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PENNSYLVANIA BULLETIN

Volume 26
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State Transportation Commission

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

No. 254, January 1996

PENNSYLVANIA

BULLETIN

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

SUBSCRIPTION INFORMATION: (717) 766-0211
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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.

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 1996.

7 Pa. Code (Agriculture)		64 Pa. Code (Securities)	
Adopted Rules		Adopted Rules	
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31 Pa. Code (Insurance)		231 Pa. Code (Rules of Civil Procedure)	
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THE GOVERNOR

GOVERNOR'S OFFICE

PROCLAMATION

Declaration of Disaster Emergency

Whereas, investigations made at my direction have disclosed that a series of severe winter storms, each with historical record amounts of snow accumulation, freezing rain, and high winds, have devastated certain areas of Pennsylvania within days of each other resulting in extensive road closures and other adverse life safety impacts upon the general population of the Commonwealth; and

Whereas, the emergency situation may be of such magnitude or severity as to render essential the Commonwealth's augmentation of county and municipal efforts and resources and the continuing activation of all applicable state, county and municipal emergency response plans;

Now Therefore, pursuant to the provision of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. § 7101 et seq.) I do hereby proclaim the existence of a disaster emergency in Adams, Bedford, Berks, Blair, Bucks, Cambria, Carbon, Centre, Chester, Clearfield, Clinton, Columbia, Cumberland, Dauphin, Delaware, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Lycoming, Luzerne, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Union, Wayne, Westmoreland, Wyoming and York, and I direct all Commonwealth departments and agencies to utilize all available resources and personnel as is deemed necessary for life safety purposes to cope with the magnitude and severity of this emergency situation.

Further, I hereby authorize the transfer of funds per Section 7307 to the Pennsylvania Emergency Management Agency for it to carry out duties outlined in the Emergency Management Services Code. The time-consuming bid and contract procedures and formalities normally prescribed by law shall be waived for the duration of this Proclamation, mandatory constitutional requirements excepted. All departments, agencies, boards and commissions of state government determined necessary by the Pennsylvania Emergency Management Agency shall assist.

Further, I hereby authorize the Secretary of the Department of Transportation in coordination with the Pennsylvania Emergency Management Agency to use all available equipment, resources, and personnel of the Department, in whatever manner that he deems necessary, to ensure that certain interstate or other federal and state highways in the declared disaster counties are cleared of snow resulting from the severe winter storm. In addition, I hereby waive any laws or regulation that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in clearing and removal of snow from highways located in the declared disaster/emergency counties. However, any assistance provided to local jurisdictions, whether counties, cities, boroughs, or townships, shall be limited to snow plowing activities necessary to open and maintain one lane of roadway in each direction sufficient for the passage of emergency vehicles on collector roads and streets, and on minor and principal arterial roads. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of the Department of Transportation. However, this assistance does not apply to privately owned highways, roads, streets, or other types of property.

Further, The Department of Transportation shall have the right, notwithstanding any statutory allocation requirements to the contrary, to allocate funds to county maintenance districts incurring costs related to this disaster emergency.

THE GOVERNOR

Further, the Commonwealth, its employees, agents or representatives engaged in any emergency services activities concerning snow removal, debris and wreckage removal, public health and safety activities, or other related functions within the declared disaster counties shall be entitled to receive the civil liability protection afforded to them by Sections 7303(c) and 7704 of the Emergency Management Services Code.

Further, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of the emergency, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety and due to the inability of local officials to respond to these severe winter storms; and

Further, should I determine that this emergency requires the immediate sheltering or evacuation of all or part of the population from the affected areas mentioned above, I hereby authorize the Pennsylvania State Police, the Pennsylvania National Guard, and the members of all city, borough, and township police departments, under the operational control of the Pennsylvania State Police, within the affected area to carry out and enforce my powers set forth in Subsection 7301(f) of the Emergency Management Services Code to control ingress to and egress from the affected area; the movement of persons within the area; or to order and compel the evacuation of the populations from the affected area. My decision to order any or all of these protective action measures will be disseminated through the Pennsylvania Emergency Management Agency.

Further, I hereby urge the governing bodies and executive offices of all political subdivisions affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this proclamation.

GIVEN under my hand and Great Seal of the Commonwealth, this Seventh day of January, in the year of our Lord, one thousand nine-hundred and ninety-six, and of the Commonwealth, the two-hundred and twentieth.

Governor

[Pa.B. Doc. No. 96-70. Filed for public inspection January 19, 1996, 9:00 a.m.]

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 4000]

Technical Amendment of Rules 4001, 4023 and 4025; No. 254; Doc. No. 5

Order

Per Curiam:

And Now, this 27th day of December, 1995, Pennsylvania Rules of Civil Procedure 4001, 4023 and 4025 are amended as follows:

I. Rule 4025 is amended to read as follows.

II. The notes to Rules 4001(b) and 4023 are amended to read as follows.

This Order shall be effective January 1, 1996 and shall be processed in accordance with Rule of Judicial Administration 103(b).

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 4000. DEPOSITIONS AND DISCOVERY

Rule 4001. Scope. Definitions.

* * * * *

(b) ***

Official Note: These rules apply to an action pending in the court of common pleas and referred to compulsory arbitration under [**the Act of June 16, 1836, P. L. 715, § 8.1, added January 14, 1952, P. L. (1951) 2087, § 1, as amended, 5 P. S. § 30**] **Section 7361 of the Judicial Code, 42 Pa.C.S. § 7361.**

* * * * *

Rule 4023. Acts of Assembly not Suspended.

* * * * *

(3) ***

Official Note: This subdivision includes the following statutes relating to shareholder actions, [**act of May 5, 1933, P. L. 364, § 308, amended July 20, 1968, P. L. 549, No. 216, § 11, 15 P. S. § 1308**] **Section 1508 of the Associations Code, 15 Pa.C.S. § 1508**; insolvency proceedings, act of June 16, 1836, P. L. 729, § 12, 39 P. S. § 252; election contests, act of June 3, 1937, P. L. 1333, § 1765, 25 P. S. § 3465; and appeals from registration commissions, act of March 30, 1937, P. L. 115, § 43, as amended July 31, 1941, P. L. 710, § 32, 25 P. S. § 623-43 (cities of the first class); act of April 29, 1937, P. L. 487, § 42 as amended May 31, 1955, P. L. 62, § 33, 25 P. S. § 951-42 (cities of the second class, cities of the second class A, cities of the third class, boroughs, towns and townships).

Rule 4025. [**Suspension of Acts of Assembly.**] Abolition of Practice and Procedure under Repealed Statutes.

[**After the effective date of these rules,**

(a) **all acts or parts of Acts of Assembly inconsistent with these rules are suspended to the extent of such inconsistency unless saved from suspension by Rule 4023; and**

(b)(1) **the] The practice and procedure provided in all former Acts of Assembly governing depositions and discovery, which have been repealed [effective June 27, 1978] by the Judiciary Act Repealer Act (JARA), act of April 28, 1978, No. 53 and which are now part of the common law of the Commonwealth by virtue of Section 3(b) of JARA, are hereby abolished and shall not continue as part of the common law of the Commonwealth[, and**

(2) **with respect to all Acts of Assembly relating to such practice and procedure, repeal of which will become effective June 27, 1979 or June 27, 1980 pursuant to Sections 4(a) and 4(b) of JARA, this is a general rule within the meaning of Section 3(b) of JARA and the practice and procedure provided in those Acts of Assembly shall not continue as part of the common law of the Commonwealth] .**

Explanatory Comment

Rule 4001. Scope. Definitions.

The act of June 16, 1836, P. L. 715 mentioned in the note to Rule 4001(b) was repealed by Section 2(a)[149] of the Judiciary Act Repealer Act (JARA). The reference to the 1836 statute has been replaced by a reference to Section 7361 of the Judicial Code, 42 Pa.C.S. § 7361, which now governs compulsory arbitration.

Rule 4023. Acts of Assembly Not Suspended.

The note to paragraph (3) of Rule 4023 has been revised by deleting the reference to the repealed act of May 5, 1933, P. L. 364, as amended, 15 P. S. § 1308 and substituting the reference to the successor provision, Section 1508 of the Associations Code, 15 Pa.C.S. § 1508.

Rule 4025. Suspension of Acts of Assembly. Abolition of Practice and Procedure under Repealed Statutes.

Rule 4025(a) suspended all Acts of Assembly inconsistent with the discovery rules. Rule 133 is a general provision restating the same principle in the language of the Constitution of 1968 and the Judicial Code. In view of the duplication, Rule 4025(a) has been deleted as unnecessary.

Rule 4025(b)(2) referred to the future repeal by JARA in 1979 and 1980 of certain Acts of Assembly. Since the effective date of the repeal of those statutes passed, subdivision (b)(2) became obsolete and has been deleted.

Revisions to Explanatory Comments

I. The Explanatory Comment—1978 to Rule 4003.4 is revised to read as follows:

Rule 4003.4. Scope of Discovery. Trial Preparation Material. Statements.

* * * * *

EXPLANATORY COMMENT—1978

* * * * *

Two statutes are relevant. [**The act of June 9, 1972, P. L. 359, 12 P. S. § 1630**] **Section 7101 of the Judicial Code, 42 Pa.C.S. § 7101**, prohibits the use of

statements obtained from an injured person within fifteen days of admission to a hospital or sanitarium, unless he acknowledges before an independent notary public his willingness to give the statement.

* * * * *

II. The Explanatory Comment to Rule 4023 is deleted.

By the Civil Procedural Rules Committee

EDWIN L. KLETT,
Chairperson

[Pa.B. Doc. No. 96-71. Filed for public inspection January 19, 1996, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Transfer of Attorneys to Inactive Status

The following attorneys have been transferred to inactive status by Order of the Supreme Court of Pennsylvania dated November 28, 1995, pursuant to Rule 111(b), Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective December 28, 1995 to Compliance Group 3 due December 31, 1994.

Notice with respect to attorneys having Pennsylvania registration addresses, who have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

ELAINE M. BIXLER,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

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San Diego, CA

H. JESSE ARNELLE
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[Pa.B. Doc. No. 96-72. Filed for public inspection January 19, 1996, 9:00 a.m.]

RULES AND REGULATIONS

Title 31—INSURANCE

INSURANCE DEPARTMENT

[31 PA. CODE CH. 113]

Medical Malpractice Insurance

The Insurance Department (Department), by this order, deletes §§ 113.41—113.43, as set forth in Annex A under the authority of the act of July 3, 1986 (P. L. 396, No. 86) (Act 86) (40 P. S. § 3403) and the Health Care Services Malpractice Act (Act 111) (40 P. S. §§ 1301.101—1301.1006). Notice of proposed rulemaking is omitted in accordance with section 204(2) and (3) of the act of July 31, 1968 (P. L. 769, No. 240) (CDL) (45 P. S. § 1204(2) and (3)).

Section 113.41 required that an insurance company licensed to write casualty insurance in this Commonwealth and intending to cancel or not renew a policy covering medical malpractice insurance give notice of the intention in writing to the Department at least 30 days prior to giving formal notice to the insured. Sections 113.42 and 113.43 required that the notice to the Department state the reason for the cancellation and direct where the notice should be sent.

The sections were initially adopted in 1969. However, in 1975, Act 111 was enacted. That statute requires that the Department receive notice of cancellation prior to its becoming effective.

Thus, Act 111 differs in two material respects from the sections. First, under Act 111, notice needs to be sent to the Department for midterm cancellations only (and not nonrenewals). Second, notice to the Department under Act 111 need not be sent any earlier than the insured's notice (in contrast to the regulation's requirement of 30 days' advance notice).

When Act 111 was enacted in 1975, there was an availability crisis in the medical malpractice insurance market. Thus, at that time, the Department deemed it appropriate to continue the regulations. However, availability in the medical malpractice market has been stable for some time, and the Commissioner has determined that it is no longer necessary that the Commissioner be advised in advance of cancellations, or that the Commissioner be advised of policy nonrenewals.

Notwithstanding deletion of these sections, the Department will continue to require that cancellation notices be sent to the Department in accordance with section 1002 of Act 111 (40 P. S. § 1301.1002). Further, nonrenewal notices must continue to be provided to insureds as required by Act 86 (40 P. S. § 3403).

The Department has notified the medical malpractice insurers in this Commonwealth of the deletion of the sections. Section 204(2) of the CDL provides that an agency may omit proposed rulemaking when all persons subject to the administrative regulation or change therein are named therein and are personally served with notice of the repeal of a rulemaking.

Notice of proposed rulemaking may also be omitted when notice of the rulemaking would be impracticable and unnecessary. See section 204(3) of the CDL. The Commissioner finds that the proposed rulemaking procedures in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) are impracticable and unnecessary in

this instance. The deletion of §§ 113.41—113.43 will eliminate the requirement that medical malpractice notices be given to the Department 30 days in advance of notice to the insured, thus removing a regulatory burden on the affected parties. The deletion does not adversely affect insureds or diminish the Department's authority to challenge illegal policy terminations. Therefore, the Commissioner does not believe it is necessary or practicable to invite and consider comments from interested parties.

Fiscal Impact

There will be a positive fiscal impact on the Department by deletion of these sections because the Department will no longer need to receive, review or store nonrenewal notices. Further, the deletion will lessen costs to the insurers who will no longer need to mail the nonrenewal notices to the Department.

Paperwork

The deletion of these sections will have no effect on paperwork for the Department. Entities affected by these sections will have a reduced paperwork burden because they will no longer need to generate a nonrenewal notice to send to this Commissioner.

Affected Parties

The deletion of these sections will affect casualty insurers who are licensed to sell medical malpractice insurance in this Commonwealth.

Effectiveness/Sunset Date

The rulemaking will become effective upon publication in the *Pennsylvania Bulletin*. No sunset date has been assigned.

Contact Person

The person to contact for information on this matter is Carolyn Montgomery, Director, Bureau of Consumer Services, Insurance Department, 1321 Strawberry Square, Harrisburg, PA 17120, (717) 783-2153.

Regulatory Review

Under section 5(f) of the Regulatory Review Act (71 P. S. § 745.5(f)), the Department submitted a copy of the rulemaking with proposed rulemaking omitted on December 4, 1995, to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate Banking and Insurance Committee and the House Insurance Committee. On the same date, the rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732.1—732.506). In accordance with section 5(c) of the Regulatory Review Act, the rulemaking was deemed approved by the Senate Banking and Insurance Committee on December 24, 1995, and deemed approved by the House Insurance Committee on December 24, 1995. IRRC met on January 3, 1996, and approved the rulemaking.

Findings

The Commissioner finds that there is good cause to forego public notice of the intention to delete §§ 113.41—113.43 because the affected parties will be notified of the deletion and public comment is unnecessary and impracticable under section 204(2) and (3) of the CDL. Deleting

these sections merely eliminates the Department's requirement that medical malpractice insurers provide the Department with 30 days notice in advance of notice to insureds of cancellations and nonrenewals of medical malpractice insurance policies. Further, deleting these sections removes a regulatory requirement without adversely affecting the interests of any insurance consumer or the Department's enforcement powers.

Order

The Commissioner, acting under the authority of Acts 86 and 111, orders that:

(a) The regulations of the Department, 31 Pa. Code Chapter 113, are amended by deleting §§ 113.41—113.43 to read as set forth in Annex A.

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

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

(d) This order shall take effect upon its publication in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 25 Pa.B. 284 (January 20, 1996).)

Fiscal Note: 11-126. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 31. INSURANCE

PART III. MISCELLANEOUS PROVISIONS

Subchapter D. MEDICAL MALPRACTICE INSURANCE

§§ 113.41—113.43. (Reserved).

[Pa.B. Doc. No. 96-73. Filed for public inspection January 19, 1996, 9:00 a.m.]

PROPOSED RULEMAKING

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

[22 PA. CODE CHS. 211 AND 213]
Change in Benefit Payment Plan

The Public School Employees' Retirement Board (Board) proposes to amend §§ 211.2 and 213.45 (relating to definitions; and change in benefit payment plan) as set forth in Annex A, by removing the requirement that once an application for an annuity (benefit payment plan) has been filed, the option selection is irrevocable.

Purpose of the Proposed Amendments

The amount of a member's retirement annuity depends on many factors, chief of which are the member's final average salary and years of service. Although the Public School Employees' Retirement System (PSERS) maintains records on these factors for each of its 300,000 members, the source of this information is the members' employers. The timely collection and verification of this data, particularly when a member retires, has the potential to delay a member's annuity.

As a consequence, PSERS, in an effort to provide an immediate source of income to newly retired members, calculates the amount of a member's annuity using the information then available to the PSERS. This results in a member receiving his first annuity check within 2 to 3 weeks of retirement and thus avoids a major disruption in a member's lifestyle. Once benefit payments commence, PSERS proceeds to collect the final salary and service information from the member's employer. When PSERS has all final salary and service information, a final audit of the member's account is performed. If the final audit reveals that the initial annuity payments made to the member were either overstated or understated, then an adjustment is made prospectively to reflect the correct final annuity. Over or under payments, if any, made to the member from the date of retirement to the date of the final audit of the annuity are collected from or paid to the member, as the case may be.

Because of this delay between the initial payment and final audit of the member's account, a trap is created to the unwary member by the current regulations. The purpose of the present amendment is to eliminate that trap.

Specifically, the present regulations require a member to finalize his benefit payment plan (by selecting from a series of complex retirement options) when the member files his application for an annuity. Since this application is what commences PSERS' process in determining a member's initial and final annuity, the member is, in effect, forced to make irrevocable choices that could adversely affect the member's pension for the rest of the member's life, without full knowledge of the final status of his account. For example, a member may decide to retire believing that he has 30 years of service and thus eligible to retire below the normal retirement age (known as "30 and out") without suffering an early retirement reduction. Having made the decision to retire with expectations of an annuity at a certain amount, the member

learns for the first time after the final audit is conducted that, in fact, he has only 29.9 years of service. The result is that the member suffers a large and permanent reduction in his benefit.

These proposed amendments seek to correct this problem by making the member's benefit payment plan final not when the application for an annuity is filed with incomplete knowledge, but when the final audit has occurred and the member has had a reasonable period of time to make an informed and final election. In short, PSERS is seeking to revise the present definition and regulation to conform its rule on the finality of the application for an annuity with its current practice on the payment of final, audited retirement benefits. By doing so PSERS will not only have a consistent operating procedure but, more important, will eliminate a potential significant hardship for its members.

Statutory Authority

The Board's authority to promulgate rules and regulations for the uniform administration of the PSERS is set forth in the Public School Employees' Retirement Code at 24 Pa.C.S. § 8502(h) (relating to administrative duties of board). The Board has promulgated these rules and regulations at 22 Pa. Code Chapters 201, 211, 213 and 215.

The proposed amendments to §§ 211.2 and 213.45 are authorized by 24 Pa.C.S. § 8102 (relating to definitions); 24 Pa.C.S. § 8507(j) (relating to changes in beneficiaries, survivor annuitants and benefit payment plans); 24 Pa.C.S. § 8505(g) (relating to duties of the Board regarding the initial annuity payment and certification); 24 Pa.C.S. § 8345(a) (relating to the retirement options a member may select); 24 Pa.C.S. § 8307 (relating to members' eligibility for annuities); and by the Board's authority to promulgate rules and regulations for the uniform administration of the PSERS under 24 Pa.C.S. § 8502(h).

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.4(a)), the Board submitted a copy of the notice of proposed rulemaking on January 2, 1996, to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Education Committee and the Senate Finance Committee. In addition to submitting the proposed amendments, the Board has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Board in compliance with Executive Order 1982-2, "Improving Government Regulations." A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed amendments, it will notify the agency within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria that have not been met by that portion. The Regulatory Review Act specifies detailed procedures for the agency, the Governor and the General Assembly to review these objections before final publication of the amendments.

Fiscal Impact and Paperwork Requirements

The proposed amendments do not impose increased costs or increased paperwork requirements on the Com-

monwealth, local governments, the private sector or the general public. The agency will be required to provide additional benefit counseling to members seeking to amend their original benefit payment plan.

Persons Affected

The proposed amendments affect the retiring members of PSERS, including those members who have multiple service membership.

Effective Date

These amendments shall be effective upon final promulgation retroactive to April 15, 1994. An annuitant living on the date of final promulgation who received the statement provided for in § 215.5(e) (relating to duties of the Board), on or after February 14, 1994, and on or before the date of final promulgation of these amendments may declare an intent to change the final terms of the benefit payment plan selected by the member in the application for an annuity filed with the Board. Members who received the statement provided in § 215.5(e) on or after February 14, 1994, are eligible to change their benefit payment plan under these proposed amendments because the 60-day period from February 14, 1994, in which to make the election under the proposed amendments does not expire until after the April 15, 1994 effective date of the proposed amendments. A declaration of intent to change or void the final terms of the benefit payment plan shall be treated as if timely filed and shall grant the annuitant the rights and obligations provided for by the proposed amendments.

Sunset Date

A sunset date is not being established for these amendments because they are necessary for the administration of the substantive provisions of the Public School Employees' Retirement Code. The Board will closely monitor these amendments for their effectiveness.

Public Comments

Interested parties are invited to submit written comments, suggestions or objections regarding the proposed amendments to Frank Ryder, Director, Government Relations, Public School Employees' Retirement System, P. O. Box 125, 5 North Fifth Street, Harrisburg, PA 17101, within 30 days following the publication of the proposed amendment in the *Pennsylvania Bulletin*.

JAMES A. PERRY,
Executive Director

Fiscal Note: 43-6. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART XIII. PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

CHAPTER 211. PRELIMINARY PROVISIONS

§ 211.2. Definitions.

The following words and terms, when used in this part, have consistent with the code definitions, the following meanings, unless the context clearly indicates otherwise:

* * * * *

Effective date of retirement—The first day following date of termination of service, if an application [,] for an annuity is [**timely**] filed [, **but, if not timely filed**]

within 90 days after termination of service. If an application for an annuity is not filed, within 90 days after termination of service, then the date of actual filing or date specified on the application, whichever is later. In the case of a vestee, [it shall mean] the term means the attainment of superannuation age, if filed within 90 days thereof, otherwise the date of actual filing, and, in the case of a disability benefit, the date certified by the Board. A member, whether active, inactive or a vestee, may not file an application for an annuity with an effective date more than 90 days after the later of the date of termination of service or the date the application is filed. The application is not valid and will not be accepted by the Board. Any otherwise valid filing made with or as a part of the application for an annuity, such as a request to purchase service or a nomination of beneficiary, will be accepted if otherwise valid.

CHAPTER 213. CONTRIBUTIONS AND BENEFITS BENEFITS

§ 213.45. [Member's options] Change in benefit payment plan.

[Once a member has filed an application for benefits and chose an option including, a single life annuity, such option shall be deemed to be irrevocable, except as otherwise provided in section 8507(j) of the code (relating to eligibility for annuities) or unless an annuitant returns to service for a period not less than 80 full-day sessions or 500 hours and subsequently retires with a recomputation of benefits.]

(a) Notwithstanding the otherwise irrevocable nature of the election of a benefit payment plan, an annuitant may, by written request received by the Board within 60 days of the date of the statement provided for in § 215.5(e) (relating to duties of the Board), declare an intent to change the final terms of the benefit payment plan selected by the member in the application for an annuity filed with the Board. The intended changes may include one or a combination of the following:

- (1) A change in the amount of money withdrawn under Option 4.**
- (2) A change in the decision to elect to receive an annuity reduced upon attainment of age 65, in anticipation of the receipt of a social security benefit, in accordance with section 8345(a)(4)(i) of the code (relating to member's options).**
- (3) A change in the retirement type from a disability annuity to a superannuation or withdrawal annuity, or from a superannuation or withdrawal annuity to a disability annuity if the member is otherwise eligible for a disability annuity.**
- (4) A change in the retirement option including a change in the survivor annuitant under the existing option selection.**
- (5) A voiding of the application for an annuity totally and treatment as if the member did not elect to file an application.**
- (6) A change in the effective date of retirement to any date that meets the following conditions:**

(i) Not before the earliest date after termination of service that the member was eligible to select on the date the original application for an annuity was filed.

(ii) Not later than 90 days after the request for the changed date is made.

(b) An annuitant who has declared an intent to change the final terms of the benefit payment plan, as set forth in subsection (a), will not be permitted to make the change until the annuitant has received counseling on the terms and conditions of the benefits available under the code from an employe of the System or other individual designated by the Board to provide the counseling. Counseling shall be received within 30 days from the date the Board receives the declaration of intent to change the benefit payment plan. The period for counseling may be changed by the Secretary of the Board as generally applying to all members or after either the member or the System requests an extension in writing received within the 30-day period, but in no case shall the period for counseling be greater than 90 days. If the counseling takes place over several sessions, all of the counseling sessions shall take place within the allowed time period. Failure to receive the appropriate counseling within the allowed time period will result in the originally filed application for an annuity becoming final and the request to change the benefit payment plan being denied. Changed applications will not be accepted or approved without the counseling.

(c) A formal request to void the application for an annuity or a changed application for an annuity shall be received by the Board within 30 days of the date of the retirement counseling required by subsection (b). If the counseling takes place over several sessions, the 30 days will run from the last session. If the Board does not receive the formal request to void the application for an annuity or the changed application for an annuity within 30 days of the date of the retirement counseling, the originally filed application will become final and the request to void or change the application will be denied. A request to void the application for an annuity or a changed application for an annuity will not be accepted or approved until filed with and received by the Board.

(d) The original application for an annuity will remain in effect and is presumptively valid and binding upon the annuitant until the final filing is received by the Board. An annuitant who declares an intent to void or change an application for an annuity is not obligated to continue to receive counseling, but failure to do so within the 30-day time period will be deemed a withdrawal of the request to void or change the application. An annuitant who receives counseling to void or change an application is not obligated to void or change an application, but failure to do so within the 30-day time period will be deemed a withdrawal of the request to void or change the application. The right to change a benefit payment plan is personal to the member and may only be exercised by the annuitant or an authorized attorney in fact as evidenced by a properly executed power of attorney satisfactory to the Board or guardian, or by operation of a

valid order of a court of competent jurisdiction or by law. The estate, spouse, alternate payee, survivor annuitants or beneficiaries of an annuitant may not request a change in the benefit payment plan under this section and may not consummate or complete a declared intention to void or change an application for an annuity. If an annuitant dies before voiding the application for an annuity or filing a changed application for an annuity, the original application will be in full force and effect.

(e) The reason for the change will have no bearing on the member's right to change the benefit payment plan.

(f) An annuitant will not have the right to file a second changed application for an annuity.

(g) Once a changed application for an annuity is filed, it will be considered effective as of the annuitant's original effective date of retirement unless the effective date of retirement selected as part of the changed application for an annuity is different from the original effective date of retirement. Changes will be retroactive to the member's original effective date of retirement unless the effective date of retirement selected as part of the changed application for an annuity is different from the original effective date of retirement. The annuitant will be required to return excess annuity payments in a lump sum payment within 30 days after the date of certification of the amount due or accept an actuarial reduction in benefits that results from the change of benefit payment plan. To validate the changed benefit payment plan, excess Option 4 payments shall be returned in a lump sum within 30 days after the date of certification of the amount due. If an application for an annuity is to be voided, all monies shall be returned in a lump sum within 30 days after the date of certification of the amount due. Failure to return the required amounts will result in a cancellation of the request and the imposition of the original application for an annuity.

(h) For purposes of this section, a document required to be filed with the Board will be considered to be filed only upon its actual receipt in the offices of the Board or the System. Delivery of documents to employers or former employers, collective bargaining unit officials, personal financial and legal advisors, posting by mail or other forms of attempted filing will not be effective until actual receipt by the Board or the System. Receipt shall be during the time periods allowed by this section to be effective.

(i) This section is effective ____ (Editor's Note: The blank refers to the effective date of adoption of this proposal) and applies retroactively to April 15, 1994. An annuitant living on ____ (Editor's Note: The blank refers to the effective date of adoption of this proposal) who received the statement provided for in § 215.5(e), on or after February 14, 1994, and on or before ____ (Editor's Note: The blank refers to the effective date of adoption of this proposal) may declare an intent to change the final terms of the benefit payment plan selected by the member in the application for an annuity filed with the Board. A declaration of intent to change or void the final terms of the benefit payment plan shall be treated as if timely

filed and shall grant the annuitant the right and obligations provided for by this section.

(j) Nothing in this section allows the member to change a benefit payment plan in a manner that conflicts with or is inconsistent with the terms of

an approved domestic relations order under sections 8533.1—8533.4 of the code.

[Pa.B. Doc. No. 96-74. Filed for public inspection January 19, 1996, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission will hold a public hearing on Wednesday, January 24, 1996. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 11 a.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

An informal conference among the Commissioners and staff will be held at 9:45 a.m. at the same location and will include a summary of the Commission's recent retreat strategy, discussion of procedures relating to the Blue Mountain Power project and public dialogue.

The subjects of the hearing will be as follows:

Applications for Approval of the Following Projects Under Article 10.3, Article 11 and/or Section 3.8 of the Compact:

1. *Holdover Project: Lehigh County Authority—Western Lehigh Service Area D-92-13 CP.* An application for approval of a groundwater withdrawal project to supply up to 86.4 million gallons (mg)/30 days of water to the applicant's Central Division distribution system from new well nos. 17 and 18, and to increase the existing withdrawal limit of all wells from 188 mg/30 days to 214 mg/30 days. The project is located in Upper Macungie Township, Lehigh County, PA. This hearing continues that of December 6, 1995.

2. *Shieldalloy Metallurgical Corporation D-88-53 RE-NEWAL.* An application for approval of groundwater withdrawal and decontamination project to supply up to 17.86 mg/30 days of water from existing well nos. Layne, W-9, RW6S, RW6D and RIW2. Commission approval on June 29, 1989 was limited to 5 years. The applicant requests that the total withdrawal limit from all wells be limited to 17.86 mg/30 days. The project is located in Newfield Borough, Gloucester County, and Vineland City, Cumberland County, NJ.

3. *Washington Township Municipal Utilities Authority D-94-26 CP.* An application for approval of a groundwater withdrawal project to supply up to 26 mg/30 days of water to the applicant's distribution system from new well no. 18, and to increase the existing withdrawal limit of 203 mg/30 days from all wells to 248.2 mg/30 days. The project is located in Washington Township, Gloucester County, NJ.

4. *Lehigh Township Municipal Authority D-94-53 CP.* A project to construct a 0.3 million gallons per day (mgd) sewage treatment plant (Danielsville STP) to serve residential and commercial development in a portion of Lehigh Township. The STP will provide secondary biological treatment and discharge to Bertsch Creek, a tributary of the Lehigh River. The STP will be located approximately 700 feet south of State Route 946 and just to the west of Bertsch Creek near the community of Edgemont in Lehigh Township, Northampton County, PA.

5. *Lehigh Township Municipal Authority D-94-54 CP.* A project to construct a 60,000 gallons per day (gpd) sewage treatment plant (Pennsville STP) to treat residential and

commercial development in a portion of Lehigh Township. The proposed STP will provide secondary biological treatment and discharge to Indian Creek, a tributary of Hokendauqua Creek in the Lehigh River Watershed. The STP will be located approximately 500 feet south of State Route 248 adjacent to Indian Creek near the community of Pennsville, Lehigh Township, Northampton County, PA.

6. *Crompton & Knowles Colors, Inc. D-95-8 (Revision 1).* A request to revise the applicant's recently approved 0.22 mgd industrial wastewater treatment plant (IWTP) expansion docket to increase the average monthly allowable copper concentration limits from 0.50 milligrams per liter (mg/l) to 1.0 mg/l. The applicant requests the limit on the basis of demonstration of best practicable treatment provided by its IWTP that serves the applicant's dyestuff and special chemical manufacturing operation. The plant is located in Robeson Township, Berks County, PA and will continue to discharge to the Schuylkill River.

7. *Timber Lake Camp West Corporation D-95-15.* A project to construct a new 30,000 gpd STP to replace an existing 30,000 gpd subsurface sewage disposal system. The STP will continue to serve the applicant's summer camp occupied from July through August, and will discharge to a man-made lake on the camp property which is at the headwaters of Bascom Brook, a tributary of Willoemoc Creek, in the Town of Rockland, Sullivan County, NY.

8. *Upper Makefield Township D-95-23 CP.* An application for inclusion of an existing 0.1 mgd capacity STP in the DRBC Comprehensive Plan. The STP was approved by Docket No. D-84-40 on May 1, 1985, under section 3.8 of the DRBC Compact and has been acquired by Upper Makefield Township from the previous private owner, Heritage Investment, Inc. The STP will continue to serve residential development in Upper Makefield Township, Bucks County, PA. The applicant requests a transfer of Docket No. D-84-40 and proposes no changes from the existing docket other than ownership and inclusion in the Comprehensive Plan. The STP is located west of Taylorsville Road approximately 1/2 mile northwest of its intersection with Route 532 in Upper Makefield Township. The STP will continue to discharge to the Delaware River in Water Quality Zone 1E.

9. *City of Milford D-95-44 CP.* An application for approval of a groundwater withdrawal project to supply up to 8.64 mg/30 days of water to the applicant's distribution system from new well no. 3, and to retain the existing withdrawal limit from all wells of 64 mg/30 days. The project is located in the City of Milford, Kent and Sussex Counties, DE.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Contact George C. Elias concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

Delaware River Basin Commission Strategy

On October 25, 1995, the Delaware River Basin Commission authorized its Executive Director to enter into an agreement with H. W. Hill & Associates to facilitate a retreat for the purpose of developing a policy level strategy to improve the performance of the Commission in meeting its goals and objectives. The retreat, conducted

December 12-14, 1995, sought to promote dialogue and achieve consensus among the Commissioners and Commission executive staff.

Based on clear statements of purpose, scope and assumptions, the retreat process first identified specific problems. Next, objective and action items are considered and prioritized to address each problem. Issues addressed included a review of Delaware River Basin Compact authorities and priorities, the need to assure consistent funding and reassessment of the Commission's drought operating plan. The Commissioners also focused on the need to define roles and responsibilities among the Commission, the parties to the 1954 U. S. Supreme Court Decree, the River Master, New York City, and the Delaware Estuary Program. Among other new initiatives, management principles and opportunities will be explored to improve communication among Commissioners and staff to enhance staff involvement. In addition, a communication strategy will be developed to broaden public involvement in Commission activities. Other priority objectives include policy development on the water quality issues at Blue Marsh Reservoir and assessment of the use of Commission water charging funds and interest. Plans will be developed to address water supply and quality problems in high growth areas in the Basin and reservoir

releases to sustain and improve fisheries. A strategic action plan will also be developed and will include an update of the Comprehensive Plan for the Basin. Other issues identified include assessing and eliminating unnecessary duplication between the Commission and the states, providing better opportunities for Governors and the Secretary of the Interior to participate in formulating policy and resolving major problems, reassessing relationships between the Commission and the Federal agencies, and evaluating how to implement a Geographic Information System at the Commission.

A copy of the strategy is being prepared; it includes the list of problems, the objectives to address the problems, and a prioritized listing of objectives and the problems they address—together with the action items believed necessary to meet each objective. That document will be available sometime after the Commission's January 24, 1996 meeting. To obtain a copy, contact Susan M. Weisman at (609) 883-9500 ext. 203.

SUSAN M. WEISMAN,
Secretary

[Pa.B. Doc. No. 96-75. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 9, 1996.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-1-96	First Union Corporation, Charlotte, NC, to acquire 24.4% of the voting shares of ExecuFirst Bancorp, Inc., Philadelphia, PA	Charlotte, NC	Effective
1-5-96	National City Corporation, Cleveland, OH, to acquire 100% of the voting shares of Integra Financial Corporation, Pittsburgh, PA	Cleveland, Ohio	Approved
1-5-96	Harleysville National Corporation, Harleysville, to acquire 100% of the voting shares of Farmers & Merchants Bank (Honesdale, PA), Honesdale	Harleysville	Approved
1-5-96	CoreStates Financial Corp., Philadelphia, to acquire 100% of the voting shares of Meridian Bancorp, Inc., Reading	Philadelphia	Filed

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-5-96	Wayne Interim Bank Honesdale Wayne County	Honesdale	Approved

Subject institution will be utilized to merge with Wayne Bank, Honesdale, and the surviving institution will be acquired by Norwood Financial Corp., Honesdale, a bank holding company in organization.

NOTICES

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-3-96	Founders' Bank Bryn Mawr Montgomery County	15 East Gay Street West Chester Chester County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-29-95	Meridian Bank Reading Berks County	14 S. Front St. Milton Northumberland Co.	Effective
12-29-95	Integra Bank Pittsburgh Allegheny County	Penn Hills Shopping Center 212 Rodi Road Pittsburgh Allegheny County	Effective
1-5-96	Heritage Trust Company Erie Erie County	381 Mansfield Ave. Suite 205 Pittsburgh Allegheny County	Approved

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-1-96	Butler Armco Employees Credit Union, Butler, and Butler Memorial Hospital Credit Union, Butler surviving institution—Butler Armco Employees Credit Union, Butler	Butler	Effective

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 96-76. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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 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 official considers the public response significant.

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact the Community Relations Coordinator at (717) 657-4585. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

PA 0062201. Sewerage. **Schuylkill County Municipal Authority**, David J. Holley, General Manager, 221 S. Centre St., Pottsville, PA 17901.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Mahanoy Creek in the Borough of Gordon, **Schuylkill County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Dauphin Consolidated Water Supply located on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.400 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	1.0		2.0

The EPA waiver is in effect.

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

PA 0046221. Sewage, SIC: 4952, **Newville Borough Water & Sewer Authority**, 99 Cove Alley, Newville, PA 17201.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Big Spring Creek, in Newville Borough, **Cumberland County**.

The receiving stream is classified for cold water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Carlisle Borough Authority located in North Middleton Township, Cumberland County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.350 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 ₅	25	40	—	50
Suspended Solids	30	45	—	60
NH ₃ -N (5-1 to 10-31)	14	—	—	28
Total Phosphorus	1	—	—	2
Total Residual Chlorine	0.5	—	—	1.63
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	50,000/100 ml as a geometric average			

The EPA waiver is in effect.

PA 0081591. Sewage, SIC: 4962, **Eastern York County Sewer Authority**, 44 Walnut Springs Road, York, PA 17406.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Kreutz Creek, in Hallam Borough, **York County**.

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

The proposed final effluent limits for Outfall 001 for a design flow of 0.5 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 ₅				
(5-1 to 10-31)	15	22.5		30
(11-1 to 4-30)	25	40		50
Suspended Solids	30	45		60
NH ₃ -N				
(5-1 to 10-31)	5			10
(11-1 to 4-30)	15			30
Total Phosphorus	2			4
Total Residual Chlorine	.5			1.6
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	6,500/100 ml as a geometric average			

The proposed interim effluent limits for Outfall 001 for a design flow of .2 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 ₅	25	40		50
Suspended Solids	30	45		60
NH ₃ -N				
(5-1 to 10-31)	11			22
(11-1 to 4-30)	monitor and report			
Total Phosphorus	2			4
Total Residual Chlorine	monitor and report			
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	12,000/100 ml as a geometric average			

The EPA waiver is in effect.

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

PA 0056758. Sewage, **The Cutler Group**, 5 Sentry Parkway West, Suite 100, Walton Road, Blue Bell, PA 19422.

This application is for issuance of an NPDES permit to discharge treated sewage from the Tradesville wastewater treatment plant in Warrington Township, **Bucks County**. This is a new discharge to Mill Creek.

The receiving stream is classified for warm water fish, trout stocking, migratory fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001, based on an average flow of 0.26 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Nitrate and Nitrate (as N)		
(4-1 to 10-31)	9.5	19.0
Phosphorus (as P)		
(7-1 to 10-31)	2	4
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0053635. Industrial waste, **Mobil Oil Corporation**, 8 Malin Road, Frazer, PA 19406.

This application is for renewal of an NPDES permit to discharge treated storm water runoff from Petroleum Marketing Terminal in East Whiteland Township, **Chester County**. This is an existing discharge to unnamed tributary to Little Valley Creek.

The receiving stream is classified for cold water fish, warm water fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable			
Petroleum Hydrocarbons			monitor only
Gasoline Range Organics			monitor only
Diesel Range Organics			monitor only
<i>Other Requirements:</i>			
Product contaminated stormwater runoff			
Monitoring and reporting			
PPC plan			
Other wastewaters			
Definition			

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 wastewaters into the surface waters of this Commonwealth. The Department of Environmental Protection (DEP) 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.

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (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 0033863	Camp-A-While, Inc. John Clair Zimmerman, Manager R. R. 1, Box 334 Hegins, PA 17938	Schuylkill County Hegins Twp.	Pine Creek	TRC

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0080608	Fellow. of Bible Church Camp Tohiglo P. O. Box 120 Mercersburg, PA 17201	Franklin County Montgomery Township	Licking Creek	TRC
PA 0083917	Baker Rubber Inc. 811 Progress Rd. Chambersburg, PA 17201	Franklin County	Conocoheague Creek	TRC

Public Hearing Notices

The Department of Environmental Protection (DEP), Water Management Program is issuing a cancellation notice for the fact finding public hearing notice published at 25 Pa.B. 5529 for John M. Poole. This hearing was canceled due to weather conditions. The hearing date of January 11, 1996, therefore, is canceled and replaced with the following notice.

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

John M. Poole, "Station House Farm"—NPDES Permit #PAS10-D068

The hearing is scheduled for February 15, 1996, at 7 p.m. at Springfield Township, 2320 Township Road,

Quakertown, PA 18951, Bucks County. The hearing is being held to solicit pertinent comments on this application. The application is for stormwater construction activities, with a discharge to Cooks Creek. A copy of this application is available for review in the Southeast Regional Office's Record Management Section, telephone number (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is John M. Poole, 3117 Bursonville Road, Riegelsville, PA 18077.

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

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program, at the above address.

The notice should include the presenter's name, address and phone number, whether they are opposed or in favor of the project and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to DEP may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

Bentley Developers, Inc., "University of Pennsylvania Site," PAS10-G186.

The hearing is scheduled for March 7, 1996, at 7 p.m. at East Whiteland Township Building, 209 Conestoga Road, Frazer, PA 19355, Chester County. The hearing is being held to solicit pertinent comments on this application. The application is for stormwater construction activities, with a discharge to Valley Creek Watershed. A copy of this application is available for review in the Southeast Regional Office's Record Management Section, telephone number (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is Bentley Developers, Inc., 1595 Paoli Pike, West Chester, PA 19380.

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

Blair County Conservation District, District Manager, 1407 Blair Street, Hollidaysburg, PA 16648, telephone (814) 696-0877.

NPDES Permit PA S100607. Stormwater. **Frances Hirschag**, 2900 Primrose Avenue, Brea, CA 92621, has applied to discharge stormwater from a construction activity located in Antis Township, **Blair County**, to Tipton Run.

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

Chester County Conservation District, District Manager, Gov. Serv. Ctr., Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.

NPDES Permit PAS10G187. Stormwater. **Toll Brothers Inc.**, 3103 Philmont Avenue, Huntington Valley, PA 19006 has applied to discharge stormwater from a construction activity located in East Bradford Township, **Chester County**, to west Brandywine Creek.

NPDES Permit PAS10G188. Stormwater. **Morgan Brothers Builders**, Four White Horse Lane, Spring City, PA 19475 has applied to discharge stormwater from a construction activity located in East Vincent Township, **Chester County**, to UNT to the Schuylkill River.

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

NPDES Permit PAS10U008-1. Stormwater. **Upstream Farm Corporation Inc.**, 2610 Bushkill Drive, R. D. 2, Easton, PA 18042 has applied to discharge stormwater from a construction activity located in Forks Township, **Northampton County**, to Bushkill Creek.

NPDES Permit PAS10U046. Stormwater. **Ashley Development Corporation**, 961 Marcon Boulevard, Suite 300, Allentown, PA 18103 has applied to discharge stormwater from a construction activity located in Williams Township, **Northampton County**, to Frya Run.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G155	John Reid Box 318 Newtown Crossing, PA 19073	Wallace Township and Upper Uwchlan Township Chester County	Marsh Creek Lake

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection.

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 of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the name, address and telephone number of the protestor, identification 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 or protests. Each protestor will be notified in writing of the time and place of any scheduled hearing or conference concerning the plan or action or application to which the protest relates. To insure consideration by the Department prior to final action on permit application 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.

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

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

A. 1395401. Sewerage. **Borough of Bowmanstown**, P. O. Box 127, Bowmanstown, PA 18030. Application for construction and operation of a sewage treatment plant, sewers and appurtenances, and pump stations to serve the Borough of Bowmanstown, **Carbon County**. Application received in the Regional Office—December 15, 1995.

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

Permit No. 4695431. Sewerage. **Ernest and Donna Gehman** (720 Morwood Road, Morwood, PA 18969). Construction of a single residential sewage treatment plant to serve Lot No. 1, Gehman residence located in Franconia Township, **Montgomery County**.

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

Southcentral Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.

A. 0195504. Public water supply. **Timeless Towns of the Americas, Inc.**, Cumberland Twp., **Adams County**, (Richard L. Michael, Sr., President, 2636 Emmitsburg Road, Gettysburg, PA 17325), permitting of an existing community supply consisting of eight wells, hypochlorite disinfection storage and a distribution system (Kent P. Bachmann, P.E., Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011).

A. 2895504. Public water supply. **Dry Run Water Association**, Fannett Twp., **Franklin County** (George W. Guyer, P. O. Box 115, Spring Run, PA 17262), new well A as an additional source of supply (Angelo A. Tesoriero, P.E., GeoSource Engineers, 7 S. Seasons Drive, Dillsburg, PA 17019).

Draft department initiated general permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), The Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904), and residual waste management regulations for a general permit to process or beneficially use residual waste.

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

General Permit No. WMGR038. Waste tire processing and/or beneficial use. The Department of Environmental Protection, Bureau of Land and Recycling and Waste Management, proposes to authorize, under General Permit No. WMGR038, processing and/or beneficial use of waste tires and/or tire-derived material. This is a State-wide general permit.

Under the terms and conditions of the general permit, persons who are approved to process and/or beneficially use waste tires and/or tire derived material will be required to meet, at a minimum, the following: compliance with The Clean Streams Law, compliance with the Solid Waste Management Act, conform with local safety and nuisance control requirements, conformance with isolation distances, maintain records and submit routine operation reports.

The Department is authorized under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), and section 287.611 of the residual waste management regulations to issue general permits for any category of beneficial use or processing that results in beneficial use of residual waste on a regional or Statewide basis when the Department determines that such use does not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard conditions.

The Department has determined the following: waste whole tires and/or tire derived material (TDM); (1) can be used as fuel for cement production, steel production, waste-to-energy incinerators, paper production, electrical power generation and other industrial operations; and (2) as feedstock for the production of crumb rubber which, in turn, may be used in such products as new tires, molded rubber products, carpets, flooring, "astroturf" underlay, extruded products, automotive brakes, asphalt modifier for roads and athletic surfaces, moisture retainer for turf development, railroad grade crossings and footwear; and the processing and beneficial use can be adequately regulated using general conditions.

Tire retreading operations will, in effect, be exempt as a "grandfathering" exclusion, provided the storage provisions outlined in these general permit conditions are not violated.

Persons requesting approval to operate under the terms of this general permit will be required to obtain a "Determination of Applicability" from the appropriate Regional Office for each site where tires and/or tire derived materials will be processed or beneficially used. The following minimum information will be required in order to obtain a Determination of Applicability.

- a. Name and address of the applicant.
- b. Name and location of the generator of the tires and/or tire derived material being processed or beneficially used.
- c. Number and title of the general permit.
- d. Proof that the proposed processing and/or beneficial use is consistent with the general permit.
- e. A signed statement accepting all conditions of the general permit.
- f. Proof of municipal notification.
- g. Proof of identification of interests.
- h. Compliance history information.
- i. An application fee in the amount of \$200.

Comments concerning the proposed general permit should be directed to Jay E. Ort, Scrap Tire Program Coordinator, 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 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 additional conditions or revisions to or approval or disapproval of the proposed permit.

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

Regional Office: Regional Solid Waste Manager, One Ararat Boulevard, Harrisburg, PA 17110.

A. 300742. Quaker Alloy, Inc. (200 Richland Avenue, Myerstown, PA 17067). Application for repermitting of a residual waste landfill for a site in Jackson Township, **Lebanon County**. Application determined to be administratively complete in the Regional Office December 20, 1995.

Northwest Regional Office: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6848.

A. 100585. Northwest Sanitary Landfill, Inc., R. D. 2, Route 308, West Sunbury, PA 16061. Major permit modification affect changes to the landfill's water quality monitoring plan. The landfill is located in Clay Township, **Butler County**. Permit modification application received in the Regional Office on December 14, 1995.

Applications received for operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

22-323-017. The Department intends to issue an air quality operating permit to **The Goodyear Tire & Rubber Company** (P. O. Box 6153, Harrisburg, PA 17112) for an automotive wheel and rim refinishing system in West Hanover Township, **Dauphin County**.

Applications received for operating permits issued under the Air Pollution Control Act, (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources.

Regional Office: Devendra Verma, Engineering Services Chief, Northwest Regional Office, Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335-3481.

10-309-060. The Department intends to issue an air quality operating permit to **Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023) for the operation of a cartridge dust collector on stone conveyor belt nos. 4 and 5 at Winfield Township, **Butler County**.

43-318-029. The Department intends to issue an air quality operating permit to **GE Transportation Systems** (2901 East Lake Road, Building 13-2, Erie, PA 16137) for the operation of a spray paint booth at Grove City, **Mercer County**.

24-327-003. The Department intends to issue an air quality operating permit to **U. S. Resistor, Inc.** (P. O. Box 1059, St. Marys, PA 15857) for the operation of an open-top vapor degreaser/cleaner and still at St. Marys, **Elk County**.

37-399-010. The Department intends to issue an air quality operating permit to **LaFarge Corporation** (6715 Tippecanoe Road, Canfield, OH 44406) for the operation of a slag processing plant in Pulaski, **Lawrence County**.

42-399-025. The Department intends to issue an air quality operating permit to **Saratton Corporation** (R. D. 1, P. O. Box 266, Kane, PA 16735) for the operation of the press line system for medium density fiberboard at Sergeant Township, **McKean County**.

Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify and reactivate air contamination sources.

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

07-310-202C. Modification of an existing limestone crushing and screening plant by **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) in Taylor Township, **Blair County**.

36-2012A. Modification of an existing cabinet finishing department by **Quality Custom Cabinetry, Inc.** (125 Peters Road, P. O. Box 189, New Holland, PA 17557-0189) in Earl Township, **Lancaster County**.

67-310-035A. Modification of an existing limestone crushing and screening plant by **Global Stone Penroc, Inc.** (P. O. 1967, York, PA 17405-1967) in West Manchester Township, **York County**.

67-318-113A. Modification of an existing surface coating operation by **Root Corporation—New York Wire Division** (152 North Main Street, Mt. Wolf, PA 17347) in Mt. Wolf, **York County**.

Northwest Regional Office: Devendra Verma, Engineering Services Chief, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6940.

37-345-009. The Department received a plan approval application from **The International Metals Reclamation Company, Inc.** (INMETCO), (P. O. Box 720, 245 Portersville Road, Ellwood City, PA 16117-0720) for the construction of a thermal oxidizing furnace (4,500 lbs cadmium containing materials/batch) in Ellwood City, **Lawrence County**.

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

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

An application for plan approval has been received by this office for the construction, modification or reactivation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **40-313-014A**
Source: 4 Storage Silos With Baghouses
Received: December 16, 1995
Company: **Genova-Pennsylvania Incorporated**
Location: Hazle Township
County: **Luzerne**

Permit: **48-309-082A**
Source: Clinker Convey System/8 Baghouses
Received: December 18, 1995
Company: **Keystone Portland Cement Company**
Location: East Allen Township
County: **Northampton**

Permit: **54-302-058**
Source: 2 Burnham Boilers (LN3P-GO) Gas/Oil
Received: December 16, 1995
Company: **Pottsville Hospital/Wayne Clinic**
Location: Pottsville
County: **Schuylkill**

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.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

A plan approval has been issued by this office for the construction, modification, reactivation or operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **35-310-024D**
Source: Crushing Operation w/Watersprays
Issued: December 28, 1995
Company: **Keystone Quarry, Inc.**
Location: Dunmore Borough
County: **Lackawanna**

Permit: **39-312-043**
Source: Above Ground Storage Tanks
Issued: December 18, 1995
Company: **Buckeye Pipeline Company**
Location: Lower Macungie Township
County: **Lehigh**

Permit: **39-313-039**
Source: TME Porcupine Dryer w/Condenser
Issued: December 28, 1995
Company: **Mallinckrodt Chemical Inc.**
Location: South Whitehall Township
County: **Lehigh**

Permit: **54-322-001**
Source: Landfill Gas Ground Flare
Issued: December 29, 1995
Company: **Pine Grove Landfill, Inc.**
Location: Pine Grove Township
County: **Schuylkill**

Notice of Plan Approval Application Minor Source

The following stationary sources have filed a request for a plan approval with the Department of Environmental Protection (Department), Bureau of Air Quality. Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protests or comments to the Regional Office at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval application by filing a request with the Regional Office stating the reason for the request.

The Department will evaluate and consider all protests and comments received. The Department will, where appropriate, modify the proposed plan approval based on protests and comments received.

The final plan approval will contain terms and conditions to ensure that the source is constructed and operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121 through 143 and the requirements of the Federal Clean Air Act. A notice of the Department's final decision on the proposed plan approval will be published in the *Pennsylvania Bulletin*. Air contaminants emitted from these sources are less than the amounts that would trigger major new source review requirements. For additional information on the following applications, contact Devendra Verma, Engineering Services Chief, Northwest Regional Office, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6940.

37-304-008. The Department received a plan approval application from **Castle Iron & Metal, Inc.** (P. O. Box 1423, New Castle, PA 16103) for the construction of an aluminum sweating furnace (800 lbs aluminum/hr) with afterburner at New Castle, **Lawrence County**.

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. 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. §§ 1301—1303, 1306 and 1307, 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 1 (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.

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

E40-435. Encroachment. **Clarence R. Yeagley**, 447 South Mountain Boulevard, Mountaintop, PA 18707-2210. To place fill in 0.04 acre of PEM wetlands for the purpose of constructing a home on lot no. 15 on Spring Mill Road, and to construct and maintain a perforated drain system and regrade within 0.04 acre of PEM wetlands on lot no. 41 on Brookfield Way, in the Maplewood Development. The project is located approximately 0.3 mile southwest of the intersection of S. R. 0309 and Church Road (Freeland, PA Quadrangle N: 21.3 inches; W: 5.4 inches) in Wright Township, **Luzerne County** (Baltimore District, Army Corps of Engineers).

E35-213A. Encroachment. **Department of General Services**, Bureau of Engineering and Architecture, Tent Building, 18th and Herr Streets, Harrisburg, PA 17120. To amend Permit No. E35-213 to include various structural and grade changes to the Lindy/Keyser Creek and Meadow Brook Flood Protection Projects (DGS Project No. 184-22). The Lindy/Keyser Creek project is located northeast of S. R. 3011 and S. R. 3014 (Scranton, PA Quadrangle N: 7.8 inches; W: 9.8 inches) and the Meadow Brook project is located at a beginning point north of the intersection of S. R. 0011 and S. R. 3025 (Scranton, PA Quadrangle N: 9.5 inches; W: 3.25 inches) extending to the Lackawanna River in the City of Scranton, **Lackawanna County** (Baltimore District, Army Corps of Engineers).

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

E36-602. Encroachment. **Earl Realty, Inc.**, 2249 Route 30 East, Lancaster, PA 17602. To construct and maintain an open sided pavilion with a 4-inch concrete slab and roof supported by 6' inch x 6' inch timber columns, to be located within the 100-year floodway of Mill Creek, on the north side of Lincoln Highway East (U. S. Route 30) (Leola, PA Quadrangle N: 5.15 inches; W: 13.4 inches) in East Lampeter Township, **Lancaster County**.

E36-603. Encroachment. **M.B.S., Inc.**, 898 N. State St., Ephrata, PA 17522. To construct and maintain an 8-inch P.V.C. sanitary sewer across 60-feet of wetlands between M. H. 2 and M. H. 3, and across 50-feet of wetlands between M. H. 10 to M. H. 11, with an 8-inch water line on the west side of Little Muddy Creek, for utility service to the Rose Hill Farm development located along the north side of S. R. 897 (Terre Hill, PA Quadrangle N: 19.5 inches; W: 9.5 inches) in E. Cocalico Township, **Lancaster County**.

E36-604. Encroachment. **Department of Transportation**, 2140 Herr St., Harrisburg, PA 17103-1699. To remove the existing structure, construct and maintain a adjacent prestressed box beam bridge having a clear span of 45 feet with an average underclearance of 4.4 feet across Bachman Run on S. R. 0722, Section 002, Segment 0100, Offset 2008 (Lancaster, PA Quadrangle N: 19.25 inches; W: 12.75 inches) in Manheim Township, **Lancaster County**.

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

E23-336. Encroachment. **Upper Darby Township**, 100 Garrett Road, Upper Darby, PA 19082-3135. To remove accumulated sediment along the banks of Naylor's Run Creek (WWF-MF) and to restore the cross-section of a flood control facility located approximately 800 feet southeast of Garrett Road (SR 2019) (Lansdowne, PA Quadrangle N: 13.9 inches; W: 3.5 inches) in Upper Darby Township, **Delaware County**.

E46-730. Encroachment. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To widen, construct and maintain 1.5 miles of the Pennsylvania Turnpike from four to six lanes. Work consists of: 1) widening the south bound of existing Schuylkill River Bridge (DB-113) by construction of an independent bridge structure of 51-foot and 9-inches width; 2) constructing a temporary causeway consisting of twelve 81-inch by 59-inch arch pipe culverts across the Schuylkill River; 3) relocating approximately 600 L. F. of Diamond Run through a 385 foot long, 15-foot and 4-inch by 10-foot and 4-inch multi plate pipe arch stream enclosure which will be extended downstream of the existing culvert under Conshohocken Road and 250 L. F. of gabion lines trapezoidal channel which will be extended downstream of the proposed stream enclosure; 4) constructing a two span bridge over the Conrail tracks and realigned Diamond Run Channel. This project is located on the (Norristown, PA Quadrangle and will begin at N: 17.7 inches; W: 12.5 inches and will end at N: 19.1 inches; W: 9-inches) in Plymouth and Upper Merion Townships in **Montgomery County**.

ACTIONS

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35

P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 710—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

Permits Issued

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

NPDES Permit No. PAG043529. Sewerage. **Carl Michael**, R. D. 2, Box 628, Everett, PA 15537 is authorized to discharge to UNT of the **Raystown Branch** of the Juniata River.

NPDES Permit No. PA0023442. Sewerage. **Wrightsville Borough Municipal Authority**, 129 South Second Street, P. O. Box 187, Wrightsville, PA 17368 is authorized to discharge from a facility located in Wrightsville Borough, **York County** to the receiving waters named Susquehanna River.

NPDES Permit No. PA0027014. Sewerage. **Altoona City Authority**, 20 Greenwood Road, Altoona, PA 16602 is authorized to discharge from a facility located in Logan Township, **Blair County** to the receiving waters named Little Juniata River.

NPDES Permit No. PA0081434. Sewerage. **Countryside Mobile Homes**, 84 Dew Drop Road, York, PA 17403 is authorized to discharge from a facility located in North Codorus Township, **York County** to the receiving waters named South Branch Codorus Creek.

NPDES Permit No. PA0007897. Industrial waste and Groundwater Clean-up. **BP Oil Company**, 200 Public Square, Cleveland, OH 44114-2375 is authorized to discharge from a facility located in Monroe Township, **Cumberland County** to the receiving waters named Trindle Spring Run.

NPDES Permit No. PA0087084. Industrial waste. **Kuhn Transportation Co., Inc.**, 1670 York Road, Gettysburg, PA 17325 is authorized to discharge from a facility located in Straban Township, **Adams County** to the receiving waters of an unnamed tributary of Rock Creek.

NPDES Permit No. PA0086487. Industrial waste. **PPG Industries, Inc.**, 400 Park Drive, Carlisle, PA 17013 is authorized to discharge from a facility located in South Middleton Township, **Cumberland County** to receiving waters named drainage ditch to Yellow Breeches Creek.

NPDES Permit No. PAG043525. Sewerage. **Clair Bennett Glass**, R. D. 1, Box 646A, Claysburg, PA 16625

is authorized to discharge from a facility located in Kimmell Township, **Bedford County** to receiving waters named Beaverdam Creek.

NPDES Permit No. PA0027596. Industrial waste. **New Enterprise Stone and Lime Co., Inc.**, P. O. Box 77, New Enterprise, PA 16664 is authorized to discharge from a facility located in Taylor Township, **Blair County** to the receiving waters named Halter Creek.

NPDES Permit No. PA0026484. Sewerage. **Derry Township Municipal Authority**, P. O. Box 447, Hershey, PA 17033-0447 is authorized to discharge from a facility located in Derry Township, **Dauphin County** to the receiving waters named Swatara Creek.

NPDES Permit No. PA0087092. Groundwater Clean-up. **Martin Limestone, Inc.**, P. O. Box 155, Blue Ball, PA 17506 is authorized to discharge from a facility located in Salisbury Township, **Lancaster County** to the receiving waters of an unnamed tributary to the Pequea Creek.

NPDES Permit No. PA0081272. Industrial waste. **Redco Corporation**, P. O. Box 110, Red Lion, PA 17356 is authorized to discharge from a facility located in Red Lion Borough, **York County** to the receiving waters named Fishing Creek via swale.

NPDES Permit No. PA0087114. Sewerage. **Glen Campbell**, 103 Warrington Road, Dillsburg, PA 17019 is authorized to discharge from a facility located in Carroll Township, **York County** to the receiving waters of an unnamed tributary of Stoney Run.

NPDES Permit No. PA0085316. Sewerage. **Fort Heritage, LTD**, 1960 Emmitsburg Road, Gettysburg, PA 17325 is authorized to discharge from a facility located in Cumberland Township, **Adams County** to the receiving water named Marsh Creek.

Notices of Intent for Coverage Under General Permits Received

The following parties have submitted Notices of Intent for coverage under General NPDES Permits to discharge treated wastewater into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review, or application of lawful standards and regulations, the Department of Environmental Protection proposes to issue coverage under the General Permit subject to effluent limitations, monitoring and reporting requirements and other conditions set forth in the General Permits.

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.

The Notice of Intent, related documents, proposed effluent limitations, special conditions, comments received and other information are on file and may be inspected and copied at the Regional Office indicated as receiving the Notice of Intent.

List of NPDES General Permits Issued by DEP's Water Management Deputate

<i>General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Responsible Bureau</i>
1	Stormwater—Construction Activities	BLWC
2	Stormwater—Industrial Activities	BWQM
3	Single Residence Sewage Treatment Plant	BWQM
4	Combined Sewer Overflows	BWQM

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

NOI Received and Final Actions Under NPDES General Permits

Coverage under the General Permits issued for National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR803597	2	Scherman Trucking York Terminal P. O. Box 7191 York, PA 17404	York Co.	Trib to Codorus Creek	4231
PAR223518	2	Skyline Corp. Buddy Mobile Homes P. O. Box 220 Leola, PA 17540-0220	Lancaster Co. U. Leacock Twp.	Mill Creek	2451
PAR223517	2	Skyline Corp. Skyline Homes 465 N. Reading Road Ephrata, PA 17522	Lancaster Co. Ephrata Boro.	Cocalico Creek	2451
PAR803596	2	Aero Oil Company Highspire Terminal 911 Eisenhower Blvd. Highspire, PA 17034	Dauphin Co. L. Swatara Twp.	Laurel Run	5171

Notices of Intent for Coverage Under NPDES General Permit For Construction Activities and Department Final Actions

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

Allegheny County Conservation District, District Manager, 875 Greentree Rd., Rm. 208 Acacia Bldg., Pittsburgh, PA 15220, telephone (412) 921-1999.

Berks County Conservation District, District Manager, P. O. Box 520 Ag. Ctr., Leesport, PA 19533, telephone (610) 372-4657.

Blair County Conservation District, District Manager, 1407 Blair Street, Hollidaysburg, PA 16648, telephone (814) 696-0877.

Cambria County Conservation District, District Manager, P. O. Box 187, Ebensburg, PA 15931, telephone (814) 472-2120.

Centre County Conservation District, District Manager, 414 Holmes Ave. Ste. 4, Bellefonte, PA 16823, telephone (814) 355-6817.

Chester County Conservation District, District Manager, Gov. Serv. Ctr. Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.

Crawford County Conservation District, District Manager, 154 Park Ave. Plaza, Meadville, PA 16335, telephone (814) 724-1793.

Erie County Conservation District, District Manager, 12723 Rte. 19, P. O. Box 801, Waterford, PA 16441, telephone (814) 796-4203.

Franklin County Conservation District, District Manager, 550 Cleveland Ave., Chambersburg, PA 17201, telephone (717) 264-8074.

Lancaster County Conservation District, District Manager, 1383 Arcadia Rd., Rm. 6 Farm & Home Ctr., Lancaster, PA 17601, telephone (717) 299-5361.

Lebanon County Conservation District, District Manager, 2120 Cornwall Rd., Ste. 5 Lebanon, PA 17042, telephone (717) 272-3377.

Luzerne County Conservation District, District Manager, Courthouse Annex, 5 Water Street, Wilkes-Barre, PA 18711, telephone (717) 825-1844.

Montgomery County Conservation District, District Manager, 1015 Bridge Rd., Ste. B Colledgeville, PA 19426, telephone (610) 489-4506.

Schuylkill County Conservation District, District Manager, Schuylkill Mall, Frackville, PA 17931, telephone (717) 874-3130.

Somerset County Conservation District, District Manager, N. Ridge Bldg., 1590 N. Ctr. Ave. Ste. 103, Somerset, PA 15501, telephone (814) 445-4652.

Tioga County Conservation District, District Manager, 5 East Avenue, Wellsboro, PA 16901, telephone (717) 724-4812.

York County Conservation District, District Manager, 118 Pleasant Acres Road, York, PA 17402, telephone (717) 840-7430.

The following parties have submitted Notices of Intent for coverage under NPDES General Permit PAG-2, General Permit for Discharges of Stormwater From Construction Activities. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection will authorize, subject to the terms and conditions contained in the general permit, the discharge of stormwater from eligible new and existing discharges.

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

<i>NPDES Permit</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10A159	Chambers Devel. Co. 310 Leger Rd., North Huntingdon, PA 15642	Allegheny Co. N. Versailles Twp.	UNT to Turtle Crk.
PAR10A148	Douglas Borst, 12 Manorfield Dr. Delmont, PA 15626	Allegheny Co. Plum Boro.	Thompson Run
PAR10C131	Harvey Bitler Sr. P. O. Box 311, Temple, PA 19560	Berks Co. Brecknock Twp.	Allegheny Crk.
PAR10C130	W R Grace & Co. P. O. Box 295, Reading, PA 19603	Berks Co. Muhlenberg Twp.	Schuylkill Rvr.
PAR10C134	Specht Realty Inc. 649 N. Lewis Rd. Royersford, PA 19468	Berks Co. Colebrkdale Twp.	UNT To Swamp Crk.
PAR100637	Jeffrey Long, 1618 E. Pleasant Vly. Blvd. Altoona, PA 16602	Blair Co. City of Altoona	Spring Run
PAR101023	Loew's Companies Inc. 1203 School St. Wilkesboro, NC 28697	Cambria Co. Richland Twp.	UNT to Solomon Run
PAR101024	Portage Area Sewer Authority, 606 Cambria St., Portage, PA 15946	Cambria Co. Portage Twp. and Portage Boro.	Spring Run
PAR10F045	Pheasant Run Apts. 4121 Okemos Rd. Okemos, MI 48864	Centre Co. Ferguson Twp.	UNT to Big Hollow Run
PAR10G143	Daylesford Assocs. 1301 Lancaster Ave. Berwyn, PA 19312	Chester Co. E. Bradford Twp.	UNT to Taylor Run
PAR10G151	Bruce Vanderhoef 341 Freemont Rd. Nottingham, PA 19352	Chester Co. Upper Oxford Twp.	Rattlesnake Run
PAR10G162	C M H S Properties 354 Darlington Rd. Media, PA 19063	Chester Co. Schuylkill Twp.	French Crk.
PAR102307	Crawford Central School District, R. R. 9, Box 462, Meadville, PA 16335	Crawford Co. City of Meadville	UNT to Mill Run
PAR10K055	Penn State Univ. Physical Plant Bldg. University Park, PA 16802	Erie Co. Harborcreek Twp.	Four Mile Crk.
PAR10L021	NWL Company, P. O. Box 188, Farmington, PA 15437	Fayette Co. Wharton Twp.	Meadow Run
PAR10M106	John and Debbie Hoffman 14544 Greencastle Pke. Hagerstown, MD 21740	Franklin Co, Antrim Twp.	Conococheague Crk.
PAR10-O-178	David Sweigart III 189 Ridge View Rd. Elizabethtown, PA 17022	Lancaster Co. Mount Joy Twp.	UNT to Conoy Crk.
PAR10-O-147	Vasland Inc., 336 W. King St., Lancaster, PA 17603	Lancaster Co. E. Cocalico Twp.	Ltl. Cocalico Crk.
PAR10-O-176	L & B Land Co., P. O. Box 721, Brownstown, PA 17508	Lancaster Co. E. Cocalico Twp.	Little Muddy Crk.
PAR10-O-179	Edmund Heltshe 942 Stone Hill Rd. Conestoga, PA 17516	Lancaster Co. Conestoga Twp.	Stone Hill Run

<i>NPDES Permit</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10-O-180	Joseph Nadu, 1730 Columbia Ave., Lancaster, PA 17603	Lancaster Co. Conestoga Twp.	Conestoga Rvr.
PAR10P040	Ralph Trego R. D. 1, Hickory Rd., Richland, PA 17087	Lebanon Co. Jackson Twp.	Tulpehocken Crk.
PAR10P041	Palmyra Homes Inc. 1341 E. Main St. Palmyra, PA 17038	Lebanon Co. Bethel Twp.	Beech Run
PAR10R073	Robert Fraley 1450 Highway 315 Wilkes Barre, PA 18702	Luzerne Co. Duryea Boro.	Lackawanna Rvr.
PAR10T231	Cutler Group 5 Sentry Pkwy. West Blue Bell, PA 19422	Montgomery Co. Worcester Twp.	UNT to Stony Crk.
PAR105729	DEP-BAMR, 93 N. State St., Wilkes Barre, PA 18701	Schuylkill Co. Mahanoy Twp.	UNT to N. Mahanoy Crk.
PAR106112	Delta Mining Inc. 13031 Farthinggale Dr., Reston, VA 22071	Somerset Co. Brothersvly. Twp.	Blue Lick Crk.
PAR 106615	DEP-BAMR, P. O. Box 149 Ebensburg, PA 15931	Tioga Co. Hamilton Twp.	Tioga River
PAR10Y194	Central Penn Auto Sales, P. O. Box 395 York Haven, PA 17370	York Co. Newberry Twp.	Conewago Crk.

Notices of Intent for Coverages Under NPDES General Permits and Department Final Actions

The Department of Environmental Protection has received Notices of intent (NOI) for approval of coverage under General NPDES Permits and has taken the following final actions by approving the requested general permit coverages.

These actions of the Department may be appealed 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, by any aggrieved person under the Environmental Hearing Board (35 P. S. § 7514); 2 Pa.C.S. §§ 501-508 and 701-704 (relating to the Administrative Agency Law). Appeals must be filed with the Environmental Hearing Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of procedure before the Board may be obtained from the Board.

List of NPDES General Permits issued by DEP's Water Management Deputate

<i>General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Response Bureau</i>
1	SW-Construction	SERO

NOI Received and Final Actions Under NPDES General Permits

Coverage under the General Permits issued under the National Pollutant Discharge Eliminate system (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream name</i>	<i>SIC</i>
PAR10-5307	1	Colonial Pipeline 945 East Paces Ferry Rd. P. O. Box 18855 Atlanta, GA 31126-0855 and Sun Pipe Line Company Ten Penn Center. 26th Fl. 1801 Market Street Philadelphia, PA 19103	City of Philadelphia Philadelphia County	Freshwater Wetlands within Delaware River Watershed	4600

The following approvals for coverage under NPDES Individual Permit for Discharges of Stormwater from Construction Activities have been issued.

Northeast Regional Office: Regional Water Management Program Manager, Two Public Square, Wilkes Barre, PA 18701-3296, telephone (717) 826-2553.

Southwest Regional Office: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4028.

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10Q091	James Heeps, 711 W. 17th St., Allentown, PA 18104	Lehigh Co. S. Whitehall and U. Macungie Twps.	Little Lehigh
PAS10Q094	Nuss Enterprises 2632 Old Post Rd. Coplay, PA 18037	Lehigh Co. N. Whitehall Twp.	Coplay Crk.
PAS10Q095	City of Allentown 2700 Parkway Blvd. Allentown, PA 18104	Lehigh Co. City of Allentown	Little Lehigh
PAS10W037	Metz Development and Waterdam Farms Res. Associates, 524 Washington Rd., McMurray, PA 15317	Washington Co. N. Strabane Twp.	UNT to Ltl. Chartiers Crk.
PAS10W044	Mary Lee and Steven Fusco, 405 McCombs Rd., Venetia, PA 15367	Washington Co. Peters Twp.	Peters Crk.
PAS10X054	Amore Companies Inc. 4130 Monroeville Blvd. Monroeville, PA 15146	Westmoreland Co. Allegheny Twp.	Kiskiminetas Rvr.
PAS10X055	Sony Electronics Inc. P. O. Box Sony, Old Rte. 119, Mt. Pleasant, PA 15666	Westmoreland Co. E. Huntingdon Twp.	Sewickley Crk.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-T049	Anderson Farm, Inc. 950 W. Valley Forge Rd. King of Prussia, PA 19406	Upper Providence Twp. Montgomery County	Norma Run, Tributary to Perkiomen Creek
PAS10-G160	Country Estates Developers, Inc. P. O. Box 559 Kimberton, PA 19442	Charlestown Township Chester County	Pickering Creek
PAS10-D041	Department of Transportation District 6-0 200 Radnor-Chester Road St. Davids, PA 19087	Bristol Township Bucks County	Neshaminy Creek

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

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

Permit No. 0195404. Sewerage. **Fort Heritage, Ltd.**, 1960 Emmitsburg Road, Gettysburg, PA 17325. Construction of a small flow sewage treatment facility located in Cumberland Township, **Adams County**.

Permit No. 6795409. Sewerage. **Glenn Campbell**, 103 Warrington Road, Dillsburg PA 17019. Construction of a septic tank and sand filter treatment system located in Carroll Township, **York County**.

Permit No 0795404. Sewerage. **Logan Township Board of Supervisors**, 800 39th Street, Altoona, PA 16602. Extension of interceptor to serve North Lakemont area and the proposed Altoona Galleria in Logan Township, **Blair County**.

Permit No. 6771405. Sewerage. Amendment No. 1. **James R. Holley and Associates, Inc.**, 18 South George Street, York, PA 17401, located in Hopewell Township, **York County**.

Permit No 3695408. Sewerage. **East Cocalico Township Authority**, P. O. Box 402, Reamstown, PA 17567. Construction of interceptor to connect to Adamstown borough STP in East Cocalico Township, **Lancaster County**.

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

Permit No. 0995423. Sewerage. **Alvin Buben**, 123 Harvest Road, Levittown, PA 19056. Construction of the single residence sewage treatment plant with spray irrigation system located in Plumstead Township, **Bucks County** to serve the Buben residence.

Permit No. 1595410. Sewerage. **Chesterdale Waste Treatment Company**, 803 West Market Street, West Chester PA 19382. Modification and operation of the Willistown Woods sewage treatment plant located in

Willistown Township, **Chester County** to serve Chesterdale Waste Treatment Company.

Plan revision approval granted December 6, 1995 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

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

Location: Warwick Township, Lancaster County, P. O. Box 308, Lititz, PA 17543.

The approved plan revision provided for 60 single family lots on 36.49 acres generating 21,000 gallons per day (gpd) in sewage flows tributary to the Warwick Township Municipal Authority Sewage Collection System and the Lititz Borough Wastewater Treatment Plant. The development is located on the east side of North Broad Street opposite of Wynfield Drive in Warwick Township, Lancaster County.

The project is known as Brookfield Run (Crown II Properties) and the Department of Environmental Protection Code Number is A3-36955-166-3.

Plan revision approval granted November 16, 1995 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

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

Location: Susquehanna Township, Dauphin County, 1900 Linglestown Road, Harrisburg, PA 17110.

The approved plan revision provides for a 12 lot commercial subdivision with an anticipated total sewage flow of 11,250 gallons per day of wastewater to be treated by Harrisburg Advanced Wastewater Treatment facility. The development is located on the south side of Linglestown Road (S.R. 0039), 2,100 feet east of North Progress Avenue (S.R. 0315), Susquehanna Township, Dauphin County.

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

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

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

Location: Union Township, Lebanon County, R. D. 1, Box 1940, Jonestown, PA 17038.

The approved plan revision provides for municipal treatment plant expansion and a four lot industrial subdivision on both sides of S.R. 0072, north of Fisher Avenue (S. R. 4020), Union Township, Lebanon County. The Northern Lebanon County Authority Lickdale Treatment Plant will be expanded to 100,000 gallons per day and ultimately serve the surrounding industrial, institutional, and residential lots and future residential and commercial projects. A general permit will address wetlands encroachment.

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

Location: Union Township, Lebanon County, R. D. 1, Box 1940, Jonestown, PA 17038.

The approved plan revision provides for extension of sewer service from the Northern Lebanon County Authority Lickdale Treatment Plant, 4,000 feet west along the south side of Fisher Avenue (S.R. 4020) in Union Township, Lebanon County. The combination low pressure/gravity sewer is intended to serve a proposed warehouse/distribution facility, school, and residences along this portion of Fisher Avenue, and a future commercial project. The proposed sewer extension will result in encroachment of wetlands for which a general permit will be utilized.

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

Location: East side of Stonewood Road (SR-2017) approximately 1/2 mile south of the intersection with SR-462 in Springettsbury Township, York County.

Project Description: Approval of a revision to the Official Sewage Plan of Springettsbury Township, York County, 1501 Mt. Zion Road, York, PA 17402. Plan approval is given for the construction of a pump station, force mains and gravity sewers to replace the existing Motters Pump Station. The average projected sewage flows served by this proposed pump station are 2.94 mgd.

The project name is East York Pumping Station and its DEP code number is A3-67957-244-3.

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2553.

Borough of Penn Lake Park, **Luzerne County.**

The Department has completed its review of the Official Act 537 Sewage Facilities Plan (Plan) for Penn Lake Park Borough, dated June 29, 1994, and revised on March 24, 1995 and on August 8, 1995. The revised Plan was sent to us via Borton-Lawson Engineering's September 6, 1995 transmittal letter. The March 24, 1995 and the August 8, 1995 Plan revisions were prompted by the Department's December 8, 1994 and May 23, 1995 comment letters. The Plan was prepared by Borton-Lawson Engineering. The Department has found that the Plan is now acceptable and hereby grants planning approval.

The Planning Area included under the Plan is the area within the corporate limits of the Borough. The Plan was written to address environmental problems, caused by failing onlot sewage systems. The Plan concluded that unsuitable soils and small lot sizes preclude the replacement and upgrade of the onlot sewage systems in accordance with the Department's regulations.

The current status of sewage disposal systems was evaluated and alternatives for improved sewerage facilities were proposed to meet the identified sewage disposal needs for the foreseeable future. The chosen alternative consists of the installation of a centralized sewerage collection system, primarily a low-pressure system, and construction of a 50,000 gallons per day wastewater treatment facility (WWTF). The plant is sized to treat a projected summer population of 675 people in the year 2015. The proposed WWTF is a Sequential Batch Reactors System.

The Plan also approves a Sewage Management Program to regulate the performance of existing onlot systems and to regulate construction of any new systems. The Sewage Management Program will become effective when the Plan is approved by the Department, and will continue until a centralized sewerage collection system and WWTF is built.

The Department's review of the Plan has not identified any significant environmental impacts resulting from the proposals.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P.S. §§ 750.1—750.2(a)) (Act 537) and Chapter 71 of the Department's Regulations, 25 Pa. Code Chapter 71, the Department will hold the Borough responsible for the complete and timely implementation of the chosen alternative, as stated in Section I—Plan Summary (Page 1 of the Plan) and in Section IX—Implementation Schedule (Page 58 of the Plan).

Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, and Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

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

General Permit No. WMGR023. Oil Service, Inc., 2899 Grant Avenue, Pittsburgh, PA 15225. A permit for processing of waste oil (excluding used oil) and unused oil contaminated with water in mobile units or at a stationary facility through filtration, centrifugation, ultrafiltration and vacuum distillation for the purpose of reconditioning the oil which shall be reused by the generator of the waste oil or unused, contaminated oil.

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

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

Southcentral Regional Office; Regional Solid Waste Program Manager; One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4588.

Permit No. 602633. H. Pfautz Property, Dr. Harry Pfautz, (315 High Street, Duncannon, PA 17020). Renewal application for the operation of an agricultural utilization of sewage sludge site in Wheatfield Township, **Perry County**. Permit issued in the Regional Office January 2, 1996.

Regional Office: Regional Solid Waste Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Solid Waste Permit No. 101623. WSPA, Inc., P. O. Box 58, Spraggs, PA 15362. A municipal waste processing permit for the operation of WSPA, a transfer/processing facility located on Lee Avenue Extended in Wayne Township, **Greene County**, was issued in the Regional Office on December 27, 1995.

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

Regional Office: Regional Solid Waste Manager; One Ararat Boulevard, Harrisburg, PA 17110.

A. 603433. E. C. Lemmon Inc., Farm, BFI Organics, (P. O. Box 128, Mineview Drive, Morgantown, PA 19543). Application for operation of an agricultural utilization of sewage sludge site in Reading Township, **Adams County**. Application withdrawn from the Southcentral Regional Office November 17, 1995.

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.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

The Department has issued the following Air Quality Operating Permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **35-301-032**
Source: Incinerator w/secondary burner
Company: **Pharmakon Research Institute**
Location: Scott Township
County: **Lackawanna**

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

Regional Office: Northeast Regional Office, Bureau of Air Quality Control, 2 Public Square, Wilkes-Barre, PA 18711-0790.

39-0012. On October 17, 1995, a RACT Air Quality Operating permit was issued to **Department of Public Welfare**, White Haven Centre, White Haven, PA 18661 for the operation of boiler plant at the facility located in Foster Township, **Luzerne County**.

Plan approvals permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations for a plan approval permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has issued the following air quality plan approval permit for the construction of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **PA-09-0001**
Source: Mixing Churns No 1, 2 and 3
Issued: December 7, 1995
Company: **Avery Dennison Corporation**
Location: Richland
County: **Bucks**

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

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has extended the following air quality plan approvals permits for the specified companies described below:

Permit: **15-317-019**
 Source: Line 6 Oven Alteration
 Issued: December 15, 1995
 Extended: April 15, 1996
 Company: **Pepperidge Farm, Inc.**
 Location: East Caln
 County: **Chester**

Permit: **46-301-268**
 Source: Hospital Waste Incinerator
 Issued: December 22, 1995
 Extended: April 22, 1996
 Company: **North Penn Hospital**
 Location: Hatfield
 County: **Montgomery**

Permit: **46-313-093A**
 Source: Chemical Development
 Issued: December 29, 1995
 Extended: April 30, 1996
 Company: **SmithKline Beecham Research Company**
 Location: Upper Providence
 County: **Montgomery**

Permit: **46-313-094A**
 Source: Pharmaceutical Sciences
 Issued: December 29, 1995
 Extended: April 30, 1996
 Company: **SmithKline Beecham Research Company**
 Location: Upper Providence
 County: **Montgomery**

Operating permit issued 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 and when required 25 Pa. Code § 127.445.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has issued the following air quality compliance permit for the operation of the Major NOx and Major VOC emitting facilities described below:

Permit: **CP-15-0024**
 Source: Facility NOx
 Issued: December 27, 1995
 Company: **Sonoco Products Company**
 Location: Downingtown
 County: **Chester**

Permit: **CP-09-0001**
 Source: Facility Nox and VOC
 Issued: December 7, 1995
 Company: **Avery Dennison Corp./Fasson Roll Div.**
 Location: Richland
 County: **Bucks**

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4005) and regulations to construct, modify, reactivate and operate air contamination sources or air cleaning devices.

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

06-318-070A. On December 22, 1995, the Department issued a plan approval to **Berks Can, Inc.** (P. O. Box 170, Blandon, PA 19510) for construction of a three-piece can line controlled by filter pads and fabric collector in Muhlenberg Township, **Berks County**.

Northwest Regional Office: Devendra Verma, Engineering Services Chief, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6940.

62-399-012. On December 29, 1995, a plan approval was issued to **Torpedo Wire & Strip, Inc.** (R. D. 2, Rt. 27, Pittsfield, PA 16340) for construction of a nickel plating operation at their facility in Pittsfield Township, **Warren County**.

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302), sections 5 and 402 of the act of June 22, 1937 (P. L. 1987, No. 394) (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.)

Permits Issued and Actions on 401 Certification

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

E13-091. Encroachment. **Robert R. Snyder**, 103 East Penn Street, Lehigh, PA 18235. To place fill in an unnamed body of water, having a surface area of approximately 0.04 acre for the construction of a driveway. The project is located on the north side of S. R. 0443, approximately 0.1 mile east of the intersection of S. R. 0443 and S. R. 3002 (Lehigh, PA Quadrangle N: 13.2 inches; W: 12.2 inches) in Lehigh Borough, **Carbon County**.

E35-258. Encroachment. **South Abington Township**, 104 Shady Lane Road, Chinchilla, PA 18410. To construct and maintain two pedestrian bridges across Leggetts Creek as follows: Bridge No. 1, having a span of 45.9 feet and an approximate underclearance of 5.2 feet (Scranton, PA Quadrangle N: 18.85 inches; W: 8.00 inches); Bridge No. 2, having a span of 39.7 feet and an approximate underclearance of 4.7 feet (Scranton, PA Quadrangle N: 18.95 inches; W: 7.90 inches). The project is part of the South Abington Township Recreation Area and is located approximately 0.2 mile south of the intersection of the Pennsylvania Turnpike Northeast Extension Scranton Interchange (No. 30) and S. R. 0081 in South Abington Township, **Lackawanna County**.

E40-421. Encroachment. **Daniel Roman and Rochelle Nesgoda**, 431 State Highway 315, Pittston, PA 18640. To construct and maintain a road crossing of wetlands, 270 feet in length, consisting of two pairs of 12-inch HDPE pipes and the placement of rock fill in 0.19 acre of wetlands, located within the basin of Big Wapwallopen Creek, for the purpose of constructing a driveway for a single-family dwelling. The project is located on a 25.4 acre parcel, on the north side of Liberty Street, approximately 0.4 mile west of the intersection of S. R. 0309 and S. R. 437 (Wilkes-Barre West, PA Quadrangle N: 8.3 inches; W: 1.6 inches), in Fairview Township, **Luzerne County**. The permittee is required to provide 0.19 acre of replacement wetlands.

E45-282. Encroachment. **Outletter Associates**, 285 Crossings Outlet Square, Tannersville, PA 18372. To place fill in 0.09 acre of wetlands for the purpose of expanding a parking lot associated with Phase IV of the Crossings Outlet Square. This project is located on the west side of Pocono Creek approximately 500 feet upstream of the confluence with Scot Run and is situated 0.25 mile southeast of Exit 44 off Interstate Route 80 (Mount Pocono, PA Quadrangle N: 9.1 inches; W: 8.9 inches) in Pocono Township, **Monroe County**. The permittee is required to provide 0.14 acre of replacement wetlands.

E54-212. Encroachment. **Department of Transportation**, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To remove the existing two-span bridge, to construct and maintain a concrete box beam bridge having a span of 50.2 feet and an underclearance of 6.0 feet on a 75 degree skew across Wiconisco Creek and to fill a de minimus area of wetlands less than or equal to 0.05 acre for the proposed bridge construction. This project is located along S. R. 0325, Section 01B, Segment 0030, Offset 1800, approximately 3,300 feet south of S. R. 0209 (Tower City, PA Quadrangle N: 14.65 inches; W: 5.9 inches) in Porter Township, **Schuylkill County**.

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

E09-236. Encroachment. **Jack Lyons**, Jack's Neshaminy Marina, Inc., 100 River Road, Croydon, PA 19020. To re-issue Permit No. E09-236, which authorized the following: To construct and maintain a floating pier, enlarge and maintain an existing Marina Lagoon and Travel Lift Slip and to perform maintenance dredging along the north bank of the Neshaminy Creek at points 1,250 feet to 3,000 feet upstream from the confluence of Neshaminy Creek and the Delaware River (Beverly NJ-PA Quadrangle, N: 15.0 inches, N: 4.7 inches) in Bristol Township, **Bucks County**.

E09-660. Encroachment. **Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087. To place fill material in 3.11 acres of wetlands that is associated with construction to complete the I-95 southbound exit ramp used to connect S. R. 413 with I-95 at a point just south from Old Rodgers Road. Old Rodgers Road's terminus will also be relocated. This project includes the realignment of an unnamed tributary to Croydon Run and the associated installation of a 120-foot long, 19-inch X 30-inch elliptical R.C.P. stream enclosure which will provide drainage from Delhaas Woods across and under S. R. 413. Also included in this project is the construction of a concrete outlet structure with gabion basket stream bank protection to be installed at the northwesterly wingwall of the U. S. 13 bridge that spans Otter Creek. This structure will discharge additional stormwater runoff by a proposed stormwater pumping station, associated with the proposed S. R. 413, widening between Bath Road and U. S. Route 13. Numerous stormwater culverts will be installed and/or replaced along the reconstructed S. R. 413 and the proposed I-95 exit ramp. This site is situated in the vicinity of the I-95/413 interchange (Beverly/Bristol, PA-NJ Quadrangles, N: 20.9 inches; W: 0.8 inch) in Bristol Township, **Bucks County**. The permittee shall provide 5.76 acres of wetland replacement as part of this project.

E09-692. Encroachment. **The Cutler Group, Inc.**, 5 Sentry Parkway West, Suite 100, Blue Bell, PA 19422. To construct and maintain a culvert structure located in and along an unnamed tributary to the Neshaminy Creek

(TSF-MF) for the purpose of conveying stream flow beneath Windsor Way. This road will provide a secondary access to the proposed Doylestown Lea residential subdivision. The proposed culvert structure will consist of quadruple (4) 48-inches x 76 inch E.R.C.P.'s, each measure 64 feet in length. In addition a 24-foot wide by 10-foot long riprap energy dissipator will be installed at the outlet end of this structure. This project also will include the placement of fill material in 0.26 acre of adjacent wetlands (PF01A). The project site is located approximately 3/4 miles southwest of S. R. 611 and S. R. 202 interchange and is situated along the south side of Wells Road (T-344) across from the Doylestown Township municipal park (Doylestown, PA Quadrangle N: 6.25 inches; W: 2.5 inches) in Doylestown Township, **Bucks County**. The permittee is providing 0.28 acre of replacement wetlands on-site.

E46-432. Encroachment. **The Cutler Group**, 5 Sentry Parkway West, Suite 100, 325 Walton Road, Blue Bell, PA 19422. To reissue and amend permit no. E46-432 to maintain three storm sewer lines and outfall structures, to maintain fill and to maintain a 22-foot x 5.5-foot precast box culvert under the proposed Lexington Drive in wetlands located in and along Rapp Run and to maintain an 8-inch sanitary sewer crossing of wetlands located at a point approximately 1,700 feet north of Jarretstown Road in the Dublyn Lea Residential Subdivision (Ambler, PA Quadrangle N: 6.2 inches; W: 6.8 inches) in Upper Dublin Township, Montgomery County. This permit requires the replacement of 0.50 acre of wetlands. The replacement wetlands will be constructed at the Montgomery Crossing Subdivision located (Ambler, PA Quadrangle N: 18.0 inches; W: 13.2 inches) in Montgomery Township, **Montgomery County**.

E46-622. Encroachment. **Montgomery County Commissioners**, Montgomery County Court House, Swede and Airy Streets, Norristown, PA 19404. To reissue permit no. E46-622 which authorized the removal of an existing single span truss bridge, and to construct and maintain a roadway crossing consisting of two 25.33-foot x 11-foot and one 12.4-foot x 8.3-foot aluminum box culverts in Swamp Creek located on Ludwick Road approximately 2,300 feet northwest of its intersection with PA Route 663 (Sassamansville, PA Quadrangle N: 13.0 inches; W: 10.3 inches) in New Hanover Township, **Montgomery County**.

E46-709. Encroachment. **Edward Florig**, Florig Equipment Company, Inc., 906 Ridge Pike, Conshohocken, PA 19428. To construct and maintain an extension to an existing stream enclosure located along an unnamed tributary to Plymouth Creek which crosses Florig Equipment Company property. The existing stream enclosure was authorized by DEP permit no. E46-162, issued in 1984. The scope of the proposed project is to enclose an additional portion of this tributary to provide a parking storage area for the owner. This project scope will include the following:

1. To extend by 110 feet an existing, twin 90-inch diameter, stream enclosure at the downstream end, and placement of associated backfill to provide a parking storage area.
2. The installation of an 8-inch high, rolled macadam curb to be located along the downstream edge of the proposed parking area pavement.
3. The installation of a two type "M" inlet boxes which will discharge stormwater runoff into the proposed stream enclosure.

4. The construction of an end wall at the downstream end of the stream enclosure and the installation of a riprap energy dissipator at the outlet structure.

5. The modification of existing gabion endwalls, and construction of an earthen berm along the downstream end of the proposed stream enclosure outlet structure to protect an existing sanitary sewer pump station.

6. The construction of a rock lined swale to be located along the toe of the proposed embankment fill.

The site is located approximately 2 miles upstream from the confluence of Plymouth Creek and the Schuylkill River, and 4,500 feet southeast from the Pennsylvania Turnpike crossing of Ridge Pike (Norristown, PA Quadrangle N: 18.2 inches; W: 7.1 inches) in Plymouth Township, **Montgomery County**.

E09-700. Encroachment. Department of Transportation. Engineering District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087. To remove an existing one span masonry arch culvert, to construct and maintain approximately 51 linear feet of a precast reinforced concrete 10-foot by 6-foot twin cell box culvert with adjacent cast-in-place endwalls for the purpose of widening the existing roadway, and to construct and maintain a reinforced concrete retaining wall of approximately 58 feet on the right upstream face of the roadway embankment. The site is situated (Lambertsville USGS Quadrangle N: 0.4 inch; W: 16.6 inches) at the intersection of Swamp Road (S. R. 2036) and an unnamed tributary to the Neshaminy Creek approximately 750 feet north and 1,300 feet west of the intersection of Swamp Road and Worthington Mill Road in Wrightstown Township, **Bucks County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

E23-334. Encroachment. Department of Transportation. 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To remove an existing deteriorated bridge and to construct and maintain a 42-foot long x 20-foot wide reinforced concrete bridge with 5.5-foot underclearance, which carries S. R. 2003 (North Lynn Boulevard) across an unnamed tributary to Cobbs Creek. The site is located approximately 200 feet southeast of the intersection of Township Line Road (U. S. Route 1) and S. R. 2003 (North Lynn Boulevard), Lansdowne, PA Quadrangle N: 17.5 inches; W: 5.0 inches) In Upper Darby Township, **Delaware County**.

E46-713. Encroachment. Abington Glenn, Inc., 101 Washington Lane, Suite G4, Jenkintown, PA 19046. To operate and maintain the relocation and modification of an unnamed tributary to Sandy Run, associated with the proposed Abington Glenn, Inc. subdivision. This work will include the following:

1. Removal of the existing recently constructed unpermitted stream enclosure and replace the enclosure with a 180-foot long, 24-inch diameter R.C.P., with concrete end walls upstream and downstream, and riprap lined energy dissipator at the outlet.

2. Reconstruction and maintenance of bank stabilization for the channel remaining downstream of the enclosure using stone gabion reno mattresses or stone gabion walls.

3. Reconstruction and maintenance of a modified storm drainage swale located across Mr. Acker's property, which will be a 6-foot wide, 250-foot long and will provide a 1-foot minimum depth.

4. Reconstruction and maintenance of low earthen berm at a minimum elevation of 218.5 located along Mr. Acker's northern property line and the western bank of the relocated stream channel.

5. Reconstruction and maintenance of a detention area at the upstream end of the proposed stream enclosure to provide a minimum headwater depth of 4 feet.

The project site is located at 2967 Madison Avenue at a point approximately 1,000 feet southeast from the intersection of Fitzwatertown Road and Susquehanna Road (Ambler, PA Quadrangle N: 0.92 inch; W: 3.6 inches) in Abington Township, **Montgomery County**.

SPECIAL NOTICES

Proposed Land Exchange Between DCNR, Bureau of Forestry, and Pennsylvania State University

The Department of Conservation and Natural Resources, acting through the Bureau of Forestry, and Pennsylvania State University are proposing to negotiate an exchange of lands in Centre and Franklin Counties, PA.

The Bureau of Forestry is proposing to acquire from Penn State approximately 192 acres of woodland on Tussey Mountain in Ferguson Township, Centre County, bounded on the southeast by the Rothrock State Forest.

In return, the Bureau of Forestry proposes to convey to Penn State approximately 32 acres of the Michaux State Forest in the Borough of Mont Alto and Quincy Township, Franklin County. This property is bounded on the north and west by Penn State's Mont Alto Campus.

As is the policy of the Department of Conservation and Natural Resources, the public is hereby notified of this proposed exchange. A 30-day period for public inquiry and/or comment will be in effect commencing January 22, 1996, and ending February 21, 1996. Oral or written comments or questions concerning this proposed exchange may be addressed to State Forester's Office, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, telephone (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.

[Pa.B. Doc. No. 96-77. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF HEALTH

Notice of Beginning of Review; Certificate of Need

The Department has completed its preliminary assessment of the following applications for the offering, development, construction, renovation, expansion or establishment of reviewable clinically related health services or health care facilities. This notice is published in accordance with sections 702(c), 704(a) and 704(b) of the Health Care Facilities Act (35 P. S. §§ 448.702(c), 704(a) and 704(b)).

CON-95-H-2494-B: Mt. Macrina Manor, 520 West Main Street, Uniontown, PA 15401. The project includes the

development of a state-of-the-art Alzheimer's Unit; addition of 24 licensed beds and renovations at an estimated cost of \$3,230,384.

The projects are scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning January 20, 1996. Interested persons, as defined in section 103 of the act (35 P. S. § 448.103) may request a public meeting. Requests must be made in writing, within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of the act (35 P. S. § 448.506(a)), regarding the decisions made on these applications, any interested person as defined in the act must request a public meeting and participate in that meeting.

If the Department of Health receives a timely request for public meeting, the meeting will be held in Room 812

of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, Pennsylvania. The public meeting for Mt. Macrina Manor will begin at 1 p.m. on Thursday, February 8, 1996. Persons who need an accommodation due to a disability and want to attend a meeting, please contact Jack W. Means, Jr., Director Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangements can be made. These meetings are subject to cancellation without further notice.

For additional information, contact the Division of Need Review at (717) 787-5601.

PETER J. JANNETTA, M.D.,
Secretary

[Pa.B. Doc. No. 96-78. Filed for public inspection January 19, 1996. 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The contracts referenced below have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-11—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these persons and firms, or any firm, corporation or partnership in which such persons and firms have an interest, shall be awarded no contract for 3 years after the date listed.

JOHNNY J. BUTLER,
Secretary

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
1. Gary Cararini, Sr. (Fed. ER Tax ID No. 25-1369838), George Vince and Frank Maruca, t/a Westmoreland Roofing & Siding Co. (Fed. ER Tax ID No. 25-1427388)	R. D. 8, Box 192 Greensburg, PA 15601	2/9/93
2. York Excavating Co., Inc. (Fed. ER Tax ID No. 23-2346289), and Les Stewart	R. D. 3, Box 77B York, PA 17402	4/26/93
3. Beigh Construction Co. and H. Daniel Beigh, Jr. (Fed. ER Tax ID No. 23-173014)	304 East Main Street Shiremanstown, PA 17011-6362 and/or P. O. Box 420 Camp Hill, PA 17011	5/14/93
4. Dowell Corporation, a/k/a Dowell, Inc. (Fed. ER Tax ID No. 23-1887852), and John J. O'Donnell, Jr.	820 Welsh Road Huntingdon Valley, PA 19006 3150 Comport Road New Hope, PA 18938	7/21/93
5. Bramarq Construction Co., Inc. (Fed. ER Tax ID No. 23-2161038)	261 Lower Morrisville Rd. Fallsington, PA 19054	7/28/93
6. Stephen S. Fisher, Jr. (Fed. ER Tax ID No. 23-1731460)	625 Baumgardner Road Lancaster, PA 17603	8/3/93
7. Genro, II, Inc. (Fed. ER ID Tax ID No. 25-1267158), t/a General Roofing Co., Inc. —and— D. Dale Hamilton, III	Box 418, Washington Pike Bridgeville, PA 15017	9/3/93
8. Ray Maggi Construction, Inc. (Fed. ER Tax ID No. 25-1544078) and Ray Maggi (Fed. ER Tax ID No. 25-1414979)	R. D. 1, Box 477 Cecil, PA 15321	10/8/93
9. John Novack, t/a Novack Salvage	P. O. Box 239 Lititz, PA 17543	12/3/93

	<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
10.	Reese's Excavating and Paving, Inc. (Fed. ER Tax ID No. 23-2330470) —and— Charles S. Reese (Fed. ER Tax ID No. 23-1903560)	350 East Butler Avenue (Route 202) New Britain, PA 18901 —and— P. O. Box 5182 New Britain, PA 18901	2/3/94
11.	James B. Martin, d/b/a Roof Consultant Service	1429 Worth Street York, PA 17404	2/4/94
12.	Calah Construction Corp. (Fed. ER Tax ID No. 25-1574962) —and— Charles Sarver —and— Michael Kusenko, Sr.	806 Fifth Avenue Brackenridge, PA 15014 107 Second Street Freeport, PA 16229 148 Claremont Drive Lower Burrell, PA 15068	2/22/94
13.	Kline Mechanical Contracting, Inc., and Ernest A. Kline (Fed. ER ID No. 24-1403962)	One Landmark North Suite 202 20399 Route 19 Evans City, PA 16033	4/6/94
14.	J. Turner Construction Co., Inc. (Fed. ER Tax ID No. 52-1017383)	1261 Ward Street Baltimore, MD 21230	4/7/94
15.	Supermason Enterprises, Inc. (Fed. ER Tax ID No. 23-2200622), and Toni E. Lynch	P. O. Box 533 Main Street Portland, PA 18351	6/20/94
16.	Tom Lawver, d/b/a Lawver Masonry (Fed. ER Tax ID No. 23-1902917)	P. O. Box 325 Hanover, PA 17331	7/21/94
17.	Dowell Corporation, a/k/a Dowell, Inc. (Fed. ER Tax ID No. 23-1887852), and John J. O'Donnell, Jr.	8080 Welsh Road Huntingdon Valley, PA 19006 3150 Comport Road New Hope, PA 18938	8/4/94
18.	H. M. Troutman & Sons (Fed. ER Tax ID No. 23-2582920), and Dennis Troutman	P. O. Box 2097 Sinking Spring, PA 19608	9/28/94
19.	Allied Mechanical, Inc. —and— Allied Sprinkler and Mechanical Systems, Inc., a/k/a Allied Sprinkler and Mechanical Systems —and— James D. Williams 87 County Line Road Harwinton, CT 06791	87 County Line Road Harwinton, CT 06791 —and/or— Allied Sprinkler P. O. Box 1489 Burlington, CT 06791	9/28/94
20.	John C. Fekos, d/b/a John C. Fekos Painting Co., a/k/a John C. Fekos, Painting Contractor (Fed. ER Tax ID No. 25-1344589)	3057 Texas Avenue P. O. Box 7953 Pittsburgh, PA 15216	12/7/94
21.	Yorktowne Sound & Communications, Inc. (Fed. ER Tax ID No. 23-2210787) —and— Robert A. Carrigan Ann K. Carrigan	620 Owen Road York, PA 17403 1154 Harbour Drive Apartment 201 Wilmington, NC 28401	1/13/95
22.	Greene Mechanical Corporation (Fed. ER Tax ID No. 25-1348869) —and— Michael Mesich	253 East First Street P. O. Box 266 Waynesburg, PA 15370	6/29/95
23.	General Mechanical Contractors, Inc. (Fed. ER Tax ID No. 25-1243634), d/b/a General Industries	15 Arentzen Boulevard Charleroi Industrial Park Charleroi, PA 15022	8/16/95

	<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
24.	George W. Sirakos, George Sirakos and Scott Sirakos, d/b/a George Sirakos, Contractor (Fed. ER Tax ID No. 25-1329207) —and/or— George W. Sirakos —and/or— George Sirakos —and/or— Scott Sirakos	2207 West Pike Street Houston, PA 15342 2207 West Pike Street Houston, PA 15342 200 Ross Street Houston, PA 15342 200 Ross Street Houston, PA 15342	8/16/95
25.	Parmenter Excavating (Fed. ER Tax ID No. 25-1698794) and Timothy Parmenter —and— P. C. Partnership and Bruce Eaton	6280 Sterretania Road Fairview, PA 16415 —and/or— 10889 Smith Road Northeast, PA 16428 P. O. Box 368 Fairview, PA 16415 —and/or— 12251 Lay Road Edinboro, PA 16412	8/18/95
26.	William Bradney —and— Thomas Andress —and— Robert Kerns	95 Louise Drive Ivylnd, PA 18974 43 Upper Stump Road Chalfont, PA 18914 1203 Olms House Road Jamison, PA 18929	8/21/95
27.	The Garnes Group —and— Park Garnes, Sr.	P. O. Box 15135 Harrisburg, PA 17105	11/20/95
28.	Facility Automation Services, Inc. (Fed. ER Tax ID No. 25-1618301) —and— James A. Gabrielse	231 West Pittsburgh St. Greensburg, PA 15601 10816 Highpoint Drive Pittsburgh, PA 15235	11/20/95
29.	Industrial Building Refinishers, Inc. —and— William A. Tyrka	6845 Linden Circle Macungie, PA 18062	11/20/95

[Pa.B. Doc. No. 96-79. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Ceilings on Net Operating Cost Reimbursement for General and County Nursing Facilities

The Department of Public Welfare announces its ceilings on net operating reimbursement for general and county nursing facilities, the Metropolitan Statistical Area (MSA) or non-MSA classification levels and related information. The reimbursement ceilings and classification levels shall be effective for services rendered from July 1, 1995, through December 31, 1995.

The ceilings on allowable net operating costs established under this notice have been calculated as provided by 55 Pa. Code Chapter 1181 (16 Pa.B. 3294 (September 5, 1986)). Section 1181.66(a)(6) authorizes the Depart-

ment of Public Welfare to announce these ceilings and classification levels by notice submitted for recommended publication in the *Pennsylvania Bulletin* and suggested codification in the *Pennsylvania Code* as an Annex to section 1181.66. Section 1181.66(a)(6) also requires that this notice be accompanied by a fiscal note prepared under section 612 of The Administrative Code of 1929 (71 P. S. § 232).

The reimbursement ceilings establish an upper limit of payment of the actual, allowable net operating costs of general and county nursing facilities. Each facility's most recent acceptable cost report that was on file with the Department by April 3, 1995, was incorporated into the data base that was used to establish the group ceilings.

Following is a listing by group of the number of facilities with a particular year-end and the inflation factor used to roll the costs of each facility forward to the common date of June 30, 1995.

GENERAL NURSING FACILITIES
(Excluding Hospital-Based and Special Rehabilitation Facilities)

Facility Year End	Number of Facilities	Inflation Factor
December 31, 1991	2	1.10
June 30, 1992	5	1.09
December 31, 1992	11	1.07
June 30, 1993	14	1.06
December 31, 1993	125	1.05
June 30, 1994	253	1.03
December 31, 1994	137	1.02

HOSPITAL-BASED NURSING FACILITIES

Facility Year End	Number of Facilities	Inflation Factor
June 30, 1992	1	1.09
June 30, 1993	3	1.06
June 30, 1994	23	1.03

SPECIAL REHABILITATION FACILITIES

Facility Year End	Number of Facilities	Inflation Factor
June 30, 1994	3	1.03

COUNTY NURSING FACILITIES

Facility Year End	Number of Facilities	Inflation Factor
December 31, 1993	16	1.05
December 31, 1994	28	1.02

After the net operating per diem costs of each facility were rolled forward to the common date of June 30, 1995, the Department used a 1.6% inflation factor to roll these costs forward to December 31, 1995. This percentile, per the DRI Health Care Costs—National Forecasts Individual Price and Wages Indexes, is the end point of the 6 months, from July 1, 1995, to December 31, 1995, at which time a new reimbursement system is scheduled to be in place.

After the data base is inflated using the above inflation values, the Department grouped the facilities in the correct geographic groupings. To determine 115% of the median net operating per diem cost, the Department first determined the median. The median net operating per diem cost is that net operating per diem cost at which an equal number of costs fall below and above that cost. To determine the median net operating per diem cost of a group with an odd number of arrayed costs, the Department chose the net operating per diem cost that had an equal number of costs both above and below that cost. For groups with an even number of arrayed net operating per diem costs, the Department took the two net operating per diem costs that were closest to the middle, then divided the total of these two costs by two to calculate the median net operating per diem cost of the group. Then the Department multiplied the median per diem cost of each group by 1.15.

The classification levels and ceilings on the net operating per diem costs of general and county nursing facilities effective July 1, 1995, are listed in Annex A.

The net operating cost reimbursement ceilings and classification levels for the general and county nursing facilities are hereby adopted as set forth in Annex A of this notice.

The Department estimates that the aggregate costs of these ceilings for July 1, 1995, through December 31,

1995 will be \$15.269 million, of which \$6.977 million is in State funds and \$8.292 million in Federal funds.

Public comment on these changes may be sent to Connie L. Pretz, Medical Assistance Program Specialist, Department of Public Welfare, Division of Provider Services, Post Office Box 8025, Harrisburg, PA 17105.

FEATHER O. HOUSTOUN,
Secretary

ANNEX A

Annex to 55 Pa. Code § 1181.66

GENERAL NURSING FACILITIES
(Excluding Hospital-Based and Special Rehabilitation Facilities)

	*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995	*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995
1. LEVEL A		
Philadelphia		
Bucks	\$133.39	\$110.54
Chester	\$133.39	\$110.54
Delaware	\$133.39	\$110.54
Montgomery	\$133.39	\$110.54
Philadelphia	\$133.39	\$110.54
Pittsburgh		
Allegheny	\$133.39	\$110.54
Beaver	\$133.39	\$110.54
Butler	\$133.39	\$110.54
Fayette	\$133.39	\$110.54
Washington	\$133.39	\$110.54
Westmoreland	\$133.39	\$110.54
2. LEVEL B		
Allentown—Bethlehem—Easton		
Carbon	\$117.20	\$ 98.00
Lehigh	\$117.20	\$ 98.00
Northampton	\$117.20	\$ 98.00
Erie		
Erie	\$117.20	\$ 98.00
Harrisburg—Lebanon—Carlisle		
Cumberland	\$117.20	\$ 98.00
Dauphin	\$117.20	\$ 98.00
Lebanon	\$117.20	\$ 98.00
Perry	\$117.20	\$ 98.00
Lancaster		
Lancaster	\$117.20	\$ 98.00
Newburgh		
Pike	\$117.20	\$ 98.00
Reading		
Berks	\$117.20	\$ 98.00
Scranton—Wilkes-Barre—Hazleton		
Columbia	\$117.20	\$ 98.00
Lackawanna	\$117.20	\$ 98.00
Luzerne	\$117.20	\$ 98.00
Wyoming	\$117.20	\$ 98.00
York		
York	\$117.20	\$ 98.00
3. LEVEL C		
Altoona		
Blair	\$115.67	\$ 91.37

SPECIAL REHABILITATION FACILITIES

	<i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>	<i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>	<i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>	<i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>
Johnstown				
Cambria	\$115.67	\$ 91.37		
Somerset	\$115.67	\$ 91.37	Statewide	\$310.29
Sharon			per diem	\$231.97
Mercer	\$115.67	\$ 91.37	ceilings	
State College				
Centre	\$115.67	\$ 91.37		
Williamsport				
Lycoming	\$115.67	\$ 91.37		

*Does not include depreciation and interest.

COUNTY NURSING FACILITIES

	<i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>	<i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>
4. Non-MSA		
Adams	\$105.51	\$ 86.15
Armstrong	\$105.51	\$ 86.15
Bedford	\$105.51	\$ 86.15
Bradford	\$105.51	\$ 86.15
Cameron	\$105.51	\$ 86.15
Clarion	\$105.51	\$ 86.15
Clearfield	\$105.51	\$ 86.15
Clinton	\$105.51	\$ 86.15
Crawford	\$105.51	\$ 86.15
Elk	\$105.51	\$ 86.15
Forest	\$105.51	\$ 86.15
Franklin	\$105.51	\$ 86.15
Fulton	\$105.51	\$ 86.15
Greene	\$105.51	\$ 86.15
Huntingdon	\$105.51	\$ 86.15
Indiana	\$105.51	\$ 86.15
Jefferson	\$105.51	\$ 86.15
Juniata	\$105.51	\$ 86.15
Lawrence	\$105.51	\$ 86.15
McKean	\$105.51	\$ 86.15
Mifflin	\$105.51	\$ 86.15
Monroe	\$105.51	\$ 86.15
Montour	\$105.51	\$ 86.15
Northumberland	\$105.51	\$ 86.15
Potter	\$105.51	\$ 86.15
Schuylkill	\$105.51	\$ 86.15
Snyder	\$105.51	\$ 86.15
Sullivan	\$105.51	\$ 86.15
Susquehanna	\$105.51	\$ 86.15
Tioga	\$105.51	\$ 86.15
Union	\$105.51	\$ 86.15
Venango	\$105.51	\$ 86.15
Warren	\$105.51	\$ 86.15
Wayne	\$105.51	\$ 86.15
1. LEVEL A and B		
Philadelphia		
Bucks	\$145.04	\$125.96
Chester	\$145.04	\$125.96
Delaware	\$145.04	\$125.96
Montgomery	\$145.04	\$125.96
Philadelphia	\$145.04	\$125.96
Pittsburgh		
Allegheny	\$145.04	\$125.96
Beaver	\$145.04	\$125.96
Butler	\$145.04	\$125.96
Fayette	—	—
Washington	\$145.04	\$125.96
Westmoreland	\$145.04	\$125.96
Allentown—Bethlehem—Easton		
Carbon	\$145.04	\$125.96
Lehigh	\$145.04	\$125.96
Northampton	\$145.04	\$125.96
Erie		
Erie	\$145.04	\$125.96
Harrisburg—Lebanon—Carlisle		
Cumberland	\$145.04	\$125.96
Dauphin	\$145.04	\$125.96
Perry	—	—
Lebanon	\$145.04	\$125.96
Lancaster		
Lancaster	\$145.04	\$125.96
Newburgh		
Pike	—	—
Reading		
Berks	\$145.04	\$125.96
Scranton—Wilkes-Barre—Hazleton		
Columbia	—	—
Lackawanna	\$145.04	\$125.96
Luzerne	\$145.04	\$125.96
Wyoming	—	—
York		
York	\$145.04	\$125.96

*Does not include depreciation and interest.

HOSPITAL-BASED NURSING FACILITIES

	<i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>	<i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i>
Statewide per diem ceilings	\$202.80	\$135.08

*Does not include depreciation and interest.

**Skilled Nursing
Care
Net Operating
Ceilings Effective
July 1, 1995 thru
December 31,
1995*

**Intermediate Care
Net Operating
Ceilings Effective
July 1, 1995 thru
December 31, 1995*

2. LEVEL C and
Non-MSA

Altoona Blair	\$125.90	\$103.12
Johnstown Cambria Somerset	\$125.90 \$125.90	\$103.12 \$103.12
Sharon Mercer	\$125.90	\$103.12
State College Centre	\$125.90	\$103.12
Williamsport Lycoming	—	—
All Non-MSA		
Adams	\$125.90	\$103.12
Armstrong	\$125.90	\$103.12
Bedford	—	—
Bradford	\$125.90	\$103.12
Cameron	—	—
Clarion	—	—
Clearfield	—	—
Clinton	\$125.90	\$103.12
Crawford	\$125.90	\$103.12
Elk	—	—
Forest	—	—
Franklin	\$125.90	\$103.12
Fulton	—	—
Greene	\$125.90	\$103.12
Huntingdon	—	—
Indiana	\$125.90	\$103.12
Jefferson	—	—
Juniata	—	—
Lawrence	\$125.90	\$103.12
McKean	\$125.90	\$103.12
Mifflin	—	—
Monroe	\$125.90	\$103.12
Montour	—	—
Northumberland	\$125.90	\$103.12
Potter	—	—
Schuylkill	\$125.90	\$103.12
Snyder	—	—
Sullivan	—	—
Susquehanna	—	—
Tioga	—	—
Union	—	—
Venango	\$125.90	\$103.12
Warren	\$125.90	\$103.12
Wayne	—	—

*Does not include depreciation and interest.

Fiscal Note: 14-NOT-103. (1) General Fund; (2) Implementing year 1995-96 is \$6,977,000; (3) 1st succeeding year 1996-97 is \$-0-; 2nd succeeding year 1997-98 is \$-0-; 3rd succeeding year 1998-99 is \$-0-; 4th succeeding year 1999-00 is \$-0-; 5th succeeding year 2000-01 is \$-0-; (4) FY 1994-95 is \$593,822,000; FY 1993-94 is \$493,275,000;

FY 1992-93 is \$463,007,000; (7) Medical Assistance-Long Term Care; (8) recommends adoption.

[Pa.B. Doc. No. 96-80. Filed for public inspection January 19, 1996, 9:00 a.m.]

Office of Medical Assistance Programs; Fee Increase for Selected Family Planning Services

By this notice, the Department of Public Welfare announces fee increases for the following selected family planning services, effective November 1, 1995:

Medication for Vaginal Infection

ParaGuard I.U.D.

Removal, Implantable Contraceptive Capsules (that is, Norplant)

The fiscal note was prepared under section 612 of The Administrative Code of 1929 (71 P. S. § 232).

The Department estimates the cost of the fee increases to be \$24,931 for 8 months (\$6,177 in State funds; \$18,754 in Federal funds).

Contact Person

A copy of this notice is available for review at local county assistance offices throughout the Commonwealth.

Interested persons are invited to submit written comments to this notice within 30 days of this publication. Comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (Voice users), or may use the Department of Public Welfare TDD by calling (717) 787-3616. Persons who require another alternative should contact India Wood at (717) 783-2212.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-105. (1) General Fund; (2) Implementing year 1995-96 is \$6,000; (3) 1st succeeding year 1996-97 is \$12,000; 2nd succeeding year 1997-98 is \$12,000; 3rd succeeding year 1998-99 is \$12,000; 4th succeeding year 1999-00 is \$12,000; 5th succeeding year 2000-01 is \$12,000; (4) FY 1994-95 is \$722,422,000; FY 1993-94 is \$623,050,000; FY 1992-93 is \$594,642,000; (7) Medical Assistance-Outpatient; (8) recommends adoption. The additional costs will be absorbed within the existing appropriation for 1995-96.

[Pa.B. Doc. No. 96-81. Filed for public inspection January 19, 1996, 9:00 a.m.]

Peer Groups and Peer Group Medians for General and County Nursing Facilities

In accordance with 55 Pa. Code § 1187.95(a)(4), the Department of Public Welfare announces its peer groups, peer group medians and peer group prices for general and county nursing facilities. The peer groups, peer group medians and peer group prices established under this notice have been calculated as provided by 55 Pa. Code

Chapter 1187 (25 Pa.B. 4477 (October 14, 1995)), and shall be effective for services rendered from January 1, 1996 through June 30, 1996.

To establish the data base for the calculation of peer group median and prices, the Department used each facility's most recent audited cost report that was on file with the Department by March 31, 1995, and indexed the costs for each report forward to the common date of December 31, 1995, using the HCFA Nursing Home Without Capital Market Basket Index.

Following is a listing by group of the number of facilities with a particular year-end and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 1995.

GENERAL and COUNTY NURSING FACILITIES
(Excluding Hospital-Based and Special Rehabilitation Facilities)

<i>Facility Year End</i>	<i>Number of Facilities</i>	<i>Inflation Factor</i>
June 30, 1982	1	1.7312
December 31, 1982	1	1.7107
June 30, 1987	3	1.4592
December 31, 1987	13	1.4262
June 30, 1988	2	1.3946
June 30, 1989	13	1.3054
December 31, 1989	4	1.2655
June 30, 1990	11	1.2269
December 31, 1990	13	1.1906
June 30, 1991	31	1.1723
December 31, 1991	75	1.1500
June 30, 1992	81	1.1276
December 31, 1992	77	1.1078
June 30, 1993	104	1.0878
December 31, 1993	126	1.0662
June 30, 1994	9	1.0515
June 30, 1991	4	1.1723
June 30, 1992	13	1.1276
June 30, 1993	5	1.0878
June 30, 1994	1	1.0515

SPECIAL REHABILITATION FACILITIES

<i>Facility Year End</i>	<i>Number of Facilities</i>	<i>Inflation Factor</i>
June 30, 1990	1	1.2269
June 30, 1992	1	1.1276
June 30, 1994	1	1.0515

After the data base was inflated using the above inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. To establish peer groups, the Department used the most recent MSA group classification, as published by the Federal Office of Management and Budget on or before April 1, 1995, to classify each nursing facility into one of three MSA groups or one non-MSA group. Then the Department used the bed complement of the nursing facility on the final day of the reporting period of the most recent audited MA-11 used in the NIS database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds; 120—269; and 270 and over. Peer groups 7 and 10 have been collapsed in accordance with § 1187.94(1)(iv).

Once the data base was established and the peer groups determined, the Department then calculated the medians and prices for each peer group. To calculate the resident care cost medians, the Department divided the audited allowable resident care costs for each cost report by the total facility CMI from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the case-mix neutral resident care cost per diem for the cost report year. The Department arrayed the resident care cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the resident related cost medians, the Department first divided the audited allowable other resident related costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department arrayed the other resident related cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with § 1187.23. The Department then divided the audited allowable administrative cost for each cost report the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine a median for each peer group.

After the medians were determined for each peer group, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care cost median of each peer group by 1.17 to obtain the resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and, multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices of general and county nursing facilities, hospital-based and special rehabilitation nursing facilities effective January 1, 1996, are listed in Annex A. The Department will use the peer groups, peer group medians and peer group prices to determine case-mix rates for nursing facilities for the period January 1 through June 30, 1996.

The costs associated with this notice are included in the cost estimates published in connection with the Case-Mix Public Notice published on December 23, 1995. See 25 Pa.B. 6039.

Public comment on these changes may be sent to Connie L. Pretz, Medical Assistance Program Specialist, Department of Public Welfare, Division of Provider Services, Post Office Box 8025, Harrisburg, PA 17105.

FEATHER O. HOUSTOUN,
Secretary

20 PAGES OF ARTWORK HERE

Fiscal Note: 14-NOT-104. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 96-82. Filed for public inspection January 19, 1996, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Wednesday, January 3, 1996, and took the following actions:

Regulation Approved:

Insurance Department #11-126: Medical Malpractice Insurance (deletes 31 Pa. Code §§ 113.41 through 113.43)

(*Editor's Note:* For the text of the regulations pertaining to this order, see 26 Pa.B. 230 (January 20, 1996).)

State Board of Cosmetology #16A-452: Examination Fees (amends 49 Pa. Code §§ 7.2(a) and (b))

State Board of Landscape Architects #16A-611: Examination Fees (amends 49 Pa. Code § 15.12)

State Board of Auctioneer Examiners #16A-643: Examination Fees (amends 49 Pa. Code § 1.23)

State Board of Medicine #16A-491: Examination Fees (amends 49 Pa. Code § 16.13)

State Board of Osteopathic Medicine #16A-534: Examination Fees (amends 49 Pa. Code Chapter 25)

State Board of Podiatry #16A-441: Examination Fees (amends 49 Pa. Code §§ 29.13 and 29.83)

State Board of Examiners of Nursing Home Administrators #16A-621: Examination Fees (amends 49 Pa. Code § 39.72)

State Board of Chiropractic #16A-435: Examination Fees (amends 49 Pa. Code Chapter 5)

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

*Insurance Department—Medical Malpractice Insurance;
Doc. No. 11-126*

Order

On December 4, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the Insurance Department (Department). This rulemaking will delete 31 Pa. Code §§ 113.41—113.43. The authority for this regulation is in the Health Care Services Malpractice Act (Act 111) (40 P. S. § 1301.101—1301.1006) and section 3402 of the act of July 3, 1986 (P. L. 396, No. 86) (Act 86) (40 P. S. § 3402). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation proposes to eliminate 31 Pa. Code §§ 113.41—113.43. These sections require an insurance company which intends to cancel or not renew a policy covering medical malpractice to give advance notice to the Department 30 days prior to giving formal notice to the insured. The regulation also requires the insurance company to state the reason for cancellation or refusal to renew. The regulation also specifies where the notice is to be sent.

The repeal of these requirements does not affect the normal notices an insurance company is required to give the insured party and the Department. The repeal simply eliminates an advance notice between the insurance company and the Department in which the insured party was never required to be involved.

The repeal of these sections eliminates the requirement that notices of cancellations and nonrenewals of medical malpractice insurance policies be filed with the Department 30 days in advance of notice to the insured. The regulations were initially adopted in 1969 and were needed to keep the Department abreast of market trends in what was then a noncompetitive medical malpractice insurance market. However, Act 111 modified the notice requirements. The Department says it did not modify the advance notice regulations in response to changes to the statute due to an availability crisis in the medical malpractice insurance market at that time. The Department states that the medical malpractice market is now a voluntary, competitive marketplace and the Department has concluded that it is not necessary to continue to monitor cancellations prior to the notification of the insured.

The Department stated it has notified all medical malpractice insurers in the Commonwealth of the proposed repeal of the regulation and, therefore, omitted proposed rulemaking under 45 P. S. § 1204(2). The Department also found it to be unnecessary to take public comment because the proposed repeal of regulations will remove a regulatory burden on the affected parties without adversely affecting the insured parties or diminishing the Department's authority to challenge illegal policy terminations.

The Department and the insured will continue to be notified of cancellations and nonrenewals of medical malpractice insurance policies under 40 P. S. §§ 1301.1002 and 3403. Department policy will require review if the reasons for cancellation exceed those listed in 40 P. S. § 3402. In addition, the Department states that investigations will be undertaken upon receipt of a complaint by a health care provider.

There will be a positive fiscal impact on both the Department and insurers by repeal of these regulations. The Department will no longer have to receive, review or store nonrenewal notices. The insurers will no longer have to prepare and mail nonrenewal notices to the Department. We further see no harm to the insured parties because the repeal will not affect their notification requirements.

We have reviewed this regulation and find it to be in the public interest because it eliminates an obsolete regulatory burden on both the insurance companies and the Department without affecting the notice requirements to insured parties.

Therefore, It Is Ordered That:

1. Regulation No. 11-126 from the Insurance Department, as submitted to the Commission on December 4, 1995, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Cosmetology—Examination Fees; Doc. No. 16A-452

Order

On December 6, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Cosmetology (Board). This rulemaking would amend 49 Pa. Code §§ 7.2(a) and (b). The authority for this regulation is found in sections 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 16 of the Cosmetology Law (63 P. S. § 522). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking amends sections 7.2(a) and (b) to accomplish two objectives. First, the amendments to section 7.2(a) delete outdated fees and categories of examinations and replace them with current fees and categories of examinations. Second, the amendments to section 7.2(b) replace fees that became effective in April 1993 with new fees effective July 1996. The amended regulation will show the current examinations and fees in section 7.2(a) and the new fees to become effective in July 1996 in section 7.2(b). Section 812.1 of The Administrative Code of 1929 requires that examinations for professional licensure be prepared and administered by a professional testing organization under contract to the appropriate professional board. In September, the Board entered into a new testing contract which resulted in the costs being adjusted for examination services. Consequently, the Board promulgated this final-omitted regulation so that the examination fees portion of their regulations will clearly reflect both the current contract and the new contract. The new examination fees will be applicable to the five different categories of licensure applicants for examinations given effective July 1996.

Candidates seeking to become licensed cosmetologists, manicurists, cosmeticians, cosmetology teachers or cosmetology shop managers must pass three examinations for registration or one complete examination. Each profession must take a practical exam, a written licensing exam and an exam on the applicable State laws, rules and regulations. The examinations may be taken at one sitting or separately.

The fees will be adjusted effective July 1996. The fees will be adjusted by \$2.50 in order to make the administration fee charged by Local Government Research Corporation (LGR) consistent between the five professions (\$10). In July, there will be four examinations with fees increasing by \$2.50 and there will be six examinations with fees decreasing by \$2.50. Between the five professions there are a total of 19 examinations which range in cost from \$18.50 to \$55.

The Senate Consumer Protection and Professional Licensure Committee voted to approve this regulation on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee, expressed concern with the lack of advanced notice to applicants about the change in the format of the basic cosmetology exam.

We have reviewed this regulation and find it to be in the public interest. These amendments will conform the Board's regulation on examination fees to clearly reflect both the current examination contract and the fee changes mandated by the new contract between the Commonwealth and LGR, the private sector testing service. We note that in the Preamble, the Board misstates several times that fees will increase for January 1996 and subsequent examinations. These misstatements do not affect the amendments to the regulation, but they do give the false impression that fees will increase effective January 1996 rather than July 1996 as reflected in the regulation. Therefore, we recommend that the Board modify the Preamble to be consistent with the amendments to the regulation for final publication in the *Pennsylvania Bulletin*. We also share the concerns of the House Professional Licensure Committee relating to the change to the examination format and urge that they do not impose an undue burden on applicants of Pennsylvania Schools.

Therefore, It Is Ordered That:

1. Regulation No. 16A-452 from the State Board of Cosmetology, as submitted to the Commission on December 6, 1995, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Landscape Architects—Examination Fees; Doc. No. 16A-611

Order

On December 6, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Landscape Architects (Board). This rulemaking would amend 49 Pa. Code § 15.12. The authority for this regulation is found in section 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 4(3) of the Landscape Architects Registration Law (63 P. S. § 940(3)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking increases the testing fees for applicants taking the landscape architect registration examination beginning in December 1995. Section 812.1 of The Administrative Code of 1929 requires that examinations for professional licensure be prepared and administered by a professional testing organization under contract to the appropriate professional board. The Board entered into a new testing contract which will result in higher costs for examination services beginning in December 1995. Consequently, the Board promulgated this final-omitted regulation to increase the fees in the existing regulation to be commensurate with those in the new contract.

Candidates seeking to become licensed landscape architects must pass the landscape architect registration examination which consists of seven sections. The sections of the examination may be taken at one sitting or separately. The regulation increases the fee for taking the complete examination (all seven sections at one sitting) from \$410 to \$440 in 1995 and to \$500 in 1996. The fees

for the individual sections of the examination currently range from \$22 to \$93 and will increase to a range of \$30 to \$108 under this regulation.

The Senate Consumer Protection and Professional Licensure committee voted to approve this regulation on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee, expressed concerns with the timeliness of the submittal of the fee changes.

We have reviewed this regulation and find it to be in the public interest. These amendments will conform the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We note, however, that the new fee amounts may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulation, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. In the proposal, the \$45 cost for administering some individual sections of the examination exceeds the cost charged by the Board for developing, preparing and grading these sections of the examination. Furthermore, the \$45 administration fee also applies if an applicant takes the complete exam. It is unlikely, however, that the true cost of administering a single section of the exam is the same as the cost of administering all seven sections at one sitting. The Department of State has explained that the contract with LGR applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department of State to look for common factors when grouping licensing boards for future examination contracts. We also encourage the Board to consider the reasonableness of charging the same administration fee for candidates taking an individual section of the exam as that charged to candidates taking the complete exam. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-611 from the State Board of Landscape Architects, as submitted to the Commission on December 6, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

*State Board of Auctioneer Examiners—Examination Fees;
Doc. No. 16A-643*

Order

On December 6, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Auctioneer Examiners (Board). This rulemaking will amend 49 Pa. Code § 1.23 related to auctioneer licensure examination fees. The authority for this regulation is found in section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 6 of the Auctioneer and Auction Licensing Act (63 P. S. § 734.6). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The regulation establishes a new fee for the applicants for the auctioneer licensure examination in accordance with a new contract for examinations effective September 1, 1995. This regulation raises the fee from \$66.25 to \$87.

The regulation will have no fiscal impact on the Commonwealth or its political subdivisions. Candidates for licensure are required to pay an increased fee to cover contract costs for the examination. The Bureau of Professional and Occupational Affairs (BPOA) estimated the total number of candidates taking these examinations in a year at 130. The examination is offered at two different times during the year: March and September.

The Senate Consumer Protection and Professional Licensure Committee (Senate Committee) voted to approve this regulation on December 13, 1995. However, Senator Clarence D. Bell, Chairperson of the Senate Committee, added the following comment:

Even with this vote of approval, several of my members are troubled by the contract process for these examinations. We are presented with regular fee increases from these professional testing organizations, without being a part of the bid evaluation process. Perhaps we ought to consider legislation to give the oversight committees a greater role in the contract process.

The Commission received a letter dated December 21, 1995, from Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee (House Committee). Although the House Committee was unable to schedule a meeting for action on this regulation, Chairperson Civera expressed sentiments similar to those of Senator Bell and he encouraged the Department of State (Department) to work with this Commission and the General Assembly "to take steps to ensure that the appropriate review occurs at a meaningful point in the process." We also received a letter dated December 28, 1995, from Department Secretary Yvette Kane, in which she stated that all of the test development, administration and grading services for licensure examinations "are provided under contracts that are awarded on a competitive-bid basis."

We have reviewed this regulation and find it to be in the public interest. The amendment will conform the Board's regulation on examination fees to the fee change mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We have, however, received reports that the new fee amounts have

been collected from licensure candidates before final adoption of this amendment. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after final adoption of a fee amendment to the authorizing fee regulation, as required by section 812.1 of The Administrative Code of 1929. We believe that finalizing regulations for fee increases and providing ample notice to applicants before the effective date of the contract establishing the fee increases will resolve many of the concerns voiced by legislators and the affected public.

We also have a concern with the bidding process for the contract with the LGR. In this fee increase, the \$45 cost for administration of the examination exceeds the \$42 cost charged by LGR for the development, preparation and grading of the examination. The Department explained that the contract with LGR is for a group of 17 licensing boards and LGR's bid contained the same fee, \$45, to administer each of the different examinations. The actual cost of administering any examination is a function of a number of factors such as the length of time required for testing, the type of testing (written or performance), the number of times examinations are given within a contract period and the number of applicants anticipated to take the examinations.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-643 from the State Board of Auctioneer Examiners, as submitted to the Commission on December 6, 1995, approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Medicine—Examination Fees; Doc. No. 16A-491

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Medicine (Board). This rulemaking would amend 49 Pa. Code § 16.13. The authority for this regulation is section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a), and sections 6, 8 and 24 of the Medical Practice Act of 1985 (63 P. S. §§ 422.6, 422.6, 422.8 and 422.24). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board has proposed to change examination fees by increasing the United States Medical Licensing Examination

(USMLE) Step 3 examination fee, deleting the FLEX series fees, and adding a fee for the Special Purpose Examination (SPEX)

The current and proposed amounts are as follows:

Category	Current Fee	Proposed Fee
Flex I	\$280	No Longer Given
Flex II	\$335	No Longer Given
Complete Flex	\$490	No Longer Given
USMLE Step 3	\$370	\$375
SPEX	Not Previously Given	\$550

The FLEX examination is no longer available. Therefore, the Board is deleting the outdated FLEX fee provisions from section 16.13. The increased USMLE Step 3 amount represents administration costs paid directly to a professional testing organization selected through a bidding process. The Board estimates the USMLE Step 3, which assesses whether an examinee possesses the medical knowledge and understanding of biomedical and clinical science essential for unsupervised practice of medicine, will be administered to approximately 1,800 examinees per year.

The SPEX, which focuses on core clinical knowledge, is administered to medical doctors required to pass the examination coincident to a disciplinary or corrective measure under 49 Pa. Code § 17.12d to assess current competence requisite for medical practice by physicians.

The Senate Consumer Protection and Professional Licensure Committee (Senate Committee) met on December 13, 1995, and approved the regulation. However, Senator Clarence D. Bell, Committee Chairperson, indicated in his December 13th letter that several Committee members have concerns with the contract process. Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee (House Committee) submitted a letter on December 21, 1995, offering general concerns with delays in conveying regulations to the House Committee.

We have reviewed this regulation and find it to be in the public interest. This proposal will conform the Board's regulation on examination fees to the fee changes mandated by new contracts. We note, however, the new fee amounts for the USMLE Step 3, resulting from the contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service, may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulations, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. The Fee Report Form for the USMLE Step 3 exam indicates a rate of \$45 to administer the examination. The Department of State (Department) has explained that the contract with LGR applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of

examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-491 from the State Board of Medicine, as submitted to the Commission on December 7, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Osteopathic Medicine—Examination Fees; Doc. No. 16A-534

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Osteopathic Medicine (Board). This rulemaking would amend 49 Pa. Code Chapter 25. The authority for this regulation is contained in sections 13.1 and 16 of the Osteopathic Medical Practice Act (63 P. S. §§ 271.13a and 271.16) and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Administrative Code of 1929 provides that all examinations shall be prepared and administered by a qualified and approved professional testing organization under contract to the appropriate board or commission within the Bureau of Professional and Occupational Affairs and that each board or commission shall have the discretionary power to charge a fee for the administration and cost of each examination.

The Board is proposing to decrease the examination fee for the Osteopathic Manipulative Therapy (OMT) exam from \$103.75 to \$87. This fee was effective for the November 1995 exam. The Board is also deleting the fees for the National Board of Osteopathic Medical Examiners (NBOME) exam because the Board is no longer contracting directly with the National board to provide the NBOME exam. Instead, applicants will pay the required examination fee for the NBOME exam at the direction of the National Board.

The Senate Consumer Affairs and Professional Licensure Committee approved this rulemaking on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House of Professional Licensure Committee, expressed concern over the timeliness of the submittal of this and other fee changes.

We have reviewed this regulation and find it to be in the public interest. The amendments will conform the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and the Local Government Research Corporation (LGR) Examinations, the private sector testing service.

We note, however, that the new fee amounts have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement all future fee changes only after it has amended the authorizing fee regulations, as required by statute.

We also have a concern relating to the bidding process for the contract with LGR to administer the exam. In the proposal, the \$45 cost for administering the exam exceeds the \$42 fee charged by the Board for developing, preparing and grading the exam. The Department of State has explained that the contract with LGR is for a group of 17 licensing boards and LGR's bid contained the same \$45 fee to administer each of the different exams. The actual cost to administer any examination is a function of a number of factors such as the time required for testing, the number of times the examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-534 from the State Board of Osteopathic Medicine, as submitted to the Commission on December 7, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Podiatry—Examination Fees; Doc. No. 16A-441

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Podiatry (Board). This rulemaking would amend 49 Pa. Code §§ 29.13 and 29.83. The authority for this regulation is found in sections 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and sections 4, 14 and 21.2 of the Podiatry Practice Act (63 P. S. §§ 42.4, 42.14 and 42.21(c)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking increases the testing fees for applicants taking the podiatry radiology examination and the podiatric medical licensing examination. Section 812.1 of The Administrative Code of 1929 requires that examinations for professional licensure be prepared and administered by a professional testing organization under contract to the appropriate professional board. In September, the Board entered into a new testing contract which will result in higher costs for both examinations. Conse-

quently, the Board promulgated this final-omitted regulation to increase the fees in the existing regulation to be commensurate with those in the new contract.

The regulation increases the podiatry radiology examination fee from \$73.45 to \$87, an increase of \$13.55 effective October 1995. The fee for the podiatric medical licensing examination is increased from \$328.75 to \$345, an increase of \$16.25 effective December 1995. The fee for this examination will increase again in June 1996 to \$395.

The Senate Consumer Protection and Professional Licensure Committee voted to approve this regulation on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee, expressed concerns with the timeliness of the submittal of the fee changes.

We have reviewed this regulation and find it to be in the public interest. These amendments will conform to the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We note, however, that the new fee amounts may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedure to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulation, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. In the proposal, the \$45 cost for administering the podiatry radiology examination exceeds the \$42 cost charged by the Board for developing, preparing and grading the examination, and for examination-related services. The Department of State has explained that the contract with LGR applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department of State to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-441 from the State Board of Podiatry, as submitted to the Commission on December 7, 1995, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Examiners of Nursing Home Administrators—Examination Fees; Doc. No. 16A-621

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Examiners of Nursing Home Administrators (Board). This rulemaking will amend 49 Pa. Code § 39.72 Fees to increase fees for various examinations. The authority for this regulation is found in sections 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 7.1 of the Nursing Home Administrators License Act (63 P. S. § 1107.1). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

Through this rulemaking, the Board will increase the fees for applicants taking the N.A.B. examination from \$153.75 to \$170, the State rules and regulations examination from \$73.45 to \$87 and the complete nursing home administration examination from \$198.45 to \$212. The Board is also proposing the deletion of extraneous language relating to the last fee increases in 1993. Section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a.) requires that candidate fees cover the cost of the examination. The fees established by this regulation represent the contract cost negotiated by the Commonwealth for examination services. No costs other than the cost of the testing service are included in these fees. Consequently, the Board found no need for public comment.

On December 13, 1995, the Senate Consumer Protection and Professional Licensure Committee voted to approve this regulation. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee expressed concern over the timeliness of the submission of these fee changes.

We have reviewed this regulation and find it to be in the public interest. The amendment will conform to the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We note, however, that the new fee amount may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulation, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. In the proposal, the \$45 cost for administering the State rules and regulations examination exceeds the \$42 component charged by the Board for developing, preparing and grading the examination, and for examination-related services. Furthermore, the \$45 administration charge is the same for all three examinations even though the complete nursing home administration examination consists of both the NAB examination and the State rules and regulations examination. The Department of State has explained that the contract with LGR Examinations

applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department of State to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-621 from the State Board of Examiners of Nursing Home Administrators, as submitted to the Commission on December 7, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Chiropractic—Examination Fees; Doc. No. 16A-435

Order

On December 8, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Chiropractic (Board). This rulemaking would amend 49 Pa. Code Chapter 5. The authority for this regulation is contained in section 502(d) of the Chiropractic Practice Act (63 P. S. § 625.502(d)) and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Administrative Code of 1929 provides that all examinations shall be prepared and administered by a qualified and approved professional testing organization under contract to the appropriate board or commission within the Bureau of Professional and Occupational Affairs and that each board or commission shall have the discretionary power to charge a fee for the administration and cost of each examination.

Currently a candidate for licensure must take the oral and practical examination in chiropractic technic, which, in part, tests for jurisprudence. In this rulemaking, the Board is proposing to create a separate examination to test jurisprudence, entitled the Pennsylvania Chiropractic Law Examination and establish a fee for the exam of \$87. The reason for the creation of a separate examination is that after the May 1996 oral and practical exam, the Board intends to use the National Board exam, which does not test for matters related to Pennsylvania law. The Board indicates it will be promulgating a regulation in the near future establishing the use of the National Exam, with the associated contracted examination fee.

The Senate Consumer Affairs and Professional Licensure Committee approved this rulemaking on December 13, 1995.

We have reviewed this regulation and find it to be in the public interest. The new fee for the Chiropractic Law Examination represents the actual contractual costs to provide this examination. However, we have one concern that we believe Board and the Department of State needs to consider in the development of future contracts for the administration of professional licensure examinations. In the proposal, the \$45 cost for administering the exam exceeds the \$42 fee charged by the Board for developing, preparing and grading the exam. The Department of State has explained that the contract with Local Government Research Corporation (LGR) is for a group of 17 licensing boards and LGR's bid contained the same \$45 fee to administer each of the different exams. The actual cost to administer any examination is a function of a number of factors such as the time required for testing, the number of times the examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-435 from the State Board of Chiropractic, as submitted to the Commission on December 8, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 96-83. Filed for public inspection January 19, 1996, 9:00 a.m.]

INSURANCE DEPARTMENT

Limit on Cancellations, Refusals to Renew, Refusals to Write, Surcharges, Rate Penalties and Point Assignments; no. 1996-01

The following notice is to inform all insurers writing private passenger automobile insurance in Pennsylvania that section 1799.3(a) of Act 6 of 1990 states, "No insurer shall cancel or refuse to renew a policy or apply any surcharge, rate penalty or driver record point assignment where, during the preceding three-year period, the aggregate cost to the insurer for any person injured or property damaged is determined to be less than \$650 in excess of any self-insured retention or deductible applicable to the named insured."

Section 1799.3(e) further provides that the Insurance Department, at least once every 3 years, shall adjust the \$650 cap or limit relative to changes in the seasonally

adjusted medical care and automobile maintenance and repair costs components of the Consumer Price Index (Urban).

The Insurance Department has measured the changes and determined the cap shall be increased to \$850 effective July 1, 1996. The last adjustment to the cap was effective July 1, 1993, when the cap increased to \$750.

Each individual insurer, ISO and AIPSO should file the above change for prior approval by April 1, 1996, and specify an effective date of no later than July 1, 1996.

Questions regarding this notice may be directed to Randy Rohrbaugh, Director, Property & Casualty Bureau, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-4192.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-84. Filed for public inspection January 19, 1996, 9:00 a.m.]

PENNSYLVANIA COUNCIL ON AGING

Meeting Dates for 1996

In accordance with the Sunshine Act of 1986 (P. L. 388, No. 84), the Pennsylvania Council on Aging has established the following meeting dates for the calendar year 1996:

- Wednesday March 6, 1996
- Thursday May 2, 1996
- Wednesday July 3, 1996
- Thursday October 17, 1996
- Wednesday November 13, 1996

All meetings of the PA Council on Aging, except the October 17, 1996 meeting, will be held in the Sixth Floor Conference Room, 400 Market Street, Harrisburg, PA. Meetings are from 9 a.m. to 1 p.m. The October meeting will be in the Harrisburg area.

VELMA E. CARTER DRYER,
Executive Director

[Pa.B. Doc. No. 96-85. Filed for public inspection January 19, 1996, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company for a Declaratory Order and Application for Certificate of Public Convenience; Doc. No. P-00951001

Duquesne Light Company (Duquesne), by its counsel, filed on December 20, 1995, a petition for declaratory order under 66 Pa.C.S. § 331(f) and 52 Pa. Code § 5.42 to determine the accounting and ratemaking methodology associated with the transfer of Duquesne's 50% ownership

interest in Unit No. 1 of the Ft. Martin Power Station located on the Monongahela River between Morgantown, West Virginia, and Point Marion, PA. Duquesne and AYP Capital, Inc. have entered into an asset purchase agreement for the sale of Duquesne's 50% ownership interest in Unit No. 1 of the Ft. Martin Power Station, subject to all necessary and appropriate regulatory approvals. Duquesne concurrently filed an application for a certificate of public convenience authorizing transfer of the ownership interest in Unit No. 1 of the Ft. Martin Plant. Duquesne requests that the application and petition be consolidated. The petition is docketed at P-00951001. The application is docketed at A-110150F0011.

Persons desiring to comment regarding this petition should file a petition to intervene and answer with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 in accordance with 52 Pa. Code §§ 1.1 *et seq.* Also, anyone desiring to file a protest in regard to the application may do so under 52 Pa. Code §§ 5.51 *et seq.* All such pleadings are due within 20 days of the date of publication of this notice in the *Pennsylvania Bulletin*. Copies of the Duquesne petition and application are on file with the Commission and are available for public inspection. The contact person is Assistant Counsel Donna Stanek Zehner, (717) 783-2812.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-86. Filed for public inspection January 19, 1996, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

- | | | |
|-------------------|---|-----------|
| February 7, 1996 | Thomas E. Reese
(Membership Eligibility) | 1 p.m. |
| | Allan S. Per
(Membership Eligibility) | 2:30 p.m. |
| February 21, 1996 | Robin L. Senior
(Pension Forfeiture) | 1 p.m. |
| | Betty M. Forney | 2:30 p.m. |
| | Joan L. Barker | 2:30 p.m. |
| | Phyllis Silldorf
(Purchase of Maternity Leave) | 2:30 p.m. |

Persons with a disability who wish to attend the above-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JAMES A. PERRY,
Secretary

[Pa.B. Doc. No. 96-87. Filed for public inspection January 19, 1996, 9:00 a.m.]

STATE TRANSPORTATION ADVISORY COMMITTEE

Meeting Scheduled

The State Transportation Advisory Committee will hold its yearly mandated meeting on Monday, February 5, 1996. This meeting is open to the public and will begin at 10 a.m. at the following location:

Executive Conference Room 1201
Transportation and Safety Building
Harrisburg, PA 17120

The meeting location is accessible to persons having disabilities. Persons having special needs or requiring special aides are requested to contact the State Transpor-

tation Commission Office at (717) 787-2913 in order that special disability needs may be accommodated.

H. MICHAEL LIPTAK,
Chairperson

[Pa.B. Doc. No. 96-88. Filed for public inspection January 19, 1996, 9:00 a.m.]

STATE TRANSPORTATION COMMISSION

Meeting Scheduled

The State Transportation Commission will hold a regular scheduled business meeting on Thursday, January 25, 1996. This meeting is open to the public and will begin at 10 a.m. at the following location:

Executive Conference Room 1201
Transportation and Safety Building
Harrisburg, PA 17120

The meeting location is accessible to persons having disabilities. Persons having special needs or requiring special aides are requested to contact the State Transportation Commission Office at (717) 787-2913 in order that special disability needs may be accommodated.

BRADLEY L. MALLORY,
Chairperson

[Pa.B. Doc. No. 96-89. Filed for public inspection January 19, 1996, 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 \$5,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

Reader's Guide

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)
 Vendor Services Section
 717-787-2199 or 717-787-4705

⑥ Duration

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET THAT COMPETITIVE EDGE—FOR FREE!

Do you want to do business with your state government? The Treasury Department's office of Contract Information Services can assist you by providing you with information that may be helpful to you in successfully bidding on State contracts.

Act 244 of 1980 requires Commonwealth departments and agencies to file with the Treasury Department a copy of all contracts involving an expenditure of \$5,000 or more.

These fully executed contracts usually contain the vendor's name, dollar value, effective and termination dates and contract specifications. Some contracts also include the names of other bidding vendors and the bid proposal compiled by the awarded vendor. There is a minimal cost for photocopying contracts.

Allow the Treasury Department to "make a difference for you." For contract information call the office of Contract Information Services TOLL-FREE (in Pennsylvania) at 1-800-252-4700 or (717) 787-4586. Or you may write or visit the office at Room G13, Finance Building, Harrisburg, Pa. 17120.

CATHERINE BAKER KNOLL,
State Treasurer

Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x337

Commodities

- | | |
|--|---|
| <p>0007-01 Fine paper.
 Department: All Using Agencies
 Location: Various Locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>0021-01 Roll labels.
 Department: All Using Agencies
 Location: Various Locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>0025-10 MA/GA Voucher System.
 Department: Public Welfare
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>0030-02 Revenue Tax Coupon Booklets.
 Department: Revenue
 Location: Harrisburg, Dauphin County, PA
 Duration: 7/1—6/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>0095-01 Silk screening.
 Department: All Using Agencies
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>4710-01 Corrugated polyethylene pipe.
 Department: All Using Agencies
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>5850-02 Local Area Network (LAN) services.
 Department: All Using Agencies
 Location: Various locations throughout the Commonwealth
 Duration: 3/20—12/21
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>6505-06 Laboratory test kits.
 Department: Health
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>6830-02 Gases, commercial.
 Department: All Using Agencies
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> | <p>6830-05 Gases, specialty.
 Department: Environmental Protection/Conservation and Natural Resources
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>6840-03 Disinfectants and detergents
 Department: General Services
 Location: Warehouse, Harrisburg, Dauphin County, PA
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>6850-04 Antifreeze preparations.
 Department: General Services
 Location: Warehouse, Harrisburg, Dauphin County, PA
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7110-01 Filing equipment, visible.
 Department: All Using Agencies
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7125-01 Shelving, PA Liquor Store.
 Department: Liquor Control Board
 Location: Various locations throughout the Commonwealth
 Duration: 6/1—5/31
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7240-02 Curbside recycling containers.
 Department: All Using Agencies
 Location: Various locations throughout the Commonwealth
 Duration: 4/1—3/31
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7485-02 Laser and ink jet printer supplies.
 Department: All Using Agencies
 Location: Various locations throughout the Commonwealth
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7520-08 Paper fasteners, staplers and staples, office.
 Department: General Services
 Location: Warehouse, Harrisburg, Dauphin County, PA
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7530-08 Pads and tablets, recycled paper.
 Department: General Services
 Location: Warehouse, Harrisburg, Dauphin County, PA
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7530-13 Binders, ring.
 Department: General Services
 Location: Warehouse, Harrisburg, Dauphin County, PA
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>7920-01 Cleaner, toilet bowl.
 Department: General Services
 Location: Warehouse, Harrisburg, Dauphin County, PA
 Duration: 5/15—5/14
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> <hr/> <p>8105-03 Bags, plastic, disposable trash.
 Department: General Services
 Location: Warehouse, Harrisburg, Dauphin County, PA
 Duration: 5/1—4/30
 Contact: Vendor Services, (717) 787-2199 or (717) 787-4705</p> |
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- 8415-01** Gloves, work.
Department: All Using Agencies
Location: Various locations throughout the Commonwealth
Duration: 6/15-6/14
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 8415-06** Uniforms, school.
Department: Scotland School for Veteran's Children
Location: Scotland, Franklin County, PA
Duration: 5/1-4/30
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 8430-02** Boots, rain and slush.
Department: All Using Agencies
Location: Various locations throughout the Commonwealth
Duration: 6/1-5/31
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 8910-01** Dairy and egg products processed.
Department: All Using Agencies
Location: Various locations throughout the Commonwealth
Duration: 5/1-4/30
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 8940-04** Gelatins, puddings, pie and cake fillings.
Department: All Using Agencies
Location: Various locations throughout the Commonwealth
Duration: 5/15-2/14
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
-
- 9135-05** Aviation fuel.
Department: Transportation and State Police
Location: Harrisburg Area, Dauphin County, PA
Duration: 5/1-4/30
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 9905-02** Delineation devices w/Stimonsite/Safehit.
Department: Transportation
Location: Various locations throughout the Commonwealth
Duration: 5/1-4/30
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
-
- 9905-09** Delineation devices.
Department: Transportation, Environmental Protection and Conservation and Natural Resources
Location: Various locations throughout the Commonwealth
Duration: 5/1-4/30
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 9905-13** Traffic signs.
Department: Transportation
Location: Various locations throughout the Commonwealth
Duration: 5/1-4/30
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 1685115** Paper and printing—1 each; can filler, rotary volumetric.
Department: Corrections
Location: Bellefonte, Centre County, PA 16823
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 1802325** Data processing and computer equipment and supplies—2 each; advance function printing duplex printer w/access storage device.
Department: Civil Service Commission
Location: Harrisburg, Dauphin County, PA 17108-0569
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2064205** Clothing and individual equipment—27 each; jackets, flight, leather, CWU, color black, identical in design and construction to the U. S. Air Force issue CWU-36/P.
Department: State Police
Location: Hershey, Dauphin County, PA 17033
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2066215** Steam plant and drying equipment—1 each; Equimeter, 8" flanged turbo meter, T-60, "or approved equal."
Department: Public Welfare
Location: Warren State Hospital, North Warren, Bradford County, PA 16365-5099
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2075115** Pipe tubing, hose and fittings—1 project; furnish complete underground prefabricated and preinsulated PSIG steam supply and condensate return piping conduit systems.
Department: Corrections
Location: Dallas, Luzerne County, PA 18612-0286
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2082165** Data processing and computer equipment and supplies—various amounts; 1 MB, 2 MB, 4 MB, 8 MB, portable Color Stylewriter 2200 (includes ink cartridges), modem.
Department: Management Services
Location: Harrisburg, Dauphin County, PA 17126-0333
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2085115** Food preparation and serving equipment—5 each; furnish and install exhaust hood system w/appropriate accessories.
Department: Corrections
Location: Cresson, Cambria County, PA 16630-0001
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2096155** Data processing and computer equipment and supplies—17 each; Apple Power MAC 5200/75 w/power PC and Apple Laserwriter 4/600 ps printer.
Department: Youth Development Center
Location: New Castle, Lawrence County, PA 16101
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2125115** Vehicular equipment, components and automotive supplies—1 each; vehicle analyzer, Sun Tech Systems Model MCS 2500 "or approved equal" (modular computer system complete).
Department: Corrections
Location: Waynesburg, Greene County, PA 15370-8089
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2151215** Steam plant and drying equipment—various amounts; repair and replacement parts traveling grate bars on three (3) Keeler water tube boilers w/appropriate accessories.
Department: Public Welfare
Location: Clarks Summit State Hospital, Clarks Summit, Lackawanna County, PA 18411-9505
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2164225** Ships, small crafts, pontoons and floating docks—2 each; Evinrude Model E175EXED Ocean Pro outboard engine and Evinrude Model E225TXED Ocean Pro outboard engine (No Substitute).
Department: Fish and Boat Commission
Location: Harrisburg, Dauphin County, PA 17106-7000
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 2183115** Lumber, millwork, plywood and veneer—various amounts and sizes.
Department: Corrections
Location: Bellefonte, Centre County, PA 16823
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 7313300** Vehicular equipment, components and automotive supplies—100 each; cart, basket, 12 gauge chassis, permanent sealed ball bearings, 3" front wheel and 4" rear wheel.
Department: Liquor Control Board
Location: Harrisburg, Dauphin County, PA 17124-0001
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 8204820** Data processing and computer equipment and supplies—25 each; WID slip document printers.
Department: Transportation
Location: Harrisburg, Dauphin County, PA 17106-7901
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 8502860** Engines, turbines and components—500 each; mirror head, West Coast conventional, heated.
Department: Transportation
Location: Harrisburg, Dauphin County, PA 17110
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705
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- 1947155** Telecommunications equip.—1 lot; cable and wiring.
Department: Education
Location: Shippensburg University, Shippensburg, PA 17257
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

SERVICES

Construction—04

7200-0148 Furnish all materials, equipment and labor to provide, deliver and set up a modular office space (48' x 60') at the Rockview Driver Exam Site. The space shall be used for Driver License examinations. Vendors will be required to attend a pre-bid meeting (date yet to be determined). Detailed work specifications and bid package can be obtained from Facility Management at (717) 772-1552 or request by FAX (717) 772-3254. (Bid package itself cannot be faxed).

Department: Transportation
Location: Bureau of Driver Licensing, Rockview Driver Exam Site, Route 26, 1 mile west of Pleasant Gap, Pleasant Gap, PA 16823
Duration: 07/01/96—03/31/97 w/two 3-month options; Proposed bid opening: 2:00 p.m. 4/9/95
Contact: Janett Johnson, (717) 783-8482

080877 Forest County, SR 666-01M; Potter County, GR 2-96-ST3; Union County; SR 192-14M; Bradford County, GR 3-96-CS1; Lackawanna County, SR 4024-270; Carbon County, GR 5-95-POC2E; Carbon County, GR 5-95-POC2F; Lehigh County, SR 145-03M and 06M; Lehigh County, GR 5-95-POC3C; Lehigh County, GR 5-95-POC3D; Schuylkill County, GR 5-95-POC6A; Schuylkill County GR 5-95-POC6B; Philadelphia County, GR 6-96-TUN; Franklin County, SR 16-016; Somerset County, SR 281-10M and 009; Districtwide 10-0, GR 100-96-HH; Districtwide 10-0, GR 100-96-PM; Districtwide 10-0, GR 100-96-LL; Allegheny County, Liberty Tunnel 51/3069; Lehigh County, GR 5-95-POC3E.

Department: Transportation
Location: Districts 1, 2, 3, 4, 5, 6, 8, 9, 10 and 11
Duration: FY 1995/1996
Contact: V. C. Shah, P.E., (717) 787-5914

539027-017 Construction of new elevator. Install ADAAG compliant vertical wheelchair lift. Safety Code ASME/ANSI A17.1. Commonwealth of PA must be adhered to. Specifications will be included in the Invitation to Bid.

Department: Education
Location: Thaddeus Stevens State School of Technology, 750 East King Street, Lancaster, PA 17602
Duration: July 1, 1996 to June 30, 1997
Contact: Betty Tompos, Business Manager, (717) 299-7749

HVAC—05

Project No. DGS A 953-44 Project title: HVAC Control System. Brief description: replace switchboard on 7th floor and motor control center on 6th floor penthouse (North Penthouse). Electrical construction. Plans deposit: \$25.00 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. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, February 14, 1996 at 2:00 p.m. Pre-bid conference has been scheduled for Wednesday, January 24, 1996 at 11:00 a.m. in the Second Floor Conference Room at the Northwest Office Building, Capitol Complex, Harrisburg, PA. Contact person: Tom Bortz, telephone (717) 787-5567. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: Northwest Office Building, Harrisburg, Dauphin County, PA
Duration: 160 calendar days from date of award of contract
Contact: Bidding Unit, (717) 787-6556

Project No. DGS A 251-225 Project title: Replace Heating System. Brief description: remove entire existing steam heating system consisting of boilers, burners, breeching, boiler feed unit, piping system, radiators, unit heaters and asbestos insulation. Install new gas fired rooftop heating/cooling unit and ductwork system for the office area, miscellaneous heating/cooling units in various areas and infra-red heating system in the garage and repair areas including related electrical work. Mechanical, electrical construction and asbestos removal. Plans deposit: \$25.00 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. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, January 31, 1996 at 11:00 a.m.

Department: General Services
Location: County Maintenance Building, Ebensburg, Cambria County, PA
Duration: 180 calendar days from date of award of contract
Contact: Bidding Unit, (717) 787-6556

Project No. DGS A 251-224 Project title: Expansion and Repairs. Brief description: construct a 14' x 26' addition to the existing weigh station and upgrade the HVAC system and electrical lighting systems as required. Remove existing built-up roof and replace with an elastomeric single ply roofing system. General, mechanical and electrical construction. Plans deposit: \$25.00 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. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, January 31, 1996 at 11:00 a.m.

Department: General Services
Location: Clarion Weigh Station, Clarion, Clarion County, PA
Duration: 160 calendar days from date of award of contract
Contact: Bidding Unit, (717) 787-6556

Consulting Services—07

1996-1127 Request for Proposal for customer premise full-service travel agency. Vendor to provide air, train, car rental and related lodging services, both domestic and international; for business travel of departments, boards and commissions, Commonwealth of Pennsylvania.

Department: General Services
Location: Room 611 North Office Building, Harrisburg, PA 17125
Duration: 24 months with three (3) additional one year renewal options
Contact: Faye Love-Kretz, (717) 787-6573

95-134-1906 The Office of PennPORTS is seeking a consultant to provide a study to determine the feasibility and economics of an inland cargo yard for the Port of Philadelphia and Camden.

Department: Commerce
Location: Office of PennPORTS, Philadelphia, PA
Duration: ASAP to 06-30-96
Contact: Herb Backer, Ex. Director, PennPORTS, (717) 783-3580

Medical Services—10

RFP 96-02 Kutztown University is seeking proposals from qualified professionals to provide the University with Primary Health Care Services for students. The professional would be responsible for but not limited to providing treatment for emergencies, referrals to specialists/hospitals, prescribing limited medications and treatments where deemed necessary. The University will provide sufficient nursing staff (CRNP's). Interested professionals can obtain the Request for Proposals, including submission guidelines from: Mrs. Barbara Reitz, Director of Purchasing at: (610) 683-4132 or FAX: (610) 683-4674. Proposals are due on February 9, 1996 by 2:00 p.m. Late submissions will be returned unopened. Kutztown University encourages responses from small firms, minority firms, women owned firms, and firms which have not previously performed work for the System.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: June 1, 1996—June 31, 1997 (with possible renewal)
Contact: Barbara Reitz, (610) 683-4132

Firefighting, Safety and Rescue Services—12

E-25-402 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 2, Counties of Bedford, Fulton, Franklin and Huntingdon
Duration: July 1, 1996 to June 30, 1998
Contact: Merl J. Waltz, (717) 485-3148

E-25-404 Vendor to provide four place, high or low wing aircraft, with single engine not less than 145 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 4, Counties of Allegheny, Washington, Greene, Westmoreland, Fayette, and Somerset
Duration: July 1, 1996 to June 30, 1998
Contact: David B. Williams, (412) 238-9533

E-25-405 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 5, Counties of Huntingdon, Mifflin, Blair and Centre
Duration: July 1, 1996 to June 30, 1998
Contact: Ralph E. Heilig, (814) 643-2340

E-25-407 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 7, Counties of Centre, Clinton, Union, Snyder and Mifflin
Duration: July 1, 1996 to June 30, 1998
Contact: Amy Griffith, (717) 922-3344

E-25-409 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 9, Counties of Centre, Clearfield and Elk
Duration: July 1, 1996 to June 30, 1998
Contact: Paul Augustine, (814) 765-0621

E-25-410 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 10, Counties of Centre and Clinton
Duration: July 1, 1996 to June 30, 1998
Contact: Robert F. Davey, Jr., (717) 923-1450

E-25-411 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 11, Counties of Susquehanna, Wayne, Wyoming, Luzerne and Lackawanna
Duration: July 1, 1996 to June 30, 1998
Contact: Anthony D. Santoli, (717) 963-4561

E-25-412 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 12, Counties of Lycoming and Union
Duration: July 1, 1996 to June 30, 1998
Contact: Charles W. Kiehl, (717) 327-3450

E-25-413 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 13, Counties of Elk, Cameron and Clearfield
Duration: July 1, 1996 to June 30, 1998
Contact: Robert W. Martin, (814) 486-3353

E-25-415 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 15, Counties of McKean and Potter
Duration: July 1, 1996 to June 30, 1998
Contact: David O. Schiller, (814) 274-8474

E-25-418 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 18, Counties of Dauphin, Lebanon, Berks, Carbon, Schuylkill and Lehigh
Duration: July 1, 1996 to June 30, 1998
Contact: Donald P. Oaks, (717) 385-2545

E-25-419 Vendor to provide four place, high or low wing aircraft, with single engine not less than 150 horsepower. Aircraft will be provided, as required, for the purpose of forest fire prevention, detection and suppression, and any other official use, to include timber defoliation and mortality surveys, and observation of Pest Management spray aircraft.

Department: Conservation and Natural Resources
Location: Forest District 19, Counties of Pike, Monroe and Northampton
Duration: July 1, 1996 to June 30, 1998
Contact: Anthony J. Cardwell, (717) 424-3001

Food Services—13

5234 Miscellaneous frozen—for a (3) month period beginning April 1, 1996—June 30, 1996. More detailed information can be obtained from the hospital.

Department: Public Welfare
Location: Haverford State Hospital, 3500 Darby Road, Building No. 21, Haverford, Delaware County, PA 19041
Duration: April 1, 1996—June 30, 1996
Contact: Jackie Newson, Purchasing Agent, (610) 526-2624

5487 Fresh bakery. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

5488 Frozen fruits and vegetables. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

5489 Frozen juices. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

5491 Meat and meat products. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

5492 Miscellaneous frozen foods. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

5493 Poultry and poultry products. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

5494 Salad/pudding. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

5495 Seafood. Quantities, specifications and delivery dates may be obtained from Hamburg Center.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: 4/1/96—6/30/96
Contact: N. K. Reppert, Purchasing Agent, (610) 562-6031

320-162588 Meat and meat products.

Department: Military Affairs
Location: PA Soldiers and Sailors Home, P. O. Box 6239, 560 East 3rd Street, Erie, PA 16512-6239
Duration: March, 1996
Contact: Jeanette J. Gualtieri, Purchasing Agent, (814) 878-4930

539027-015 Frozen foods—sliced sandwich beef, salisbury steaks, meatballs, chopped sirloin, veal steak, sliced beef liver, rib steaks, chicken filets, chicken croquettes, breaded extruded shrimp, batter style cod, Boston scrod, breaded haddock squares, frozen eggs, cooked and peeled, eggs, omelet patties, white American cheese, etc.

Department: Education
Location: Thaddeus Stevens State School of Technology, 750 East King Street, Lancaster, PA 17602
Duration: February 1, 1996 to February 29, 1996
Contact: Betty Tompos, Purchasing Agent, (717) 299-7749

539027-016 Meat and meat products—ground beef, beef patties, inside round, diced stewing beef, Kielbassi, smoked sausage, chicken roll, Swiss cheese, Provolone cheese, scrapple, frankfurters, bacon, hams, salami, bologna, etc.

Department: Education
Location: Thaddeus Stevens State School of Technology, 750 East King Street, Lancaster, PA 17602
Duration: February 1, 1996 to February 29, 1996
Contact: Betty Tompos, Purchasing Agent, (717) 299-7749

P-1355 Produce: fresh fruits and vegetables; quantities may be obtained from facility. Deliveries made only at request of facility.

Department: Labor and Industry
Location: Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905
Duration: Month of March, 1996
Contact: C. A. Sloan, Purchasing Agent, (814) 255-8228

SO-88 Dry beans—various types—baby limas, blackeyed peas, pinto beans and other related items as required. Quarterly bids/monthly bids—monthly deliveries. Bid proposal on file within agency prior to solicitation.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-89 Miscellaneous frozen foods: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a quarterly (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one time each month, or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-90 Bakery supplies: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on an annual (or more frequent) basis. Delivery of the product(s) specified shall be made as needed and requested by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-91 Bread and related products: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a semi-annual (or more frequent) basis. Delivery of the product(s) specified shall be made as needed and requested by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-92 Dairy and related products: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a semi-annual (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one or two days each week, or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person. Separate solicitations shall be made for commodities classified as controlled and uncontrolled by the Pennsylvania Milk Marketing Board.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-93 Cheese products: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a quarterly (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one time each month, or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-94 Margarine: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a semi-annual (or more frequent) basis. Delivery of the product(s) specified shall be made as needed and requested by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-95 Poultry and poultry products: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a quarterly (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one time each month, or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-96 Fresh fruits and vegetables: contracts shall be for the months of July 1996 through June 1997 with issuance of bid proposals made on a monthly (or more frequent) basis. Delivery of the product(s) specified shall be made one or two times every week or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-97 Fish and seafood: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a quarterly (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one time each month, or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-98 Meat and meat products: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a quarterly (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one time each month, or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-99 Miscellaneous products—canned sauces and related items as required. Bid as needed. Items to consist of some of the following: waffles, pizza shells, salad dressings, tacos, taco seasoning, baking powder, baking soda, yeast, various extracts, sauces including pizza sauce. Juices, cereal, noodles, soup bases and bouillon, gelatins, edible oils and fats, condiments, and related items. Bid proposal on file with agency prior to solicitation.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-100 Flour, various—baker's hard wheat high gluten, all-purpose, whole wheat, cake blend, etc. 100 lb. and 50 lb. bags. To be bid as required—monthly deliveries. Bid proposal on file with agency prior to solicitation.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-101 Shell eggs: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a quarterly (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one time every two weeks or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

SO-102 Frozen egg products: contracts shall cover the months of July 1996 through June 1997 with issuance of bid proposals made on a quarterly (or more frequent) basis. Delivery of the product(s) specified shall be made approximately one time each month, or more often if deemed necessary by the institution. Listing of specific commodities and estimated quantities can be obtained by contacting the institutional contact person.

Department: Corrections
Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001
Duration: July 1, 1996 to June 30, 1997
Contact: Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, ext. 311

Landscaping Services—16

249 Chemical spray application service. Nitrogen fertilizer spraying of approximately 600 acres of various field and sweet corn. Vendor to provide equipment, materials and operators.

Department: Corrections
Location: Correctional Industries, State Correctional Institution Rockview, Box A, Route 26, Bellefonte, Centre County, PA 16823
Duration: May 1, 1996 through June 30, 1996
Contact: Cheryl Snook, Purchasing Agent II, (814) 355-4874, ext. 251

050-292 Provide seeding and mulching using formula L & C throughout the six counties in District 5-0 which include Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill. Application will be as directed by the District Roadside Specialist.

Department: Transportation
Location: Engineering District 5-0
Duration: One year from effective date
Contact: William E. Bellas, (610) 798-4190

C 77825 Vegetation removal per herbicide application in various State Forest areas throughout Pennsylvania. This could result in multiple contracts.

Department: Conservation and Natural Resources
Location: State Forest Management, Various areas throughout Pennsylvania
Duration: May, 1996—September, 1997 with renewable options
Contact: Janet Wotring, (717) 783-3309

SP 217973 Locate 1,000 planting spots on 40 acres spaced no closer than 35' apart. Cut the woody vegetation as far back as necessary from the planting spot to allow a cleared work space and plant one red oak seedling at each spot. Install a 5 foot tree shelter over each seedling. Spray all woody stumps and uncut woody vegetation within an 8 foot radius of the seedling with a 20% mix of Garlon 4 in Oil Herbicide. Contractor must purchase Garlon 4 and oil at his expense. Location of area is located on the Tuscarora State Forest in Perry County on the Couch Road. Project to be completed by May 15, 1996.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, Forest District 3, Tuscarora State Forest, Couch Road, Perry County, PA
Duration: Project to be completed by May 15, 1996
Contact: Ernest H. Geanette, (717) 536-3191

Lodging/Meeting—18

C-00217 Provide meeting facilities including lodging, meals, and meeting rooms for approximately 105 people to be located within 70 miles of Harrisburg, PA. Facilities must be available May 14—19, 1996. Facility must provide outdoor learning areas that will be used simultaneously with the meeting facilities. The outdoor learning areas shall include eastern deciduous forest habitat, an unmowed natural field habitat, and lake or pond. Outdoor learning areas must be within .5 miles of the meeting facilities and must include a trail system for access to and within the area.

Department: Conservation and Natural Resources
Location: Bureau of State Parks, Within 70 miles of Harrisburg, PA
Duration: May 14—19, 1996
Contact: Janet Wotring, (717) 783-3309

Maintenance and Repair Services—20**Inquiry 8710 Re-Bid** Repair of chimney at power plant.

Department: Public Welfare
Location: FOB State Agency, Selinsgrove Center, Box 500, Route 522, Selinsgrove, Snyder County, PA 17870
Duration: April 1, 1996 to June 30, 1996
Contact: Arletta K. Ney, Purchasing Agent, (717) 372-5070

00681 001 95 AS-1 Re-bid All work to include repairs to the FA 107th memorial, and replacement of doors of the Armory Storage building, all located at the Military Museum. A Mandatory site visit is required for all firms interested in submitting bids for the project. Please contact the site administrator, Bill Leech (814) 466-6263 to set up a required site visit, and sign in. Bids will not be accepted from firms who do not make the Mandatory site visit and sign in. All interested bidders should submit a request for the Purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi McClain. Bids are due on Friday, February 9, 1996 at 3:00 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 Military Museum, P. O. Box 160A, Boalsburg, PA 16827
Duration: March 1, 1996 to August 30, 1996
Contact: Judi McClain or Gina M. Douty, (717) 772-2401

203365 Immersion tanks: to drain cleaning solvent, remove old solvent and fill with new cleaning solvent. Disposal of old solvent done in accordance with EPA and DEP regulations. Hospital has three (3) 30 gallon immersion cleaning tanks and also must lease one (1) multi-level parts cleaning tank (solvent capacity 5 gallons). Work to be performed each twelve (12) week interval.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: July 1, 1996 to June 30, 1999, a period of three years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

814162 Removal of existing paint and repainting of canopy at the terminal building at the Harrisburg International Airport.

Department: Transportation
Location: Aviation, Harrisburg International Airport, Middletown, Dauphin County, PA 17057
Duration: April 1, 1996—June 30, 1996
Contact: Curtis Summers, (717) 948-3927

Service Purchase Contract No. 221778 Repair existing groundwater infiltration problem at Manhole No. 17 in Marsh Creek State Park, Downingtown, Chester County, Pennsylvania. Bidders must visit the park and make an on-site inspection of work to be done. Sealed bids will be received in Regional Park Office No. 4, 2808 Three Mile Run Road, Perkasio, PA 18944 until 2:00 p.m. prevailing time on February 5, 1996, and then publicly opened and read. Documents containing all pertinent information must be obtained from the office of the Regional Park Manager.

Department: Conservation and Natural Resources
Location: Marsh Creek State Park, 675 Park Road, Downingtown, Chester County, PA 19335-1898
Duration: June 30, 1996
Contact: David L. Kemmerer, (215) 453-5016

Contract No. FDC-209-50 Rehabilitation of mill at McConnells Mill State Park. Work consists of removal and replacement of 13 columns supporting the second floor; and removal and replacement of the trash race in the mill race.

Department: Conservation and Natural Resources
Location: Slippery Rock Township, Lawrence County, PA
Duration: 90 days after notice to proceed
Contact: Construction Management, (717) 787-5055

Contract No. FDC-306-83 Rehabilitation of three lift stations in Gifford Pinchot State Park. Work includes removal of existing contents and replacement with wet well mounted packaged pump stations; sealing existing leaky wet well sections; provide and install generators and controls.

Department: Conservation and Natural Resources
Location: Warrington Township, York County, PA
Duration: 180 days after notice to proceed
Contact: Construction Management, (717) 787-5055

MR 0800-50 Plumber required for maintenance work at the Department's Franklin County Rest Area/Welcome Center Site G located along Interstate 81 Northbound one mile north of the Pennsylvania-Maryland State Line within Antrim Township. Companies bidding this work shall have personnel located within thirty (30) miles of the rest area. Specifications for this work furnished on request.

Department: Transportation
Location: Interstate 81, Rest Area Welcome Center Site G, Antrim Township, Franklin County, PA
Duration: May 1, 1996 to April 30, 1997
Contact: Ed Myers, (717) 787-7600

Subscription Services—25

PGC-2493 Printing of spring birds print—contractor to provide a minimum of 800 high quality fine art reproductions from an original spring birds painting to be furnished by the Game Commission. Contractor must be located within a 50 mile radius of Harrisburg. Bid opening date is February 7, 1996.

Department: Game Commission
Location: 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: February 7, 1996 to June 30, 1996
Contact: Carl Graybill, (717) 787-6286

Data Processing Services—27

PGC2494 Six copies of Novell Netware 4.1, 25 user license on CD-ROM. Bid opening will be 2/9/96 at 1 p.m. at Pennsylvania Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

Department: Game Commission
Location: Bureau of Management Information Systems, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: 2/9/96—2/8/97
Contact: Timothy Smith, (717) 783-6585

Rentals/Leases—37

864A Lease Office Space To The Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania State Police with 6,689 useable square feet of new or existing office/barracks space, with minimum parking for sixty (60) vehicles in Cumberland County, PA, within the following boundaries: within a two (2) mile radius of the intersection of I-81 and PA Route 465. Proposals due: March 25, 1996. Solicitation No.: 092170.

Department: General Services
Location: Real Estate, 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1995-96
Contact: Doris Deckman or John A. Hocker, (717) 787-4394

863A Lease Office Space To The Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania State Police with 1,299 useable square feet of new or existing office space, with minimum parking for eight (8) vehicles in Butler County, PA, within the following boundaries: within a two (2) mile radius of the intersection of I-79 and US Route 422. Proposals due: March 11, 1996. Solicitation No.: 092168.

Department: General Services
Location: Real Estate, 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1995-96
Contact: Doris Deckman or John A. Hocker, (717) 787-4394

0800-96-MM0401-1 The Department of Transportation intends to rent three (3) milling machines with qualified operators. Each machine shall have a self-loading conveyor system. A reference model is "Bartmill 300" or a functional equivalent.

Department: Transportation
Location: The following District 8-0 Counties: Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon and Perry
Duration: April 1, 1996 to March 31, 1997
Contact: R. A. Wiest, (717) 783-0443

Mine Reclamation—38

CA-007 The Hiram G. Andrews Center is seeking bids for the removal of coal ash and clinkers from the facility's boilerhouse. Approximately 1350 tons combined must be removed during the three-year contractual period. A pre-bid site visit will be mandatory.

Department: Labor and Industry
Location: Hiram G. Andrews Center, 727 Goucher Street, Johnstown, Cambria County, PA 15905
Duration: 1/1/96 to 12/31/98 with renewal options
Contact: R. D. Robinson, Chief Purchasing Agent, (814) 255-8210

Miscellaneous—41

204957 For sale to the highest bidder: approximately 50 tons of mixed scrap metal and 35 tons of high voltage copper feeder cable. The scrap metal is in the vicinity of the Building No. 30 Old Blacksmith Shop, and consists of various metals, light and heavy, cast iron and appliances. (All refrigeration units are evacuated of all freon and tagged by a certified refrigeration mechanic). The copper high voltage feeder cable is separated in a locked area and will remain there until all scrap metal is removed from the premises. At that time it will be available for removal. Interested bidders are to inspect the scrap metal and copper feeder cable prior to submitting their bid. The bid will be for the purchase of all of the scrap metal and copper feeder cable and will include the complete removal of all items from the premises.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Street, Harrisburg, PA 17105-1300
Duration: March 1, 1996 to June 30, 1996
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

[Pa.B. Doc. No. 96-90. Filed for public inspection January 19, 1996, 9:00 a.m.]

Drilling Services—39

BOGM 95-12 Clean out and plug one (1) Abandoned Gas Well estimated to be 2800 feet in depth.

Department: Environmental Protection
Location: Harrison Township, Potter County
Duration: 30 days after notice to proceed
Contact: Construction Contract Unit, (717) 783-7994

DESCRIPTION OF LEGEND

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| <p>01. BARBER SERVICES
general</p> <p>02. PERSONNEL/CLERICAL SERVICES
transcribing, telephone answering, radio dispatch, secretarial, temporary help employment agency</p> <p>03. TELECOMMUNICATIONS SERVICES AND EQUIPMENT
mobile radios, P. A. systems, televisions, radios and telephones: equipment and repair</p> <p>04. CONSTRUCTION
alterations, miscellaneous, roofing, building, flooring, remodeling, asphalt and concrete, paving, highway projects, stream rehabilitation projects</p> <p>05. HVAC
air conditioning and heating, water conditioner, miscellaneous repair, refrigeration services, furnace and steam plant</p> <p>06. ELEVATOR MAINTENANCE SERVICES
elevator maintenance</p> <p>07. CONSULTING SERVICES
miscellaneous, training, workshops, education, research, testing service, technical assistance legal, certified public accountant, management, public relations, bilingual services, planning, financial planning, environmental research</p> <p>08. COURT REPORTING SERVICES
hearing</p> <p>09. DEMOLITION AND RENOVATION
structure, equipment</p> <p>10. MEDICAL SERVICES
medicine and drugs, general, consultant, laboratory, optical, mortuary, dental, ambulance, health care, veterinarian</p> <p>11. ENGINEERING SERVICES
miscellaneous, geologic, civil, mechanical, electrical, surveying, solar</p> <p>12. FIREFIGHTING, SAFETY AND RESCUE SERVICES
guard, burglar alarm, private investigator, armed courier, miscellaneous equipment</p> <p>13. FOOD SERVICES
commodities, surplus food processing, employment opportunities, etc.</p> <p>14. FUEL-RELATED SERVICES
installation of fuel tanks, pumping stations, pipe lines for fuel, includes utility related services</p> <p>15. JANITORIAL SERVICES
includes general, commercial maintenance, sweeping, cleaning, property maintenance</p> <p>16. LANDSCAPING SERVICES
general, pruning, tropical plants, design, harvesting crops</p> <p>17. LAUNDRY AND DRY CLEANING SERVICES
linen, laundry</p> <p>18. LODGING/MEETING FACILITIES
rooms and service, meals, room and board</p> <p>19. MAIL SERVICES
delivery, labeling, stuffing</p> | <p>20. MAINTENANCE AND REPAIR SERVICES
installation and/or repair of windows, doors, siding, fencing, walls, tanks, recapping tires, plumbing, electrical, equipment maintenance, painting and restoration, carpeting services, welding, drilling, excavating</p> <p>21. MOVING SERVICES
moving, car rental, storage, hauling, flying, bus, freight, travel service</p> <p>22. MUSICAL SERVICES
tuning and repair of musical instruments, use of instructors</p> <p>23. PHOTOGRAPHY SERVICES
general, aerial, lab development, consultant, blueprint reproduction art studios and schematic, advertising, graphic arts</p> <p>24. SANITATION
sanitation, recycling</p> <p>25. SUBSCRIPTION SERVICES
textbook educational material, testing material, miscellaneous, newsletter, miscellaneous printing, advertising</p> <p>26. UPHOLSTERING SERVICES
repair, refinishing, restoration</p> <p>27. DATA PROCESSING SERVICES
computer, keypunch, programming, analysis miscellaneous, equipment rental</p> <p>28. PEST CONTROL SERVICES
pest control, termite control, biological pest control</p> <p>29. RELIGIOUS SERVICES
contracting various clergy for hospitals, centers, etc.</p> <p>30. AUCTIONEER SERVICES
assistance in the sale of motor vehicles, equipment, etc.</p> <p>31. CHILD CARE SERVICES
Statewide child care services</p> <p>32. INSURANCE SERVICES
miscellaneous brokerage insurance services</p> <p>33. MECHANICAL MAINTENANCE AND REPAIRS
installation of handicap equipment into vehicles, homes, etc.</p> <p>34. RAILROAD SERVICES
transporting of goods by rail</p> <p>35. REAL ESTATE SERVICES
acquisition, disposition, leasing and appraisals of real estate</p> <p>36. SHOE REPAIRS
repair of shoes, braces and prosthetics</p> <p>37. RENTALS/LEASES
of medical equipment, construction equipment, movies, canvas tents, laboratory equipment, vehicles, storage facilities, office space</p> <p>38. MINE RECLAMATION
backfilling mine openings, extinguishing abandoned mine fires, flushing of mine voids, acid mine drainage abatement, regrading surface mines</p> <p>39. DRILLING SERVICES
well drilling, core drilling and exploratory drilling</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of
1463155-01	01/10/96	Myers Tire Supply—Vipond Brothers	6,850.00
1523385-01	01/10/96	Bridgestone Engineered Products Co., Inc.	207,956.00
1576215-01	01/04/96	Cumberland Truck Equipment	36,750.00
1621115-01	01/04/96	Herculite Products, Inc.	35,400.00
1655215-01	01/10/96	Clark Food Service Equip.	34,729.00
1666045-01	01/10/96	Varian Analytical Instruments	2,680.00
1677215-01	01/04/96	Todd Devin Food Equip.	6,453.00
1678215-01	01/04/96	S. W. Food Service Equip. Co.	35,780.00
1682185-01	01/04/96	Phillips Office Products	22,260.00
1717235-01	01/04/96	Hoffman Ford Sales, Inc.	20,115.00
1730235-01	01/04/96	Hoffman Ford Sales, Inc.	139,992.00
1763155-01	01/04/96	Recreation Equipment Unlimited, Inc.	7,398.00
1772155-01	01/10/96	Alternative Design Manufacturing	18,332.00
1785225-01	01/04/96	Harrisburg Marine Center	10,789.00
1787135-01	01/04/96	Devin Food Equipment	4,888.50

Requisition or Contract #	Awarded On	To	In the Amount Of
1790355-01	01/04/96	Consolidated Graphic Communications	15,291.05
1818305-01	01/04/96	Dugan Tractor, Inc.	21,569.00
1848205-01	01/04/96	Winner Group, Inc.	15,754.00
1850205-01	01/10/96	Anton Paar USA	31,497.25
1862075-01	01/10/96	Standard Register Co.	12,915.00
1976355-01	01/10/96	Xerox Corporation	224,485.00
1978155-01	01/10/96	Dauphin Electric	6,566.81
1979155-01	01/10/96	Elwood G. Anthony	4,950.00
2062155-01	01/04/96	Filtech, Inc.	7,609.50
3830-09	01/15/96	Flink Company Spreaders	107,300.00
6810-09	01/12/96	Diversey Water Technical, Inc.	34,410.00
6810-09	01/12/96	Artesian Laboratories, Inc.	16,555.00
6810-09	01/12/96	Manley-Regan Chemicals Div.	15,276.80
6810-09	01/12/96	Textile Chemical Co., Inc.	55,642.50
6850-03 Rebid in Part No. 1	01/12/96	Dacar Chemical Co.	119,185.00
7530-04	01/16/96	Unisource	5,583.20
7530-04	01/16/96	Shade/Allied	99,608.00
7530-04	01/16/96	Forms World Stock Products	48,399.40
7530-04	01/16/96	Alling & Cory	364,902.00
8222130-01	01/04/96	Griffin Motors Co.	465,440.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 96-91. Filed for public inspection January 19, 1996, 9:00 a.m.]