  
(14-NRC-55) January 28, 1995 (25 Pa.B. 347)

*Reason for withdrawal:* Section 443.6(b)(7) of the Public Welfare Code authorizes the Department of Public Welfare to add other items or services to its list of services requiring prior authorization by publication of a Notice in the *Pennsylvania Bulletin*. (62 P. S. § 443.6(b)(7)). The Department deposited a list in the Legislative Reference Bureau on December 16, 1998 which identifies psychiatric partial hospitalization services as requiring prior authorization. Thus, the previously issued Notice of Rule Change is superseded by the new Notice.

8. Prior Authorization—Pharmacy  
(14-NRC-51) August 27, 1994 (24 Pa.B. 4423)

*Reason for withdrawal:* Section 443.6(b)(7) of the Public Welfare Code authorizes the Department of Public Welfare to add other items or services to its list of services requiring prior authorization by publication of a Notice in the *Pennsylvania Bulletin*. (62 P. S. § 443.6(b)(7)). The Department deposited a list in the Legislative Reference Bureau on December 16, 1998 which identifies multisource legend brand name products as requiring prior authorization. Thus, the previously issued Notice of Rule Change is superseded by the new Notice.

9. Accessing Non-Residential  
MH Svcs. For Children  
(14-NRC-39) August 28, 1993 (23 Pa.B. 4158)

*Reason for withdrawal:* This Notice of Rule Change was superseded by a later Notice of Rule Change published on September 9, 1995 (25 Pa.B. 3786). Pursuant to JCD Resolution 1998-1, DPW has submitted a final rulemaking to the Office of General Counsel to implement the later Notice of Rule Change.

10. Physician Assistant & Midwife Supervision  
(14-NRC-67) November 30, 1996 (26 Pa.B. 5847)

*Reason for withdrawal:* This Notice of Rule Change was superseded by a later Notice of Rule Change published on August 9, 1997 (27 Pa.B. 4045). Pursuant to JCD Resolution 1998-1, DPW has submitted a final rulemaking to the Office of General Counsel to implement the later Notice of Rule Change.

[Pa.B. Doc. No. 99-94. Filed for public inspection January 15, 1999, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Addendum and Revision of the Listing of Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

### Addendum

The Department of Transportation, Bureau of Motor Vehicles, under the authority of Section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), published at 28 Pa.B. 6355 on December 26, 1998, a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

### Cancellation

As an addendum to the listing of approved Official Speedometer Testing Stations, the Department hereby gives notice of the cancellation of the following station:

Ciulli Motors, Incorporated, 520 Clairton Boulevard, Pittsburgh, Allegheny County, Pa. 15236 (Appointed: 09/13/78, Station S13).

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Processing Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by telephoning (717) 787-2895.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 28 Pa.B. 6355 (December 26, 1998).

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-95. Filed for public inspection January 15, 1999, 9:00 a.m.]

### Retention of Engineering Firms

#### Armstrong, Butler, Clarion, Indiana and Jefferson Counties Project Reference No. 08430AG2279

The Department of Transportation will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff under the Department's Inspector-in-Charge to perform construction inspection services on various projects in Engineering District 10-0, that is Armstrong, Butler, Clarion, Indiana, and Jefferson Counties. The Contract will include roadway and bridge construction projects, and Bridge Painting Projects, and material plant inspection. The Contract will be for a period of sixty (60) months, with a maximum cost of one million (\$1,000,000) dollars.

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 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 NICET certified inspectors in each payroll classification.
- d. 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, and bridge painting.
- e. Understanding of Department's requirements, policies, and specifications.
- f. Ability to provide CPM scheduling.
- g. Past Performance.
- h. Workload.

The qualifications and experience required of the firm's inspector 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 classification:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	12 (7)
Transportation Construction Inspector—Materials (TCI-Materials) NICET Highway Materials Level 2 or equivalent)	5 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	33 (20)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	3 (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:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(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; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction. Also required are certified CDS operators, Licensed nuclear gauge operators and experienced Bridge Painting inspectors.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 5 Nuclear Densometer Gauges/License @ point of need when needed
- 3 Paint Test Kits

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	15
TCI-M	6
TCI	40

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. Richard Hogg, P.E., District Engineer, District 10-0, Route 286, South, P. O. Box 429, Indiana, PA 15701.

Any technical questions concerning the requirements for this project should be directed to Craig Chelednik, P.E., District 10-0, at (724) 357-2842.

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, WEBs 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 Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

8. Overhead Rates (one page)

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. 99-96. Filed for public inspection January 15, 1999, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Special Designations

The Executive Director, acting under the authority of 58 Pa. Code § 65.21 (relating to waters limited to specific purposes—exclusive use areas), designates a section of Marvin Creek in Hamlin Township Park, Hazel Hurst, McKean County, from 160 feet below the mouth of Kane Creek (which flows down from Mt. Jewitt along State Route 6) extending 970 feet downstream, as being for the exclusive use of children 12 and under.

The Executive Director, acting under the authority of 58 Pa. Code § 67.1 (relating to nursery waters and exhibition areas), hereby designates a section of Paden (Finley) Creek, Crawford County, from the mouth upstream to "Finley Bridge" on State Route 6 as a nursery water closed to all fishing during the period, March 1 through April 15. The Executive Director also designates a section of Linesville Creek, Crawford County, from the mouth (Pymatuning Sanctuary) upstream to the Conrail Railroad bridge north of State Route 6 in Linesville as a nursery water closed to all fishing during the period, March 1 through April 15. The penalties of section 2106 of the Fish and Boat Code, 30 Pa.C.S. § 2206 (relating to fishing in hatchery or nursery waters) apply to both stream sections.

All of these designations shall be effective when the waters are so posted after publication of this notice in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 99-97. Filed for public inspection January 15, 1999, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority

Homesite Insurance Company of Pennsylvania has applied for a Certificate of Authority to operate as a stock casualty insurance company in this Commonwealth. The initial filing was received on December 21, 1998, and was made under the requirements set forth under the Business Corporation Law of 1988 (15 Pa.C.S. § 1 et seq.). Persons wishing to comment on the grounds of public or private interest to the issuance of the Insurance Depart-

ment's (Department) order approving this Certificate of Authority are invited to submit a written statement to the Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-98. Filed for public inspection January 15, 1999, 9:00 a.m.]

### Application for Merger of a Domestic Stock Life Insurance Corporation with and into a Foreign Stock Life Insurance Corporation

Bankers Fidelity Life Insurance Company (Bankers Fidelity), a stock life insurance company organized under the laws of the State of Georgia, has filed an application to merge with American Independent Life Insurance Company, a domestic stock life insurance company, with Bankers Fidelity surviving the merger. The filing was made under the requirements set forth under the Insurance Holding Companies Act (40 P.S. § 991.1401, et seq.) section 1957 of the Business Corporation Law (15 Pa.C.S. § 1957), and the GAA Amendments Act of 1990 (15 P.S. § 21101, et seq.) Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael Graeff, Insurance Company Licensing Specialist, Pennsylvania Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; FAX (717) 787-8557; email <http://www.mgraeff@ins.state.pa.us>.

Under 15 P.S. § 21207(c) (Section 207(c) of the GAA Amendments Act of 1990), the Insurance Department will hold a public informational meeting regarding the proposed Plan of Merger submitted by Bankers Fidelity. All policyholders and interested persons are invited to attend and participate.

*Date and Time:* February 23, 1999, beginning at 9 a.m.

*Location:* Ben Franklin Conference Room, 13th Floor, Strawberry Square, Harrisburg, PA

*Format of Meeting:* The Department and Bankers Fidelity will provide information about the review process and the proposed Plan of Merger. Following the presentations by the Department and Bankers Fidelity, policyholders and interested persons will be invited to make comments about the proposed Plan of Merger. However, policyholders and interested persons in attendance will not be required to make comments. Attendance or non-attendance at the meeting will have no effect on the terms of the policyholders' insurance policies. The meet-

ing will be recorded by a court reporter, and a transcript may be purchased directly from the court reporter.

*Legal Authority:* The public informational meeting will be held under the provisions of the GAA Amendments Act of 1990 (15 P. S. 21101, et seq.)

*Questions Regarding the Specifics of the Plan of Merger:* Questions about the Plan of Merger or questions about your insurance policy should be directed to Robert Renaud, Bankers Fidelity Life Insurance Company at (404) 266-5774.

*Written Comments:* Persons who are unable to attend the public informational meeting or would prefer to submit written comments about Bankers Fidelity's proposed Plan of Merger, should do so by mailing or delivering a copy of the comments to Michael S. Graeff, Insurance Company Licensing Specialist, Pennsylvania Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 FAX (717) 787-8557, or by e-mail at [mgraeff@ins.state.pa.us](mailto:mgraeff@ins.state.pa.us). Please be advised that all comments received will be part of the public files regarding this proposal, and will be shared with Bankers Fidelity for a response where appropriate.

*ADA Notice:* If a person, due to a disability, requires the assistance of auxiliary aid or services to participate in or attend this public informational meeting, please call Tracey Pontius, Director of the Bureau of Administration, (717) 787-4298. If hearing impaired, please call the Department's TDD phone number (717) 783-3898.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-99. Filed for public inspection January 15, 1999, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

#### *Governor's Office*

Manual M315.1, Municipal Tax Rate Schedules—Revision No. 8—Dated December 8, 1998.

Management Directive No. 315.1—Calculation and Payment of Statutory Salaries—Amended December 21, 1998.

Management Directive No. 530.14—Payment for Leave—Revision No. 1 Dated November 24, 1998.

Management Directive No. 535.3—Out-Service Training—Amended November 24, 1998.

Administrative Circular No. 98-34—Christmas Trees and Decorations—Dated November 20, 1998.

Administrative Circular No. 98-35—Holidays 1999—December 3, 1998.

Administrative Circular No. 98-36—Inauguration Day—December 3, 1998.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 99-100. Filed for public inspection January 15, 1999, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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 February 8, 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-00115501. Arthur L. Jones** (345 Mulberry Drive, Walnutport, Northampton County, PA 18088)—persons in limousine service, between points in Whitehall Township, Lehigh County, and the borough of Walnutport, Northampton County, and from points in said township and borough, to points in Pennsylvania, and return.

**A-00115529. Robert L. Burgit and Robert B. Burgit, Copartners, t/d/b/a Burgit City Taxi** (492 Stanton Street, Wilkes-Barre, Luzerne County, PA 18702)—persons upon call or demand, in the city of Wilkes-Barre, Luzerne County, and within an airline distance of 5 statute miles of the limits of the said city. *Attorney:* J. Bruce Walter, Dauphin Bank Building, 12th Floor, One South Market Square, P. O. Box 1146, Harrisburg, PA 17108-1146.

**A-00115527. Ann M. Mulhall** (58 North Ambler Street, Quakertown, Bucks County, PA 18951)—persons in paratransit service: (1) in Bucks County as follows: between points in the townships of Richland, Milford, Haycock, Springfield, Durham, Nockamixon, Bridgeton, West Rockhill, East Rockhill, Bedminster, Tinicum and Hilltown, and the boroughs of Richlandtown, Quakertown, Trumbauersville, Perkasio, Sellersville, Telford, and Dublin, and from points in said territory, to points in Pennsylvania, and return; (2) in Montgomery County as follows: between points in the townships of Marlboro, Salford, and Upper Hanover, and the boroughs of Telford, East Greenville, Pennsburg, and Red Hill, and from points in said territory, to points in Pennsylvania, and return; (3) in Northampton County as follows: between points in the township of Lower Saucon, and the borough of Hellertown, and from points in said territory, to points

in Pennsylvania, and return; (4) in Lehigh County as follows; between points in the townships of Upper Saucon and Lower Milford, and the borough of Coopersburg, and from points in said territory, to points in Pennsylvania, and return; (5) from locations listed in Paragraphs 1, 2, 3 and 4, immediately above, to the Philadelphia International Airport located in the city of Philadelphia, Philadelphia County, and Tincum Township, Delaware County, and vice versa; and (6) from locations listed in Paragraphs 1, 2, 3 and 4, immediately above, to the Lehigh Valley International Airport located in Hanover Township, Lehigh County, and vice versa.

**A-00115517. Donna Elizabeth Fessenden, t/d/b/a Personalized Van Service** (Parkview Drive, Box 94, Dalton, Lackawanna County, PA 18414)—persons in paratransit service between points in the counties of Susquehanna and Wyoming, and between points in the borough of Dalton, Lackawanna County, and within an airline distance of 15 statute miles of the borough of Dalton, in the county of Lackawanna, and from points in said territory, to points in Pennsylvania, and return.

**A-00115516. James P. Pink, t/d/b/a V.I.P. Limousine Service** (193 East Brady Road, Kittanning, Armstrong County, PA 16201)—persons in limousine service, between points in the county of Armstrong, and from points in said county, to points in Pennsylvania, and return.

**A-00115515. Southern Tier E.M.S., Inc.** (114 Runway Road, Friedens, Somerset County, PA 15541), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Somerset, and from points in said county, to points in Pennsylvania, and return.

**Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.**

**A-00112763, F. 3, Am-B. Eastern Medical Ambulance, Inc.** (1309 East Market Street, Warren, OH 44483), a corporation of the State of Ohio—persons in paratransit service between points in the county of Crawford: *So as to permit* the transportation of persons in paratransit service, between points in the county of Venango, and from points in the counties of Crawford and Venango, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

**Application of the following for the approval of the transfer of stock as described under each application.**

**A-00099336, Folder 5000. Transit Aide, Inc.** (P. O. Box 385, Glenside, Montgomery County, PA 19038), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 100 shares of issued and outstanding stock from Ronald K. Nuriddin to William D. Black, Jr. and Robert Brown, each to receive 50 shares. *Attorney:* Joseph E. Vaughan, 961 Pottstown Pike, P. O. Box 630, Exton, PA 19341.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-101. Filed for public inspection January 15, 1999, 9:00 a.m.]

## Telecommunications Without Hearing

**A-310621F0004. Vanguard Cellular Systems, Inc., Vanguard Telecom Corp. and AT&T.** Joint Application of Vanguard Cellular Systems, Inc., Vanguard Telecom Corp. and AT&T for approval of Transfer of Control of Vanguard Telecom Corp. from Vanguard Cellular Systems, Inc., to AT&T.

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 February 1, 1999, under 52 Pa. Code (relating to public utilities).

*Applicants:* Vanguard Cellular Systems, Inc., and Vanguard Telecom Corp.

*Through and By Counsel:* James H. Cawley, Esq., Rhoads & Sinon LLP, One South Market Square, 12th Floor, P. O. Box 1146, Harrisburg, PA 17108-1146; and

AT&T

*Through and By Counsel:* Robert C. Barber, Esq., Senior Attorney, AT&T, 3033 Chain Bridge Road, Room 3-D, Oakton, VA 22185.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-102. Filed for public inspection January 15, 1999, 9:00 a.m.]

## Water Service Without Hearing

**A-210013F0009. United Water Pennsylvania Inc.** Application of United Water Pennsylvania Inc. for approval to begin to offer, render, furnish or supply water service to the public in additional territory in Newberry Township, York 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 February 1, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* United Water Pennsylvania, Inc. *Through and By Counsel:* John J. Gallagher, Esquire, LeBoeuf, Lamb, Greene & MacRae L.L.P., 200 North Third Street, Suite 300, P. O. Box 12105, Harrisburg, PA 17108-2105.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-103. Filed for public inspection January 15, 1999, 9:00 a.m.]

# PORT OF PITTSBURGH COMMISSION

## Independent Auditor's Report

Board of Directors  
Port of Pittsburgh Commission  
Pittsburgh, PA

We have audited, in accordance with generally accepted auditing standards, the balance sheet of the Port of Pittsburgh Commission Special Revenue Fund (Commission), a component unit of the Commonwealth of Pennsylvania, as of June 30, 1998, and the related statement of revenues, expenditures and changes in fund balance for the year ended (not presented herein); and, in our report dated November 20, 1998, we expressed an unqualified opinion on those financial statements.

As described in the following summary financial information of the Commission as of and for the year ended June 30, 1998 is not a presentation in conformity with generally accepted accounting principles. In our opinion, however, the accompanying summary financial information is fairly stated, in all material respects, in relation to the financial statements from which it has been derived.

November 20, 1998  
Pittsburgh, Pennsylvania

**Port of Pittsburgh Commission Special Review Fund  
(A Component Unit of the Commonwealth of Pennsylvania)  
Balance Sheet  
June 30, 1998**

Assets:	
Cash and investments	\$715,916
Other assets	<u>3,469</u>
Total Assets	\$719,385
Liabilities and Fund Balance:	
Liabilities	\$ 77,094
Fund balance - reserved for economic development	<u>642,291</u>
Total Liabilities and Fund Balance	\$719,385

**Statement of Revenues, Expenditures, and Changes in Fund Balance  
For the Year Ended June 30, 1998**

Revenues and Other Financing Sources:	
Interest and Other Income	\$ 36,076
Intergovernmental transfers	<u>618,000</u>
	654,076
Expenditures	<u>542,293</u>
Excess of revenues and other financing sources over expenditures	111,783
Fund balance, beginning of year	<u>530,508</u>
Fund balance, end of year	\$642,291

The summary financial information shown differs from generally accepted accounting principles. Differences include: amounts are grouped; captions are summarized; footnote disclosures are omitted.

*Certified by*

GLORIA A. RALSTON,  
*Administrative Director*

[Pa.B. Doc. No. 99-104. Filed for public inspection January 15, 1999, 9:00 a.m.]

# TURNPIKE COMMISSION

## 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. 98-024-RF94-C**—Bridge repairs between M.P. 145.51, Exit 11 and M.P. 226.30, Exit 16, on the PA Turnpike System in Bedford, Fulton, Huntingdon, Franklin and Cumberland Counties, PA

*Bid Opening Date*—February 17, 1999, 1:30 p.m.

*Bid Surety*—5%

Plans, specifications and contract documents will be available and open to public inspection on January 7, 1999, at the Administration Building. Copies may be purchased upon payment of \$25 per set by check or P. O. Money Order (No Cash) to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurers 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.

Direct any questions for this project to James L. Stump, P.E., at (717) 939-9551, Ext. 5540.

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. 99-105. Filed for public inspection January 15, 1999, 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. 98-024-RM45-C**—Bridge repairs between M.P. 326.832, Exit 24 and M.P. 358.11, Exit 30, on the PA Turnpike System East-West Mainline and between M.P. A-0.00, Exit 25A and M.P. A-37.22, Exit 33 on the Northeast Extension in Montgomery, Bucks and Lehigh Counties, PA

*Bid Opening Date*—February 17, 1999, 2 p.m.

*Bid Surety*—5%

Plans, specifications and contract documents will be available and open to public inspection on January 7,

1999, at the Administration Building. Copies may be purchased upon payment of \$25 per set by check or P. O. Money Order (No Cash) to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurers 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.

Direct any questions for this project to James L. Stump, P.E., at (717) 939-9551, Ext. 5540.

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. 99-106. Filed for public inspection January 15, 1999, 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. 98-024-RU94-C**—Bridge repairs between M.P. 12.87, Exit 2 and M.P. 75.20, Exit 8, on the PA Turnpike System in Beaver, Butler, Allegheny and Westmoreland, PA

*Bid Opening Date*—February 17, 1999, 1 p.m.

*Bid Surety*—5%

Plans, specifications and contract documents will be available and open to public inspection on January 7, 1999, at the Administration Building. Copies may be purchased upon payment of \$25 per set by check or P. O. Money Order (No Cash) to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurers 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.

Direct any questions for this project to James L. Stump, P.E., at (717) 939-9551, Ext. 5540.

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. 99-107. Filed for public inspection January 15, 1999, 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

#### Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

⑥ Duration

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## 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

- 3610-05 Annual Contract—Copier maintenance, Statewide services.**  
**Department:** Various  
**Location:** Various  
**Duration:** 04/01—03/31  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 6350-01 Annual Contract—Security systems services.**  
**Department:** Various  
**Location:** Various  
**Duration:** 02/01—06/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 6830-02 Annual Contract—Gases, commercial.**  
**Department:** Various  
**Location:** Various  
**Duration:** FY 98—99  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 6840-03 Annual Contract—Disinfectants and detergents (WH).**  
**Department:** General Services  
**Location:** Dauphin County, PA  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 6850-04 Annual Contract—Antifreeze preparations (WH).**  
**Department:** General Services  
**Location:** Dauphin County, PA  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 7485-02 Annual Contract—Laser and ink jet printer supplies.**  
**Department:** Various  
**Location:** Various  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 7510-10 Annual Contract—Office supplies (WH).**  
**Department:** General Services  
**Location:** Dauphin County, PA  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 7930-06 Annual Contract—Laundry products/service.**  
**Department:** Various  
**Location:** Various  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 8010-08 Annual Contract—Vehicle restoration paint.**  
**Department:** Various  
**Location:** Various  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 8105-03 Annual Contract—Bags, plastic, disposable trash (WH).**  
**Department:** General Services  
**Location:** Dauphin County, PA  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 8415-06 Annual Contract—Uniforms, Sch (Scot Sef/Vet).**  
**Department:** Scotland School for Veterans Children  
**Location:** Franklin County, PA  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 8430-02 Annual Contract—Boots, rain and slush.**  
**Department:** Various  
**Location:** Various  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 
- 8920-06 Annual Contract—Nonperishable foods (canned and dry food).**  
**Department:** Various  
**Location:** Various  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
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- 9135-05 Annual Contract—Aviation fuel DOT/SP.**  
**Department:** Transportation/State Police  
**Location:** Various  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
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- 9905-02 Annual Contract—Delineation devices with Stimsonite/Safehit (DOT).**  
**Department:** Transportation  
**Location:** Various  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
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- 9905-09 Annual Contract—Delineation devices (DOT/DEP).**  
**Department:** Transportation/Environmental Protection  
**Location:** Various  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
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- 1430118 Medical, dental and veterinarian equipment and supplies—1 lot dental x-ray processor.**  
**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
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- 1450118 Medical, dental and veterinarian equipment and supplies—1 unit furnish and install dental suite equipment.**  
**Department:** Corrections  
**Location:** Albion, Erie County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

**8176420** Paper and printing—800 M PA Drivers Manual.

**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

**1096118** Textiles—Broadcloth 50% polyester/50% cotton solid light pastel colors; gray and blue 10,000 yards each.

**Department:** Correctional Industries  
**Location:** Dallas, Luzerne County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

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## SERVICES

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### Computer Related Services—08

**818140002** Adaptive software and support. Manufactured by Sybase.

**Department:** Office of Administration  
**Location:** PA State Police/JNET Office, 1800 Elmerton Avenue, Harrisburg, PA 17110  
**Duration:** 1 year  
**Contact:** Kelly Fortino, (717) 787-8767

**PO-542** Timekeeping System. Time and Attendance software, Network Version, two concurrent users, as manufactured by Samco Time Recorders, Inc., or approved equal. Year 2000 Compliant, management reports, import/export capability, graphic displays, automatic pooling, audit trail, built-in interface, year-to-date history, password protection, visual absence pattern tracking, scheduler, employe capability: 500+, Catalog No. ID3D hand punch with modem, battery backup. To include onsite training for users and annual maintenance agreement after warranty expires. Bid proposal on file in agency purchasing department.

**Department:** Corrections  
**Location:** State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16699-0001  
**Duration:** February 1, 1999—June 30, 1999  
**Contact:** Barbara A. Lloyd, Purchasing Agent, (814) 886-8181

### Construction—09

**5610-2050-000** The contractor shall provide all equipment, materials and labor to pave roadway and walkway. Work will be performed both inside and outside the institution.

**Department:** Corrections  
**Location:** State Correctional Institution Camp Hill, P. O. Box 8837, 2500 Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** March 1, 1999 to June 30, 1999  
**Contact:** Delores Stephens, (717) 875-5200

**DGS A 200-47.6** Project title: Resurface Roadways. Brief description: Resurface approximately 1 1/2 miles of roadway. Install stone berms along approximately 2 1/2 miles of roadways. Estimated range: \$25,001—\$100,000. Miscellaneous 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. 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, February 3, 1999 at 2 p.m.

**Department:** General Services  
**Location:** State Game Lands No. 46, Middlecreek Wildlife Management Area, Clay Township, Lancaster County, PA  
**Duration:** 60 calendar days from preconstruction conference date  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 251-515.1** Project title: Replace Roof/Repoint Liberty Tunnel Fan House. Brief description: Roof replacement with an adhered EDPM system including 2" insulation. Repointing of entire structure with raked joint mortar. Repair/replace or reset stone fascia and lintels, replace three windows and make four windows lower sashes operate. Estimated range: \$100,000—\$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. 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, February 10, 1999, at 11 a.m. A prebid conference has been scheduled for Wednesday, January 20, 1999 at 1:30 p.m. at Liberty Tunnel Fan House, Secane Street and Ruth Street, Pittsburgh, Allegheny County, PA. Contact: Al Rozzi, (717) 787-6014 or Ronald Pontius, (717) 787-5598. All contractors who have secured contract documents are invited and urged to attend this prebid conference.

**Department:** General Services  
**Location:** Liberty Tunnel Fan House, Pittsburgh, Allegheny County, PA  
**Duration:** 150 calendar days from preconstruction conference date  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 962-8.I** Project title: Renewal of Dock Area—Dietary Building. Brief description: Install new concrete loading dock with dock leveler, remove existing door frame and install new. Estimated range: \$20,001—\$100,000. 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. 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 27, 1999 at 11 a.m.

**Department:** General Services  
**Location:** Hollidaysburg Veterans Home, Hollidaysburg, Blair County, PA  
**Duration:** 200 calendar days from preconstruction conference date  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Project No. KU 99-17** Kutztown University is seeking qualified contractors to renovate Dining Rooms 1 and 2 and the relocation of "Pizza" and "Bag-It" in the South Dining Hall at Kutztown University. Work to include but is not limited to: demolition of existing construction and relocation of equipment and counters; piping, ductwork and roof top exhaust fan for equipment utilities; relocate electrical utilities for relocated and new equipment. Bid packages are available for a nonrefundable fee of \$55 from: Janet Spahr, STV Architects, 205 West Welsh Drive, Douglassville, PA 19518, (610) 385-8219. Bid packages are available January 11, 1999 through prebid. A prebid meeting has been scheduled for Thursday, January 21, 1999 at 10 a.m. Bids must be received on February 2, 1999 by 2 p.m. in the Office of Planning and Construction, I Wing, Room 236, Kutztown University, Kutztown, PA 19530. Bids will be opened on February 3, 1999 at 2 p.m. in the Office of Planning and Construction. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** 60 days after notice to proceed  
**Contact:** Barbara Barish, Contract Specialist, (610) 683-4602

### Engineering Services—14

**08430AG2279** Open-end contract for construction inspection services on various projects in Engineering District 10-0, that is Armstrong, Butler, Clarion, Indiana and Jefferson Counties.

**Department:** Transportation  
**Location:** Engineering District 10-0  
**Duration:** Sixty (60) months  
**Contact:** Consultant Agreement Division, (717) 783-9309



### Environmental Maintenance Services—15

**120053** To provide on-call drilling equipment for soils and geological engineering investigation on various types of terrain. Also to provide maintenance and protection of traffic during drilling operations when required. Letters of Interest must be received no later than close of business on the Friday after the last days advertisement in the *Pennsylvania Bulletin*.

**Department:** Transportation  
**Location:** Engineering District 12-0: Fayette, Greene, Washington and Westmoreland Counties, PA  
**Duration:** July 1, 1999 to June 30, 2000  
**Contact:** D. Michael Kuhn, (724) 439-7245

### Firefighting Services—18

**9999-2000-000** The contractor shall provide preventive maintenance and repair services to existing and future electronic fire alarm systems.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** July 01, 1999 through June 30, 2002  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

### Food—19

**8970-1000-000** Meats—beef, veal and pork products, meats to be in accordance with inspection meat products specs., fresh and frozen as specified. All items to be from Federally inspected plants, approximate lbs/month: beef bologna—100 lbs.; Lebanon bologna—100 lbs.; beef franks—200 lbs.; beef liver—100 lbs.; sandwich steaks—200 lbs.; beef cubes—100 lbs.; beef sausage links—430 lbs.; cube steaks—200 lbs.; ground beef—1,600 lbs.; Swiss steak—240 lbs.; round roast—950 lbs.; pork chops—200 lbs.; pork ham—500 lbs.; pork sausage—600 lbs.; salami—50 lbs.; veal patties—100 lbs., or any like items.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** January through December 1999  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

**8970-1100-000** Chicken and poultry products: meats to be in accordance with PA Spec. C-94, fresh and frozen, as specified. All items to be from Federally inspected plants. Approximate lbs/month: turkey ham—100 lbs.; boneless chicken breast—250 lbs.; poultry patties—150 lbs.; turkey roast—350 lbs.; frying chicken leg—400 lbs.; frying chicken breast—200 lbs.; turkey ham—250 lbs.; turkey roll—100 lbs.; turkey pas-trami—50 lbs.; or any like items.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** January through December 1999  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

**8970-1200-000** Fish, cod or pollock, frozen, breaded, 4 oz. portions, approximately 200 lbs./month. Fish, cod or pollock, frozen, unbreaded, 4 oz. portions, approximately 200 lbs./month. Crab cakes, frozen, breaded, 3 oz. portions, approximately 80 lbs./month, or any like items.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** January through December 1999  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

### Fuel Related Services—20

**FM087398-05** Installation of new fill, supply and return piping for aboveground storage tank. Contractor shall provide all material with the exception of the pipe and fittings and install a new fill station and associated 3-inch oil fill pipe into tank top and install a 3-inch supply and 3-inch return pipe from the aboveground oil tank to the boiler room where he shall connect it to existing pump set piping. The contractor shall furnish and install all necessary valves on all piping covered under this contract to satisfy all code and regulation requirements. The aboveground storage tank is located approximately 75 feet from the boiler plant at Harrisburg State Hospital.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April 1, 1999 through June 30, 1999, a period of 3 months  
**Contact:** Jack W. Heinze, Purchasing Agent III, (717) 772-7435

### Hazardous Material Services—21

**RFP No. 99-06** Kutztown University is seeking qualified firms for an open-ended requirements contract to perform environmental hazard abatement as needed in support of ongoing construction projects at Kutztown University. Proposals are available for a nonrefundable fee of \$15 from: Barbara Barish, Contract Specialist, Kutztown University, Office of Planning and Construction, P. O. Box 730, Kutztown, PA 19530, (610) 683-4602, fax: (610) 683-1553. Proposals are available January 11, 1999 and questions are due in writing by noon, January 22, 1999 to Barbara Barish, Contract Specialist. Proposals are to be received February 4, 1999 by 2 p.m. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** One (1) year after NTP (3 additional year renewal option)  
**Contact:** Barbara Barish, (610) 683-4602

**NSH-02** Dispose of transformers, electrical equipment and dielectric mineral oil from both Haverford and Norristown State Hospitals. Sample and analyze the 10 pole top transformers to determine the PCB concentrations for disposal. Prepare a Health and Safety Plan in compliance with OSHA requirements; develop and deliver a work plan to remove and dispose of the items; develop and deliver an end-of-project report within 30 days of project completion that summarizes the project and includes documentation for final disposition for each item; submit copies of signed transportation manifests and documentation of disposition from the disposal facility; attend prebid and site visit meetings.

**Department:** Public Welfare  
**Location:** Haverford and Norristown State Hospitals, PA  
**Duration:** February 1, 1999—June 30, 1999  
**Contact:** Bill Stephens, (610) 313-1142

**HVAC—22**

**No. 40** Kohler Model No. 80RZ81 emergency generator to be furnished and unloaded at job site at North Central Secure Treatment Unit, 210 Clinic Road, Danville, PA 17821 (Jackson Building).

**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

**9999-2200-000** Contractor shall provide preventive maintenance and repair services to existing and future heating, ventilation and air conditioning systems.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** July 01, 1999 through June 30, 2002  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

**6413-FL-ELW** Electric wire. Purchase Order for direct burial cable and wires for 240V service for electrification of 80 campsites at Locust Lake State Park. 5,500 l. f. cable—Senator 4/0 AL TriplexURD (3 each 4/0 AL wires wrapped together); 2,500 l. f. cable—Senator 250 MCM Use Paralleled (3 each 250 MCM AL wires wrapped); 8,000 l. f. wire—No. 2 Use AL Ground (one single wire). Bid documents for sealed bids are available upon request.

**Department:** Conservation and Natural Resources  
**Location:** State Parks, Locust Lake State Park, c/o Tuscarora State Park, R. R. 1, Box 1051, Barnesville, PA 18214-9715  
**Duration:** March 1, 1999  
**Contact:** Leo G. Davidovich, Park Manager, (717) 467-2404

**FDC-306-464** General, plumbing and electrical construction for ADA alterations to Modern Cabin No. 1. Porch rehabilitation, renovations to the kitchen and bath areas, bedroom area additions, new floor coverings, new roofing shingles and site work. Work is located in Gifford Pinchot State Park.

**Department:** Conservation and Natural Resources  
**Location:** Warrington Township, York County, PA  
**Duration:** 120 days  
**Contact:** Construction Management Section, (717) 787-5055

**FM087398-02** Installation of instantaneous hot water heater: Scope of this contract requires the furnishing of all labor, materials, equipment, tools and supervision to install an instantaneous hot water heater, complete with thermostat, traps, air vents, thermometer, recirculator valve, water side valves, all prepiped and mounted on a steel frame in Building No. 17, Harrisburg State Hospital.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April 1, 1999 through June 30, 1999, a period of 3 months  
**Contact:** Jack W. Heinze, Purchasing Agent III, (717) 772-7435

**WC 706** West Chester University is soliciting sealed bids for installing a new standby 35kw, 120/208 3 phase 4 wire, natural gas fired generator set on an existing outdoor concrete equipment pad. The pad is located on the northwest corner of the University's Warehouse Building at 821 South Matlack Street. The work includes placement of a new outdoor generator set on the existing outdoor equipment pad, installation of a new automatic transfer switch and distribution panel and associated power and control wiring, automatic battery charger and associated wiring and natural gas piping from an existing service main to the generator set. The gas piping shall be run inside the warehouse building making wall penetrations at the service main and generator set locations. A site visit will be conducted on January 22, 1999 meeting at 10 a.m. at Suite 400, 201 Carter Drive. The bids are due and will be publicly opened at 11 a.m. on February 2, 1999.

**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

**Janitorial Services—23**

**FM-2040980058** Furnish all equipment, materials and labor to perform janitorial services including empty waste baskets; clean lavatories; sweep floors; machine buff tile floors; vacuum carpets; wash windows inside and outside; general housecleaning twice a year; shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Ebensburg Station, 100 Casale Court, Ebensburg, Cambria County, PA 15931  
**Duration:** March 01, 1999 to June 30, 2001  
**Contact:** Joan M. Berkoski, (717) 783-5484

**FM-2040980059** Furnish all equipment, materials and labor to perform janitorial services including emptying waste baskets; clean lavatories; sweep floors; machine buff tile floors; vacuum carpets; dust furniture; wash windows inside and outside; general housecleaning twice a year; shampoo carpets at the Somerset Station, 142 Sagamore Street, Somerset, PA 15501. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Somerset Station, 142 Sagamore Street, Somerset, PA 15501  
**Duration:** March 01, 1999 to June 30, 2001  
**Contact:** Joan M. Berkoski, (717) 783-5484

**Laboratory Services—24**

**9999-2700-000** Contractor shall provide water and sewerage sample testing services for the Quehanna Boot Camp. Tests required will be itemized on the bid invitation. Contractor will be required to provide periodic and random testing, and to submit analysis results to the Department of Environmental Protection or other regulating agency as required by those agencies.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** July 01, 1999 through June 30, 2002  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

**Lodging/Meeting—27**

**SP 3800012** Provide meeting facilities, including lodging, meals and meeting rooms for an estimated 140 attendees. Facility must be located within a 15 mile radius of Pennsylvania State University, State College.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of State Parks, State College Area, PA  
**Duration:** May 19, 1999 through May 23, 2000  
**Contact:** Cory Gaiski, (717) 783-0760

**Medical Services—29**

**No. 378** Dental equipment—1 each Panoramic x-ray unit.

**Department:** Public Welfare  
**Location:** Polk Center, c/o Warehouse, Main Street, Polk, Venango County, PA 16342  
**Duration:** FY 1998—1999  
**Contact:** Patty A. Frank, Purchasing Agent, (814) 432-0229

**Property Maintenance—33**

**0120019** Material and labor to install 6-foot chain link fence, two 6' x 25" aluminum sliding gates at our 26th and Zuck stockpile in Erie, PA. Provide sufficient number of vinyl privacy slats and locking pieces for entire circumference of fence and gates to be installed by PA Department of Transportation work forces. Please call or fax requests to bid at (814) 871-4396.

**Department:** Transportation  
**Location:** 26th and Zuck Streets, Erie, PA  
**Duration:** Indeterminate 1998—99  
**Contact:** William Sachse, (814) 871-4411

**FM-2040980061** Furnish all labor, materials and equipment for removal of snow, salting/cindering from driveway parking areas and sidewalks at the Pennsylvania State Police, Elizabethville Station, 301 State Road, Elizabethville, PA 17023. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Elizabethville Station, 301 State Road, Elizabethville, Dauphin County, PA 17023  
**Duration:** March 01, 1999 to June 30, 2001  
**Contact:** Joan M. Berkoski, (717) 783-5484

**FM-2040980062** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveways, parking areas and sidewalks at the Pennsylvania State Police, 1538 Commerce Avenue, Carlisle, PA 17013. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Carlisle Station, 1538 Commerce Drive, Carlisle, Cumberland County, PA 17013  
**Duration:** March 01, 1999 to June 30, 2001  
**Contact:** Joan M. Berkoski, (717) 783-5484

**Contract No. FDC-451-328R** Carpentry, masonry, concrete, electrical and plumbing work associated with modifications to park office. Work is at White Clay Creek Preserve.

**Department:** Conservation and Natural Resources  
**Location:** London Britain Township, Chester County, PA  
**Duration:** 60 days  
**Contact:** Construction Management Section, (717) 787-5055

**Railroad/Airline Related Services—34**

**SP 3800011** Services required of an aircraft operations advisor to provide the Department of Conservation and Natural Resources, Bureau of Forestry, Division of Forest Fire Protection with direct operational and technical assistance in the administration of various contracted aircraft utilized in wildland fire protection, forest pest management and forest culture work.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Throughout the Commonwealth of Pennsylvania  
**Duration:** March 1, 1999 through June 30, 1999  
**Contact:** Cory Gaiski, (717) 783-0760

**Sanitation—36**

**119800001** The contractor shall treat and provide all equipment and manpower necessary to pump 2—5% concentrate solid liquid sludge from the institution's sewage treatment plant and transport to and dispose of at an approved wastewater treatment plant.

**Department:** Corrections  
**Location:** State Correctional Institution, R. R. 1, Box 67 Wq, Waynesburg, PA 15370  
**Duration:** July 01, 1999 through June 30, 2002  
**Contact:** Judith Cook, Purchasing Agent, (724) 852-5609

**9999-4400-000** Contractor shall provide for removal and disposal of waste sludge from the wastewater treatment system which is operated by the Pennsylvania Department of Corrections at the Quehanna Boot Camp, Karthaus Township, Clearfield County, in accordance with Department of Environmental Protection and Environmental Protection Agency regulations. Estimated usage is 4,000 gallons of sewage every 5 weeks.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** July 01, 1999 through June 30, 2002  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

**9999-4400-010** Contractor shall be responsible for the removal and disposal of all bulk construction waste from the Quehanna Boot Camp.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** July 01, 1999 through June 30, 2002  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

**9999-4400-020** The contractor shall provide for the removal of trash and garbage waste at the Quehanna Boot Camp in Karthaus Township, Clearfield County.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** July 01, 1999 through June 30, 2002  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, Ext. 234

## Security Services—37

**00676-000-98-FSR-PRR-1** Renovate existing fire and security system in Thompson-Neely Area. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Thompson-Neely House, Thompson-Neely Barn and Thompson-Neely Grist Mill. A mandatory prebid meeting and sign-in will be held on Monday, February 1, 1999 at 1:30 p.m. at the Visitor Center, Washington Crossing Historical Park for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (215) 493-4076. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Thursday, February 18, 1999 at 2 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, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977  
**Duration:** April 1, 1999 to October 31, 1999  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**00676-000-98-FSR-PRR-2** Renovate existing fire and security system in Taylorsville area. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the McConkey Ferry Inn, Mahlon Taylor House, Hibbs House, Frye House, Durham Boat Building and the Blacksmith Shop. A mandatory prebid meeting and sign-in will be held on Monday, February 1, 1999 at 11 a.m. at the Visitor Center, Washington Crossing Historical Park for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (215) 493-4076. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Thursday, February 18, 1999 at 2 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, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977  
**Duration:** April 1, 1999 to October 31, 1999  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**00676-042-98-FSR-PRR** Renovate existing fire and security system—Visitor Center. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Visitor Center Building. A mandatory prebid meeting and sign-in will be held on Monday, February 1, 1999 at 9:30 a.m. at the Visitor Center, Washington Crossing Historical Park for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (215) 493-4076. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Thursday, February 18, 1999 at 2 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, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977  
**Duration:** April 1, 1999 to October 31, 1999  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**00701-000-98-FSR-PRR** Renovate/maintain security system. Renovate and replace existing security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Visitor Center, Saron, Saal, Print Shop, Craft Shop, Solitary House, Beissel House, Almonry, Household's Cabin, Maintenance Barn and Gift Shop, including up to 3 years of postrenovation maintenance and repair. A mandatory prebid meeting and sign-in will be held on February 10, 1999 at 10 a.m. at the Ephrata Cloister Visitor Center, for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (717) 733-6600. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Monday, March 1, 1999 at 2 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, Ephrata Cloister, 632 West Main Street, Ephrata, PA 17522  
**Duration:** April 1, 1999 to June 30, 2002  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**00702-000-98-FSR-PRR** Renovate/maintain fire and security system. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Cornwall Iron Furnace Building, Charcoal House, Blacksmith Shop, Wagon Shed and Abattoir, including up to 3 years of postrenovation maintenance and repair. A mandatory prebid meeting and sign-in will be held on February 3, 1999 at 10:30 a.m. at the Charcoal House (Visitor Center), for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (717) 272-9711. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Monday, February 22, 1999 at 2 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, Cornwall Iron Furnace, P. O. Box 251, Cornwall, PA 17016  
**Duration:** April 1, 1999 to June 30, 2002  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**00716-000-98-FSR-PRR** Renovate/maintain fire and security system. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Visitor Center Building, Locomotive/Loader Shed, Stable, Saw Filer Shop, Blacksmith Shop, Carpenter Shop and Bunkhouse, including up to 3 years of postrenovation maintenance and repair. A mandatory prebid meeting and sign-in will be held on February 16, 1999 at 1 p.m. at the PA Lumber Museum Visitor Center, for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (814) 435-2652. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Friday, March 5, 1999 at 2 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, Pennsylvania Lumber Museum, P. O. Box K, Galeton, PA 16922  
**Duration:** April 1, 1999 to June 30, 2002  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**02953-001-98-FSR-PRR** Renovate existing fire and security system at Gilpin House Area. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Gilpin House, Wagon Shed, Granary Root House and Forge/Harness Shop. A mandatory prebid meeting and sign-in will be held on February 8, 1999 at 1:30 p.m. at the Brandywine Battlefield Visitor Center, for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (610) 459-3342. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Thursday, February 25, 1999 at 2 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, Brandywine Battlefield Park, P. O. Box 202, Chadds Ford, PA 19317  
**Duration:** April 1, 1999 to October 31, 1999  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**02953-010-98-FSR-PRR** Renovate existing fire and security system at Historic Ring House. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Ring House. A mandatory prebid meeting and sign-in will be held on February 8, 1999 at 11 a.m. at the Brandywine Battlefield Visitor Center, for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (610) 459-3342. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Thursday, February 25, 1999 at 2 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, Brandywine Battlefield Park, P. O. Box 202, Chadds Ford, PA 19317  
**Duration:** April 1, 1999 to October 31, 1999  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**02953-013-98-FSR-PRR** Renovate existing fire and security system—Visitor Center. Renovate and replace existing fire and security panels and equipment, with products as manufactured by Ademco, and including limited wiring and devices at the Visitor Center Building. A mandatory prebid meeting and sign-in will be held on February 8, 1999 at 9:30 a.m. at the Brandywine Battlefield Visitor Center, for all firms interested in submitting bids for the project. No bids will be accepted by contractors who do not make the mandatory prebid. For directions, contact the site at (610) 459-3342. All interested bidders should submit a \$25 check (nonrefundable) made payable to PHMC at the mandatory prebid meeting. No bids will be accepted by contractors who do not make the mandatory prebid. Bids are due on Thursday, February 25, 1999 at 2 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, Brandywine Battlefield Park, P. O. Box 202, Chadds Ford, PA 19317  
**Duration:** April 1, 1999 to October 31, 1999  
**Contact:** Judi Yingling or Ron Foflygen, (717) 772-2401

**Vehicle, Heavy Equipment—38**

**0120020** Quantity 20: Automatic tarp systems for 16 foot beds. Call in requests to (814) 871-4411 or fax to (814) 871-4396.

**Department:** Transportation  
**Location:** 9031 Peach Street, Waterford, PA 16441  
**Duration:** Indeterminate 1998—99  
**Contact:** William Sachse, (814) 871-4411

**Miscellaneous—39**

**No. 41** 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.

**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

**374** Rental of pressure-reducing support surfaces for individuals of the Polk Center as needed. This contract shall include such items as alternating pressure mattresses, low air-loss mattresses, low air-loss therapy beds, as well as air fluidized beds.

**Department:** Public Welfare  
**Location:** Polk Center, Polk, Venango County, PA 16342  
**Duration:** March 1, 1999—February 28, 2001 with renewals  
**Contact:** Patty Frank, Purchasing Agent, (814) 432-0229

**No. 375** Patient lifts, lifting capacity 400 lbs., battery operated.

**Department:** Public Welfare  
**Location:** Polk Center, c/o Warehouse, Main Street, Polk, Venango County, PA 16342  
**Duration:** 3 months from receipt of order  
**Contact:** Patty Frank, Purchasing Agent, (814) 432-0229

**No. 376** Automatic floor scrubbers and chargers.

**Department:** Public Welfare  
**Location:** Polk Center, c/o Warehouse, Main Street, Polk, Venango County, PA 16342  
**Duration:** 3 months from receipt of order  
**Contact:** Patty Frank, Purchasing Agent, (814) 432-0229

**119800002** The contractor shall provide chaplaincy services for the inmates of the Muslim faith at the State Correctional Institution at Waynesburg for approximately 6 to 10 hours per week.

**Department:** Corrections  
**Location:** State Correctional Institution-Waynesburg, R. R. 1, Box 67, Waynesburg, PA 15370  
**Duration:** July 1, 1999 through June 30, 2002  
**Contact:** Judith Cook, Purchasing Agent, (724) 852-5609

**SP-3821208001** Supply and deliver to Bendigo State Park, Glen Hazel Road, Johnsonburg, PA a floating dock system. The dock system shall be constructed of molded polyethylene, and consist of a 20' x 7' gangway and seven dock sections composed of four 5' x 3 1/2' panels, with all necessary components and appurtenance. Bids will be opened at the Northcentral Regional Office of Bureau of Facility Design and Construction, R. R. 4, Box 212, Emporium, PA 15834, Cameron County, on Friday, February 5, 1999, at 2 p.m.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Facility Design and Construction, Bendigo State Park, P. O. Box A, Glen Hazel Road, Johnsonburg, PA 15845  
**Duration:** January 16, 1999—April 1, 1999  
**Contact:** Barry L. Eppley, Asst. Reg. Engineer, (814) 486-5637

**SWIF 01-99** Provide loss prevention and consulting services to State Workers' Insurance Fund's (SWIF) policyholders with the goal of reducing occupational accidents and illnesses. Said services will be provided in the Philadelphia Area (Unit 1); Harrisburg, Pottsville, Sunbury and Scranton Areas (Unit 2); Pittsburgh, Johnstown and Erie Areas (Unit 3); or Statewide.

**Department:** Labor and Industry  
**Location:** State Workers' Insurance Fund, Statewide by geographical units  
**Duration:** 2 years with a 1-year renewal option  
**Contact:** Edward R. Lipski, Jr., Loss Prevention Manager, (717) 941-1653

[Pa.B. Doc. No. 99-108. Filed for public inspection January 15, 1999, 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*

## STATE CONTRACTS INFORMATION

## 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>
1228118-01	1/5/99	Joseph T. Ryerson & Son Inc.	43,800.00
1380118-01	1/5/99	Tactical & Survival Specialties Inc.	28,990.00
1993217-01	1/5/99	The A G Mauro Co.	219,850.00

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 99-109. Filed for public inspection January 15, 1999, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 22—EDUCATION

### STATE BOARD OF EDUCATION

#### [22 PA. CODE CHS. 3—6]

#### Academic Standards and Assessment

The State Board of Education (Board) hereby deletes Chapters 3, 5 and 6 and adds a new Chapter 4 (relating to academic standards and assessment), to read as set forth in Annex A, under authority of the Public School Code of 1949 (24 P. S. §§ 1-101—27-2702).

Notice of proposed rulemaking was published at 28 Pa.B. 3875 (August 8, 1998) with an invitation to submit written comments within 30 days.

#### *Purpose and Requirements*

Chapter 4, which replaces Chapters 3, 5 and 6 (relating to student testing; curriculum; and vocational-technical education) provides single, clear, concise and comprehensive regulations focused on academic standards. For purposes of 1 Pa.C.S. § 1937 (relating to reference to statutes and regulations), this chapter is a new substitute for Chapters 3, 5 and 6. Chapter 4 sets forth requirements for instruction, graduation, strategic planning and assessment based on academic standards.

#### *Comments and Responses*

Forty-four letters were received by the Board during the formal public comment period on proposed Chapter 4. The House and Senate Education Committees, in considering the proposed amendments, each conducted 2 days of hearings during which more than 40 individuals and organizations came forward to offer their comments on the amendments. The results of those hearings were communicated in letters received by the Board from those Committees. Staff of the Independent Regulatory Review Commission (IRRC) offered further comments based on their review of public, House and Senate Education Committee comments as well as their independent review of the amendments. These comments added to the Board's understanding of issues developed in 26 hearings prior to drafting proposed amendments.

Support for the proposed amendments and the implementation of academic standards and assessments was broad-based, coming from educators, business leaders, parents and a variety of education professional organizations. Supporters of the proposed amendments agreed that academic standards are essential to improve the quality and accountability of education in this Commonwealth. This support was not unqualified; most of these parties offered suggestions for improvement and clarification of the document or suggested the reconsideration of certain key elements of the proposed amendments, or both. A number of individuals strongly disagreed with the design and direction of the final-form regulations. Many of them also suggested reconsideration of certain provisions of the proposed amendments. Few comments questioned the quality of the academic standards contained in Appendix A.

*Graduation requirements.* The Senate Committee, members of the House Committee and staff of IRRC sought greater clarity in the graduation requirements including a determination of whether and when a proficient level on State assessments is required for graduation. Language in § 4.24(a) (relating to high school graduation require-

ments) was amended in the final-form version to clarify that students graduating in 2002-2003 must demonstrate the attainment of academic standards in reading, writing and mathematics at the proficient level on State assessments or local assessments aligned with the academic standards and State assessments.

*Strategic plan approval.* Members of the House Education Committee recommended that the Department be required to approve strategic plans required under § 4.13 (relating to strategic plans) to be filed by school districts and area vocational technical schools (AVTSs). The Senate Committee commented that the Department should not be required to do so. The Board elected to make no revision to this section on final-form because the strategic planning process is well established in schools, and its submission to the Department should be sufficient to ensure that appropriate planning is taking place.

*School entity.* Public commentators, members of the House Committee, and the Senate Committee and IRRC staff suggested that the general phrase "school entity" obfuscated the distinct responsibilities of school districts, AVTSs and intermediate units under these amendments. Some commentators suggested that intermediate units might be in the position of developing curricula and graduation requirements for local schools. Comments were also received regarding the applicability of these amendments to charter schools. Specific reference to school districts (including charter schools) and AVTSs has replaced "school entity." In a limited number of instances, reference is also made to intermediate units.

*Aligning dates.* Members of the House Committee, the Senate Committee and IRRC staff recommended that dates for implementation of various subsections be clarified and aligned. Changes have been made to align the dates for the implementation of new graduation requirements (§ 4.24(a)), seals of proficiency (§ 4.24(b) and (c)) on final-form. In addition, the date by which strategic plans under § 4.13 must be submitted has been revised in § 4.83 (relating to implementation schedule) on final-form.

*Nondiscrimination language.* Public commentators questioned the inclusion of sexual orientation in the nondiscrimination language in § 4.4(c) (relating to general policies) and questioned whether this offered protection for curriculum that might explore sexual orientation. The Board's intent is to protect a student's right to access to education and not specific elements of the curricula. IRRC staff recommended changing the language to more clearly state this intention. This language has been incorporated in § 4.4(c).

*Additional elements in strategic plans.* Members of the House Committee recommended that one element of the strategic plans under § 4.13 be a plan for the provision of additional instructional opportunities. IRRC staff recommended that examples of additional instructional opportunities as required under § 4.21(j) and (k) (relating to elementary education: primary and intermediate levels) be given in the final-form regulations. The Board added a requirement in § 4.13(c)(11) on final-form for a plan for additional instructional opportunities for students not achieving at the proficient level. The plan shall include identification procedures, alternate instructional strategies and opportunities for extended learning time. The Senate Committee recommended that a school safety plan be a required element of the strategic plan. After consid-



eration, the Board decided that such a plan should be specified in Chapter 12 (relating to students) and will seek to add the requirement as it amends that chapter.

*World language proficiency.* Public commentators and members of the House Committee recommended the continuation of a world language proficiency requirement for graduation, which was being phased in slowly under Chapter 5. IRRC staff recommends that if it was not the Board's intent to require a world language proficiency for graduation then § 4.25(c) (relating to languages) should be eliminated. There was considerable discussion of and comment on this issue throughout the Board's deliberations. The Board did not add language to specifically require world language proficiency for graduation and eliminated § 4.25(c) in the final-form version. In doing so, the Board noted that, under § 4.12 (relating to academic standards) it is scheduled to adopt world language standards as a requirement for schools and students. At the time those standards are adopted, the relationship to graduation will be specified.

*Opt-out provisions on State assessments.* Public commentators recommended that parents be allowed to opt their children out of State assessments for any reason in § 4.4(d)(4). Some members of the House Committee supported a general opt-out provision while others recommended permitting no opting out of State assessments. The Senate Committee considered this issue and recommended that opt out be allowed only for religious reasons. The Board is concerned that continuing the general opt out provisions of Chapter 5 would limit the validity of the assessments and the information they can provide to the public about schools. No change was made in this provision in the final-form version.

*Limitations on surveys.* Section 4.4(d)(6) requires parental consent for students to participate in any research studies or surveys conducted by outside entities. Public commentators and members of the House Committee recommended that parental consent be required for research studies or surveys conducted by school districts. During the course of developing the proposed amendments, the Board heard concerns from educators that much of what schools do could be construed to be a study or survey, including tests, and that requiring parental consent for surveys would interfere in the normal operations of the school. Most school boards have in place policies on surveys and studies and procedures for their approval. No change was made in the final-form version.

*Revise and add definitions.* Members of the House Committee and IRRC staff suggested a definition be added for "strategic plan"; the Board added this definition in the final-form version. IRRC staff recommend a clarification in definitions for "instruction" and "planned instruction" and asked that some of the definition of "planned instruction" be placed in § 4.11 (relating to purpose of public education). The Board eliminated a definition of "instruction" and amended the definition of "planned instruction" in § 4.3 (relating to definitions), and further described planned instruction in § 4.11(h) in the final-form version. The definition of "parent or guardian" in § 4.3 and "irony" in the glossary the reading, writing, speaking and listening standards of Appendix A have been modified in the final-form version according to the recommendation of IRRC staff.

*Accommodations and alternate assessments for special education students.* Public commentators, the Senate Committee and IRRC staff recommended that special education students have an opportunity to achieve seals of proficiency and distinction through accommodations on

the State assessment. Additional comments suggested that achievement of proficiency on alternate forms of assessment or in standards of performance established in IEPs also qualify for seals. The Board decided that special needs students should be provided the necessary accommodations but must demonstrate the same level of attainment of academic standards to earn a seal. Language has been added to § 4.24(b),(c) and (f) to ensure that special education students provided with accommodations have the opportunity to earn the seals.

*Submission of additional academic standards.* Members of the House Committee, the Senate Committee and IRRC staff recommended a revision in the schedule for submission of additional academic standards occurring beyond the date of final rulemaking. The schedule has been revised under § 4.12(g). Public commentators questioned whether the additional academic standards would be promulgated through the regulatory review process. IRRC staff recommended that language be added to clarify the intent of the Board to promulgate additional academic standards. Language to that effect has been added to § 4.12(c).

*Fiscal impact.* Public commentators, members of the House and Senate Committees and IRRC staff commented on the potential cost of the implementation of these amendments. Additional information is found under the Cost and Paperwork Estimates section of this Pre-ambles.

*Add standards for agricultural education and vocational education.* Public commentators, members of the House Committee, the Senate Committee and IRRC staff recommended that agricultural education be added under §§ 4.11(g) and 4.12(a) as a separate, multidisciplinary standard and that additional language regarding agricultural education be added in the curriculum listings in §§ 4.21—4.23. Minor changes in the description of the science and technology standards in § 4.12(a)(1) and in the description of agricultural education in the curriculum listing in § 4.22(c)(3) and (5) were made in the final-form version. The Board decided not to establish agricultural education as a separate standard area and noted that it would carefully review emerging standards in science and technology and environment and ecology to ensure that they include comprehensive standards for agricultural education. The Senate Committee and IRRC staff recommended the development of standards for vocational education and assessments based upon them. The Board is aware that much is being done to develop standards and assessments for the wide variety of vocational programs but believes that the current process for establishing standards and options for assessment are sufficient. The Board will continue to monitor the development of vocational skill standards and their readiness for inclusion in this chapter.

*Comparability of local assessment.* Members of the House and Senate Committees and IRRC staff recommended that there be established a process for determining the comparability of local assessment. Language under § 4.24(a) was changed so that local assessments must be aligned with academic standards and State assessments. The most certain evidence of the comparability or degree of alignment between these assessments will come from repeated administrations of State assessments and local assessments. If it becomes apparent that large numbers of students not achieving at the proficient level on State assessments are deemed proficient by local assessments, regulation and administrative review will

become important. Until then, the Board does not feel the extra administrative burden for schools and the Department is warranted.

*HIV/AIDS instruction.* The Senate Committee recommended that § 4.29 (relating to HIV/AIDS and other life-threatening and communicable diseases), regarding instruction about HIV/AIDS be eliminated as a separate section and included under health and physical education. Discussion during the Senate Education Committee hearing on Chapter 4 questioned why HIV/AIDS should be singled out as a health concern when there were other life-threatening and communicable diseases about which students should learn. The Board decided to retain a separate section on HIV/AIDS in the final-form version and to expand it to include instruction in other life-threatening and communicable diseases.

*Affidavit for religious and nonpublic schools.* One public commentator, the Senate Committee and IRRC staff recommended that § 4.71 (relating to certification by principal of nonpublic nonlicensed school) be corrected to reflect current law and specifically the different instructional requirements for religious schools. In the final-form version, the Board elected to correct the citations to current law and to direct that the certification be filed in the form determined by the Secretary of Education, thus eliminating the affidavit in the body of the chapter.

*Editing and correcting.* Various drafting errors and changes recommended for clarity and consistency suggested by public commentators, members of the House Committee, the Senate Committee, IRRC staff and by the Board's own review were made in the final-form regulations.

#### *Affected Parties*

These final-form regulations affect the students and professional employees of the public schools of this Commonwealth (including intermediate units, AVTSs, public charter and alternative schools). Provisions in § 4.71 affect nonpublic nonlicensed schools. Sections 4.71—4.74 set forth provisions relating to and affecting students in other than public schools. Nothing in final-form Chapter 4 is intended to change or go beyond the current homeschooling law.

#### *Cost and Paperwork Estimates*

Chapter 5 required students to achieve a broad array of 53 learning outcomes prior to graduation. Chapter 4 will require students to achieve academic standards in specific academic areas during their education. The requirement in Chapter 5 for portfolio assessment of student work has been eliminated. These changes will yield modest cost savings to schools by: (1) focusing the curriculum; and (2) eliminating training and evaluation costs associated with portfolio assessment.

Costs to implement these final-form regulations for a school district or AVTS may include curriculum development, professional development of teachers and additional remediation efforts. Testimony and discussions during the development of these final-form regulations suggests that schools in this Commonwealth will require some additional resources to adjust to the new requirements. Schools have in place strategic planning processes, professional development systems, curriculum review and development processes, assessment systems and processes to monitor instruction and student progress. These components provide school districts and AVTSs with the foundation to integrate Chapter 4 requirements into their

curriculum. Technical assistance in the implementation of academic standards will be provided by the Department and intermediate units.

The Commonwealth currently provides more than \$5.6 billion to local schools, as part of the nearly \$14 billion invested in elementary and secondary education by taxpayers, to educate students and to provide them with the skills and knowledge necessary to succeed in the workplace, in postsecondary studies and as citizens. These final-form regulations are designed to ensure that students are educated to high standards, and through the use of State assessments, to ensure that the citizens of this Commonwealth have a means to measure the ability of schools to deliver on their promise. State resources currently provided to schools should be sufficient to meet the general requirements of these final-form regulations.

To address the needs of schools in relation to specific elements of the final-form regulations, a \$3 million line item was added in the 1998-99 Fiscal Year for the professional development of educators implementing academic standards. In addition, \$20 million in Federal funds is available to support professional and curriculum development related to academic standards in current and subsequent fiscal years. Moneys to support the State assessment system were increased from \$6 to \$9 million in the current year appropriation to meet the requirements of these regulations. Continued increased funding is planned to cover both the ongoing expenses of curriculum and professional development and an expanded assessment system.

Much of the debate regarding potential costs for these final-form regulations centered on the identification of students not achieving proficiency in the early elementary years and the provision of additional instructional opportunities to enable them to achieve proficiency. This requirement supplements existing Federal, State and local programs designed to identify students in learning difficulty early and to provide additional efforts to develop their basic skills. The Governor has proposed \$100 million over the next 4 years in the "Read to Succeed" program to support the identification and remediation of students not proficient in basic skills.

Chapter 4 requires limited, additional paperwork for school districts and AVTSs by calling for a plan that will provide additional learning opportunities for students not achieving proficiency as part of the strategic planning process under § 4.13.

#### *Effective Date*

These final-form regulations will become effective upon final publication in the *Pennsylvania Bulletin*.

#### *Sunset Date*

The effectiveness of Chapter 4 will be reviewed by the Board every 4 years, in accordance with the Board's policy and practice respecting all regulations promulgated by the Board. Thus, no sunset date is necessary.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Board submitted a copy of the notice of proposed rulemaking published at 28 Pa.B. 3875 to IRRC and to the Chairpersons of the House and Senate Committees on Education. In compliance with section 5(b.1) of the Regulatory Review Act, the Board also provided IRRC and the Committees with copies of the comments received as well as other documentation.

In preparing these final-form regulations, the Board has considered the comments received from IRRC, the Committees and the public.

These final-form regulations were approved by the House Education Committee on November 10, 1998, the Senate Education Committee on November 16, 1998, and were approved by IRRC on November 19, 1998, in accordance with section 5(c) of the Regulatory Review Act.

#### Contact Person

The official responsible for information on these final-form regulations is Peter H. Garland, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-3787 or TDD (717) 787-7367.

#### Findings

The Board finds that:

(1) Public notice of the intention to adopt these final-form regulations was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder in 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) The regulations are necessary and appropriate for the administration of the Public School Code of 1949.

#### Order

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

(a) The regulations of the Board, 22 Pa. Code Chapters 3—6, are amended by adding §§ 4.1—4.4, 4.11—4.13, 4.21—4.29, 4.31—4.35, 4.41, 4.42, 4.51, 4.52, 4.61, 4.71—4.74, 4.81—4.84 and Appendix A; and by deleting §§ 3.1—3.4, 3.7, 3.11—3.13, 3.21, 3.22, 5.1—5.4, 5.201—5.203, 5.211—5.220, 5.221—5.223, 5.231, 5.232, 5.241—5.244 and 5.251—5.253, 6.1—6.3, 6.21—6.23, 6.52, 6.63, 6.71 and 6.81 to read as set forth in Annex A.

(b) The Executive Director will submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form as required by law.

(c) The Executive Director of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order is effective upon final publication in the *Pennsylvania Bulletin*.

PETER H. GARLAND,  
*Executive Director*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 5920 (December 5, 1998).)*

**Fiscal Note:** Fiscal Note 6-265 remains valid for the final adoption of the subject regulations.

### Annex A

#### TITLE 22. EDUCATION

#### PART I. STATE BOARD OF EDUCATION

#### CHAPTER 3. (Reserved)

§§ 3.1—3.4. (Reserved).

§ 3.7. (Reserved).

§§ 3.11—3.13. (Reserved).

§ 3.21. (Reserved).

§ 3.22. (Reserved).

## CHAPTER 4. ACADEMIC STANDARDS AND ASSESSMENT

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### ACADEMIC STANDARDS AND PLANNING

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### GENERAL PROVISIONS

#### § 4.1. Statutory authority.

The statutory authority for this chapter is the School Code.

#### § 4.2. Purpose.

The purpose of this chapter is to establish rigorous academic standards and assessments to facilitate the improvement of student achievement and to provide parents and communities a measure by which school performance can be determined.

#### § 4.3. Definitions.

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

*AVTS—Area vocational-technical school—*A public school that provides vocational-technical education to secondary school students, out-of-school youth and adults in a geographical area comprised and operated by one or

more school districts and established under sections 1840—1853 of the School Code (24 P. S. §§ 18-1840—18-1853).

*Academic standard*—What a student should know and be able to do at a specified grade level.

*Assessment*—A valid and reliable measurement of student performance on a set of academic standards in a subject area.

*Apprenticeship program*—A competency-based program that coordinates and integrates classroom instruction with a structured work-based employment experience designed for students.

*Board*—The State Board of Education established by sections 2601-B—2606-B of the School Code (24 P. S. §§ 26-2601-B—26-2606-B).

*Cooperative vocational-technical education*—A planned method of instruction developed through a signed cooperative arrangement among school representatives, students, parents and employers in the community to provide students with an opportunity to alternate in-school academic and vocational-technical instruction in entry-level paid employment in an occupational field, in which the student's total occupational work experience is planned, coordinated and supervised by the school in close cooperation with the employer.

*Curriculum*—A series of planned instruction that is coordinated and articulated and implemented in a manner designed to result in the achievement by all students of specific knowledge and skills and the application of this knowledge.

*Department*—The Department of Education of the Commonwealth.

*ESOL*—English to speakers of other languages.

*Employment area*—A geographic area where vocational-technical education program completers are most likely to be employed.

*Individuals with Disabilities Education Act*—20 U.S.C.A. §§ 1400—1485.

*Intermediate unit*—A regional educational service agency established under sections 951—974 of the School Code (24 P. S. §§ 9-951—9-974), which provides educational services to participating school districts as part of the public school system of this Commonwealth.

*Parent or guardian*—A person legally responsible for a student's care.

*Planned instruction*—Instruction offered by a school district or AVTS based upon a written plan to enable students to achieve the academic standards under § 4.12 (relating to academic standards) and additional academic standards determined in strategic plans under § 4.13 (relating to strategic plans).

*School Code*—The Public School Code of 1949 (24 P. S. §§ 1-101—27-2702).

*Secretary*—The Secretary of Education of the Commonwealth.

*School organization*—The organization of a school district's programs into kindergarten, primary, intermediate level, middle level and high school programs, including programs operated at AVTSs.

*Strategic plan*—A comprehensive plan for education developed under § 4.13.

*Tech-prep program*—A combined secondary and postsecondary program which leads to an associate degree or certificate and employment by providing technical preparation in engineering technology, applied science, mechanical, industrial or practical art or trade, agriculture, health or business, including development of competence in mathematics, science and communications through a sequential course of study.

*Vocational-technical education*—Programs under public supervision and control which provide an organized process of learning experiences designed to develop integrated academic and occupational skills, knowledge, attitudes, work habits and leadership ability for entry into and advancement within various levels of employment in occupational areas of agriculture, business, marketing and distribution, health, home economics and trade and industry and for participation in postsecondary education and training.

**§ 4.4. General policies.**

(a) It is the policy of the Board that the local curriculum be designed by school districts (including charter schools) and AVTSs to achieve the academic standards under § 4.12 (relating to academic standards) and additional academic standards designated in strategic plans under § 4.13 (relating to strategic plans).

(b) It is the policy of the Board that local school districts (including charter schools) and AVTSs have the greatest possible flexibility in curriculum planning consistent with providing quality education and in compliance with the School Code, including requirements for courses to be taught (24 P. S. §§ 15-1501 and 16-1605), subjects to be taught in the English language (24 P. S. § 15-1511), courses adapted to the age, development and needs of the pupils (24 P. S. § 15-1512), minimum school year of 180 days and minimum of 900 hours of instruction at the elementary level and 990 hours of instruction at the secondary level (24 P. S. §§ 15-1501 and 15-1504), employment of sufficient numbers of qualified professional employes (24 P. S. § 11-1106) and superintendents to enforce the curriculum requirements of State law (24 P. S. § 10-1005), and this part.

(c) Access to educational programs shall be provided without discrimination on the basis of a student's race, sex, color, religion, disability, sexual orientation or national origin.

(d) School districts (including charter schools), AVTSs and intermediate units shall adopt policies to assure that parents or guardians have the following:

(1) Access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques.

(2) A process for the review of instructional materials.

(3) The right to have their children excused from specific instruction which conflicts with their religious beliefs, upon receipt by the school district (including charter schools), AVTS or intermediate unit of a written request from the parents or guardians.

(4) If upon inspection of State assessments parents or guardians find the assessments in conflict with their religious belief and wish their student be excused from the assessment, the right of the parents or guardians will not be denied upon written request to the applicable school district superintendent or AVTS director.

(5) Opportunity for involvement in the strategic planning process under § 4.13.

(6) The right to have their children excluded from research studies or surveys conducted by entities other than the school district (including charter schools), AVTS or intermediate unit unless prior written consent has been obtained.

(7) The right of the parent or guardian to review the State assessments in the school district 2 weeks prior to their administration during convenient hours for parents and guardians. All necessary security requirements to maintain the validity of the assessment shall be taken in accordance with the State assessment administration instructions.

#### ACADEMIC STANDARDS AND PLANNING

##### § 4.11. Purpose of public education.

(a) This section and §§ 4.12 and 4.13 (relating to academic standards and planning) describe the purpose of public education, the academic standards, their relationship with one another and strategic plans.

(b) Public education prepares students for adult life by attending to their intellectual and developmental needs and challenging them to achieve at their highest level possible. In conjunction with families and other community institutions, public education prepares students to become self-directed, life-long learners and responsible, involved citizens.

(c) Together with parents, families and community institutions, public education provides opportunities for students to:

- (1) Acquire knowledge and skills.
- (2) Develop integrity.
- (3) Process information.
- (4) Think critically.
- (5) Work independently.
- (6) Collaborate with others.
- (7) Adapt to change.

(d) The academic standards describe the knowledge and skills which students will be expected to demonstrate before graduating from a public school.

(e) Achievement of high academic standards in public education is dependent upon the quality of instruction in schools and student effort supported by the involvement of family and community.

(f) Assessment in public education is designed to determine student attainment of State and local academic standards.

(g) Public schools provide instruction throughout the curriculum so that students may develop knowledge and skills in the following areas:

- (1) Reading, writing, speaking and listening.
- (2) Mathematics.
- (3) Science and technology.
- (4) Environment and ecology.
- (5) Social studies (civics and government, geography, economics and history).
- (6) Arts and humanities.
- (7) Career education and work.
- (8) Health, safety and physical education.
- (9) Family and consumer science.
- (10) World languages.

(h) Public education provides planned instruction to enable students to attain academic standards under § 4.12. Planned instruction consists of at least the following elements:

(1) Objectives of a planned course, instructional unit or interdisciplinary studies to be achieved by all students.

(2) Content, including materials and activities, and estimated instructional time to be devoted to achieving the academic standards. Courses, instructional units or interdisciplinary studies of varying lengths of time may be taught.

(3) The relationship between the objectives of a planned course, instructional unit or interdisciplinary studies and academic standards specified under § 4.12 (relating to academic standards) and to those determined in the school district's (including charter schools) or AVTS's strategic plan under § 4.13 (relating to strategic plans).

(4) Procedures for measurement of the objectives of a planned course, instructional unit or interdisciplinary studies.

##### § 4.12. Academic standards.

(a) School districts (including charter schools) or AVTSs may develop, expand or improve existing academic standards in the following content areas until the Board adopts standards under subsection (g) and rescinds the description of the corresponding content area:

(1) *Science and technology.* Study of the natural world and facts, principles, theories and laws in the areas of biology, chemistry, physics and earth sciences. Technology is the application of science to enable societal development including food and fiber production, manufacturing, building, transportation and communication. Science and technology share the use of the senses, science processes, inquiry, investigation, analysis and problem solving strategies.

(2) *Environment and ecology.* Understanding the components of ecological systems and their interrelationships with social systems and technologies. These components incorporate the disciplines of resource management, agricultural diversity, government and the impact of human actions on natural systems. This interaction leads to the study of watersheds, threatened and endangered species, pest management and the development of laws and regulations.

(3) *Social studies.*

(i) *History.* Study of the record of human experience including important events; interactions of culture, race and ideas; the nature of prejudice; change and continuity in political systems; effects of technology; importance of global-international perspectives; and the integration of geography, economics and civics studies on major developments in the history of the Commonwealth, the United States and the world.

(ii) *Geography.* Study of relationships among people, places and environments, of geographic tools and methods, characteristics of place, concept of region and physical processes.

(iii) *Civics and government.* Study of United States constitutional democracy, its values and principles, study of the Constitution of the Commonwealth and government including the study of principles, operations and documents of government, the rights and responsibilities of citizenship, how governments work and international relations.

(iv) *Economics.* Study of how individuals and societies choose to use resources to produce, distribute and con-

sume goods and services. Knowledge of how economies work, economic reasoning and basic economic concepts, economic decision making, economic systems, the Commonwealth and the United States economy and international trade.

(4) *Arts and humanities.* Study of dance, theatre, music, visual arts, language and literature including forms of expression, historical and cultural context, critical and aesthetic judgment and production, performance or exhibition of work.

(5) *Career education and work.* Understanding career options in relationship to individual interests, aptitudes and skills including the relationship between changes in society, technology, government and economy and their effect on individuals and careers. Development of knowledge and skill in job-seeking and job-retaining skills and, for students completing vocational-technical programs, the skills to succeed in the occupation for which they are prepared.

(6) *Health, safety and physical education.* Study of concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts and strategies, safety in physical activity settings, and leadership and cooperation in physical activities.

(7) *Family and consumer science.* Understanding the role of consumers as a foundation for managing available resources to provide for personal and family needs and to provide basic knowledge of child health and child care skills.

(8) *World languages.* Ability to communicate in a language other than English, including the ability to understand and interpret written and spoken language on a variety of topics and to develop knowledge and understanding of other cultures.

(b) In designing educational programs, school districts (including charter schools) and AVTSs shall provide for the attainment of the academic standards under subsections (a) and (c) and any additional academic standards which they describe in their strategic plans under § 4.13(c) (relating to strategic plans). Attaining the academic standards in this section requires students to demonstrate the acquisition and application of knowledge.

(c) School districts (including charter schools) and AVTSs shall prepare students to attain academic standards in mathematics, reading, writing, speaking and listening as contained in Appendix A and incorporated here by reference and additional standards as may be adopted by the Board and promulgated as amendments to this chapter.

(d) A school district's (including charter schools) or AVTS's curriculum shall be designed to provide students with instruction needed to attain these academic standards.

(e) School districts (including charter schools) and AVTSs shall apply academic standards for students in all areas described under subsections (a) and (c). The local assessment plan under § 4.52 (relating to local assessment system) shall include a description of how the academic standards will be measured and how information from the assessments is used to assist students having difficulty meeting the academic standards.

(f) School districts (including charter schools) and AVTSs shall assess the attainment of academic standards developed under subsections (a) and (c) and any other academic standards which they develop and describe in

their strategic plans under § 4.52(c) for purposes of high school graduation and strategies for assisting students to attain them. Plans for assessment developed by school districts (including charter schools) and AVTSs will take into account that academic standards in subsections (a) and (c) may be attained by students in various ways and shall be assessed in various ways. Children with disabilities may attain the academic standards by completion of their Individualized Education Programs under the Individuals with Disabilities Education Act and this part.

(g) In developing academic standards in subsection (a) content areas, the Secretary will consult with educators, business and community leaders and parents. Academic standards in the following content areas will be developed by the Secretary and presented to the Board no later than the following schedule:

April, 1999	Science and Technology Environment and Ecology Health, Safety and Physical Education Civics and Government
June, 1999	Arts and Humanities
October, 1999	Family and Consumer Sciences Economics Geography
September, 2000	History Career Education and Work World Languages

(h) School districts (including charter schools) and AVTSs are responsible under subsections (a), (c), (g) and § 4.13(c)(5) for assessing individual student attainment of academic standards and for assisting those students having difficulty attaining them. Upon request by a school district (including charter schools) or AVTS, the Department will provide the requestor with technical assistance in the development of academic standards and assessments that are sufficient to assure that students are making progress toward the attainment of standards required for high school graduation under subsection (f) and those identified in the strategic plan under § 4.13(c)(3).

(i) Every 3 years, the Board will review the State academic standards and State assessments under this section to determine if they are appropriate, clear, specific and challenging, and will make revisions as necessary by revising this chapter.

**§ 4.13. Strategic plans.**

(a) Every school district (including charter schools) shall develop and file with the Department a strategic plan once every 6 years and review that plan for revision at the mid-point according to an implementation schedule developed by the Department under § 4.83 (relating to implementation schedule). A school district plan shall incorporate appropriate components of the plan submitted under subsection (b) by an AVTS in which the district participates. In the development of a strategic plan, a school district (including charter schools) will, upon request, receive technical assistance from the Department.

(b) Every AVTS, in conjunction with and with the approval of the majority of its participating school districts, shall develop and file with the Department a strategic plan once every 6 years and review that plan at the mid-point according to an implementation schedule developed by the Department under § 4.83. The strategic plan shall incorporate appropriate components of the

strategic plan submitted under subsection (a) by participating districts. In the development of the strategic plan, an AVTS will, upon request, receive technical assistance from the Department.

(c) The strategic plan shall be based upon an analysis of internal and external needs, leading to the specification of priorities for action and action plans. The requirement in subsections (a) and (b) to develop plans every 6 years and revisions every 3 years does not limit a school district's (including charter schools) or AVTS's ability to conduct a continuous strategic planning process. The plan shall include the following components in addition to others the school district (including charter schools) or AVTS determines to include:

- (1) A mission statement.
- (2) A listing of the school district's (including charter schools) or AVTS's educational and organizational goals as they relate to student achievement and high school graduation requirements.
- (3) A description of academic standards for student achievement which shall be consistent with those under § 4.12 (relating to academic standards).
- (4) The planned instruction to be offered and the instructional and assessment practices to be used to strive for the academic goals and attain academic standards under paragraph (3) and the high school graduation requirements under § 4.24 (relating to high school graduation requirements).
- (5) An assessment plan under § 4.52 (relating to local assessment system) designed to determine the degree to which students are achieving academic standards under paragraph (3) including descriptions of methods and measures used to determine achievement, how information from the assessments shall be used to assist students who have not demonstrated attainment of the academic standards at a proficient level or higher and how information from the assessments shall be made available to the public.
- (6) A plan for improving students' achievement, including specific, measurable goals for student growth and plans (including those listed in this section) that are designed to attain students' achievement goals. Achievement goals shall demonstrate a connection to the academic standards under § 4.12 including but not limited to annual improvement goals for student scores on State and local assessments.
- (7) The professional development plan under section 1205.1 of the School Code (24 P.S. § 12-1205.1) and § 49.17 (relating to continuing professional development) and the induction plan under § 49.16 (relating to approval of induction plans).
- (8) A description of the school district's (including charter schools) or AVTS's organization and organizational goals and their relationship to differing student needs within the school district's (including charter schools) or AVTS's goals under paragraph (2) and the attainment of academic standards under paragraph (3).
- (9) A description of the professional personnel, school library, classroom and other resources the school district (including charter schools) or AVTS plans to devote to the attainment of academic standards.
- (10) A brief description of the process used to develop the strategic plan, including a list of persons involved in its development.

(11) A plan for additional instructional opportunities for students not achieving at the proficient level including identification procedures, alternate instructional strategies, monitoring of assessment procedures and opportunities for extended learning time.

(d) Strategic plans shall be developed through active participation by parents, students, school directors, teachers, school administrators, other school personnel, business and other community representatives. Teacher representatives shall be chosen by teachers, and administrative representatives shall be chosen by the administrative personnel, and school director representatives shall be chosen by the board of the school district or AVTS.

(e) Prior to its approval by the board of directors, the strategic plan and revisions of it shall be made available for public inspection in the school district's or AVTS's offices and nearest public library until the next regularly scheduled board meeting or a minimum of 28 days whichever comes first. The plan shall be filed with the Department after it is recommended by the school superintendent of record and is approved by the school district's or AVTS's board of directors. If the board of directors alters the proposed strategic plan developed under subsection (d), it shall consult with the committee which developed it to reach the greatest possible consensus prior to its submission and shall include any minority report which is developed.

(f) A locally approved strategic plan shall remain in effect until it is superseded by a locally approved revision or a new strategic plan developed under this section.

#### CURRICULUM AND INSTRUCTION

##### § 4.21. Elementary education: primary and intermediate levels.

(a) The primary program shall ordinarily be completed by children who are approximately 8 years of age. School districts shall provide opportunities for individualized rates of learning and social and emotional development that reflect differing rates of development and learning styles of young children.

(b) Curriculum and instruction in the primary program shall focus on introducing young children to formal education, developing an awareness of the self in relation to others and the environment, and developing skills of communication, thinking and learning.

(c) The intermediate level program shall ordinarily be completed by children who are approximately 11 years of age.

(d) Curriculum and instruction in the intermediate level program shall continue the development of communication, thinking and learning skills and shall begin to focus on learning specific subject matter content.

(e) Planned instruction in the following areas shall be provided to every student every year in the primary program. Planned instruction may be provided as separate course or as an instructional unit within another course or other interdisciplinary instructional activity.

(1) Language arts, integrating reading, writing, phonics, spelling, listening, speaking, literature and grammar, and information management, including library skills.

(2) Mathematics, including problem-solving and computation skills.

(3) Science and technology education, involving active learning experiences for students.

(4) Environment and ecology education, involving active learning experiences for students.

(5) Social studies (civics and government, economics, geography and history).

(6) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(7) The arts, including active learning experiences in art, music, dance and theatre.

(f) Planned instruction in the following areas shall be provided to every student every year in the intermediate level program. Planned instruction may be provided as a separate course or as an instructional unit within another course or other interdisciplinary instructional activity:

(1) Language arts, integrating reading, writing, spelling, listening, speaking, literature and grammar.

(2) Mathematics, including problem-solving and computation skills.

(3) Science and technology, including, when appropriate, instruction about agriculture and agricultural science.

(4) Environment and ecology, including, when appropriate, instruction about agriculture and agricultural science.

(5) Social studies (civics and government, economics, geography and history).

(6) The arts, including art, music, dance and theatre.

(7) Understanding and use of library and other information sources.

(8) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(g) Planned instruction in the following areas shall be provided to every student at least once by the end of elementary school. Planned instruction may be provided as a separate course or as an instructional unit within another course or other interdisciplinary instructional activity. See section 1511 of the School Code (24 P.S. § 15-1511).

(1) History of the United States.

(2) History of the Commonwealth.

(3) Geography.

(4) Civics.

(h) This section does not preclude the teaching of other planned instruction designed to achieve a school district's, including charter schools, mission, goals and academic standards.

(i) School districts, including charter schools, shall determine the most appropriate way to operate their primary and intermediate level elementary programs to achieve the purposes under subsections (b) and (d) and the mission, goals and academic standards in their strategic plans under § 4.13 (relating to strategic plans).

(j) Beginning in the 2001-2002 school year, students who have not achieved proficiency in reading and mathematics during their primary grades (K-3), as deter-

mined by the school district, (including charter schools) shall be afforded additional instructional opportunities through a grade-level learning plan developed by the school district (including charter schools). The plan will assist the student in acquiring the knowledge and skills necessary to achieve at the proficient level. Assessments to measure proficiency shall be described in the local assessment system under § 4.52 (relating to local assessment system).

(k) Beginning in the 2001-2002 school year, students who have not achieved proficiency in reading and mathematics by the end of grade 5 as determined on State assessments under § 4.51 (relating to State assessment system) shall be afforded instructional opportunities to develop knowledge and skills necessary to achieve the proficient level.

**§ 4.22. Middle level education.**

(a) The middle level program ordinarily serves children who are approximately 11-14 years of age. School districts, including charter schools, may modify the grouping of students based upon student needs identified in their strategic plans under § 4.13 (relating to strategic plans).

(b) Curriculum and instruction in the middle level program shall focus on mastery of academic subjects, the development of critical and creative thinking, information literacy, good health and encourage active participation in the school and community.

(c) Planned instruction in the following areas shall be provided to every student in the middle level program. Planned instruction may be provided as a separate course or as an instructional unit within a course or other interdisciplinary instructional activity:

(1) Language arts, integrating reading, writing, listening, speaking, literature and grammar.

(2) Mathematics, including mathematical reasoning, algebra and problem-solving.

(3) Science and technology, which involves active learning experiences and which may include laboratory experiments and, when appropriate, instruction in agriculture and agricultural science.

(4) Social studies (civics and government, economics, geography and history, including the history and cultures of the United States, the Commonwealth, and the world).

(5) Environment and ecology, including social, political and economic aspects of ecology and when appropriate, instruction in agriculture and agricultural sciences.

(6) Information skills, including access to traditional and electronic information sources, computer use and research.

(7) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(8) The arts, including art, music, dance and theatre.

(9) Career education, including exposure to various career options and the educational preparation necessary to achieve those options.

(10) Technology education, emphasizing practical application of academic skills and problem-solving experiences facilitated by technology.

(11) Family and consumer science, including principles of consumer behavior and basic knowledge of child health and child care skills.



(d) This section does not preclude the teaching of other planned instruction designed to achieve a school district's, including charter schools, academic standards.

(e) School districts, including charter schools, shall determine the most appropriate way to operate their middle level programs to achieve the purposes under subsection (b) and the academic standards in their strategic plans under § 4.13.

#### § 4.23. High school education.

(a) Instruction in the high school program shall focus on the development of abilities needed to succeed in work and advanced education through planned instruction.

(b) Curriculum and instruction in the high school program shall provide all students opportunities to develop the skills of analysis, synthesis, evaluation and problem-solving, and information literacy.

(c) Planned instruction in the following areas shall be provided to every student in the high school program. Planned instruction may be provided as a separate course or as an instructional unit within a course or other interdisciplinary instructional activity:

(1) Language arts, integrating reading, writing, listening, speaking, literature and grammar.

(2) Mathematics, including problem-solving, mathematical reasoning, algebra, geometry and concepts of calculus.

(3) Science and technology, including participation in hands-on experiments and at least one laboratory science chosen from life sciences, earth and space sciences, chemical sciences, physical sciences and agricultural sciences.

(4) Social studies (civics and government, economics, geography and history, including the history and cultures of the United States, the Commonwealth and the world).

(5) Environment and ecology, including scientific, social, political and economic aspects of ecology.

(6) The arts, including art, music, dance, theatre and humanities.

(7) Use of applications of microcomputers and software, including word processing, database, spreadsheets and telecommunications; and information skills, including access to traditional and electronic information sources, computer use and research.

(8) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(9) Family and consumer science, including principles of consumer behavior and basic knowledge of child health and child care skills.

(d) The following planned instruction shall be made available to every student in the high school program:

(1) Vocational-technical education under §§ 4.3 and 4.31—4.35 (relating to definitions; and vocational education).

(2) Business education, including courses to assist students in developing business and information technology skills.

(3) World languages under § 4.25 (relating to languages).

(4) Technology education, incorporating technological problem-solving and the impacts of technology on individuals and society.

(e) College-level advanced placement courses may be offered as planned instruction in the high school curriculum.

(f) This section does not preclude the teaching of other planned instruction designed to achieve a school district's, including charter schools, academic standards.

(g) School districts, including charter schools, shall determine the most appropriate way to operate their high school programs to achieve the purposes under subsection (a) and the academic standards in their strategic plans under § 4.13 (relating to strategic plans).

#### § 4.24. High school graduation requirements.

(a) Each school district, including charter schools, shall specify requirements for graduation in the strategic plan under § 4.13 (relating to strategic plans). Requirements shall include course completion and grades, completion of a culminating project, and results of local assessments aligned with the academic standards. Beginning in the 2002-2003 school year, students shall demonstrate proficiency in reading, writing and mathematics on either the State assessments administered in grade 11 or 12 or local assessment aligned with academic standards and State assessments under § 4.52 (relating to local assessment system) at the proficient level or better in order to graduate. The purpose of the culminating project is to assure that students are able to apply, analyze, synthesize and evaluate information and communicate significant knowledge and understanding.

(b) Beginning in the 2002-2003 school year, students who attain a score at the proficient level or better on State assessments in reading, writing and mathematics administered in grade 11 or 12 shall be granted a Pennsylvania Seal of Proficiency. Students with disabilities who meet the required proficiency level on State assessments with appropriate accommodations shall be granted a Pennsylvania Seal of Proficiency.

(c) Beginning in the 2002-2003 school year, students who attain a score at the advanced level of proficiency on State assessments in reading, writing and mathematics administered in grade 11 or 12 shall be granted a Pennsylvania Seal of Distinction. Students with disabilities who meet the required proficiency level on State assessments with appropriate accommodations shall be granted a Pennsylvania Seal of Distinction.

(d) State Seals of Proficiency or Distinction shall be affixed to diplomas and noted on student transcripts.

(e) Each school district, including charter schools, shall describe in its strategic plan under § 4.13 how its planned instruction is designed to prepare students to meet the requirements of subsection (a).

(f) Children with disabilities who satisfactorily complete a special education program developed by an Individualized Education Program team under the Individuals with Disabilities Education Act and this part shall be granted and issued a regular high school diploma by the school district of residence. This subsection applies if the special education program of a child with a disability does not otherwise meet all requirements of this chapter. Children with disabilities who meet the required proficiency level on State assessments shall be granted the appropriate Seal of Proficiency or Distinction.

**§ 4.25. Languages.**

(a) Every school district shall provide instruction in at least two languages in addition to English, at least one of which shall be a modern language, and at least one of which shall be offered in a minimum 4-year sequence in the secondary program (middle level and high school).

(b) World language instruction under subsection (a) may be offered beginning at any grade level, including the elementary grades.

**§ 4.26. ESOL.**

Every school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction.

**§ 4.27. Physical education and athletics.**

(a) Physical education shall be taught as required under §§ 4.21(e)(5) and (f)(8), 4.22(c)(7) and 4.23(c)(9) (relating to elementary education: primary and intermediate levels; middle level education; and high school education).

(b) The physical education program shall be adapted for students who are unable to participate in the regular physical education program.

(c) The physical education program shall provide co-educational instruction, except that separation by sex may be permitted in courses involving contact sports. Separation by sex may not be used to exclude students of either sex from participating in any physical education instruction.

(d) In addition to physical education instruction under subsections (a)—(c), students of both sexes shall have equal access in interscholastic and intramural athletic programs to all of the following:

- (1) School facilities.
- (2) Coaching and instruction.
- (3) Scheduling of practice time and games.
- (4) Number of activities at each level of competition.
- (5) Equipment, supplies and services.
- (6) Funding appropriate to the sport.

(e) School districts may sponsor coeducational teams in interscholastic and intramural sports programs.

(f) Interscholastic and intramural teams playing contact sports may be separated by sex, but this subsection may not be used to exclude students of either sex from participating in a sport.

**§ 4.28. Special education.**

(a) Under the Individuals with Disabilities Education Act and this part, children with disabilities shall be provided an education which enables them to be involved in and progress in the general curriculum under this chapter.

(b) Students who are gifted as defined in this part shall be provided an education that enables them to participate in acceleration or enrichment, or both, as appropriate.

(c) The educational program provided to children with disabilities shall be in accordance with their Individualized Education Programs under the Individuals with Disabilities Education Act and this part, even if the

Individualized Education Program does not otherwise meet all requirements of this chapter.

(d) Planned instruction for children with disabilities shall conform to the requirements established for planned courses in § 4.3 (relating to definitions) as it relates to planned instruction.

**§ 4.29. HIV/AIDS and other life-threatening and communicable diseases.**

(a) Instruction regarding prevention of human immunodeficiency virus (HIV) infection/acquired immunodeficiency syndrome (AIDS) and other life-threatening and communicable diseases shall be given for primary, intermediate, middle school and high school education and shall follow the requirements of subsections (b) and (c).

(b) Educational materials and instruction shall be determined by the local school district and be appropriate to the age group being taught. The program of instruction shall include information about the nature of the diseases, treatments and cures, methods of transmission and how infection can be prevented. The school district may omit instruction in the elementary grades on transmission of disease through sexual activity. Programs discussing transmission through sexual activity shall stress that abstinence from sexual activity is the only completely reliable means of preventing sexual transmission. Programs shall stress that avoidance of illegal drug use is the only completely reliable means of preventing transmission of disease through shared drug paraphernalia.

(c) A school district, including charter schools, shall excuse a pupil from HIV/AIDS instruction when the instruction conflicts with the religious beliefs or principles of the pupil or parent or guardian of the pupil and when excusal is requested in writing. Prior to the commencement of instruction, a school district shall publicize that detailed curriculum outlines and curricular materials used in conjunction with the instruction are available to parents and guardians during normal school hours or at teacher-parent conferences. Curricular materials, if practical, shall be made available by the school district for home instruction use by a parent or guardian of a student excused from the district's HIV/AIDS instruction.

**VOCATIONAL-TECHNICAL EDUCATION**

**§ 4.31. Vocational-technical education.**

(a) Vocational-technical education courses shall be developed in the planned instruction format and shall be accessible to all high school students attending those grades in which vocational-technical education courses are offered. All students and their parents or guardians shall be informed of the students' rights to participate in vocational-technical education programs and courses.

(b) Vocational-technical education courses may be taught at AVTSs or other high schools.

(c) Vocational-technical education programs shall consist of a series of planned academic and vocational-technical education courses that are articulated with one another so that knowledge and skills are taught in a systematic manner. When appropriate, vocational-technical education programs may also include cooperative vocational-technical education and participation in vocational student organizations to develop leadership skills.

(d) Vocational-technical education courses shall include content based upon occupational analysis, clearly stated

performance objectives deemed critical to successful employment and assessment of student competencies based upon performance standards. In listing planned instruction in its strategic plan under § 4.13 (relating to strategic plans), a school district or AVTS shall indicate which courses meet the requirements of this section.

(e) The record of a student enrolled in a vocational-technical education program shall include the student's educational and occupational objectives and the results of the assessment of student competencies under subsection (d).

(f) Safety education, consisting of safety practices, accident prevention, occupational health habits and environmental concerns shall be integrated into the instruction and practices in vocational-technical education programs.

(g) School districts and AVTSs administering vocational-technical education programs shall develop written policies regarding admissions. Course announcements, guidance materials and other communications shall convey the philosophy of equal access to students considering enrolling in AVTSs and shall include a description of admissions policies. The policies shall assure that when admissions to AVTSs must be limited, the admissions shall be on a nondiscriminatory basis.

#### § 4.32. Standards and reports.

(a) The Secretary is responsible for the promulgation of standards appropriate for implementing § 4.31 (relating to vocational-technical education). Present standards, to the extent that they are inconsistent, are superseded by this chapter.

(b) The Secretary will report annually to the Board on the status of vocational-technical education programs, including tech-prep and apprenticeship programs. Reports will include numbers and types of programs, numbers of students, post-program status of students, Statewide competency standards and assessment information.

#### § 4.33. Advisory committees.

(a) A school district or AVTS administering or planning to administer vocational-technical education programs shall appoint a local advisory committee. Membership on the committee shall consist of business and industry representatives, public sector employers, agriculture, labor organizations, community organizations, postsecondary education institutions and the general public. The appointed advisory committee shall meet at least once each year and shall give advice to the board and the administration concerning the program of the school, including its general philosophy, academic and other standards, strategic plans, course offerings, support services, safety requirements and the skill needs of employers. An advisory committee may serve multiple institutions where employment areas overlap.

(b) An administrative committee, composed of chief school administrators representing participating school districts, shall be included in the organization of each AVTS. The committee shall play an integral part in the development of the AVTS strategic plan under § 4.13 (relating to strategic plans) and advise the AVTS board and the administration concerning the educational program and policies of the school.

(c) An occupational advisory committee shall be established for each vocational-technical education program or cluster of related programs offered by a school district or AVTS. The committee shall meet at least once each year to advise the board, administration and staff on curriculum, equipment, instructional materials, safety require-

ments, program evaluation and other related matters and to verify that the programs meet industry standards and, if appropriate, licensing board criteria and that they prepare students with occupation related competencies.

#### § 4.34. Programs and equipment.

(a) A satellite vocational-technical education program may be operated by an AVTS board in conformity with a memorandum of understanding adopted with the participating school district's board of school directors.

(b) Certified guidance personnel in each secondary school and AVTS shall be assigned responsibility to provide pupils with vocational-technical guidance services.

(c) Equipment will be deemed appropriate if it is compatible, insofar as practical, to that used in occupations or households for which vocational-technical education is provided.

#### § 4.35. AVTSs.

(a) AVTS attendance areas shall conform to the plan of the State Board for Vocational Education. Boards of school directors may petition the State Board for Vocational Education for attendance area assignment or reassignment.

(b) The following provisions apply to the establishment of AVTSs:

(1) Where more than one district constitutes an attendance area, the appropriate intermediate unit may, and upon the request of any school district shall, call for an election by the boards of school directors within the attendance area to determine if an AVTS shall be established.

(2) A school district within the attendance area may elect to participate in the establishment of the AVTS.

(3) Where a single school district constitutes an attendance area, the board of school directors of that district may establish and operate AVTSs and be considered an AVTS board.

(c) The following provisions apply to articles of agreement for the establishment and operation of AVTSs:

(1) The boards of school directors of the school districts electing to participate in the AVTS shall enter into a written agreement setting forth rights and obligations of the participating school districts.

(2) No change will be made in the articles of agreement under paragraph (1) without the consent of each participating school district by the affirmative vote of each board of school directors.

(3) No school district may withdraw from the articles of agreement under paragraph (1) without the consent of each participating school district.

### SCHEDULING AND LEARNING OPTIONS

#### § 4.41. Scheduling.

(a) Kindergarten programs shall provide each kindergarten student with at least 2 1/2 hours of instruction each day for the full school term unless the school district, including charter schools, obtains prior Department approval for an alternative kindergarten program.

(b) A school district, including charter schools, shall obtain approval of the Department prior to scheduling 1/2-day sessions other than in kindergarten under subsection (a).

(c) A school district shall obtain approval of the Department prior to establishing a new school or changing school organization.

(d) Planned instruction offered in summer school may be designed as credit or noncredit offerings.

**§ 4.42. Grade structure.**

This chapter does not require educational programs to be organized in traditional grades according to students' chronological ages or academic achievement levels.

**ASSESSMENT**

**§ 4.51. State assessment system.**

(a) The State assessment system shall be designed to serve the following purposes:

(1) Provide students, parents, educators and citizens with an understanding of student and school performance.

(2) Determine the degree to which school programs enable students to attain proficiency of academic standards under § 4.12 (relating to academic standards).

(3) Provide results to school districts, including charter schools, and AVTSs for consideration in the development of strategic plans under § 4.13 (relating to strategic plans).

(4) Provide information to State policymakers including the General Assembly and the Board on how effective schools are in promoting and demonstrating student proficiency of academic standards.

(5) Provide information to the general public on school performance.

(6) Provide results to school districts, including charter schools, and AVTSs based upon the aggregate performance of all students, for students with an Individualized Education Program (IEP) and for those without an IEP.

(b) All State assessment instruments will be standards-based and criterion referenced and include essay or open-ended response items in addition to other item formats. The proportion of type of items will vary by grade level. Neither State assessments nor academic standards under § 4.12 shall require students to hold or express particular attitudes, values or beliefs. The Department will make samples of assessment questions, instrument formats, and scoring guides available to the public after each administration of State assessments. The criteria for judging performance on State assessments are as follows:

(1) Performance on State reading assessments shall be demonstrated by students' responses to comprehension questions about age-appropriate reading passages and by their written responses to in-depth comprehension questions about the passages.

(2) Performance on State mathematics assessments shall be demonstrated by students' responses to questions about grade-appropriate content and by the quality of their responses to questions which require a written solution to a problem.

(3) Performance on State writing assessments shall be demonstrated by the quality of students' written compositions on a variety of topics and modes of writing.

(4) Levels of proficiency shall be advanced, proficient, basic and below basic. In consultation with educators, students, parents and citizens, the Department will develop and recommend to the Board for its approval specific criteria for advanced, proficient, basic and below basic levels of performance.

(c) The Department will develop or cause to be developed State assessments based on academic standards in mathematics, reading and writing under § 4.12 and contained in Appendix A. In developing assessments, the Department will consult with educators, students, parents and citizens regarding the specific methods of assessment. To ensure that information regarding student performance is available to parents and teachers, State assessments developed under this section shall include student names. Individual test results shall be used in planning instruction only by parents, teachers, administrators and guidance counselors with a need to know based upon local board policy on testing and in reporting academic progress. The Department or other Commonwealth entities are prohibited from collecting individual student test scores, and may only collect aggregate test scores by school and district.

(d) The State assessments shall be administered annually and shall include assessments of the State academic standards in mathematics and reading at grades 5, 8 and 11 and in writing at grades 6, 9 and 11. The purpose of State assessments administered in 1999 is to validate assessment instruments and to provide initial information to teachers and schools to guide the redesign of curricula and instructional strategies to enable students to achieve academic standards.

(e) Students not achieving at the proficient level in the administration of State assessments in grade 11 shall be provided one additional opportunity in grade 12 to demonstrate a proficient level on State assessments.

(f) Expansion of the State assessment system will be authorized by the Board through a revision of this chapter.

(g) The Department will implement provisions for security of the State assessment system, including the following provisions:

(1) Action by a professional employe or commissioned officer which is willfully designed to divulge test questions, falsify student scores or in some other fashion compromise the integrity of the State assessment system as determined by the school district shall be subject to disciplinary action under sections 1259—1267 of the School Code (24 P. S. §§ 12-1259—12-1267).

(2) Cheating by students or employes other than those covered in paragraph (1) shall be subject to disciplinary action by the school district.

(3) Cheating or breaches of assessment security shall be reported to the Secretary as soon as detected.

(h) The Secretary has the authority to establish guidelines for the administration of the State assessment system.

(i) The Secretary will report each September to the Board and the General Assembly information and pertinent data relating to the State assessment system. The Secretary will also provide each school district (including charter schools) and AVTS information and pertinent data for the school district or AVTS and its students.

(j) Children with disabilities shall be included in the State assessment system, with appropriate accommodations, where necessary. As appropriate, the Commonwealth will develop guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in the State assessment as determined by each child's Individualized Education Program team under the Individuals with Disabilities Education Act and this part.

**§ 4.52. Local assessment system.**

(a) Each school district, including charter schools, and AVTS shall design an assessment system to do the following:

(1) Determine the degree to which students are achieving academic standards under §§ 4.12 and 4.13(c)(3) (relating to academic standards; and strategic plans). The school district (including charter schools) or AVTS shall provide assistance to students not attaining academic standards at the proficient level or better and the assistance to be provided shall be indicated in the strategic plan under § 4.13.

(2) Use assessment results to improve curriculum and instructional practices, to guide instructional strategies and to develop future strategic plans under § 4.13.

(3) Provide information requested by the Department regarding the achievement of academic standards, which does not include student names, identification numbers or individually identifiable information.

(4) Provide summary information including results of assessments under § 4.52 (relating to local assessment system) to the general public regarding the achievement of students, which does not include student names, identification numbers or individually identifiable information.

(b) The local assessment system shall be implemented no later than 1 year after its strategic plan or revision is approved by the board of school directors under § 4.13.

(c) The local assessment system shall be described in the district's (including charter schools) or AVTS's strategic plan under § 4.13(b)(5).

(d) The local assessment system shall be designed to include a variety of assessment strategies which may include the following:

- (1) Written work by students.
  - (2) Scientific experiments conducted by students.
  - (3) Works of art or musical, theatrical or dance performances by students.
  - (4) Other demonstrations, performances, products or projects by students related to specific academic standards.
  - (5) Examinations developed by teachers to assess specific academic standards.
  - (6) Nationally-available achievement tests.
  - (7) Diagnostic assessments.
  - (8) Evaluations of portfolios of student work related to achievement of academic standards.
  - (9) Other measures as appropriate, which may include standardized tests.
- (f) Individual test information shall be maintained in a student's educational record in a manner consistent with section 438 of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C.A § 1232g) and 34 CFR Part 99 (relating to family educational rights and privacy).

(g) Children with disabilities shall be included in the local assessment system, with appropriate accommodations, when necessary. As appropriate, the school district, including charter schools, or AVTS shall develop guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in the local assessment as determined by each

child's Individualized Education Program team under the Individuals with Disabilities Education Act and this part.

**SCHOOL PROFILES****§ 4.61. School profiles.**

(a) School profiles developed by the Secretary will include the following information, in addition to other information the Secretary deems appropriate:

(1) Results of State assessments under § 4.51 (relating to State assessment system).

(2) Results of local assessments under § 4.52 (relating to local assessment system), which may not include student names, identification numbers or individually identifiable information.

(3) School performance improvement goals based on State assessment results under § 4.13 (relating to strategic plans).

(4) Class size.

(5) Information about the instructional program.

(6) Percentages of students who graduate or who drop out and the status of graduates the year after they leave high school.

(7) Student attendance.

(8) Teacher attendance.

(9) Information about fiscal support of the school, school district or AVTS.

(b) In compiling school profiles under this chapter, the Department will provide school entities interpretive information to assist in using the profiles for strategic planning under § 4.13.

(c) The Secretary will prescribe procedures for reporting State assessment data to schools and communities.

(d) The Secretary will make available to the public, and report to the public with the same frequency and in the same detail as for children who are nondisabled, all data as required under the Individuals with Disabilities Education Act.

**PROVISIONS RELATING TO OTHER THAN PUBLIC SCHOOLS****§ 4.71. Certification by principal of nonpublic nonlicensed school.**

(a) Elementary or secondary nonpublic nonlicensed schools, shall, within 30 days of beginning classes, file a notarized certificate with the Secretary as required by section 1327(b)(1) and (2) of the School Code (24 P. S. § 13-1327(b)(1) and (2)) in the form prescribed by the Secretary.

**§ 4.72. Credentials other than the high school diploma.**

The requirements for a Commonwealth secondary school diploma are as follows:

(1) The Commonwealth secondary school diploma may be issued to an applicant who is a resident of this Commonwealth and does not possess a secondary school diploma upon presentation of evidence of full matriculation and the satisfactory completion of a minimum of 1 full year or 30 semester hours of study at an accredited institution of postsecondary education.

(2) In addition to the provisions of paragraph (1), the Commonwealth secondary school diploma may be issued to an applicant who is a resident of this Commonwealth, does not possess a secondary school diploma and is not

enrolled in a public, licensed private, registered accredited or licensed nonpublic secondary school upon earning a passing score as determined by the Department on the high school level tests of General Educational Development (GED). A person 18 years of age or older may qualify for GED testing upon request. A person between 16 and 18 years of age may qualify for GED testing upon the issuance of a court order or at the written request of one of the following:

- (i) An employer who requires a high school equivalency credential for job opportunities.
- (ii) An official of an accredited institution of postsecondary education which accepts applicants on the basis of GED test scores.
- (iii) A recruiting officer of a branch of the armed forces that requires a high school equivalency credential for entry of new recruits.
- (iv) The director of a State institution on behalf of residents, patients or inmates.

(3) The Department will not ordinarily issue a diploma until after the high school class of which the applicant was a member has been graduated. This restriction may be waived by the Department upon the recommendation of the school district for persons between 16 and 18 years of age who meet the higher education or GED requirements for the secondary school diploma.

**§ 4.73. Correspondence schools.**

An applicant 18 years of age or older will be issued a Certificate of Preliminary Education upon presentation to the Department of evidence of the issuance of a high school diploma by an accredited private correspondence school licensed or approved by the State Board of Private Licensed Schools.

**§ 4.74. Students in special situations.**

- (a) A foreign student without educational credentials may earn the Commonwealth secondary school diploma by meeting the requirements under § 4.72 (relating to credentials other than the high school diploma).
- (b) A graduate of a secondary school in another state which is not on an approved list of secondary schools may earn an appropriate credential by passing an examination administered by the education agency of that state or by its designee or by meeting the requirements for the Commonwealth secondary school diploma under § 4.72.
- (c) Credit granted by a public school in this Commonwealth shall be accepted by all public schools and institutions in this Commonwealth upon the transfer of a student.

**ENFORCEMENT AND IMPLEMENTATION**

**§ 4.81. Allegations of deficiencies.**

- (a) The Secretary will receive and investigate allegations of curriculum deficiencies from professional employees, commissioned officers, parents of students or other residents of a school district or AVTS.
- (b) The Secretary will notify the school district or AVTS superintendent of allegations and may require the superintendent to submit one or more of the following:

- (1) Relevant descriptions of planned instruction.
- (2) A series of written articulated courses of instructional units.
- (3) Relevant student assessment information.
- (4) Information on staff assignments.
- (5) Other information pertinent to investigating a specific allegation.
- (c) If the Secretary determines that a curriculum deficiency exists, the school district or AVTS shall be required to submit to the Secretary for approval a plan to correct the deficiency.
- (d) Within 1 year of the implementation of a corrective action plan under subsection (c), the Secretary will review the actions taken to correct the deficiency. If the deficiency remains uncorrected, the Secretary will send a formal notice of deficiency to the school district or AVTS board of school directors, and the notice shall be announced at the school board meeting immediately following its receipt.
- (e) If the school district or AVTS does not take appropriate actions to correct the deficiency after the notice of deficiency is announced, the Secretary will take action under State law.

**§ 4.82. Exceptions.**

- (a) The Secretary may grant exceptions to specific provisions of this chapter when it is necessary to adapt them to the curriculum needs of individual school districts or AVTSs or to facilitate transition to the revised provisions of this chapter. Specific exception may be made for school districts (including charter schools) and AVTSs which develop or implement academic standards that are comparable to or exceed those found in § 4.12 (relating to academic standards). Exceptions may be granted under the following conditions:
  - (1) The request for an exception shall be in writing and shall include relevant information supporting the need for the exception.
  - (2) The exception shall be valid for a limited term not to exceed 2 years.
  - (3) The request shall be made prior to initiating the action requiring approval and shall have the prior approval of the board of school directors.
- (b) The Secretary will report annually to the Board on the nature and status of requests for exceptions under this section.

**§ 4.83. Implementation schedule.**

- (a) The strategic plans under § 4.13 (relating to strategic plans) shall be developed by a schedule to be determined by the Department. Plans addressing the requirements of this chapter shall be on file with the Department by September 30, 2002.
- (b) In the school year in which a school district (including charter schools) or AVTS submits its initial strategic plan under § 4.13, it shall implement professional development, curriculum development and assessment development activities identified in the strategic plan and shall receive technical assistance from the Department.

APPENDIX A

Academic Standards for Reading, Writing, Speaking and Listening

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**THE ACADEMIC STANDARDS**

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II. INTRODUCTION

This document includes Reading, Writing, Speaking and Listening Standards:

- 1.1. Learning to Read Independently
- 1.2. Reading Critically in All Content Areas
- 1.3. Reading, Analyzing and Interpreting Literature
- 1.4. Types of Writing
- 1.5. Quality of Writing
- 1.6. Speaking and Listening
- 1.7. Characteristics and Function of the English Language
- 1.8. Research

The Reading, Writing, Speaking and Listening Standards describe what students should know and be able to do with the English Language at four grade levels (third, fifth, eighth and eleventh). The standards provide the targets for instruction and student learning essential for success in all academic areas, not just language arts classrooms. Although the standards are not a curriculum or a prescribed series of activities, school entities will use them to develop a local school curriculum that will meet local students' needs.

The language arts—Reading, Writing, Speaking and Listening—are unique because they are processes that students use to learn and make sense of their world. Students do not read “reading”; they read about history, science, mathematics and other content areas as well as about topics for their interest and entertainment. Similarly, students do not write “writing”; they use written words to express their knowledge and ideas and to inform or entertain others.

Because of the unique nature of the language arts, all teachers in a school will use the Reading, Writing, Speaking and Listening Standards. The standards define the skills and strategies employed by effective readers and writers; therefore, all teachers will assist their students in learning them through multiple classroom situations in all the subject areas.

The Reading, Writing, Speaking and Listening standards also provide parents and community members with information about what students should know and be able to do as they progress through the educational program and at graduation. With a clearly defined target provided by the standards, parents, students, educators and community members become partners in learning success.

A glossary is included to assist the reader in understanding terminology contained in the standards.

1.1. Learning to Read Independently			
1.1.3. GRADE 3	1.1.5. GRADE 5	1.1.8. GRADE 8	1.1.11. GRADE 11
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
A. Identify the purposes and types of text (e.g., literature, information) before reading.	A. Establish the purpose for reading a type of text (literature, information) before reading.	A. Locate appropriate texts (literature, information, documents) for an assigned purpose before reading.	A. Locate various texts, media and traditional resources for assigned and independent projects before reading.

<b>1.1. Learning to Read Independently</b>			
<b>1.1.3. GRADE 3</b>	<b>1.1.5. GRADE 5</b>	<b>1.1.8. GRADE 8</b>	<b>1.1.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>B. Preview the text formats (e.g., title, headings, chapters, and table of contents).</p> <p>C. Use knowledge of phonics, word analysis (e.g., root words, prefixes and suffixes), syllabication, picture and context clues to decode and understand new words during reading.</p> <p>D. Read text using self-monitoring comprehension strategies (e.g., predict, revise predictions, reread, use text organization headings, graphics, charts, and adjust reading rate).</p> <p>E. Acquire a reading vocabulary by identifying and correctly using words, (e.g. antonyms, synonyms, categories of words). Use a dictionary when appropriate.</p> <p>F. Understand the meaning of and use correctly new vocabulary learned in various subject areas.</p>	<p>B. Select texts for a particular purpose using the format of the text as a guide.</p> <p>C. Use knowledge of phonics, syllabication, prefixes, suffixes, the dictionary or context clues to decode and understand new words during reading. Use these words accurately in writing and speaking.</p> <p>D. Identify the basic ideas and facts in text using strategies (e.g., prior knowledge, illustrations and headings) and information from other sources to make predictions about text.</p> <p>E. Acquire a reading vocabulary by correctly identifying and using words (e.g., synonyms, homophones and homographs and words with roots, suffixes, and/or prefixes). Use a dictionary or related reference.</p> <p>F. Identify, understand the meaning of and use correctly key vocabulary from various subject areas.</p>	<p>B. Identify and use common organizational structures and graphic features to comprehend information.</p> <p>C. Use knowledge of root words as well as context clues and glossaries to understand specialized vocabulary in the content areas during reading. Use these words accurately in speaking and writing.</p> <p>D. Identify basic facts and ideas in text using specific strategies (e.g., recall genre characteristics, set a purpose for reading, generate essential questions as aids to comprehension and clarify understanding through rereading and discussion).</p> <p>E. Expand a reading vocabulary by identifying and correctly using idioms and words with literal and figurative meanings. Use a dictionary or related reference.</p> <p>F. Understand the meaning of and apply key vocabulary across the various subject areas.</p>	<p>B. Analyze the structure of informational materials explaining how authors used these to achieve their purposes.</p> <p>C. Use knowledge of root words and words from literary works to recognize and understand the meaning of new words during reading. Use these words accurately in speaking and writing.</p> <p>D. Identify, describe, evaluate and synthesize the essential ideas in text. Assess those reading strategies that were most effective in learning from a variety of texts.</p> <p>E. Establish a reading vocabulary by identifying and correctly using new words acquired through the study of their relationships to other words. Use a dictionary or related reference.</p> <p>F. Understand the meaning of and apply key vocabulary across the various subject areas.</p>



<b>1.1. Learning to Read Independently</b>			
<b>1.1.3. GRADE 3</b>	<b>1.1.5. GRADE 5</b>	<b>1.1.8. GRADE 8</b>	<b>1.1.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>G. Demonstrate after reading understanding and interpretation of both fiction and nonfiction text.</p> <ul style="list-style-type: none"> <li>Retell or summarize the major ideas, themes or procedures of the text.</li> <li>Connect the new information or ideas in the text to known information.</li> <li>Clarify ideas and understandings through rereading and discussion.</li> <li>Make responsible assertions about the text by citing evidence from the text.</li> </ul>	<p>G. Demonstrate after reading understanding and interpretation of both fiction and nonfiction text.</p> <ul style="list-style-type: none"> <li>Summarize the major ideas, themes or procedures of the text.</li> <li>Relate new information or ideas from the text to that learned through additional reading and media (e.g., films, audiotapes).</li> <li>Clarify ideas and understandings through rereading and discussion.</li> <li>Make responsible assertions about the ideas from the text by citing evidence.</li> <li>Extend ideas found in the text.</li> </ul>	<p>G. Demonstrate after reading understanding and interpretation of both fiction and nonfiction text, including public documents.</p> <ul style="list-style-type: none"> <li>Make, and support with evidence, assertions about texts.</li> <li>Compare and contrast texts using themes, settings, characters and ideas.</li> <li>Make extensions to related ideas, topics or information.</li> <li>Describe the context of a document.</li> <li>Analyze the positions, arguments and evidence in public documents.</li> </ul>	<p>G. Demonstrate after reading understanding and interpretation of both fiction and nonfiction text, including public documents.</p> <ul style="list-style-type: none"> <li>Make, and support with evidence, assertions about texts.</li> <li>Compare and contrast texts using themes, settings, characters and ideas.</li> <li>Make extensions to related ideas, topics or information.</li> <li>Assess the validity of the document based on context.</li> <li>Analyze the positions, arguments and evidence in public documents.</li> <li>Evaluate the strategies of the author.</li> <li>Critique public documents to identify strategies common in public discourse.</li> </ul>
<p>H. Demonstrate fluency and comprehension in reading.</p> <ul style="list-style-type: none"> <li>Read familiar materials aloud with accuracy.</li> <li>Self-correct mistakes.</li> <li>Use appropriate rhythm, flow, meter and pronunciation.</li> <li>Read a variety of genres and types of text.</li> <li>Demonstrate comprehension (Standard 1.1.3.G.).</li> </ul> <p>(Recommend: 25 books/year)</p>	<p>H. Demonstrate fluency and comprehension in reading.</p> <ul style="list-style-type: none"> <li>Read familiar materials aloud with accuracy.</li> <li>Self-correct mistakes.</li> <li>Use appropriate rhythm, flow, meter and pronunciation.</li> <li>Read a variety of genres and types of text.</li> <li>Demonstrate comprehension (Standard 1.1.5.G.).</li> </ul> <p>(Recommend: 25 books/year)</p>	<p>H. Demonstrate fluency and comprehension in reading.</p> <ul style="list-style-type: none"> <li>Read familiar materials aloud with accuracy.</li> <li>Self-correct mistakes.</li> <li>Use appropriate rhythm, flow, meter and pronunciation.</li> <li>Read a variety of genres and types of text.</li> <li>Demonstrate comprehension (Standard 1.1.8.G.).</li> </ul> <p>(Recommend: 25 books/year)</p>	<p>H. Demonstrate fluency and comprehension in reading.</p> <ul style="list-style-type: none"> <li>Read familiar materials aloud with accuracy.</li> <li>Self-correct mistakes.</li> <li>Use appropriate rhythm, flow, meter and pronunciation.</li> <li>Read a variety of genres and types of text.</li> <li>Demonstrate comprehension (Standard 1.1.11.G.).</li> </ul> <p>(Recommend: 25 books/year)</p>

<b>1.2. Reading Critically in All Content Areas</b>			
<b>1.2.3. GRADE 3</b>	<b>1.2.5. GRADE 5</b>	<b>1.2.8. GRADE 8</b>	<b>1.2.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Read and understand essential content of informational texts and documents in all academic areas.</p> <ul style="list-style-type: none"> <li>• Differentiate fact from opinion within text.</li> <li>• Distinguish between essential and nonessential information within a text.</li> <li>• Make inferences from text when studying a topic (e.g., science, social studies) and draw conclusions based on text.</li> <li>• Analyze text organization and content to derive meaning from text using established criteria.</li> </ul> <p>B. Use and understand a variety of media and evaluate the quality of material produced.</p> <ul style="list-style-type: none"> <li>• Use electronic media for research.</li> <li>• Identify techniques used in television and use the knowledge to distinguish between facts and misleading information.</li> <li>• Assess the quality of media project (e.g., script, play, audiotape) that has been developed for a targeted audience.</li> </ul> <p>C. Produce work in at least one literary genre that follows the conventions of the genre.</p>	<p>A. Read and understand essential content of informational texts and documents in all academic areas.</p> <ul style="list-style-type: none"> <li>• Differentiate fact from opinion across texts.</li> <li>• Distinguish between essential and nonessential information across a variety of texts, identifying stereotypes and exaggeration where present.</li> <li>• Make inferences about similar concepts in multiple texts and draw conclusions.</li> <li>• Evaluate text organization and content to determine the author's purpose and effectiveness.</li> </ul> <p>B. Use and understand a variety of media and evaluate the quality of material produced.</p> <ul style="list-style-type: none"> <li>• Use a variety of media (e.g., computerized card catalogues, encyclopedias) for research.</li> <li>• Evaluate the role of media as a source of both entertainment and information.</li> <li>• Use established criteria to design and develop media project (e.g., script, play, audiotape) for a targeted audience.</li> </ul> <p>C. Produce work in at least one literary genre that follows the conventions of the genre.</p>	<p>A. Read and understand essential content of informational texts and documents in all academic areas.</p> <ul style="list-style-type: none"> <li>• Differentiate fact from opinion utilizing resources that go beyond traditional text (e.g., newspapers, magazines and periodicals) to electronic media.</li> <li>• Distinguish between essential and nonessential information across texts and going beyond texts to a variety of media; identify bias and propaganda where present.</li> <li>• Draw inferences based on a variety of information sources.</li> <li>• Evaluate text organization and content to determine the author's purpose and effectiveness according to the author's theses, accuracy, and thoroughness.</li> </ul> <p>B. Use and understand a variety of media and evaluate the quality of material produced.</p> <ul style="list-style-type: none"> <li>• Compare and analyze how different media offer a unique perspective on the information presented.</li> <li>• Analyze the techniques of particular media messages and their effect on a targeted audience.</li> <li>• Use, design and develop a media project that expands understanding (e.g., authors and works from a particular historical period).</li> </ul> <p>C. Produce work in at least one literary genre that follows the conventions of the genre.</p>	<p>A. Read and understand essential content of informational texts and documents in all academic areas.</p> <ul style="list-style-type: none"> <li>• Differentiate fact from opinion across a variety of texts, by using complete and accurate information, coherent arguments and points of view.</li> <li>• Distinguish between essential and nonessential information across a variety of sources, identifying the use of proper references or authorities and propaganda techniques where present.</li> <li>• Use teacher and student established criteria for making decisions and drawing conclusions.</li> <li>• Evaluate text organization and content to determine the author's purpose and effectiveness according to the author's theses, accuracy, thoroughness, logic and reasoning.</li> </ul> <p>B. Use and understand a variety of media and evaluate the quality of material produced.</p> <ul style="list-style-type: none"> <li>• Select appropriate electronic media for research and evaluate the quality of the information received.</li> <li>• Explain how the techniques used in electronic media modify traditional forms of discourse for different purposes.</li> <li>• Use, design and develop a media project to demonstrate understanding (e.g., a major writer or literary period or movement).</li> </ul> <p>C. Produce work in at least one literary genre that follows the conventions of the genre.</p>

<b>1.3. Reading, Analyzing and Interpreting Literature</b>			
<b>1.3.3. GRADE 3</b>	<b>1.3.5. GRADE 5</b>	<b>1.3.8. GRADE 8</b>	<b>1.3.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Read and understand works of literature.</p> <p>B. Identify literary elements in stories describing characters, setting and plot.</p> <p>C. Identify literary devices in stories. (e.g., rhyme, rhythm, personification).</p> <p>D. Identify the structures in poetry (e.g., pattern books, predictable books nursery rhymes).</p> <p>E. Identify the structures in drama (e.g., dialogue, story enactment, acts, scenes).</p> <p>F. Read and respond to nonfiction and fiction including poetry and drama.</p>	<p>A. Read and understand works of literature.</p> <p>B. Compare the use of literary elements within and among texts, including characters, setting, plot, theme, and point of view.</p> <p>C. Describe how the author uses literary devices to convey meaning. <ul style="list-style-type: none"> <li>• Sound techniques (e.g., rhyme, rhythm, meter, alliteration)</li> <li>• Figurative language (e.g., personification, simile, metaphor, hyperbole).</li> </ul> </p> <p>D. Identify and respond to the effects of sound and structure in poetry (e.g., alliteration, rhyme, verse form).</p> <p>E. Analyze drama as information source, entertainment, persuasion or transmitter of culture.</p> <p>F. Read and respond to nonfiction and fiction including poetry and drama.</p>	<p>A. Read and understand works of literature.</p> <p>B. Analyze the use of literary elements by an author including characterization, setting, plot, theme, point of view, tone, and style.</p> <p>C. Analyze the effect of various literary devices. <ul style="list-style-type: none"> <li>• Sound techniques (e.g., rhyme, rhythm, meter, alliteration)</li> <li>• Figurative language (e.g., personification, simile, metaphor, hyperbole, allusion).</li> </ul> </p> <p>D. Identify poetic forms (e.g., ballad, sonnet, couplet).</p> <p>E. Analyze drama to determine the reasons for a character's actions taking into account the situation and basic motivation of the character.</p> <p>F. Read and respond to nonfiction and fiction including poetry and drama.</p>	<p>A. Read and understand works of literature.</p> <p>B. Analyze the relationships, uses and effectiveness of literary elements used by one or more authors in similar genres including characterization, setting, plot, theme, point of view, tone, and style.</p> <p>C. Analyze the effectiveness, in terms of literary quality, of the author's use of literary devices. <ul style="list-style-type: none"> <li>• Sound techniques (e.g., rhyme, rhythm, meter, alliteration)</li> <li>• Figurative language (e.g., personification, simile, metaphor, hyperbole, irony, satire)</li> <li>• Literary structures (e.g., foreshadowing, flashbacks, progressive and digressive time).</li> </ul> </p> <p>D. Analyze and evaluate in poetry the appropriateness of diction and figurative language (e.g., irony, understatement, overstatement, paradox).</p> <p>E. Analyze how a scriptwriter's use of words creates tone and mood, and how choice of words advances the theme or purpose of the work.</p> <p>F. Read and respond to nonfiction and fiction including poetry and drama.</p>

<b>1.4. Types of Writing</b>			
<b>1.4.3. GRADE 3</b>	<b>1.4.5. GRADE 5</b>	<b>1.4.8. GRADE 8</b>	<b>1.4.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Write narrative pieces (e.g., stories, poems, plays).</p> <ul style="list-style-type: none"> <li>• Include detailed descriptions of people, places and things.</li> <li>• Use relevant illustrations.</li> <li>• Include literary elements (Standard 1.3.3.B.).</li> </ul> <p>B. Write informational pieces (e.g., descriptions, letters, reports, instructions) using illustrations when relevant.</p> <p>C. Write an opinion and support it with facts.</p>	<p>A. Write poems, plays and multi-paragraph stories.</p> <ul style="list-style-type: none"> <li>• Include detailed descriptions of people, places and things.</li> <li>• Use relevant illustrations.</li> <li>• Utilize dialogue.</li> <li>• Apply literary conflict.</li> <li>• Include literary elements (Standard 1.3.5.B).</li> <li>• Use literary devices (Standard 1.3.5.C.).</li> </ul> <p>B. Write multi-paragraph informational pieces (e.g., essays, descriptions, letters, reports, instructions).</p> <ul style="list-style-type: none"> <li>• Include cause and effect.</li> <li>• Develop a problem and solution when appropriate to the topic.</li> <li>• Use relevant graphics (e.g., maps, charts, graphs, tables, illustrations, photographs).</li> </ul> <p>C. Write persuasive pieces with a clearly stated position or opinion and supporting detail, citing sources when needed.</p>	<p>A. Write short stories, poems and plays.</p> <ul style="list-style-type: none"> <li>• Apply varying organizational methods.</li> <li>• Use relevant illustrations.</li> <li>• Utilize dialogue.</li> <li>• Apply literary conflict.</li> <li>• Include literary elements (Standard 1.3.8.B.).</li> <li>• Use literary devices (Standard 1.3.8.C.).</li> </ul> <p>B. Write multi-paragraph informational pieces (e.g., letters, descriptions, reports, instructions, essays, articles, interviews).</p> <ul style="list-style-type: none"> <li>• Include cause and effect.</li> <li>• Develop a problem and solution when appropriate to the topic.</li> <li>• Use relevant graphics (e.g., maps, charts, graphs, tables, illustrations, photographs).</li> <li>• Use primary and secondary sources.</li> </ul> <p>C. Write persuasive pieces.</p> <ul style="list-style-type: none"> <li>• Include a clearly stated position or opinion.</li> <li>• Include convincing, elaborated and properly cited evidence.</li> <li>• Develop reader interest.</li> <li>• Anticipate and counter reader concerns and arguments.</li> </ul> <p>D. Maintain a written record of activities, course work, experience, honors and interests.</p>	<p>A. Write short stories, poems and plays.</p> <ul style="list-style-type: none"> <li>• Apply varying organizational methods.</li> <li>• Use relevant illustrations.</li> <li>• Utilize dialogue.</li> <li>• Apply literary conflict.</li> <li>• Include varying characteristics (e.g., from limerick to epic, from whimsical to dramatic).</li> <li>• Include literary elements (Standard 1.3.11.B.).</li> <li>• Use literary devices (Standard 1.3.11.C.).</li> </ul> <p>B. Write complex informational pieces (e.g., research papers, analyses, evaluations, essays).</p> <ul style="list-style-type: none"> <li>• Include a variety of methods to develop the main idea.</li> <li>• Use precise language and specific detail.</li> <li>• Include cause and effect.</li> <li>• Use relevant graphics (e.g., maps, charts, graphs, tables, illustrations, photographs).</li> <li>• Use primary and secondary sources.</li> </ul> <p>C. Write persuasive pieces.</p> <ul style="list-style-type: none"> <li>• Include a clearly stated position or opinion.</li> <li>• Include convincing, elaborated and properly cited evidence.</li> <li>• Develop reader interest.</li> <li>• Anticipate and counter reader concerns and arguments.</li> <li>• Include a variety of methods to advance the argument or position.</li> </ul> <p>D. Maintain a written record of activities, course work, experience, honors and interests.</p> <p>E. Write a personal résumé.</p>

<b>1.5. Quality of Writing</b>			
<b>1.5.3. GRADE 3</b>	<b>1.5.5. GRADE 5</b>	<b>1.5.8. GRADE 8</b>	<b>1.5.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Write with a sharp, distinct focus identifying topic, task and audience.</p> <p>B. Write using well-developed content appropriate for the topic.</p> <ul style="list-style-type: none"> <li>Gather and organize information.</li> <li>Write a series of related sentences or paragraphs with one central idea.</li> <li>Incorporate details relevant and appropriate to the topic.</li> </ul> <p>C. Write with controlled and/or subtle organization.</p> <ul style="list-style-type: none"> <li>Sustain a logical order.</li> <li>Include a recognizable beginning, middle and end.</li> </ul> <p>D. Write with an awareness of the stylistic aspects of composition.</p> <ul style="list-style-type: none"> <li>Use sentences of differing lengths and complexities.</li> <li>Use descriptive words and action verbs.</li> </ul> <p>E. Revise writing to improve detail and order by identifying missing information and determining whether ideas follow logically.</p>	<p>A. Write with a sharp, distinct focus identifying topic, task and audience.</p> <p>B. Write using well-developed content appropriate for the topic.</p> <ul style="list-style-type: none"> <li>Gather, organize and select the most effective information appropriate for the topic, task and audience.</li> <li>Write paragraphs that have a topic sentence and supporting details.</li> </ul> <p>C. Write with controlled and/or subtle organization.</p> <ul style="list-style-type: none"> <li>Sustain a logical order within sentences and between paragraphs using meaningful transitions.</li> <li>Include an identifiable introduction, body and conclusion.</li> </ul> <p>D. Write with an understanding of the stylistic aspects of composition.</p> <ul style="list-style-type: none"> <li>Use different types and lengths of sentences.</li> <li>Use precise language including adjectives, adverbs, action verbs and specific details that convey the writer's meaning.</li> <li>Develop and maintain a consistent voice.</li> </ul> <p>E. Revise writing to improve organization and word choice; check the logic, order of ideas and precision of vocabulary.</p>	<p>A. Write with a sharp, distinct focus.</p> <ul style="list-style-type: none"> <li>Identify topic, task and audience.</li> <li>Establish a single point of view.</li> </ul> <p>B. Write using well-developed content appropriate for the topic.</p> <ul style="list-style-type: none"> <li>Gather, determine validity and reliability of and organize information.</li> <li>Employ the most effective format for purpose and audience.</li> <li>Write paragraphs that have details and information specific to the topic and relevant to the focus.</li> </ul> <p>C. Write with controlled and/or subtle organization.</p> <ul style="list-style-type: none"> <li>Sustain a logical order within sentences and between paragraphs using meaningful transitions.</li> <li>Establish topic and purpose in the introduction.</li> <li>Reiterate the topic and purpose in the conclusion.</li> </ul> <p>D. Write with an understanding of the stylistic aspects of composition.</p> <ul style="list-style-type: none"> <li>Use different types and lengths of sentences.</li> <li>Use tone and voice through the use of precise language.</li> </ul> <p>E. Revise writing after rethinking logic of organization and rechecking central idea, content, paragraph development, level of detail, style, tone and word choice.</p>	<p>A. Write with a sharp, distinct focus.</p> <ul style="list-style-type: none"> <li>Identify topic, task and audience.</li> <li>Establish and maintain a single point of view.</li> </ul> <p>B. Write using well-developed content appropriate for the topic.</p> <ul style="list-style-type: none"> <li>Gather, determine validity and reliability of, analyze and organize information.</li> <li>Employ the most effective format for purpose and audience.</li> <li>Write fully developed paragraphs that have details and information specific to the topic and relevant to the focus.</li> </ul> <p>C. Write with controlled and/or subtle organization.</p> <ul style="list-style-type: none"> <li>Sustain a logical order throughout the piece.</li> <li>Include an effective introduction and conclusion.</li> </ul> <p>D. Write with a command of the stylistic aspects of composition.</p> <ul style="list-style-type: none"> <li>Use different types and lengths of sentences.</li> <li>Use precise language.</li> </ul> <p>E. Revise writing to improve style, word choice, sentence variety and subtlety of meaning after rethinking how questions of purpose, audience and genre have been addressed.</p>

<b>1.5. Quality of Writing</b>			
<b>1.5.3. GRADE 3</b>	<b>1.5.5. GRADE 5</b>	<b>1.5.8. GRADE 8</b>	<b>1.5.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>F. Edit writing using the conventions of language.</p> <ul style="list-style-type: none"> <li>• Spell common, frequently used words correctly.</li> <li>• Use capital letters correctly (first word in sentences, proper nouns, pronoun "I").</li> <li>• Punctuate correctly (periods, exclamation points, question marks, commas in a series).</li> <li>• Use nouns, pronouns, verbs, adjectives, adverbs and conjunctions properly.</li> <li>• Use complete sentences (simple, compound, declarative, interrogative, exclamatory and imperative).</li> </ul> <p>G. Present and/or defend written work for publication when appropriate.</p>	<p>F. Edit writing using the conventions of language.</p> <ul style="list-style-type: none"> <li>• Spell common, frequently used words correctly.</li> <li>• Use capital letters correctly</li> <li>• Punctuate correctly (periods, exclamation points, question marks, commas, quotation marks, apostrophes).</li> <li>• Use nouns, pronouns, verbs, adjectives, adverbs, conjunctions, prepositions and interjections properly.</li> <li>• Use complete sentences (simple, compound, declarative, interrogative, exclamatory and imperative).</li> </ul> <p>G. Present and/or defend written work for publication when appropriate.</p>	<p>F. Edit writing using the conventions of language.</p> <ul style="list-style-type: none"> <li>• Spell common, frequently used words correctly.</li> <li>• Use capital letters correctly.</li> <li>• Punctuate correctly (periods, exclamation points, question marks, commas, quotation marks, apostrophes, colons, semicolons, parentheses).</li> <li>• Use nouns, pronouns, verbs, adjectives, adverbs, conjunctions prepositions and interjections properly.</li> <li>• Use complete sentences (simple, compound, complex, declarative, interrogative, exclamatory and imperative).</li> </ul> <p>G. Present and/or defend written work for publication when appropriate.</p>	<p>F. Edit writing using the conventions of language.</p> <ul style="list-style-type: none"> <li>• Spell all words correctly.</li> <li>• Use capital letters correctly.</li> <li>• Punctuate correctly (periods, exclamation points, question marks, commas, quotation marks, apostrophes, colons, semicolons, parentheses, hyphens, brackets, ellipses).</li> <li>• Use nouns, pronouns, verbs, adjectives, adverbs, conjunctions, prepositions and interjections properly.</li> <li>• Use complete sentences (simple, compound, complex, declarative, interrogative, exclamatory and imperative).</li> </ul> <p>G. Present and/or defend written work for publication when appropriate.</p>

<b>1.6. Speaking and Listening</b>			
<b>1.6.3. GRADE 3</b>	<b>1.6.5. GRADE 5</b>	<b>1.6.8. GRADE 8</b>	<b>1.6.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Listen to others.</p> <ul style="list-style-type: none"> <li>• Ask questions as an aid to understanding.</li> <li>• Distinguish fact from opinion.</li> </ul>	<p>A. Listen to others.</p> <ul style="list-style-type: none"> <li>• Ask pertinent questions.</li> <li>• Distinguish relevant information, ideas and opinions from those that are irrelevant.</li> <li>• Take notes when prompted.</li> </ul>	<p>A. Listen to others.</p> <ul style="list-style-type: none"> <li>• Ask probing questions.</li> <li>• Analyze information, ideas and opinions to determine relevancy.</li> <li>• Take notes when needed.</li> </ul>	<p>A. Listen to others.</p> <ul style="list-style-type: none"> <li>• Ask clarifying questions.</li> <li>• Synthesize information, ideas and opinions to determine relevancy.</li> <li>• Take notes.</li> </ul>

<b>1.6. Speaking and Listening</b>			
<b>1.6.3. GRADE 3</b>	<b>1.6.5. GRADE 5</b>	<b>1.6.8. GRADE 8</b>	<b>1.6.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>B. Listen to a selection of literature (fiction and/or nonfiction).</p> <ul style="list-style-type: none"> <li>• Relate it to similar experiences.</li> <li>• Predict what will happen next.</li> <li>• Retell a story in chronological order.</li> <li>• Recognize character and tone.</li> <li>• Identify and define new words and concepts.</li> </ul> <p>C. Speak using skills appropriate to formal speech situations.</p> <ul style="list-style-type: none"> <li>• Use appropriate volume.</li> <li>• Pronounce most words accurately.</li> <li>• Pace speech so that it is understandable.</li> <li>• Demonstrate an awareness of audience.</li> </ul> <p>D. Contribute to discussions.</p> <ul style="list-style-type: none"> <li>• Ask relevant questions.</li> <li>• Respond with appropriate information or opinions to questions asked.</li> <li>• Listen to and acknowledge the contributions of others.</li> <li>• Display appropriate turn-taking behaviors.</li> </ul>	<p>B. Listen to a selection of literature (fiction and/or nonfiction).</p> <ul style="list-style-type: none"> <li>• Relate it to what is known.</li> <li>• Predict the result of the story actions.</li> <li>• Retell actions of the story in sequence, explain the theme and describe the characters and setting.</li> <li>• Identify and define new words and concepts.</li> <li>• Summarize the selection.</li> </ul> <p>C. Speak using skills appropriate to formal speech situations.</p> <ul style="list-style-type: none"> <li>• Use complete sentences.</li> <li>• Pronounce words correctly.</li> <li>• Use appropriate volume.</li> <li>• Pace speech so that it is understandable.</li> <li>• Adjust content for different audiences (e.g., fellow classmates, parents).</li> <li>• Speak with a purpose in mind.</li> </ul> <p>D. Contribute to discussions.</p> <ul style="list-style-type: none"> <li>• Ask relevant questions.</li> <li>• Respond with relevant information or opinions to questions asked.</li> <li>• Listen to and acknowledge the contributions of others.</li> <li>• Adjust involvement to encourage equitable participation.</li> <li>• Give reasons for opinions.</li> <li>• Summarize, when prompted.</li> </ul>	<p>B. Listen to selections of literature (fiction and/or nonfiction).</p> <ul style="list-style-type: none"> <li>• Relate them to previous knowledge.</li> <li>• Predict content/events.</li> <li>• Summarize events and identify the significant points.</li> <li>• Identify and define new words and concepts.</li> <li>• Analyze the selections.</li> </ul> <p>C. Speak using skills appropriate to formal speech situations.</p> <ul style="list-style-type: none"> <li>• Use complete sentences.</li> <li>• Pronounce words correctly.</li> <li>• Adjust volume to purpose and audience.</li> <li>• Adjust pace to convey meaning.</li> <li>• Add stress (emphasis) and inflection to enhance meaning.</li> </ul> <p>D. Contribute to discussions.</p> <ul style="list-style-type: none"> <li>• Ask relevant, probing questions.</li> <li>• Respond with relevant information, ideas or reasons in support of opinions expressed.</li> <li>• Listen to and acknowledge the contributions of others.</li> <li>• Adjust tone and involvement to encourage equitable participation.</li> <li>• Clarify, illustrate or expand on a response when asked.</li> <li>• Present support for opinions.</li> <li>• Paraphrase and summarize, when prompted.</li> </ul>	<p>B. Listen to selections of literature (fiction and/or nonfiction).</p> <ul style="list-style-type: none"> <li>• Relate them to previous knowledge.</li> <li>• Predict solutions to identified problems.</li> <li>• Summarize and reflect on what has been heard.</li> <li>• Identify and define new words and concepts.</li> <li>• Analyze and synthesize the selections relating them to other selections heard or read.</li> </ul> <p>C. Speak using skills appropriate to formal speech situations.</p> <ul style="list-style-type: none"> <li>• Use a variety of sentence structures to add interest to a presentation.</li> <li>• Pace the presentation according to audience and purpose.</li> <li>• Adjust stress, volume, and inflection to provide emphasis to ideas or to influence the audience.</li> </ul> <p>D. Contribute to discussions.</p> <ul style="list-style-type: none"> <li>• Ask relevant, clarifying questions.</li> <li>• Respond with relevant information or opinions to questions asked.</li> <li>• Listen to and acknowledge the contributions of others.</li> <li>• Adjust tone and involvement to encourage equitable participation.</li> <li>• Facilitate total group participation.</li> <li>• Introduce relevant, facilitating information, ideas and opinions to enrich the discussion.</li> <li>• Paraphrase and summarize as needed.</li> </ul>

<b>1.6. Speaking and Listening</b>			
<b>1.6.3. GRADE 3</b>	<b>1.6.5. GRADE 5</b>	<b>1.6.8. GRADE 8</b>	<b>1.6.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>E. Participate in small and large group discussions and presentations.</p> <ul style="list-style-type: none"> <li>• Participate in everyday conversation.</li> <li>• Present oral readings.</li> <li>• Deliver short reports (e.g., Show-and-Tell, field trip summary).</li> <li>• Conduct short interviews.</li> <li>• Give simple directions and explanations.</li> <li>• Report an emergency.</li> </ul> <p>F. Use media for learning purposes.</p> <ul style="list-style-type: none"> <li>• Explain the importance of television, radio, film and Internet in the lives of people.</li> <li>• Explain how advertising sells products.</li> <li>• Show or explain what was learned (e.g., audiotape, computer download).</li> </ul>	<p>E. Participate in small and large group discussions and presentations.</p> <ul style="list-style-type: none"> <li>• Participate in everyday conversation.</li> <li>• Present an oral reading.</li> <li>• Deliver research reports.</li> <li>• Conduct interviews.</li> <li>• Plan and participate in group presentations.</li> <li>• Contribute to informal debates.</li> </ul> <p>F. Use media for learning purposes.</p> <ul style="list-style-type: none"> <li>• Compare information received on television with that received on radio or in newspapers.</li> <li>• Access information on Internet.</li> <li>• Discuss the reliability of information received on Internet sources.</li> <li>• Explain how film can represent either accurate versions or fictional versions of the same event.</li> <li>• Explain the role of advertisers in the media.</li> <li>• Use a variety of images and sound to create an effective presentation on a topic.</li> </ul>	<p>E. Participate in small and large group discussions and presentations.</p> <ul style="list-style-type: none"> <li>• Initiate everyday conversation.</li> <li>• Select a topic and present an oral reading.</li> <li>• Conduct interviews as part of the research process.</li> <li>• Organize and participate in informal debates.</li> </ul> <p>F. Use media for learning purposes.</p> <ul style="list-style-type: none"> <li>• Describe how the media provides information that is sometimes accurate, sometimes biased based on a point of view or by the opinion or beliefs of the presenter.</li> <li>• Analyze the role of advertising in the media.</li> <li>• Create a multi-media (e.g., film, music, computer-graphic) presentation for display or transmission.</li> </ul>	<p>E. Participate in small and large group discussions and presentations.</p> <ul style="list-style-type: none"> <li>• Initiate everyday conversation.</li> <li>• Select and present an oral reading on an assigned topic.</li> <li>• Conduct interviews.</li> <li>• Participate in a formal interview (e.g., for job, college).</li> <li>• Organize and participate in informal debate around a specific topic.</li> <li>• Use evaluation guides (e.g., National Issues Forum, Toastmasters) to evaluate group discussion (e.g., of peers, on television).</li> </ul> <p>F. Use media for learning purposes.</p> <ul style="list-style-type: none"> <li>• Use various forms of media to elicit information, to make a student presentation and to complete class assignments and projects.</li> <li>• Evaluate the role of media in focusing attention and forming opinions.</li> <li>• Create a multi-media (e.g., film, music, computer-graphic) presentation for display or transmission that demonstrates an understanding of a specific topic or issue or teaches others about it.</li> </ul>



<b>1.7. Characteristics and Functions of the English Language</b>			
<b>1.7.3. GRADE 3</b>	<b>1.7.5. GRADE 5</b>	<b>1.7.8. GRADE 8</b>	<b>1.7.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Identify words from other languages that are commonly used English words.</p> <p>B. Identify variations in the dialogues of literary characters and relate them to differences in occupation or geographical location.</p>	<p>A. Identify words from other languages that are commonly used English words. Use a dictionary to find the meanings and origins of these words.</p> <p>B. Identify differences in formal and informal speech (e.g., dialect, slang, jargon).</p> <p>C. Identify word meanings that have changed over time (e.g., cool, mouse).</p>	<p>A. Describe the origins and meanings of common, learned and foreign words used frequently in English language (e.g., carte blanche, faux pas).</p> <p>B. Analyze the role and place of standard American English in speech, writing and literature.</p> <p>C. Identify new words that have been added to the English language over time.</p>	<p>A. Describe the influence of historical events on the English language.</p> <p>B. Analyze when differences in language are a source of negative or positive stereotypes among groups.</p> <p>C. Explain and evaluate the role and influence of the English language within and across countries.</p>

1.8. Research			
1.8.3. GRADE 3	1.8.5. GRADE 5	1.8.8. GRADE 8	1.8.11. GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i>			
<p>A. Select a topic for research.</p> <p>B. Locate information using appropriate sources and strategies.</p> <ul style="list-style-type: none"> <li>Locate resources for a particular task (e.g., newspapers, dictionary).</li> <li>Select sources (e.g., dictionaries, encyclopedias, interviews to write a family history, observations, electronic media).</li> <li>Use tables of contents, key words and guide words.</li> <li>Use traditional and electronic search tools.</li> </ul> <p>C. Organize and present the main ideas from research.</p> <ul style="list-style-type: none"> <li>Take notes from sources using a structured format.</li> <li>Summarize, orally or in writing, the main ideas.</li> </ul>	<p>A. Select and refine a topic for research.</p> <p>B. Locate information using appropriate sources and strategies.</p> <ul style="list-style-type: none"> <li>Evaluate the usefulness and qualities of the sources.</li> <li>Select appropriate sources (e.g., dictionaries, encyclopedias, other reference materials, interviews, observations, computer databases).</li> <li>Use tables of contents, indices, key words, cross-references and appendices.</li> <li>Use traditional and electronic search tools.</li> </ul> <p>C. Organize and present the main ideas from research.</p> <ul style="list-style-type: none"> <li>Take notes from sources using a structured format.</li> <li>Present the topic using relevant information.</li> <li>Credit sources using a structured format (e.g., author, title).</li> </ul>	<p>A. Select and refine a topic for research.</p> <p>B. Locate information using appropriate sources and strategies.</p> <ul style="list-style-type: none"> <li>Determine valid resources for researching the topic, including primary and secondary sources.</li> <li>Evaluate the importance and quality of the sources.</li> <li>Select essential sources (e.g., dictionaries, encyclopedias, other reference materials, interviews, observations, computer databases).</li> <li>Use tables of contents, indices, key words, cross-references and appendices.</li> <li>Use traditional and electronic search tools.</li> </ul> <p>C. Organize, summarize and present the main ideas from research.</p> <ul style="list-style-type: none"> <li>Identify the steps necessary to carry out a research project.</li> <li>Take relevant notes from sources.</li> <li>Develop a thesis statement based on research.</li> <li>Give precise, formal credit for others' ideas, images or information using a standard method of documentation.</li> <li>Use formatting techniques to create an understandable presentation for a designated audience.</li> </ul>	<p>A. Select and refine a topic for research.</p> <p>B. Locate information using appropriate sources and strategies.</p> <ul style="list-style-type: none"> <li>Determine valid resources for researching the topic, including primary and secondary sources.</li> <li>Evaluate the importance and quality of the sources.</li> <li>Select sources appropriate to the breadth and depth of the research (e.g., dictionaries, thesauruses, other reference materials, interviews, observations, computer databases).</li> <li>Use tables of contents, indices, key words, cross references and appendices.</li> <li>Use traditional and electronic search tools.</li> </ul> <p>C. Organize, summarize and present the main ideas from research.</p> <ul style="list-style-type: none"> <li>Take notes relevant to the research topic.</li> <li>Develop a thesis statement based on research.</li> <li>Anticipate readers' problems or misunderstandings.</li> <li>Give precise, formal credit for others' ideas, images or information using a standard method of documentation.</li> <li>Use formatting techniques (e.g., headings, graphics) to aid reader understanding.</li> </ul>

III. GLOSSARY

- Alliteration:** The repetition of initial consonant sounds in neighboring words.
- Allusion:** An implied or indirect reference in literature to a familiar person, place or event.
- Analysis:** The process or result of identifying the parts of a whole and their relationships to one another.
- Antonym:** A word that is the opposite of another word.
- Characterization:** The method an author uses to reveal characters and their various personalities.
- Compare:** Place together characters, situations or ideas to show common or differing features in literary selections.

<b>Context clues:</b>	Information from the reading that identifies a word or group of words.
<b>Conventions of Language:</b>	Mechanics, usage and sentence completeness.
<b>Evaluate:</b>	Examine and judge carefully.
<b>Figurative language:</b>	Language that cannot be taken literally since it was written to create a special effect or feeling.
<b>Fluency:</b>	The clear, easy, written or spoken expression of ideas. Freedom from word-identification problems which might hinder comprehension in silent reading or the expression of ideas in oral reading.
<b>Focus:</b>	The center of interest or attention.
<b>Genre:</b>	A category used to classify literary works, usually by form, technique or content (e.g., prose, poetry).
<b>Graphic organizer:</b>	A diagram or pictorial device that shows relationships.
<b>Homophone:</b>	One of two or more words pronounced alike, but different in spelling or meaning (e.g., hair/hare, scale (fish)/scale (musical)).
<b>Hyperbole:</b>	An exaggeration or overstatement (e.g., <i>I was so embarrassed I could have died.</i> )
<b>Idiomatic language:</b>	An expression peculiar to itself grammatically or that cannot be understood if taken literally (e.g., <i>Let's get on the ball.</i> )
<b>Irony:</b>	The use of a word or phrase to mean the exact opposite of its literal or usual meaning; incongruity between the actual result of a sequence of events and the expected result.
<b>Literary conflict:</b>	The struggle that grows out of the interplay of the two opposing forces in a plot.
<b>Literary elements:</b>	The essential techniques used in literature (e.g., characterization, setting, plot, theme).
<b>Literary devices:</b>	Tools used by the author to enliven and provide voice to the writing (e.g., dialogue, alliteration).
<b>Literary structures:</b>	The author's method of organizing text, (e.g., foreshadowing and flashbacks).
<b>Metaphor:</b>	The comparison of two unlike things in which no words of comparison ( <i>like</i> or <i>as</i> ) are used (e.g., <i>That new kid in class is really a squirrel.</i> )
<b>Meter:</b>	The repetition of stressed and unstressed syllables in a line of poetry.
<b>Narrative:</b>	A story, actual or fictional, expressed orally or in writing.
<b>Paraphrase:</b>	Restate text or passage in other words, often to clarify meaning or show understanding.
<b>Pattern book:</b>	A book with a predictable plot structure and often written with predictable text; also known as predictable book.
<b>Personification:</b>	An object or abstract idea given human qualities or human form (e.g., <i>Flowers danced about the lawn.</i> )
<b>Phonics:</b>	The relationship between letters and sounds fundamental in beginning reading.
<b>Point of view:</b>	The way in which an author reveals characters, events and ideas in telling a story; the vantage point from which the story is told.
<b>Public document:</b>	A document that focuses on civic issues or matters of public policy at the community level and beyond.
<b>Reading critically:</b>	Reading in which a questioning attitude, logical analysis and inference are used to judge the worth of text; evaluating relevancy and adequacy of what is read; the judgment of validity or worth of what is read, based on sound criteria.
<b>Reading rate:</b>	The speed at which a person reads, usually silently.
<b>Research:</b>	A systematic inquiry into a subject or problem in order to discover, verify or revise relevant facts or principles having to do with that subject or problem.
<b>Satire:</b>	A literary tone used to ridicule or make fun of human vice or weakness.
<b>Self-monitor:</b>	Know when what one is reading or writing is not making sense; adjust strategies for comprehension.
<b>Semantics:</b>	The study of meaning in language.
<b>Simile:</b>	A comparison of two unlike things in which a word of comparison ( <i>like</i> or <i>as</i> ) is used (e.g., <i>She eats like a bird.</i> )
<b>Sources:</b>	
<b>Primary:</b>	Text and/or artifacts that tell or show a first-hand account of an event; original works used when researching.
<b>Secondary:</b>	Text and/or artifacts used when researching that are derived from something original.
<b>Subject area:</b>	An organized body of knowledge; a discipline; a content area.

<b>Style:</b>	How an author writes; an author's use of language, its effects and appropriateness to the author's intent and theme.
<b>Synonym:</b>	One of two or more words in a language that have highly similar meanings (e.g., sorrow, grief, sadness).
<b>Syntax:</b>	The pattern or structure of word order in sentences, clauses and phrases.
<b>Theme:</b>	A topic of discussion or writing; a major idea broad enough to cover the entire scope of a literary work.
<b>Thesis:</b>	The basic argument advanced by a speaker or writer who then attempts to prove it; the subject or major argument of a speech or composition.
<b>Tone:</b>	The attitude of the author toward the audience and characters (e.g., serious or humorous).
<b>Voice:</b>	The fluency, rhythm and liveliness in writing that makes it unique to the writer.

**Academic Standards for Mathematics**

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**THE ACADEMIC STANDARDS**

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**V. INTRODUCTION**

This document includes Mathematics Standards:

- 2.1. Numbers, Number Systems and Number Relationships
- 2.2. Computation and Estimation
- 2.3. Measurement and Estimation
- 2.4. Mathematical Reasoning and Connections
- 2.5. Mathematical Problem Solving and Communication
- 2.6. Statistics and Data Analysis
- 2.7. Probability and Predictions
- 2.8. Algebra and Functions
- 2.9. Geometry
- 2.10. Trigonometry
- 2.11. Concepts of Calculus

The Mathematics Standards describe what students should know and be able to do at four grade levels (third, fifth, eighth and eleventh). They reflect the increasing complexity and sophistication that students are expected to achieve as they progress through school.

This document avoids repetition of learned skills, making an obvious progression across grade levels less explicit. Teachers shall expect that students know and can apply the concepts and skills expressed at the preceding level. Consequently, previous learning is reinforced but not retaught.

Students who achieve these mathematical standards will be able to communicate mathematically. Although it is an interesting and enjoyable study for its own sake, mathematics is most appropriately used as a tool to help organize and understand information from other academic disciplines. Because our capacity to deal with all things mathematical is changing rapidly, students must be able to bring the most modern and effective technology to bear on their learning of mathematical concepts and skills.

A glossary is included to assist the reader in understanding terminology contained in the standards.

<b>2.1. Numbers, Number Systems and Number Relationships</b>			
<b>2.1.3. GRADE 3</b>	<b>2.1.5. GRADE 5</b>	<b>2.1.8. GRADE 8</b>	<b>2.1.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Count using whole numbers (to 10,000) and by 2's, 3's, 5's, 10's, 25's and 100's.</p> <p>B. Use whole numbers and fractions to represent quantities.</p> <p>C. Represent equivalent forms of the same number through the use of concrete objects, drawings, word names and symbols.</p> <p>D. Use drawings, diagrams or models to show the concept of fraction as part of a whole.</p> <p>E. Count, compare and make change using a collection of coins and one-dollar bills.</p> <p>F. Apply number patterns (even and odd) and compare values of numbers on the hundred board.</p> <p>G. Use concrete objects to count, order and group.</p> <p>H. Demonstrate understanding of one-to-one correspondence.</p> <p>I. Apply place-value concepts and numeration to counting, ordering and grouping.</p> <p>J. Estimate, approximate, round or use exact numbers as appropriate.</p> <p>K. Describe the inverse relationship between addition and subtraction.</p> <p>L. Demonstrate knowledge of basic facts in four basic operations.</p>	<p>A. Use expanded notation to represent whole numbers or decimals.</p> <p>B. Apply number theory concepts to rename a number quantity (e.g., six, <math>6</math>, <math>12/2</math>, <math>3 \times 2</math>, <math>10 - 4</math>).</p> <p>C. Demonstrate that mathematical operations can represent a variety of problem situations.</p> <p>D. Use models to represent fractions and decimals.</p> <p>E. Explain the concepts of prime and composite numbers.</p> <p>F. Use simple concepts of negative numbers (e.g., on a number line, in counting and in temperature).</p> <p>G. Develop and apply number theory concepts (e.g., primes, factors, multiples, composites) to represent numbers in various ways.</p>	<p>A. Represent and use numbers in equivalent forms (e.g., integers, fractions, decimals, percents, exponents, scientific notation, square roots).</p> <p>B. Simplify numerical expressions involving exponents, scientific notation and using order of operations.</p> <p>C. Distinguish between and order rational and irrational numbers.</p> <p>D. Apply ratio and proportion to mathematical problem situations involving distance, rate, time and similar triangles.</p> <p>E. Simplify and expand algebraic expressions using exponential forms.</p> <p>F. Use the number line model to demonstrate integers and their applications.</p> <p>G. Use the inverse relationships between addition, subtraction, multiplication, division, exponentiation and root extraction to determine unknown quantities in equations.</p>	<p>A. Use operations (e.g., opposite, reciprocal, absolute value, raising to a power, finding roots, finding logarithms).</p>

<b>2.2. Computation and Estimation</b>			
<b>2.2.3. GRADE 3</b>	<b>2.2.5. GRADE 5</b>	<b>2.2.8. GRADE 8</b>	<b>2.2.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
<p>A. Apply addition and subtraction in everyday situations using concrete objects.</p> <p>B. Solve single- and double-digit addition and subtraction problems with regrouping in vertical form.</p> <p>C. Demonstrate the concept of multiplication as repeated addition and arrays.</p> <p>D. Demonstrate the concept of division as repeated subtraction and as sharing.</p> <p>E. Use estimation skills to arrive at conclusions.</p> <p>F. Determine the reasonableness of calculated answers.</p> <p>G. Explain addition and subtraction algorithms with regrouping.</p>	<p>A. Create and solve word problems involving addition, subtraction, multiplication and division of whole numbers.</p> <p>B. Develop and apply algorithms to solve word problems that involve addition, subtraction, and/or multiplication with decimals with and without regrouping.</p> <p>C. Develop and apply algorithms to solve word problems that involve addition, subtraction, and/or multiplication with fractions and mixed numbers that include like and unlike denominators.</p> <p>D. Demonstrate the ability to round numbers.</p> <p>E. Determine through estimations the reasonableness of answers to problems involving addition, subtraction, multiplication and division of whole numbers.</p> <p>F. Demonstrate skills for using fraction calculators to verify conjectures, confirm computations and explore complex problem-solving situations.</p> <p>G. Apply estimation strategies to a variety of problems including time and money.</p> <p>H. Explain multiplication and division algorithms.</p> <p>I. Select a method for computation and explain why it is appropriate.</p>	<p>A. Complete calculations by applying the order of operations.</p> <p>B. Add, subtract, multiply and divide different kinds and forms of rational numbers including integers, decimal fractions, percents and proper and improper fractions.</p> <p>C. Estimate the value of irrational numbers.</p> <p>D. Estimate amount of tips and discounts using ratios, proportions and percents.</p> <p>E. Determine the appropriateness of overestimating or underestimating in computation.</p> <p>F. Identify the difference between exact value and approximation and determine which is appropriate for a given situation.</p>	<p>A. Develop and use computation concepts, operations and procedures on real numbers in problem solving situations.</p> <p>B. Use estimation to solve problems for which exact answer is not needed.</p> <p>C. Construct and apply mathematical models, including lines and curves of best fit, to estimate values of related quantities.</p> <p>D. Describe and explain the amount of error that may exist in a computation using estimates.</p> <p>E. Recognize that the degree of precision needed in calculating a number depends on how the results will be used and the instruments used to generate the measure.</p> <p>F. Demonstrate skills for using computer spreadsheets and scientific and graphing calculators.</p>

<b>2.3. Measurement and Estimation</b>			
<b>2.3.3. GRADE 3</b>	<b>2.3.5. GRADE 5</b>	<b>2.3.8. GRADE 8</b>	<b>2.3.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>A. Compare measurable characteristics of different objects on the same dimensions (e.g., time, temperature, area, length, weight, capacity, perimeter).</p> <p>B. Determine the measurement of objects with nonstandard and standard units (e.g., US customary and metric).</p> <p>C. Determine and compare elapsed times.</p> <p>D. Tell time (analog and digital) to the minute.</p> <p>E. Determine appropriate unit of measure.</p> <p>F. Use concrete objects to determine area and perimeter.</p> <p>G. Estimate and verify measurements.</p> <p>Demonstrate that a single object has different attributes that can be measured in different ways (e.g. length, mass, weight, time, area, temperature, capacity, perimeter).</p>	<p>A. Select and use appropriate instruments and units for measuring quantities (e.g., perimeter, volume, area, weight, time, temperature).</p> <p>B. Select and use standard tools to measure the size of figures with specified accuracy, including length, width, perimeter and area.</p> <p>C. Estimate, refine and verify specified measurements of objects.</p> <p>D. Convert linear measurements within the same system.</p> <p>E. Add and subtract measurements.</p>	<p>A. Develop formulas and procedures for determining measurements (e.g., area, volume, distance).</p> <p>B. Solve rate problems (e.g., rate x time = distance, principal x interest rate = interest).</p> <p>C. Measure angles in degrees and determine relations of angles.</p> <p>D. Estimate, use and describe measures of distance, rate, perimeter, area, volume, weight, mass and angles.</p> <p>E. Describe how a change in linear dimension of an object affects its perimeter, area and volume.</p> <p>F. Use scale measurements to interpret maps or drawings.</p> <p>G. Create and use scale models.</p>	<p>A. Select and use appropriate units and tools to measure to the degree of accuracy required in particular measurement situations.</p> <p>B. Measure and compare angles in degrees and radians.</p> <p>C. Demonstrate the ability to produce measures with specified levels of precision.</p>

<b>2.4. Mathematical Reasoning and Connections</b>			
<b>2.4.3. GRADE 3</b>	<b>2.4.5. GRADE 5</b>	<b>2.4.8. GRADE 8</b>	<b>2.4.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>A. Make, check and verify predictions about the quantity, size and shape of objects and groups of objects.</p> <p>B. Use measurements in everyday situations (e.g., determine the geography of the school building).</p>	<p>A. Compare quantities and magnitudes of numbers.</p> <p>B. Use models, number facts, properties and relationships to check and verify predictions and explain reasoning.</p> <p>C. Draw inductive and deductive conclusions within mathematical contexts.</p>	<p>A. Make conjectures based on logical reasoning and test conjectures by using counter-examples.</p> <p>B. Combine numeric relationships to arrive at a conclusion.</p> <p>C. Use if . . . then statements to construct simple valid arguments.</p>	<p>A. Use direct proofs, indirect proofs or proof by contradiction to validate conjectures.</p> <p>B. Construct valid arguments from stated facts.</p> <p>C. Determine the validity of an argument.</p>

<b>2.4. Mathematical Reasoning and Connections</b>			
<b>2.4.3. GRADE 3</b>	<b>2.4.5. GRADE 5</b>	<b>2.4.8. GRADE 8</b>	<b>2.4.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
	<p>D. Distinguish between relevant and irrelevant information in a mathematical problem.</p> <p>E. Interpret statements made with precise language of logic (e.g., "all", "or", "every", "none", "some", "or", "many").</p> <p>F. Use statistics to quantify issues (e.g., in social studies, in science).</p>	<p>D. Construct, use and explain algorithmic procedures for computing and estimating with whole numbers, fractions, decimals and integers.</p> <p>E. Distinguish between inductive and deductive reasoning.</p> <p>F. Use measurements and statistics to quantify issues (e.g., in family and consumer science situations).</p>	<p>D. Use truth tables to reveal the logic of mathematical statements.</p> <p>E. Demonstrate mathematical solutions to problems (e.g., in the physical sciences).</p>

<b>2.5. Mathematical Problem Solving and Communication</b>			
<b>2.5.3. GRADE 3</b>	<b>2.5.5. GRADE 5</b>	<b>2.5.8. GRADE 8</b>	<b>2.5.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>A. Use appropriate problem-solving strategies (e.g., guess and check, working backwards).</p> <p>B. Determine when sufficient information is present to solve a problem and explain how to solve a problem.</p> <p>C. Select and use an appropriate method, materials and strategy to solve problems, including mental mathematics, paper and pencil and concrete objects.</p>	<p>A. Develop a plan to analyze a problem, identify the information needed to solve the problem, carry out the plan, check whether an answer makes sense and explain how the problem was solved.</p> <p>B. Use appropriate mathematical terms, vocabulary, language symbols and graphs to clearly and logically explain solutions to problems.</p> <p>C. Show ideas in a variety of ways, including words, numbers, symbols, pictures, charts, graphs, tables, diagrams and models.</p> <p>D. Connect, extend and generalize problem solutions to other concepts, problems and circumstances in mathematics.</p>	<p>A. Invent, select, use and justify the appropriate methods, materials and strategies used to solve problems.</p> <p>B. Verify and interpret results using precise mathematical language, notation and representations, including numerical tables and equations, simple algebraic equations and formulas, charts, graphs and diagrams.</p> <p>C. Justify strategies and defend approaches used and conclusions reached.</p> <p>D. Determine pertinent information in problem situations and whether any further information is needed for solution.</p>	<p>A. Select and use appropriate mathematical concepts and techniques from different areas of mathematics and apply them to solving non-routine and multi-step problems.</p> <p>B. Use symbols, mathematical terminology, standard notation, mathematical rules, graphing and other types of mathematical representations to communicate observations, predictions, concepts, procedures, generalizations, ideas and results.</p> <p>C. Present mathematical procedures and results clearly, systematically, succinctly and correctly.</p> <p>D. Conclude a solution process with a summary of results and evaluate the degree to which the results obtained represent an acceptable response to the initial problem and why the reasoning is valid.</p>



<b>2.5. Mathematical Problem Solving and Communication</b>			
<b>2.5.3. GRADE 3</b>	<b>2.5.5. GRADE 5</b>	<b>2.5.8. GRADE 8</b>	<b>2.5.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
	<p>E. Select, use and justify the methods, materials and strategies used to solve problems.</p> <p>F. Use appropriate problem-solving strategies (e.g., solving a simpler problem, drawing a picture or diagram).</p>		

<b>2.6. Statistics and Data Analysis</b>			
<b>2.6.3. GRADE 3</b>	<b>2.6.5. GRADE 5</b>	<b>2.6.8. GRADE 8</b>	<b>2.6.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>A. Gather, organize and display data using pictures, tallies, charts, bar graphs and pictographs.</p> <p>B. Formulate and answer questions based on data shown on graphs.</p> <p>C. Predict the likely number of times a condition will occur based on the analyzed data.</p> <p>D. Form and justify an opinion on whether a given statement is reasonable based on a comparison to data.</p>	<p>A. Organize and display data using pictures, tallies, tables, charts, bar graphs and circle graphs.</p> <p>B. Describe data sets using mean, median, mode and range.</p> <p>C. Sort data using Venn diagrams.</p> <p>D. Predict the likely number of times a condition will occur based on analyzed data.</p> <p>E. Construct and defend simple conclusions based on data.</p>	<p>A. Compare and contrast different plots of data using values of mean, median, mode, quartiles and range.</p> <p>B. Explain effects of sampling procedures and missing or incorrect information on reliability.</p> <p>C. Fit a line to the scatter plot of two quantities and describe any correlation of the variables.</p> <p>D. Design and carry out a random sampling procedure.</p> <p>E. Analyze and display data in stem-and-leaf and box-and-whisker plots.</p> <p>F. Use scientific and graphing calculators and computer spreadsheets to organize and analyze data.</p> <p>G. Determine the validity of the sampling method described in studies published in local or National newspapers.</p>	<p>A. Design and conduct an experiment using random sampling. Describe the data as an example of a distribution using statistical measures of center and spread. Organize and represent the results with graphs. (Use standard deviation, variance and t-tests).</p> <p>B. Use appropriate technology to organize and analyze data taken from the local community.</p> <p>C. Determine the regression equation of best fit (e.g., linear, quadratic and exponential).</p> <p>D. Make predictions using interpolation, extrapolation, regression and estimation using technology to verify them.</p> <p>E. Determine the validity of the sampling method described in a given study.</p> <p>F. Determine the degree of dependence of two quantities specified by a two-way table.</p> <p>G. Describe questions of experimental design, control groups, treatment groups, cluster sampling and reliability.</p> <p>H. Use sampling techniques to draw inferences about large populations.</p>

<b>2.6. Statistics and Data Analysis</b>			
<b>2.6.3. GRADE 3</b>	<b>2.6.5. GRADE 5</b>	<b>2.6.8. GRADE 8</b>	<b>2.6.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
			I. Describe the normal curve and use its properties to answer questions about sets of data that are assumed to be normally distributed.

<b>2.7. Probability and Predictions</b>			
<b>2.7.3. GRADE 3</b>	<b>2.7.5. GRADE 5</b>	<b>2.7.8. GRADE 8</b>	<b>2.7.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills needed to:</i></b>			
A. Predict and measure the likelihood of events and recognize that the results of an experiment may not match predicted outcomes.  B. Design a fair and an unfair spinner.  C. List or graph the possible results of an experiment.  D. Analyze data using the concepts of largest, smallest, most often, least often and middle.	A. Perform simulations with concrete devices (e.g., dice, spinner) to predict the chance of an event occurring.  B. Determine the fairness of the design of a spinner.  C. Express probabilities as fractions and decimals.  D. Compare predictions based on theoretical probability and experimental results.  E. Calculate the probability of a simple event.  F. Determine patterns generated as a result of an experiment.  G. Determine the probability of an event involving "and", "or" or "not".  H. Predict and determine why some outcomes are certain, more likely, less likely, equally likely or impossible.  I. Find all possible combinations and arrangements involving a limited number of variables.  J. Develop a tree diagram and list the elements.	A. Determine the number of combinations and permutations for an event.  B. Present the results of an experiment using visual representations (e.g., tables, charts, graphs).  C. Analyze predictions (e.g., election polls).  D. Compare and contrast results from observations and mathematical models.  E. Make valid inferences, predictions and arguments based on probability.	A. Compare odds and probability.  B. Apply probability and statistics to perform an experiment involving a sample and generalize its results to the entire population.  C. Draw and justify a conclusion regarding the validity of a probability or statistical argument.  D. Use experimental and theoretical probability distributions to make judgments about the likelihood of various outcomes in uncertain situations.  E. Solve problems involving independent simple and compound events.

<b>2.8. Algebra and Functions</b>			
<b>2.8.3. GRADE 3</b>	<b>2.8.5. GRADE 5</b>	<b>2.8.8. GRADE 8</b>	<b>2.8.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
A. Recognize, describe, extend, create and replicate a variety of patterns including attribute, activity, number and geometric patterns.	A. Recognize, reproduce, extend, create and describe patterns, sequences and relationships verbally, numerically, symbolically and graphically, using a variety of materials.	A. Apply simple algebraic patterns to basic number theory and to spatial relations.	A. Analyze a given set of data for the existence of a pattern and represent the pattern algebraically and graphically.
B. Use concrete objects and trial and error to solve number sentences and check if solutions are sensible and accurate.	B. Connect patterns to geometric relations and basic number skills.	B. Discover, describe and generalize patterns, including linear, exponential and simple quadratic relationships.	B. Give examples of patterns that occur in data from other disciplines.
C. Substitute a missing addend in a number sentence.	C. Form rules based on patterns (e.g., an equation that relates pairs in a sequence).	C. Create and interpret expressions, equations or inequalities that model problem situations.	C. Use patterns, sequences and series to solve routine and nonroutine problems.
D. Create a story to match a given combination of symbols and numbers.	D. Use concrete objects and combinations of symbols and numbers to create expressions that model mathematical situations.	D. Use concrete objects to model algebraic concepts.	D. Formulate expressions, equations, inequalities, systems of equations, systems of inequalities and matrices to model routine and nonroutine problem situations.
E. Use concrete objects and symbols to model the concepts of variables, expressions, equations and inequalities.	E. Explain the use of combinations of symbols and numbers in expressions, equations and inequalities.	E. Select and use a strategy to solve an equation or inequality, explain the solution and check the solution for accuracy.	E. Use equations to represent curves (e.g., lines, circles, ellipses, parabolas, hyperbolas).
F. Explain the meaning of solutions and symbols.	F. Describe a realistic situation using information given in equations, inequalities, tables or graphs.	F. Solve and graph equations and inequalities using scientific and graphing calculators and computer spreadsheets.	F. Identify whether systems of equations and inequalities are consistent or inconsistent.
G. Use a table or a chart to display information.	G. Select and use appropriate strategies, including concrete materials, to solve number sentences and explain the method of solution.	G. Represent relationships with tables or graphs in the coordinate plane and verbal or symbolic rules.	G. Analyze and explain systems of equations, systems of inequalities and matrices.
H. Describe and interpret the data shown in tables and charts.	H. Locate and identify points on a coordinate system.	H. Graph a linear function from a rule or table.	H. Select and use an appropriate strategy to solve systems of equations and inequalities using graphing calculators, symbol manipulators, spreadsheets and other software.
I. Demonstrate simple function rules.	I. Generate functions from tables of data and relate data to corresponding graphs and functions.	I. Generate a table or graph from a function and use graphing calculators and computer spreadsheets to graph and analyze functions.	I. Use matrices to organize and manipulate data, including matrix addition, subtraction, multiplication and scalar multiplication.

<b>2.8. Algebra and Functions</b>			
<b>2.8.3. GRADE 3</b>	<b>2.8.5. GRADE 5</b>	<b>2.8.8. GRADE 8</b>	<b>2.8.11. GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>J. Analyze simple functions and relationships and locate points on a simple grid.</p>		<p>J. Show that an equality relationship between two quantities remains the same as long as the same change is made to both quantities; explain how a change in one quantity determines another quantity in a functional relationship.</p>	<p>J. Demonstrate the connection between algebraic equations and inequalities and the geometry of relations in the coordinate plane.</p> <p>K. Select, justify and apply an appropriate technique to graph a linear function in two variables, including slope-intercept, x- and y-intercepts, graphing by transformations and the use of a graphing calculator.</p> <p>L. Write the equation of a line when given the graph of the line, two points on the line, or the slope of the line and a point on the line.</p> <p>M. Given a set of data points, write an equation for a line of best fit.</p> <p>N. Solve linear, quadratic and exponential equations both symbolically and graphically.</p> <p>O. Determine the domain and range of a relation, given a graph or set of ordered pairs.</p> <p>P. Analyze a relation to determine whether a direct or inverse variation exists and represent it algebraically and graphically.</p> <p>Q. Represent functional relationships in tables, charts and graphs.</p> <p>R. Create and interpret functional models.</p> <p>S. Analyze properties and relationships of functions (e.g., linear, polynomial, rational, trigonometric, exponential, logarithmic).</p> <p>T. Analyze and categorize functions by their characteristics.</p>

<b>2.9. Geometry</b>			
<b>2.9.3 GRADE 3</b>	<b>2.9.5. GRADE 5</b>	<b>2.9.8 GRADE 8</b>	<b>2.9.11 GRADE 11</b>
<b><i>Pennsylvania's public school shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>A. Name and label geometric shapes in two and three dimensions (e.g., circle/sphere, square/cube, triangle/pyramid, rectangle/prism).</p> <p>B. Build geometric shapes using concrete objects (e.g., manipulatives).</p> <p>C. Draw two- and three-dimensional geometric shapes and construct rectangles, squares and triangles on the geoboard and on graph paper satisfying specific criteria.</p> <p>D. Find and describe geometric figures in real life.</p> <p>E. Identify and draw lines of symmetry in geometric figures.</p> <p>F. Identify symmetry in nature.</p> <p>G. Fold paper to demonstrate the reflections about a line.</p> <p>H. Show relationships between and among figures using reflections.</p> <p>I. Predict how shapes can be changed by combining or dividing them.</p>	<p>A. Give formal definitions of geometric figures.</p> <p>B. Classify and compare triangles and quadrilaterals according to sides or angles.</p> <p>C. Identify and measure circles, their diameters and radii.</p> <p>D. Describe in words how geometric shapes are constructed.</p> <p>E. Construct two- and three-dimensional shapes and figures using manipulatives, geoboards and computer software.</p> <p>F. Find familiar solids in the environment and describe them.</p> <p>G. Create an original tessellation.</p> <p>H. Describe the relationship between the perimeter and area of triangles, quadrilaterals and circles.</p> <p>I. Represent and use the concepts of line, point and plane.</p> <p>J. Define the basic properties of squares, pyramids, parallelograms, quadrilaterals, trapezoids, polygons, rectangles, rhombi, circles, triangles, cubes, prisms, spheres and cylinders.</p>	<p>A. Construct figures incorporating perpendicular and parallel lines, the perpendicular bisector of a line segment and an angle bisector using computer software.</p> <p>B. Draw, label, measure and list the properties of complementary, supplementary and vertical angles.</p> <p>C. Classify familiar polygons as regular or irregular up to a decagon.</p> <p>D. Identify, name, draw and list all properties of squares, cubes, pyramids, parallelograms, quadrilaterals, trapezoids, polygons, rectangles, rhombi, circles, spheres, triangles, prisms and cylinders.</p> <p>E. Construct parallel lines, draw a transversal and measure and compare angles formed (e.g., alternate interior and exterior angles).</p> <p>F. Distinguish between similar and congruent polygons.</p> <p>G. Approximate the value of <math>\pi</math> (pi) through experimentation.</p> <p>H. Use simple geometric figures (e.g., triangles and squares) to create, through rotation, transformational figures in three dimensions.</p> <p>I. Generate transformations using computer software.</p> <p>J. Analyze geometric patterns (e.g., tessellations and sequences of shapes) and develop descriptions of the patterns.</p>	<p>A. Construct geometric figures using dynamic geometry tools (e.g., Geometer's Sketchpad, Cabri Geometre).</p> <p>B. Prove two triangles or two polygons are congruent or similar using algebraic, coordinate and deductive proofs.</p> <p>C. Identify and prove the properties of quadrilaterals involving opposite sides and angles, consecutive sides and angles and diagonals using deductive proofs.</p> <p>D. Identify corresponding parts in congruent triangles to solve problems.</p> <p>E. Solve problems involving inscribed and circumscribed polygons.</p> <p>F. Use the properties of angles, arcs, chords, tangents and secants to solve problems involving circles.</p> <p>G. Solve problems using analytic geometry.</p> <p>H. Construct a geometric figure and its image using various transformations.</p> <p>I. Model situations geometrically to formulate and solve problems.</p> <p>J. Analyze figures in terms of the kinds of symmetries they have.</p>

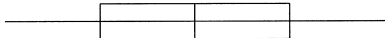
<b>2.9. Geometry</b>			
<b>2.9.3 GRADE 3</b>	<b>2.9.5. GRADE 5</b>	<b>2.9.8 GRADE 8</b>	<b>2.9.11 GRADE 11</b>
<b><i>Pennsylvania's public school shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
	<p>K. Analyze simple transformations of geometric figures and rotations of line segments.</p> <p>L. Identify properties of geometric figures (e.g., parallel, perpendicular, similar, congruent, symmetrical).</p>	<p>K. Analyze objects to determine if they illustrate tessellations, symmetry, congruence, similarity and scale.</p>	

<b>2.10. Trigonometry</b>			
<b>2.10.3 GRADE 3</b>	<b>2.10.5. GRADE 5</b>	<b>2.10.8 GRADE 8</b>	<b>2.10.11 GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>A. Identify right angles in the environment.</p> <p>B. Model right angles and right triangles using concrete objects.</p>	<p>A. Identify and compare parts of right triangles including right angles, acute angles, hypotenuses and legs.</p> <p>B. Create right triangles on a geoboard.</p>	<p>A. Compute measures of sides and angles using proportions, the Pythagorean Theorem and right triangle relationships.</p> <p>B. Solve problems requiring indirect measurement for lengths of sides of triangles.</p>	<p>A. Use graphing calculators to display periodic and circular functions; describe properties of the graphs.</p> <p>B. Identify, create and solve practical problems involving right triangles using the trigonometric functions and the Pythagorean Theorem.</p>

<b>2.11. Concepts of Calculus</b>			
<b>2.11.3 GRADE 3</b>	<b>2.11.5. GRADE 5</b>	<b>2.11.8 GRADE 8</b>	<b>2.11.11 GRADE 11</b>
<b><i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i></b>			
<p>A. Identify whole number quantities and measurements from least to most and greatest value.</p> <p>B. Identify least and greatest values represented in bar graphs and pictographs.</p> <p>C. Categorize rates of change as faster and slower.</p> <p>D. Continue a pattern of numbers or objects that could be extended infinitely.</p>	<p>A. Make comparisons of numbers (e.g., more, less, same, least, most, greater than, less than).</p> <p>B. Identify least and greatest values represented in bar and circle graphs.</p> <p>C. Identify maximum and minimum.</p> <p>D. Describe the relationship between rates of change and time.</p> <p>E. Estimate areas and volumes as the sums of areas of tiles and volumes of cubes.</p>	<p>A. Analyze graphs of related quantities for minimum and maximum values and justify the findings.</p> <p>B. Describe the concept of unit rate, ratio, and slope in context of rate of change.</p> <p>C. Continue a pattern of numbers or objects that could be extended infinitely.</p>	<p>A. Determine maximum and minimum values of a function over a specified interval.</p> <p>B. Interpret maximum and minimum values in problem situations.</p> <p>C. Graph and interpret rates of growth/decay.</p> <p>D. Determine sums of finite sequences of numbers and infinite geometric series.</p> <p>E. Estimate areas under curves using sequences of areas.</p>

2.11. Concepts of Calculus			
2.11.3 GRADE 3	2.11.5. GRADE 5	2.11.8 GRADE 8	2.11.11 GRADE 11
<i>Pennsylvania's public schools shall teach, challenge and support every student to realize the student's maximum potential and to acquire the knowledge and skills to:</i>			
	F. Describe the relationship between the size of the unit of measurement and the estimate of the areas and volumes.		

## VI. GLOSSARY

<b>Absolute value:</b>	A number's distance from zero on a number line. The absolute value of 2 is equal to the absolute value of $-2$ .
<b>Algorithm:</b>	A method of performing an arithmetic operation.
<b>Analog time:</b>	Time displayed on a timepiece having hour and minute hands.
<b>Array:</b>	Arrangement of a series of items according to the values of the items, e.g., largest to smallest.
<b>Box-and-whisker plot:</b>	A graphic method for showing a summary of data using median, quartiles and extremes of data.
	
<b>Combination:</b>	A subset of the elements in a given set, without regard to the order in which those elements are arranged.
<b>Composite number:</b>	Any positive integer exactly divisible by one or more positive integers other than itself and 1.
<b>Congruent:</b>	Having the same shape and the same size.
<b>Conjecture:</b>	A statement believed to be true but not proved.
<b>Coordinate system:</b>	A method of locating points in the plane or in space by means of numbers. A point in the plane is located by its distances from both a horizontal and a vertical line called the axes. The horizontal line is called the x-axis. The vertical line is called the y-axis. The pairs of numbers are called ordered pairs. The first number, called the x-coordinate, designates the distance along the horizontal axis. The second number, called the y-coordinate, designates the distance along the vertical axis. The point at which the two axes intersect has the coordinates (0,0) and is called the origin.
<b>Correlation:</b>	A measure of the mutual relationship between two variables.
<b>Customary system:</b>	A system of weights and measures frequently used in the United States. The basic unit of weight is the pound; the basic unit of capacity is the quart.
<b>Deductive reasoning:</b>	The process of reasoning from statements accepted as true to reach a conclusion.
<b>Direct variation:</b>	Two variables are so related that their ratio remains constant.
<b>Domain:</b>	The set of all possible values for the unknown in an open sentence.
<b>Equation:</b>	A statement of equality between two mathematical expressions (e.g., $X + 5 = Y - 2$ ).
<b>Equivalent forms:</b>	Different forms of numbers that name the same number (e.g., fraction, decimal, percent as $1/2$ , $.5$ , $50\%$ ).
<b>Expanded notation:</b>	Involves writing the number in expanded form to show the value of each digit (e.g., $15,629 = 10,000 + 5,000 + 600 + 20 + 9$ ).
<b>Exponential function:</b>	A function whose general equation is $y = a \times b^x$ or $y = a \times b^{kx}$ , where a, b and k stand for constants.
<b>Exponent:</b>	A numeral used to tell how many times a number or variable is used as a factor (e.g., $a^2$ , $2^n$ , $y^x$ ).
<b>Expression:</b>	A mathematical phrase that can include operations, numerals and variables. In algebraic terms: $2l + 3x$ ; in numeric terms: $13.4 - 4.7$ .
<b>Factor:</b>	The number or variable multiplied in a multiplication expression.
<b>Factorial:</b>	The expression $n!$ (n factorial) is the product of all the numbers from 1 to n for any positive integer n.
<b>Function:</b>	A relation in which each value of an independent variable is associated with a unique value of the dependent value.

<b>Geoboard:</b>	A board with pegs aligned in grid fashion that permits rubber bands to be wrapped around pegs to form geometric figures.
<b>Graphing calculator:</b>	A calculator that will store and draw the graphs of several functions at once.
<b>Independent events:</b>	Events such that the outcome of the first event has no effect on the probabilities of the outcome of the second event (e.g., two tosses of the same coin are independent events).
<b>Inductive reasoning:</b>	Generalizations made from particular observations in a common occurrence.
<b>Inequality:</b>	A mathematical sentence that contains a symbol, (e.g., $>$ , $<$ , $\geq$ , $\leq$ or $\neq$ ) in which the terms on either side of the symbol are unequal (e.g., $x < y$ , $7 > 3$ , $n \geq 4$ ).
<b>Infinite:</b>	Has no end or goes on forever.
<b>Integer:</b>	A number that is a positive whole number, a negative whole number or zero.
<b>Inverse:</b>	A new conditional formed by negating both the antecedent and the consequent of a conditional.
<b>Inverse operations:</b>	Operations that undo each other (e.g., addition and subtraction are inverse operations; multiplication and division are inverse operations).
<b>Inverse variation:</b>	When the ratio of one variable to the reciprocal of the other is constant, one of them is said to vary inversely as the other.
<b>Irrational number:</b>	A number that cannot be written as a simple fraction. It is an infinite and nonrepeating decimal.
<b>Limit:</b>	A number to which the terms of a sequence get closer so that beyond a certain term all terms are as close as desired to that number.
<b>Line of best fit:</b>	The line that fits a set of data points with the smallest value for the sum of the squares of the errors (vertical distances) from the data points to the line; the regression line.
<b>Linear function:</b>	A function whose general equation is $y = mx + b$ , where $m$ and $b$ stand for constants and $m \neq 0$ .
<b>Linear measurement:</b>	Measurement in a straight line.
<b>Logarithm:</b>	The exponent indicating the power to which a fixed number, the base, must be raised to produce a given number. For example, if $n^x = a$ , the logarithm of $a$ , with $n$ as the base, is $x$ ; symbolically, $\log_n a = x$ . If the base is 10, the log of 100 is 2.
<b>Manipulatives:</b>	Materials that allow students to explore mathematical concepts in a concrete mode.
<b>Mathematical model:</b>	A representation in the mathematical world of some phenomenon in the real world. It frequently consists of a function or relation specifying how two variables are related.
<b>Matrix:</b>	A rectangular array of numbers representing such things as the coefficients in a system of equations arranged in rows and columns.
<b>Maximum:</b>	The greatest number in a set of data.
<b>Mean:</b>	The sum of the set of numbers divided by $n$ , the number of numbers in the set.
<b>Median:</b>	The number that lies in the middle when a set of numbers is arranged in order. If there are two middle values, the median is the mean of these values.
<b>Metric system:</b>	A system of measurement used throughout the world based on factors of 10. It includes measures of length, weight and capacity.
<b>Minimum:</b>	The least number in a set of data.
<b>Missing addend:</b>	A member of an addition number sentence in which that term is missing (e.g., $5 + \underline{\quad} = 8$ ).
<b>Mode:</b>	The number(s) that occurs most often in a set of numbers (e.g., in the set 1, 2, 3, 3, 5, 8; the mode is 3).
<b>Multiple:</b>	A number that is the product of a given integer and another integer (e.g., 6 and 9 are multiples of 3).
<b>Normal curve:</b>	A graphical plot of a mathematical function (frequency distribution) which is unimodal and symmetrical.
<b>One-to-one correspondence:</b>	When one and only one element of a second set is assigned to an element of a first set, all elements of the second set are assigned, and every element of the first set has an assignment, the mapping is called one-to-one (e.g., in the set Bill Clinton, George Bush, Ronald Reagan, Jimmy Carter, Hillary Clinton, Barbara Bush, Nancy Reagan and Rosalynn Carter, there is a one-to-one correspondence between the pairs.)
<b>Open sentence:</b>	A statement that contains at least one unknown. It becomes true or false when a quantity is substituted for the unknown (e.g., $x + 5 = 9$ , $y - 2 = 7$ ).



<b>Order of operations:</b>	Rules for evaluating an expression: work first within parentheses; then calculate all powers, from left to right; then do multiplications or divisions, from left to right; then do additions and subtractions, from left to right.
<b>Patterns:</b>	Regularities in situations such as those in nature, events, shapes, designs and sets of numbers (e.g., spirals on pineapples, geometric designs in quilts, the number sequence 3, 6, 9, 12, . . .).
<b>Permutation:</b>	An arrangement of a given number of objects from a given set in which the order of the objects is significant.
<b>Perpendicular lines:</b>	Two lines that intersect to form right angles. (e.g., $\perp$ , $\lrcorner$ , $\llcorner$ ).
<b>Plotting points:</b>	Locating points by means of coordinates, or a curve by plotted points, representing an equation by means of a curve so constructed.
<b>Polygon:</b>	A union of segments connected end to end, so that each segment intersects exactly two others at its endpoints.



<b>Powers:</b>	A number expressed using an exponent. The number $5^3$ is read five to the third power or five cubed.
<b>Prime:</b>	An integer greater than one whose only positive factors are 1 and itself (e.g., 2, 3, 5, 7, 11, 13, 17 and 19).
<b>Probability:</b>	A number from 0 to 1 that indicates how likely something is to happen.
<b>Problem solving:</b>	Finding ways to reach a goal when no routine path is apparent.
<b>Proof by contradiction:</b>	A proof in which, if $s$ is to be proven, one reasons from not- $s$ until a contradiction is deduced; from this it is concluded that not- $s$ is false, which means that $s$ is true.
<b>Proportion:</b>	An equation of the form $a/b = c/d$ that states that the two ratios are equivalent.
<b>Quadrilateral:</b>	A four-sided polygon.
<b>Quartiles:</b>	The three values that divide an ordered set into four subsets of approximately equal size. The second quartile is the median.
<b>Radian:</b>	A unit of angular measure equal to $\frac{1}{2}\pi$ of a complete revolution.
<b>Range (1):</b>	The difference between the greatest number and the least number in a set of data.
<b>Range (2):</b>	The set of output values for a function.
<b>Rate of change:</b>	The limit of the ratio of an increment of the function value at the point to that of the independent variable as the increment of the variable approaches zero.
<b>Ratio:</b>	A comparison of two numbers by division.
<b>Rational numbers:</b>	Any number that can be written in the form $a/b$ where $a$ is any integer and $b$ is any integer except zero.
<b>Real numbers:</b>	The set consisting of all rational numbers and all irrational numbers.
<b>Reasonableness:</b>	Quality of a solution so that it is not extreme or excessive.
<b>Reciprocal:</b>	The fractional number that results from dividing one by the number.
<b>Rectangular prism:</b>	A three-dimensional figure whose sides are all rectangles; a box.
<b>Reflection:</b>	A transformation that produces the mirror image of a geometric figure.
<b>Regression:</b>	The line that represents the least deviation from the points in a scatter plot of data.
<b>Regular polygon:</b>	A polygon in which all sides have the same measure and all angles have the same measure.
<b>Relation:</b>	A set of ordered pairs.
<b>Reliability:</b>	The extent to which a measuring procedure yields the same results on repeated trials.
<b>Repeated addition:</b>	A model for multiplication (e.g., $2 + 2 + 2 = 3 \times 2$ ).
<b>Rotation:</b>	A transformation that maps every point in the plane to its image by rotating the plane around a fixed point or line.
<b>Scientific calculator:</b>	A calculator that represents very large or very small numbers in scientific notation and with the powering, factorial, square root, negative and reciprocal keys.
<b>Scientific notation:</b>	A way of writing a number of terms of an integer power of 10 multiplied by a number greater than or equal to 1 and less than 10.
<b>Sequence:</b>	A set of ordered quantities (e.g., positive integers).
<b>Series:</b>	The indicated sum of the terms of a sequence.
<b>Similarity:</b>	Having the same shape but not necessarily the same size.

- Simple event:** An event whose probability can be obtained from consideration of a single occurrence (e.g., the tossing of a coin is a simple event).
- Simulation:** Modeling a real event without actually observing the event.
- Slope:** The slope of a line is the ratio of the change in  $y$  to the corresponding change in  $x$ ; the constant  $m$  in the linear function equation; rise/run.
- Standard deviation:** The square root of the variance.
- Stem-and-leaf plot:** A frequency distribution made by arranging data (e.g., student scores on a test were 98, 96, 85, 93, 83, 87, 85, 87, 93, 75, 77 and 83. This data are displayed in a stem-and-leaf plot below.

9	8, 6, 3, 3
8	7, 7, 5, 5, 3, 3
7	7, 5

- Systems of equations:** Two or more equations that are conditions imposed simultaneously on all the variables, but may or may not have common solutions (e.g.,  $x + y = 2$ , and  $3x + 2y = 5$ ).
- Symmetry:** A line of symmetry separates a figure into two congruent halves, each of which is a reflection of the other (e.g.,  $\emptyset$ , the line through the center of the circle divides it into congruent halves).
- t-test:** A statistical test done to test the difference of means of two samples.
- Tessellation:** A repetitive pattern of polygons that covers an area with no holes and no overlaps, like floor tiles.
- Transformation:** An operation on a geometric figure by which each point gives rise to a unique image.
- Translation:** A transformation that moves a geometric figure by sliding each of the points the same distance in the same direction.
- Tree diagram:** A diagram used to show the total number of possible outcomes in a probability experiment.
- Trigonometric functions:** A function (e.g., sine, cosine, tangent, cotangent, secant, cosecant) whose independent variable is an angle measure, usually in degrees or radians.
- Valid argument:** An argument with the property no matter what statements are substituted in the premises, the truth value of the form is true. If the premises are true, then the conclusion is true.
- Variable:** A symbol used to stand for any one of a given set of numbers or other objects (e.g., in the equation  $y = x + 5$ ,  $y$  and  $x$  are variables).
- Variance:** In a data set, the sum of the squared deviations divided by one less than the number of elements in the set (sample variance  $s^2$ ) or by the number of elements in the set (population variance  $\sigma^2$ ).
- Vector:** A quantity that has both magnitude and direction (e.g., physical quantities such as velocity and force).
- Venn diagram:** A display that pictures unions and intersections of sets.



- Volume:** The amount of space enclosed in a space (3-dimensional) figure, measured in cubic units.
  - Y-intercept:** The  $y$ -intercept of a line is the  $y$ -coordinate of the point at which the graph of an equation crosses the  $y$ -axis.
  - $\pi$ : pi, the ratio of the circumference of a circle to its diameter: about 3.1415926535.
- CHAPTER 5. (Reserved)**
- §§ 5.1—5.4. (Reserved).
  - §§ 5.201—5.203. (Reserved).
  - §§ 5.211—5.220. (Reserved).
  - §§ 5.221—5.223. (Reserved).
  - § 5.231. (Reserved).
  - § 5.232. (Reserved).
  - §§ 5.241—5.244. (Reserved).
  - §§ 5.251—5.253. (Reserved).

- CHAPTER 6. (Reserved)**
- §§ 6.1—6.3. (Reserved).
  - §§ 6.21—6.23. (Reserved).
  - § 6.52. (Reserved).
  - § 6.63. (Reserved).
  - § 6.71. (Reserved).
  - § 6.81. (Reserved).

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