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Volume 27 (1997)

Pennsylvania Bulletin  
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## February 15, 1997 (Pages 785-910)

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# PENNSYLVANIA BULLETIN

Volume 27  
Saturday, February 15, 1997 • Harrisburg, Pa.  
Number 7  
Pages 785—910

See Part II page 875 for the  
Environmental Quality Board  
Noncoal Regulations

See Part III page 893 for the  
Environmental Quality Board  
Amendments to  
Municipal and Residual Waste  
Recordkeeping and Reporting  
Requirements;  
Substantial Plan Revisions

## **Part I**

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Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Revenue  
Department of Transportation  
Environmental Quality Board  
Independent Regulatory Review Commission  
Insurance Department  
Legislative Reference Bureau  
Liquor Control Board  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 267, February 1997**

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## **PENNSYLVANIA**

## **BULLETIN**

(ISSN 0162-2137)

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## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

#### Printing Format

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

#### Fiscal Notes

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

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

## List of Pa. Code Chapters Affected

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

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# PENNSYLVANIA BULLETIN

Volume 27  
Saturday, February 15, 1997 • Harrisburg, Pa.

Number 7

## **Part II**

This part contains the  
Environmental Quality Board  
Noncoal Regulations



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# PENNSYLVANIA BULLETIN

Volume 27 Number 7  
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## **Part III**

This part contains the  
Environmental Quality Board  
Amendments to Municipal and  
Residual Waste Recordkeeping and  
Reporting Requirements;  
Substantial Plan Revisions

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# THE GENERAL ASSEMBLY

## SENATE OF PENNSYLVANIA

### Committee Designation Under Regulatory Review Act

Under the provisions of Act 181 of 1982, as amended and reenacted, known as the Regulatory Review Act, as President Pro Tempore of the Senate, I hereby designate the following standing committees for the purpose of regulatory review as authorized in the act.

The designated standing committee for any departmental board, commission, committee and other agency not listed herein shall be the standing committee listed for that department. The Committee on Rules and Executive Nominations shall be the designated standing committee for the purpose of regulatory review for any other agency not specifically listed.

<i>Agency</i>	<i>Committee</i>
Governor and Office of the Governor	State Government
Attorney General and Office of the Attorney General	Judiciary
Auditor General and Office of Auditor General	Finance
State Treasurer and Treasury Department	Finance
Adjutant General and Dept. of Military and Veterans' Affairs	Military and Veterans Affairs
Secretary and Department of Aging	Aging and Youth
Secretary and Department of Agriculture	Agriculture and Rural Affairs
Secretary and Department of Banking	Banking and Insurance
Secretary and Department of Community & Economic Development	Community and Economic Development
Secretary of the Commonwealth and Department of State	State Government
Secretary and Department of Conservation & Natural Resources	Environmental Resources & Energy
Secretary and Department of Corrections	Judiciary
Secretary and Department of Education	Education
Secretary and Department of Environmental Protection	Environmental Resources and Energy
Secretary and Department of General Services	State Government
Secretary and Department of Health	Public Health and Welfare
Commissioner and Department of Insurance	Banking and Insurance
Secretary and Department of Labor and Industry	Labor and Industry

<i>Agency</i>	<i>Committee</i>
Secretary and Department of Public Welfare	Public Health and Welfare
Secretary and Department of Revenue	Finance
Commissioner and PA State Police	Law and Justice
Secretary and Department of Transportation	Transportation
Secretary and Office of Administration	State Government
General Counsel and Office of General Counsel	Judiciary
Secretary and Office of Budget	Appropriations
Commissioner of Professional & Occupational Affairs	Consumer Protection and Professional Licensure
Executive Board	State Government
Armory Board	Military and Veterans Affairs
Ben Franklin/IRC Partnership Advisory Board	Community and Economic Development
Board of Claims	Finance
Board of Finance and Revenue	Finance
Board of Governors of State System of Higher Education	Education
Board of Pardons	Judiciary
Board of Probation and Parole	Judiciary
Civil Service Commission	State Government
Constable Education and Training Board	Judiciary
PA Commission on Sentencing	Judiciary
Coroners' Education Board	Local Government
Council on the Arts	State Government
Delaware River Basin Commission	Environmental Resources and Energy
Deputy Sheriffs' Education & Training Board	Local Government
Environmental Hearing Board	Environmental Resources and Energy
Environmental Quality Board	Environmental Resources and Energy
Harness Racing Commission	State Government
Health Care Cost Containment Council	Public Health & Welfare
Higher Education Assistance Agency	Education
Higher Education Facilities Authority	Education

<i>Agency</i>	<i>Committee</i>	<i>Agency</i>	<i>Committee</i>
Historical and Museum Commission	State Government	State Board for Certification of Sewage Treatment Plant and Waterworks Operators	Environmental Resources & Energy
Horse Racing Commission	State Government	State Board of Private Academic Schools	Education
Human Relations Commission	Labor and Industry	State Board of Private Licensed Schools	Education
Independent Regulatory Review Commission	Rules and Executive Nominations	State Ethics Commission	Rules and Executive Nominations
Industrial Board	Labor and Industry	State Health Care Policy Board	Public Health and Welfare
Joint Committee on Documents	Rules and Executive Nominations	State Public School Building Authority	Education
Labor Relations Board	Labor and Industry	State Tax Equalization Board	Finance
Liquor Control Board	Law and Justice	State Transportation Commission	Transportation
Medical Professional Liability Catastrophic Loss Fund	Banking and Insurance	Turnpike Commission	Transportation
Milk Marketing Board	Agriculture and Rural Affairs	Underground Storage Tank Indemnification Board	Environmental Resources and Energy
Municipal Employees Retirement Board	Local Government	Unemployment Compensation Board of Review	Labor and Industry
Municipal Police Officers Education & Training Commission	Law and Justice	Veterans' Commission	Military and Veterans Affairs
PA Commission on Crime and Delinquency	Judiciary	Workmen's Compensation Appeals Board	Labor and Industry
PA Commission for Women	Judiciary	State Workmen's Insurance Board	Labor and Industry
PA Economic Development Financing Authority	Community and Economic Development	State Board of Accountancy	Consumer Protection and Professional Licensure
PA Emergency Management Agency	State Government	Architects Licensure Board	Consumer Protection and Professional Licensure
PA Energy Development Authority	Environmental Resources and Energy	State Board of Auctioneer Examiners	Consumer Protection and Professional Licensure
PA Housing Finance Agency	Urban Affairs and Housing	Barber Examiners Board	Consumer Protection and Professional Licensure
PA Industrial Development Authority	Community and Economic Development	State Board of Chiropractic	Consumer Protection and Professional Licensure
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PA Minority Business Development Authority	Community and Economic Development	State Board of Dentistry	Consumer Protection and Professional Licensure
PA Public Television Network Commission	State Government	Funeral Directors Board	Consumer Protection and Professional Licensure
Public Employee Retirement Commission	Finance	Landscape Architects Board	Consumer Protection and Professional Licensure
Public School Employees Retirement Board	Finance	State Board of Medicine	Consumer Protection and Professional Licensure
Professional Standards & Practices Commission	Education	State Board of Certified Real Estate Appraisers	Consumer Protection and Professional Licensure
Public Utility Commission	Consumer Protection and Professional Licensure	State Board of Motor Vehicle Manufacturers, Dealers and Salespersons	Consumer Protection and Professional Licensure
Securities Commission	Banking and Insurance		
State Athletic Commission	State Government		
State Board of Education	Education		
State Employees Retirement Board	Finance		
State Board for Certification of Sewage Enforcement Officers	Environmental Resources & Energy		

<i>Agency</i>	<i>Committee</i>	<i>Agency</i>	<i>Committee</i>
Navigation Commission for the Delaware River and its Navigable Tributaries	Consumer Protection and Professional Licensure	State Board of Psychology	Consumer Protection and Professional Licensure
State Board of Nursing	Consumer Protection and Professional Licensure	Registration Board for Professional Engineers	Consumer Protection and Professional Licensure
State Board of Examiners of Nursing Home Administrators	Consumer Protection and Professional Licensure	Real Estate Commission	Consumer Protection and Professional Licensure
Occupational Therapy Education and Licensure Board	Consumer Protection and Professional Licensure	State Board of Examiners in Speech-Language and Hearing	Consumer Protection and Professional Licensure
State Board of Optometry	Consumer Protection and Professional Licensure	PA State Board of Veterinary Medicine	Consumer Protection and Professional Licensure
State Board of Osteopathic Medical Examiners	Consumer Protection and Professional Licensure	State Board of Social Work Examiners	Consumer Protection and Professional Licensure
State Board of Pharmacy	Consumer Protection and Professional Licensure		
State Board of Physical Therapy	Consumer Protection and Professional Licensure		
State Board of Podiatry	Consumer Protection and Professional Licensure		

SENATOR ROBERT C. JUBELIRER,  
*President Pro Tempore*

[Pa.B. Doc. No. 97-177. Filed for public inspection February 7, 1997, 9:00 a.m.]

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# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 7]

Rescission of Former Rule 703 and Adoption of New Rule 703; No. 180; Doc. No. 1

### Order

*Per Curiam:*

And Now, this 28th day of January, 1997, in collaboration with the Pennsylvania Conference of State Trial Judges, former Pennsylvania Rule of Judicial Administration No. 703 is rescinded and new Pennsylvania Rule of Judicial Administration No. 703 is adopted as follows.

To the extent that notice of proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the immediate adoption of such new rule is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration and the new rule shall be effective immediately, with the first report due on or before July 21, 1997.

### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 7. ASSIGNMENT OF JUDGES

#### SUPERVISION AND ASSIGNMENT OF JUDGES

#### Rule 703. Reports of Judges.

##### (A) *Policy Statement.*

It is the policy of the unified judicial system that any matter at any stage of a proceeding be brought to a fair conclusion as promptly as possible, consistent with the character of the matter and the resources of the system. The requirements of this rule further specify and implement this policy in keeping with the Court's constitutionally mandated responsibility to oversee the prompt and proper disposition of the business of the Pennsylvania courts.

##### (B) *General Rule.*

(1) Every judge shall keep a record of each matter that has been submitted to the judge for decision and which remains undecided.

(2) Every judge shall compile a semi-annual report stating whether the judge has any matter that has been submitted to the judge for decision and remains undecided for ninety days or more as of the last day of the reporting period. Each report shall include matters listed on prior reports which remain undecided.

(a) *Decision* includes the grant or denial of a pretrial, post-trial, or post-sentence motion or petition, non-jury verdict or decision, entry of an order or judgment, imposition of a sentence, or the filing of an opinion. A matter is submitted for decision even though briefs, transcripts, or reports have been ordered but have not yet been filed.

(b) *Judge* means a judge of a court of common pleas or a judge of the Philadelphia Municipal Court, active or senior, commissioned six months or longer.

(3) If there are no matters submitted to the judge which remain undecided for ninety days or more, the report shall so state.

**Official Note:** Under this rule, judges must take inventory of matters in chambers, evaluate their status, and determine the steps needed for timely disposition. Judges must also take an active role in ensuring the timely preparation of documents, such as notes of testimony or psychiatric reports.

##### (C) *Form and Content of Report.*

(1) The report shall be prepared on a form supplied by the Administrative Office of Pennsylvania Courts or generated by the computer system of the judge's court in the same format as the form supplied by the Administrative Office.

(2) The report shall be signed by the judge.

(3) For each matter which remains undecided ninety days or more, the report shall state:

- the type, caption, and number of the case;
- the nature of the matter;
- the date of submission to the judge;
- the specific reason(s) for the delay; and
- the specific steps taken to remedy the delay.

**Official Note:** Specific reasons for a delay might be the filing of additional briefs, a change in the representation of the parties, ongoing settlement negotiations at the request of the parties.

##### (D) *Filing.*

(1) The report covering the preceding period of July 1 through December 31 shall be filed on or before January 20, and the report covering the preceding period of January 1 through June 30 shall be filed on or before July 20.

(2) Whenever January 20 or July 20 falls on Saturday or Sunday, or on any day made a legal holiday by the laws of this Commonwealth or of the United States, the date for filing shall be the next business day.

(3) The judge shall file the original report with the Court Administrator of Pennsylvania, and shall file copies of the report with the president judge and the district court administrator of the court on which the judge serves.

**Official Note:** The requirement that judges file copies of their reports with the president judge and district court administrator will better enable those officials to monitor their dockets in order to address problem areas promptly. If decisional delay persists, the president judge should take strong corrective action. Such action may include providing the judge with additional support or educational resources as may be reasonably available; restructuring judicial case assignments, non-decisional assignments, or work schedules; or any other supervisory action designed to assist the reporting judge in becoming current.

(4) Senior judges or active judges serving in more than one judicial district shall file one consolidated report with

the Administrative Office, and shall file copies of the consolidated report with the president judge and the district court administrator for each judicial district in which the judge has matters that have been submitted for decision.

(E) *Supplemental Statement by President Judge.*

(1) A president judge, at the request of the Court Administrator of Pennsylvania, shall supplement a judge's report with a separate statement of any circumstances affecting the matters reported.

(2) Within thirty days of the president judge's receipt of the request from the Court Administrator of Pennsylvania, any supplemental statement shall be filed with the Court Administrator of Pennsylvania, the judge who filed the report, and the district court administrator.

(F) *Public Inspection.*

Copies of all reports and supplemental statements filed pursuant to paragraphs (B) and (E) shall be made available by the Court Administrator of Pennsylvania and the district court administrator for public inspection and copying.

(G) *Report to Judicial Conduct Board.*

(1) The Court Administrator of Pennsylvania shall immediately notify the Judicial Conduct Board if a judge fails to file a timely report as required by this rule.

(2) The Court Administrator of Pennsylvania shall, where appropriate, forward to the Judicial Conduct Board any report which includes one or more matters which have remained undecided for one year or more.

[Pa.B. Doc. No. 97-206. Filed for public inspection February 14, 1997, 9:00 a.m.]

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART IV. ADMISSION TO PRACTICE OF LAW [204 PA. CODE CH. 71]

#### Amendment of Rule 205 of the Pennsylvania Bar Admission Rules; No. 170; Doc. No. 1

#### Order

*Per Curiam:*

And Now, this 31st day of January, 1997, Rule 205 of the Pennsylvania Bar Admission Rules is amended to read as follows.

To the extent that notice of proposed rulemaking would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Rule 205 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART IV. ADMISSION TO PRACTICE OF LAW CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

#### Subchapter B. ADMISSION TO THE BAR GENERALLY IN GENERAL

#### Rule 205. Admission of foreign attorneys and graduates of foreign institutions.

(a) *General rule.* The Board, under such standards, rules and procedures as it may prescribe, may extend the provisions of Rule 203 (relating to the admission of graduates of accredited and unaccredited institutions) to any applicant who has completed the study of law in a law school which at the time of such completion was not located within the geographical area encompassed by the accreditation activities of the American Bar Association and:

(1) who has been admitted to practice law in and is in good standing at the bar of a foreign country, as evidenced by a certificate from the highest court or agency of such foreign country having jurisdiction over admission to the bar and the practice of law and

(2) who has for a period of five years of the last [seven] eight years immediately preceding the date of filing of the application for admission to the bar of this Commonwealth engaged in the practice of law in such foreign country. For purposes of this paragraph, the phrase "engaged in the practice of law" is defined as "devoting a major portion of one's time and energy to the rendering of legal services."

(b) *Law study required.* Unless otherwise provided by the Board, applicants who meet the provisions of subparagraph (a) of this Rule may apply to sit for the Pennsylvania Bar Examination provided they have successfully completed 30 credit hours in an accredited American law school in the following subjects: Conflict of Laws; Constitutional Law; Contracts; Corporations; Criminal Law; Decedents' Estates; Evidence; Family Law; Federal and/or Pennsylvania Civil Procedure; Federal Income Taxes (personal only); Professional Responsibility; Real Property; Torts; Uniform Commercial Code, Art. II—Sales; Uniform Commercial Code, Art. III—Commercial Paper; Uniform Commercial Code, Art. IX—Secured Transactions. No more than 4 credit hours in any one subject shall be counted toward this requirement. In fulfilling this requirement, applicants must successfully complete up to 4 credits in each of the following subjects: Constitutional Law; Contracts; Criminal Law; Decedents' Estates; Evidence; Federal and/or Pennsylvania Civil Procedure; Professional Responsibility; Real Property; and Torts.

[Pa.B. Doc. No. 97-207. Filed for public inspection February 14, 1997, 9:00 a.m.]



**PART IV. ADMISSION TO PRACTICE OF LAW**  
**[204 PA. CODE CH. 71]**

**Amendment of Rule 372 and the Note to Rule 213**  
**of the Pennsylvania Bar Admission Rules; No.**  
**167; Doc. No. 1**

**Order**

*Per Curiam:*

*And Now*, this 31st day of January, 1997, the Pennsylvania Bar Admission Rules are amended as follows:

- (1) Rule 372 is amended to read as follows.
- (2) The Note to Rule 213 is amended to read as follows.

To the extent that notice of proposed rule-making would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Rule 372 and the Note to Rule 213 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

**Annex A**

**TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS**

**PART IV. ADMISSION TO PRACTICE OF LAW**  
**CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES**

**Subchapter B. ADMISSION TO THE BAR**  
**GENERALLY**

**PROCEEDINGS BEFORE BOARD**

**Rule 213. Hearings before the Board.**

\* \* \* \* \*

**Official Note:** Based on former Supreme Court Rule 14A. "Other than scholastic" means that the failure to comply with Rule 203(a)(1), (a)(2), or (b)(1) is not reviewable pursuant to Rule 213.

**Subchapter C. RESTRICTED PRACTICE OF LAW**  
**MISCELLANEOUS**

**Rule 372. Formerly admitted attorneys.**

Upon the request of the Disciplinary Board of the Supreme Court of Pennsylvania, a formerly admitted attorney seeking reinstatement pursuant to the rules of the Disciplinary Board may sit for the bar examination without having to comply first with Section 203 [(a)(3)] (b)(2) of these rules.

[Pa.B. Doc. No. 97-208. Filed for public inspection February 14, 1997, 9:00 a.m.]

**PART IV. ADMISSION TO PRACTICE OF LAW**  
**[204 PA. CODE CH. 71]**

**Amendment of Rules 203 and 204 of the Pennsylvania**  
**Bar Admission Rules; No. 168; Doc. No. 1**

**Order**

*Per Curiam:*

*And Now*, this 31st day of January, 1997, Rules 203 and 204 of the Pennsylvania Bar Admission Rules are amended to read as follows.

To the extent that notice of proposed rulemaking would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Rules 203 and 204 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

**Annex A**

**TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS**

**PART IV. ADMISSION TO PRACTICE OF LAW**  
**CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES**

**Subchapter B. ADMISSION TO THE BAR**  
**GENERALLY**

**IN GENERAL**

**Rule 203. Admission of graduates of accredited and unaccredited institutions.**

(a) *Bar examination.* The general requirements for permission to sit for the bar examination are:

(1) Receipt of an undergraduate degree from an accredited college or university or the receipt of an education which, in the opinion of the Board, is the equivalent of an undergraduate college or university education.

(2)(i) Except as provided in subparagraph 2(ii) of this Rule, completion of the study of law at and receipt without exception of an earned Bachelor of Laws or Juris Doctor degree from an accredited law school. See Rule 205 (relating to admission of graduates of foreign institutions) for standards applicable to graduates of foreign law schools; or

(ii) completion of the study of law at and receipt without exception of an earned Bachelor of Laws or Juris Doctor degree from an unaccredited law school located within the boundaries of the United States of America, provided that the applicant is a member of the bar of a reciprocal state and meets the following qualifications:

(A) Presentation of a certificate from the highest court or agency of such state having jurisdiction over admission to the bar and the practice of law stating that the applicant is in good standing at the bar of such court or such state.

(B) Presentation of proof satisfactory to the Board that the applicant has for a period of five years of the last seven years immediately preceding the date of filing of the application for admission to the bar of this Commonwealth:

(i) engaged in the practice of law in a reciprocal state or states outside this Commonwealth. For purposes of this paragraph, the phrase "engaged in the practice of law" is defined as "devoting a major portion of one's time and energy to the rendering of legal services"; or

(ii) engaged full-time in the teaching of law at one or more accredited law schools in the United States; or

(iii) served on active duty in the United States military service, as a judge advocate or law specialist, as those terms are defined in the Uniform Code of Military Justice, 10 U.S.C. Sec. 801, as amended, regardless of the location of the service.

Service under subparagraphs (i), (ii), and (iii) may be combined to satisfy the five year service requirement of this subparagraph.

**[ (3) Absence of prior conduct by the applicant which in the opinion of the Board indicates character and general qualifications (other than scholastic) incompatible with the standards expected to be observed by members of the bar of this Commonwealth. ]**

(b) *Admission to the bar.* The general [ requirement ] requirements for admission to the bar of this Commonwealth [ is ] are:

(1) satisfactory completion of the bar examination administered by or under the authority of the Board; and

(2) absence of prior conduct by the applicant which in the opinion of the Board indicates character and general qualification (other than scholastic) incompatible with the standards expected to be observed by members of the bar of this Commonwealth.

**Rule 204. Admission of domestic attorneys.**

As an alternative to satisfying the requirements of Rule 203 (relating to admission of graduates of accredited and unaccredited institutions), an attorney of another state may be admitted to the bar of this Commonwealth if the applicant has completed the study of law at and received without exception an earned Bachelor of Laws or Juris Doctor degree from an accredited law school, is a member of the bar of a reciprocal state at the time of filing of the application for admission to the bar of this Commonwealth and meets the following qualifications:

(1) Presentation of a certificate from the highest court or agency of such state having jurisdiction over admission to the bar and the practice of law stating that the applicant is in good standing at the bar of such court or such state.

(2) Presentation of proof satisfactory to the Board that the applicant has for a period of five years of the last seven years immediately preceding the date of filing of the application for admission to the bar of this Commonwealth:

(i) engaged in the practice of law in a reciprocal state or states outside this Commonwealth. For purposes of this paragraph, the phrase "engaged in the practice of law" is defined as "devoting a major portion of one's time and energy to the rendering of legal services"; or

(ii) engaged full-time in the teaching of law at one or more accredited law schools in the United States; or

(iii) served on active duty in the United States military service, as a judge advocate or law specialist, as those terms are defined in the Uniform Code of Military Justice, 10 U.S.C. Sec. 801, as amended, regardless of the location of the service.

Service under subparagraphs (i), (ii) and (iii) may be combined to satisfy the five year service requirement of this Subparagraph.

(3) No applicant will be admitted under this Rule who at any time has taken and failed the Pennsylvania bar examination.

(4) Satisfaction of the requirements of Paragraphs (a)(1) and [ (a)(3) ] (b)(2) of Rule 203.

[Pa.B. Doc. No. 97-209. Filed for public inspection February 14, 1997, 9:00 a.m.]

**PART IV. ADMISSION TO PRACTICE OF LAW  
[204 PA. CODE CH. 73]**

**New Rule 101: Standards for Passing the Bar Examination; No. 172; Doc. No. 1**

**Order**

*Per Curiam:*

*And Now,* this 4th day of February, 1997, it is hereby Ordered that:

**Annex A**

**TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS**

**PART IV. ADMISSION TO PRACTICE OF LAW  
CHAPTER 73. STANDARDS FOR PASSING BAR EXAMINATION**

**Rule 101. Standards for passing the bar examination.**

Commencing with the Pennsylvania Bar Examination to be administered in February of 1997, and until further Order of this Court, a successful candidate for admission to the Bar of the Commonwealth of Pennsylvania, in addition to the other examination requirements approved by prior Orders of the Court which are not superseded hereby, must:

1. attain a scaled score of 130 or higher on the Multistate Bar Examination;
2. attain a scaled score of 135 or higher on the essay portion of the bar examination; and
3. attain a scaled score of 270 on the combined scores of the Multistate Bar Examination and the essay portion of the bar examination.

[Pa.B. Doc. No. 97-210. Filed for public inspection February 14, 1997, 9:00 a.m.]

**PART IV. ADMISSION TO PRACTICE OF LAW  
[204 PA. CODE CH. 73]**

**New Rule 102 Relating to Standards for Passing the Pennsylvania Bar Examination; No. 169; Doc. No. 1**

**Order**

*Per Curiam:*

*And Now,* this 31st day of January, 1997, it is hereby ordered that:

**Annex A**

**TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS**

**PART IV. ADMISSION TO PRACTICE OF LAW  
CHAPTER 73. STANDARDS FOR PASSING BAR EXAMINATION**

**Rule 102. Additional requirements.**

Commencing with the Pennsylvania Bar Examination to be administered in February of 1998, and until further

Order of this Court, a successful candidate for admission to the Bar of the Commonwealth of Pennsylvania must, in addition to the other examination requirements approved by Order of this Court, attain a scaled score of 75 or higher on the Multistate Professional Responsibility Examination.

[Pa.B. Doc. No. 97-211. Filed for public inspection February 14, 1997, 9:00 a.m.]

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## Title 255—LOCAL COURT RULES

### LAWRENCE COUNTY

**Amendment of Local Civil Rule of Court No.  
L1308; No. 70026 of 1997, M.D.**

#### Order of Court

*Now*, this 28th day of January, 1997, it is hereby *Ordered* that Local Civil Rule No. L1308 is amended to read:

(1) Upon the filing of the Board of Arbitrators' report and any award, the chairperson of the Board of Arbitrators shall be paid the sum of One Hundred Twenty-Five Dollars (\$125.00), and the other members of the Board shall each be paid the sum of One Hundred Dollars (\$100.00), for each case heard or otherwise disposed of as provided under subdivision (4).

The effective date of this amended Rule is thirty (30) days after date of publication in the *Pennsylvania Bulletin*.

The Prothonotary is Ordered and directed to make copies of this Order available to all members of the Bar, and pursuant to Pa.R.J.A. No. 103(c)(1), immediately forward ten (10) certified copies of the Order to the Administrative Office of Pennsylvania Courts.

It is further Ordered and directed that this Order be printed in the *Lawrence Law Journal*.

GLENN MCCRACKEN, Jr.,  
*President Judge*

[Pa.B. Doc. No. 97-212. Filed for public inspection February 14, 1997, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION [52 PA. CODE CHS. 65 AND 69]

[L-930089]

#### Line Extensions

The Pennsylvania Public Utility Commission (Commission) on October 3, 1996, adopted a revised order promulgating final-form regulations regarding line extensions. The final-form regulations will require water utilities to provide line extensions without a customer contribution where the annual expected revenues equal or exceed the annual estimated operating and maintenance expenses, plus annual book depreciation and debt expenses associated with the extension. Each company will figure variables appropriate for its own use and will apply these variables into the formula created by the regulation. The contact person is Susan D. Colwell, Assistant Counsel, Law Bureau (717) 783-3459 or 783-3190.

#### Executive Summary

The Commission instituted a rulemaking proceeding at this docket at the November 19, 1993, public meeting to provide a public forum for discussion and resolution of the problem areas and uncertainty associated with the present main line extension policy in § 69.171. The advance notice of proposed rulemaking was published in the *Pennsylvania Bulletin* on December 18, 1993, with comments due on or before February 19, 1994.

The proposed regulations were adopted by order entered July 1, 1994, which proposed to require water utilities whose depreciated plant in service amounts to more than \$10 million to fund ordinary line extensions without customer contribution where the expected annual revenues equal or exceed annual depreciation expense of the extension computed consistent with the utility's Commission-approved book depreciation rate. These were published in the *Pennsylvania Bulletin* on October 8, 1994, with a 45-day comment period. Due to an early sine die by the Legislature, the comment period was extended to January 22, 1995.

The Commission entered a final order adopting regulations on December 28, 1995, which will require water utilities to provide line extensions without a customer contribution where the annual expected revenues equal or exceed the annual estimated operating and maintenance expenses, plus annual book depreciation and debt expenses associated with the extension. Each utility will figure variables appropriate for its own use and will apply these variables into the formula created by the regulation.

On April 12, 1996, the Commission elected to temporarily withdraw the regulation from formal Independent Regulatory Review Commission (IRRC) review, to consider some additional issues raised by IRRC staff, and notice was published in the *Pennsylvania Bulletin*. This final order, adopted October 3, 1996, and entered October 7, 1996, reflects our consideration of the IRRC staff comments, a recent change to Federal income tax law applicable to customer advances, and some language changes to the regulation itself for clarification.

#### Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Commission submitted a copy of the final rulemaking, which was published as proposed at October 8, 1994, 24 Pa.B. 5103, and served on September 23, 1994, to IRRC and the Chairpersons of House Committee on Consumer Affairs and the Senate Committee on Consumer Protection and Professional Licensure for review and comment. In compliance with section 5(b.1) of the Regulatory Review Act, the Commission also provided IRRC and the Committees with copies of the comments received, as well as other documentation.

In preparing these final-form regulations, the Commission has considered the comments received from IRRC, the Committees and the public.

No action was taken on these final-form regulations by the House Committee on Consumer Affairs prior to sine die. The final-form regulations were approved November 13, 1996, by the Senate Committee on Consumer Protection and Professional Licensure, and were approved by IRRC on November 21, 1996, in accordance with section 5(c) of the Regulatory Review Act.

Public Meeting held  
October 3, 1996

*Commissioners present:* John M. Quain, Chairperson; Lisa Crutchfield, Vice Chairperson; John Hanger, Concurring and Dissenting in part—Statement follows; David W. Rolka, Dissenting; and Robert K. Bloom

#### Revised Order

#### By the Commission:

#### I. HISTORY OF THE PROCEEDING

This rulemaking was initiated at public meeting held November 10, 1993, to provide a public forum for discussion and resolution of the problem areas and uncertainty associated with the present utility service extension policy as it appears in § 69.171. The advance notice of proposed rulemaking was published in the *Pennsylvania Bulletin* on December 18, 1993. By notice published February 4, 1994, the comment period was extended from 45 to 60 days.

The advance notice was served on the utility associations and concerned governmental offices seeking detailed answers to a series of specific questions which would be used to evaluate the present policy statement and to draft proposed line extension regulations. Respondents were also encouraged to submit draft regulations and to offer recommendations which they believed would solve controversies.

Following review of the comments and the applicable Pennsylvania case law, the Commission adopted a proposed rulemaking at the June 16, 1994, public meeting, entered July 1, 1994. The proposal was published in the *Pennsylvania Bulletin* on October 8, 1994, commencing a 45-day comment period. Again, numerous comments were received, many of which provided specific answers to the questions we had set forth in the proposal.<sup>1</sup> Although the

<sup>1</sup>Comments to the proposed regulations were filed by the following: Pennsylvania Electric Association (PEA), UGI Utilities, Inc., Duquesne Light, Pennsylvania Electric Company, PECO Energy, Penn Power, Pennsylvania Power & Light Co., West Penn Power Co., Pennsylvania Gas Association (PGA), Columbia Gas of Pennsylvania, Equitable Gas, National Fuel Gas Distribution Corporation, Peoples Natural Gas Company, Pennsylvania Gas and Water Co., T.W. Phillips Gas and Oil Co., Pennsylvania Telephone Association (PTA), National Association of Water Companies—

public comments are too numerous to discuss individually here, each was carefully reviewed and considered, and we thank each commentator for the cooperation and information forwarded to us. In addition, by letter dated February 22, 1995, we received comments from IRRC regarding the proposed-form regulation.

Based upon our consideration of these comments to the proposed-form rulemaking, the Commission adopted a final-form rulemaking at the December 7, 1995, public meeting, entered December 28, 1995. However, given the nature of some additional issues raised by the IRRC staff on April 8, 1996, regarding §§ 65.1, 65.21(b), 65.22 and 65.21(c), the Commission elected, on April 12, 1996, to temporarily withdraw the regulation from formal IRRC review in order to give further consideration to those issues. Notice of the temporary withdrawal and of the issues raised by IRRC's staff was provided to all parties; a notice was also published in the *Pennsylvania Bulletin* on April 27, 1996, at 26 Pa.B. 2061. Further comments were due on or before May 3, 1996.

The only further comment filed in response to the Commission's notice was from the PGA which reaffirmed its position that natural gas utilities should be excluded from the scope of this line extension rulemaking. Accordingly, the further changes in this revised order will reflect our consideration of the April 8, 1996, IRRC staff comments, a recent change to Federal income tax law applicable to customer advances, and some language changes to the regulation for clarification purposes.

## II. Discussion

Under section 1501 of the Public Utility Code, public utilities are obligated to provide "reasonable service" to the public, including the obligation to make line extensions "to such service and facilities as may be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public." 66 Pa. C.S. § 1501. At the same time, Pennsylvania case law has recognized that a public utility's duty to provide line extensions is not unlimited and, therefore, will not obligate the public utility to make line extensions for which there is no "public need" *Colonial Products Co. v. Pa. P.U.C.*, 188 Pa. Superior Ct. 163, 146 A.2d 657 (1958), *Airlines Transportation Co. v. Pa. P.U.C.*, 63 Pa. Commonwealth Ct. 298, 437 A.2d 1283 (1981), or to make line extensions which are uneconomic or unreasonable. *Sherman v. Public Service Commission*, 90 Pa. Superior Ct. 523 (1927); *Ridley Township v. Pa. P.U.C.*, 172 Pa. Superior Ct. 472, 94 A.2d 168 (1953).

In *Colonial Products*, for example, the court explained this limitation on the general obligation to make line extensions as follows:

A utility rendering reasonably adequate service should not be subjected to unreasonable expenditures, or the consuming public unduly burdened because of the unusual or extraordinary demands of one customer.

*Id.* at 173, 146 A.2d at 663. More recently, in *Lynch v. Pa. P.U.C.*, 594 A.2d 816 (Pa. Cmwlth. 1991), the court explained that in order to obtain a line extension, the applicant must show (1) that there is a "public necessity

for the service requested" and (2) that the extension will result in "a return of investment for the utility." *Id.* at 604. In other words, the claim of an individual seeking the line extension must be balanced against the right of the public utility to remain financially viable and the right of existing customers to avoid subsidizing uneconomic line extensions for new customers.

Determining exactly how this balance should be struck has been the subject of considerable uncertainty and litigation over the years before the Commission.<sup>2</sup> Thus, the purpose of this rulemaking is to create a fair, reasonable and predictable economic standard to address this regulatory problem that will eliminate uncertainty and greatly reduce the litigation in this area.

At the same time, the Commission recognizes that the electric and telephone industries are not subject to the same level of uncertainty and litigation regarding line extension issues as are the water and gas industries. See PEA Comments, pp.1-3 (recommending that the electric utility industry be excluded given the existing regulations for electric utility line extensions in § 57.19 and the lack of controversy in that industry); PTA Comments, pp. 3-4 (recommending line extension requirements of 500 feet on private property and 2,640 on public rights-of-way).

In addition, for the natural gas industry it has become increasingly clear that, in the residential energy market, the ready availability of alternative fuels and electric utility service make natural gas largely a matter of customer choice. See PGA Comments, pp. 1-3; Columbia Gas comments, p. 3. As such, it appears that in most circumstances, a request for a natural gas line extension would be deemed to be a request for "special utility service" — that is, a service request which exceeds that required for ordinary residential service or a service request that does not involve a "public necessity for the service requested" given the existence of a safe, adequate and competitively priced alternative. See *Bonneau v. North Penn*, Docket No. C-946274 (Order entered June 23, 1995); *Babyak v. Peoples*, Docket No. F-218963 (Order entered November 29, 1994); *Lynch v. Pa. P.U.C.*, 594 A.2d 816 (Pa. Cmwlth. 1991).

Under these circumstances, it is better to target the real problem area, and we are no longer proposing that the line extension regulation apply across the board. Rather, the new proposal is limited to water utilities and has been placed in the appropriate chapter in Title 52 of the *Pennsylvania Code*. We will not hesitate to institute a similar rulemaking in the future, however, if the kinds of problems that we see in the water industry begin to occur regularly in electric, telephone and gas line extension cases.

Moreover, even in the absence of mandatory regulations for the electric, telephone and natural gas industries, we suggest that the proposed water regulations serve as the appropriate economic concept and provide guidance for line extensions in the other utility industries. These regulations reflect the Commission's view regarding line extensions and may prove instructive in adjudicating complaint cases involving line extensions in any industry.

In preparing our present proposal, staff consulted informally with industry representatives, as well as with the Offices of Consumer Advocate and Small Business Advocate. Although not all concerns and viewpoints can be satisfied, we believe that we have developed a predictable

Pennsylvania Chapter (NAWC-PA), Pennsylvania-American Water Company, Philadelphia Suburban Water Co., York Water Co., George S. Emmons, Representative Teresa E. Brown, Office of Consumer Advocate, Green Valleys Association, Pennsylvania State Association of Township Supervisors, South Coventry Township Board of Supervisors, French & Pickering Creeks Conservation Trust Inc., and 22 individuals who filed form letters expressing their concern that the regulation would result in the imposition of public water and sewer in historic watershed areas near the French and Pickering Creeks. Since the regulation does not address the way in which a public utility defines its own service area nor does it require an extension of a service area, then these fears are unfounded.

<sup>2</sup>According to Law Bureau Prosecutory Staff, as of February 1994, there were between 50 and 75 formal line extension cases currently pending before the Commission, and "many more on an informal basis." Law Bureau Prosecutory Staff Comments, p. 11.

economic standard which treats all parties fairly and satisfies the requirements of Section 1501 and Pennsylvania case law.

### III. Summary of Proposed Regulation

As in the proposed-form regulation published October 8, 1994, these regulations establish the duty of each public utility to provide line extensions without a customer contribution where the annual expected revenues equal or exceed the annual expenses and capital costs associated with the new line. Based on the comments to the proposed-form regulations, we have made a number of refinements to the revenue, expense and capital elements that may be included in this economic test, most notably the inclusion of debt costs as recommended by several commentators. See PEA Comments, pp. 5-6; PGA Comments, p. 5; NAWC-PA Comments, p.3.

The overall concept behind this regulation, however, remains the same: a public utility's obligation to make line extensions is not unlimited and, accordingly, it will not be obligated to make a line extension that is uneconomic or unreasonable absent an appropriate customer contribution. Pursuant to this regulation, if the economic analysis indicates that annual revenue will equal or exceed the company's operating and maintenance expenses, depreciation and debt costs for the new line, no customer contribution will be required.<sup>3</sup> Alternatively, if the annual revenue will cover only a portion of the line's annual costs, a contribution may be required in proportion to the annual costs of the line not covered by the annual revenue.<sup>4</sup>

The basis of this customer contribution is that, absent a reasonable contribution to the line extension's construction costs, the utility would experience a negative (less than zero) equity return on the line extension. Indeed, it appears to us that a line extension that yields a negative equity return, representing an economic loss on the transaction, is one that begins to "materially handicap the utility in securing a fair return on all of its operations," *Ridley*, 172 Pa Superior Ct. at 497, 94 A.2d at 171, as well as one that unfairly asks existing customers to subsidize the costs of serving a new customer. Accordingly, the application of this regulation should ensure, as recommended by IRRC, that utilities will "fund all line extensions that are appropriate for the level of service to be purchased by the new customer without requiring the utilities and their existing customers to incur the costs of unreasonable line extensions. IRRC Comments, p.2.

The following discussion will summarize the further changes and refinements made to the proposed-form regulations published October 8, 1994.

*Section 65.1—Definitions.* In addition to the definitions for "bona fide service applicant" and "special utility service" set forth in the proposed regulation which appeared at 24 Pa. B. 5103, we have added definitions for six other terms which now appear in the body of the regulation and need to be defined. All of these definitions are specific to the subject of line extensions and, accordingly, are not to be viewed as controlling for ratemaking purposes or in other regulatory contexts.

*Annual line extension costs.* This specifies the cost elements which may be included in comparing line exten-

sion costs to the annual revenues of a particular line extension. The cost elements include the additional annual operating and maintenance costs, debt costs and depreciation charges associated with the line extension. Equity return has been specifically excluded as a cost element.

*Annual revenue.* The definition specifies the method of calculating the revenue which a utility may count as expected for a line extension. We note here that if for the purpose of determining "annual revenue" there are no existing customers "similar in nature and size to the bona fide service applicant," the utility may use the service applicant's projected average annual usage based on customer-specific factors such as dwelling size, location and appliances.

*Bona fide service applicant.* This term provides the answer to the threshold question of which persons or entities within a public utility's service are entitled to line extensions. It includes the individual seeking service for his own primary residence or place of business, provided that the level of service to that primary business does not exceed that of a residence.

*Debt costs.* The definition is needed because the term is now included in the definition of "annual line extension costs." Debt costs are the utility's additional annual cost of debt associated with financing the line extension investment; the annual amount is determined by multiplying the proportion of line extension investment financed by debt times the utility's debt cost rate. Due to the infrequency of base rate cases for some companies, we have decided to use a company's current debt cost data. The cost of preferred stock, however, has been specifically excluded since it is a relatively minor component of any utility's cost of service and would needlessly complicate the economic standard for a line extension.

*Depreciation charges.* This defines another expense element which is allowed under the definition of "annual line extension costs." The annual depreciation charge allowance will be line extension-specific to recognize the differing capital costs of the various sized main line extensions necessary to provide service.

*Operating and maintenance costs.* These are costs associated with serving an additional customer, including customer accounting, billing, collections and costs specific to the water industry.

*Line extension.* Defined as "an addition to the utility's main line which is necessary to serve the premises of a customer," the term is meant to differentiate between a line extension within the meaning of this rulemaking and the addition of a service line.

*Special utility service.* The economic test provided in this rulemaking for whether a customer contribution may be required, will not apply to the request for any residential or business service which exceeds that required for "ordinary residential purposes" or service for which there is a "safe, adequate and competitively priced alternative" to meet the applicant's utility needs since these circumstances would not involve a public necessity for the service requested. The special service needs of one or a few customers should not be borne by the public at large within the utility's service territory.<sup>5</sup> For special utility service, the rates, terms and conditions set forth in a utility's currently effective tariff will control. Thus, for a water service applicant seeking special utility service, the

<sup>3</sup>Implementation of this economic test may require the use of reasonably-developed company averages and/or expense allocation; in other words, we will not require companies to determine customer-specific operating and maintenance expenses.

<sup>4</sup>An illustration of how the economic test would be applied for a hypothetical company for a variety of line extension construction costs is set forth in Table III, attached hereto. Moreover, we anticipate that all utilities will voluntarily share with prospective service applicants the calculations and assumptions used to determine whether a customer contribution would be required and its amount.

<sup>5</sup>Because this regulation will apply only to the water industry, the "safe, adequate and competitively priced alternative" language contained in the order adopted December 7, 1995, has been deleted as unnecessary.

water utility's tariffed terms and conditions will control treatment of the incremental costs incurred by the water utility to provide the special service needs.

*Section 65.21—Duty of public utility to make line extensions.* A utility is required to include in its tariff a rule spelling out the conditions under which the utility will extend its facilities to an applicant. The remainder of the regulation sets out the circumstances under which extensions to bona fide service applicants shall be constructed.

*Section (a).* Where the projected annual revenue from the line extension will equal or exceed the utility's annual line extension costs, as defined above, the extension shall be made without requiring contributions from the applicant.

*Sections (b) and (c).* These sections set forth the circumstances under which a utility may require (a utility is not obligated to require) a customer contribution in order to extend a main for service and a formula for calculation of the customer contribution amount. The formula is designed to take into account the utility's cost of construction, as well as the annual expenses and expected revenues from the line extension.

Thus, to avoid the subsidization of uneconomic line extensions, the regulation will permit utilities to require a contribution where the annual revenue from the line extension will not equal or exceed the utility's annual line extension costs. The amount of the customer contribution will be determined by subtracting the utility's minimum required investment for the line extension from the total construction costs. The utility's minimum level of investment for the line extension is that portion of the total investment which causes the utility to incur annual line extension costs equal to the expected annual revenue from the line extension. We believe that this formula will result in the applicant bearing only those costs of his or her line extension which will not pay for itself through annual revenues.

We note here that the April 8, 1996, comments of the IRRRC staff recommend replacing the word "may" with "shall," which would result in the creation of a rule requiring a utility to charge a customer contribution in all circumstances if the formula reveals that the projected annual revenue from the line extension will not exceed the utility's annual line extension costs. In developing this regulation, we intended to create a rule which sets the *minimum* dollar amount which utilities must pay toward the cost of a line extension. However, it was not our intention to limit the utility's ability to fund more of the line extension costs if, for legitimate business reasons, the utility desires to do so.

Although we perceive a real need to protect bona fide service applicants from overly zealous utilities which would prefer to charge the entire cost of a main extension to the applicant in each instance, we have not perceived a need to protect utilities from themselves. Utilities do not, as a rule, make uneconomic or irrational business decisions by offering to fund their own line extensions when they are permitted to ask for a reasonable customer contribution.

Further, a mandatory customer contribution amount would serve no useful purpose since it would create a situation where a utility which desires to fund more of a given line extension than is contemplated by the formula must come before the Commission and ask for a waiver of the rule. It would be the creation of a burdensome regulation which places undue restrictions on the regu-

lated community and would be contrary to Governor Ridge's Executive Order 1996-1, which states that a regulation should be promulgated only after a determination that it is necessary to address "a compelling public interest." The minimum line extension funding requirement on utilities does address a compelling public interest, that is, ensuring that the bona fide service applicant pays only for that portion of the line extension which exceeds the utility's annual line extension costs. However, changing the minimum requirement to a hard and fast rule would mean that companies wishing to be more generous would have to seek a waiver of the rule and, in our judgment, make this regulation unnecessarily burdensome and inflexible, contrary to the principles outlined in EO 1996-1. Realistically, these companies would probably not bother, and it is the bona fide service applicant which would end up paying more as a result.

Lastly, given President Clinton's signing on August 20, 1996, of H.R. 3448, contributions in aid of construction and customer advances are no longer taxable to the utility; thus, the gross-up factor to account for this tax referred to in our earlier orders is no longer necessary. This change in Federal income tax law will substantially reduce the cost of line extensions to bona fide service applicants.

*Section 65.22. Customer advance financing, refunds and facilities on private property.*

*Section (a).* This section provides that utilities which have \$10 million or more in gross annual revenues shall give the applicant the option of paying the customer contribution over a period of not less than 3 years following the service connection, given the potentially large cost of some line extensions.<sup>6</sup> Our original proposal required all utilities to offer that option, but after consideration of the many comments we received in protest and after realizing that many of the smaller companies are unable to raise the necessary capital to allow them to exercise this provision, we are limiting the requirement to those utilities which have over \$10 million in gross annual revenues. Furthermore, in order to mitigate the risk to the utility, we are adding two provisions: (1) the utilities may require a deposit in advance in an amount up to one-third of the total contribution, and (2) the utilities may recover financing costs equal to the cost of debt associated with initially funding the construction.

With these additions, we do not believe it to be necessary to provide that a failure to honor the payment plan will be an independent reason to terminate service. Such a provision would conflict with the existing termination regulation in § 56.83(3). We also believe that these provisions reflect a fair compromise between the positions advocated on behalf of service applicants and the utilities. Indeed, the addition of financing costs should make utilities whole for the capital expended in advance for a line extension.

*Section (b).* This section requires a utility to provide for refunding a portion of the customer contribution if an additional customer or customers attach service lines to the main extension within 10 years. Specifics are to be spelled out in each utility's tariff.

*Section (c).* This section provides that the utilities must require customers and developers to pay a reasonable charge in advance for service lines and equipment installed on private property for the exclusive use of the

<sup>6</sup>At Pennsylvania American Water Company for example, the average cost of a line extension for a bona fide service applicant between 1989 and 1993 was approximately \$25,000.

customer. A reasonable charge for this service should be based on the utility's actual cost of the installation.

*Section 65.23—Special utility service.* Special utility service is specifically exempted from the strict provisions of these line extension regulations with the exception of § 65.22(b), which provides for reimbursement of contributions if another customer attaches to the main extension within 10 years. That the extension was made to benefit a single customer, to a development or to an industrial site is not a legitimate reason to exempt the utility from reimbursing some portion of the contribution if additional customers attach to the main line extension.

**IV. Application of the Regulation**

In addition to the above refinements to the economic test for line extensions, we also requested data to assist us in evaluating the results of applying the economic test to the four largest investor-owned water utilities in Pennsylvania: Philadelphia Suburban Water Company (PSW), Pennsylvania-American Water Company (PA-American), the former Pennsylvania Gas & Water Company (PG&W), and York Water Company (York). This analysis was prompted by the IRRC suggestion that we evaluate whether the new regulations will achieve "an appropriate balance between the benefits afforded to new customers and the costs that all existing ratepayers will incur as a result of the utilities' contribution." IRRC Comments, p. 3. To this end, the water industry was able to provide company-specific estimates of the customer contribution threshold for new service applicants based on current cost data. However, an analysis of future revenue requirement changes, based necessarily on a projected number of new line extensions under the new regulations, was deemed to be too speculative to generate any reliable data and, therefore, was not provided.

Nevertheless, the data available from the four largest water companies does provide a good estimate of the effect of this regulation on new service applicants as to the customer advance threshold and the maximum footage allowance related to that threshold. Based on their current revenues, operating and maintenance expenses, and capital costs, these companies have estimated that the point at which a customer would be required to begin to make a contribution to the total cost of a line extension would be in excess of \$3,400 and as high as \$5,300.

**Table I**

Average Per Line Revenues, Costs & Customer Advance Threshold	PA-			
	PSW	American	PG&W	York
Annual Revenue	\$269	\$333	\$300	\$257
O & M Costs	33	21	15	30
Depreciation	54	116	57	38
Debt Costs	182	196	228	189
Cust. Adv. Threshold	\$4,000	\$4,000	\$5,300	\$3,400

Moreover, although the cost per foot of a given line extension can vary considerably depending upon the size of the pipe and the location of the line, it appears that the economic test set forth in this regulation will result in a substantially greater amount of footage at no cost to the new customer than the so-called 35-foot rule included in

many water company's existing tariffs.<sup>7</sup> Using the industry association's figure of \$25 as the average cost per foot of a line extension, a new customer would obtain between 136 and 212 feet of line extension with no customer contribution required, depending on the company. Using a more conservative figure of \$40 based on the historic data contained in the water company's comments, the length of a line extension before a customer contribution would be required is still considerable, ranging between 85 feet and 133 feet.

**Table II**

**Maximum Footage Allowance Without Customer Contribution**

	Industry Estimate \$25 per foot	Conservative Est. \$40 per foot
Philadelphia Suburban	160	100
Pennsylvania American	160	100
PG&W	212	133
York	136	85

Whatever cost per foot estimate is used, it appears that the economic test in these regulations for determining when an individual must begin to provide a contribution to the cost of a line extension will provide a generous footage allowance to new service applicants without damaging the economic soundness of the public utility or causing existing customers to unreasonably subsidize new customers. We believe that the balance among those interests struck by this regulation is fair, reasonable and consistent with Pennsylvania law.

Lastly, since these regulations for the water industry also reflect with greater specificity the Commission's views with respect to line extensions and, in particular, the parameters of a lawful economic test for customer contributions and the definition of special utility service, the existing policy statement in § 69.171, which is general in nature, shall be rescinded, effective on the publication date of these final-form line extension regulations.

**Table III**

**Illustration of Required Level of Customer Contribution**

*Assumptions:*  
 Annual Revenues (AR) at \$300 per year  
 Operating and Maintenance Expenses (OM) of \$15 per year per customer  
 Depreciation Rate (D) for Account 322 of 333%  
 Interest Expense Rate (I) of 2.75%, based on long-term debt ratio of 55.0% and long-term debt cost rate of 5.00%

*Thus:*  
 Utility Investment  
 Break-even Point = [AR-OM] divided by [I+D]  
 = [\$300-15]/[0.0275+0.0333] = \$4,688

Construction Cost	Utility Investment	Customer Contribution
\$1,000	\$1,000	0
\$2,000	\$2,000	0
\$3,000	\$3,000	0
\$4,000	\$4,000	0
\$5,000	\$4,688	\$312

<sup>7</sup>According to Law Bureau Prosecutory Staff, many water companies now employ a so-called "35-foot rule" which places a tremendous economic burden on new service applicants even though the utility's facilities may be "well within the sight of the service applicant's residence." Law Bureau Prosecutory Staff Comments, pp. 9-10.



<i>Construction Cost</i>	<i>Utility Investment</i>	<i>Customer Contribution</i>
\$6,000	\$4,688	\$1,312
\$7,000	\$4,688	\$2,312
\$8,000	\$4,688	\$3,312
\$9,000	\$4,688	\$4,312
\$10,000	\$4,688	\$5,312

Accordingly, pursuant to sections 501, 504, 505, 506, 1301 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501, 504, 505, 506, 1301 and 1501, and the Commonwealth Documents Law (45 P.S. § 1201 et seq.), and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1—7.4, the Commission adopts as final the regulations for Line Extensions, §§ 65.1, 65.21, 65.22 and 65.23, as described above and set forth in Annex A. *Therefore,*

*It is Ordered That:*

1. This revised order shall supersede the order adopted December 7, 1995, at this docket.

2. The Commission's regulations, 52 Pa. Code Chapters 65 and 69, are amended by amending § 65.1, by adding §§ 65.21—65.23 and by deleting § 69.171 to read as set forth in Annex A.

3. The Commission's regulations are hereby amended by the rescission of the policy statement in § 69.171 effective upon publication in the *Pennsylvania Bulletin*.

4. The Secretary shall submit this order and Annex A to the Office of Attorney General for approval as to legality.

5. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.

6. The Secretary shall submit this order and Annex A for formal review by the designated standing committees of both houses of the General Assembly, and for formal review and approval by IRRC.

7. The Secretary shall deposit this order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

8. These amendments shall become effective upon publication in the *Pennsylvania Bulletin*.

9. The public utilities affected by these line extension regulations shall file appropriate compliance tariffs by April 16, 1997.

10. A copy of this order shall be served upon all persons who submitted comments in this rulemaking proceeding.

*By the Commission*

JOHN G. ALFORD,  
*Secretary*

*(Editor's Note: The proposal to add §§ 66.1—66.3 as proposed at 24 Pa.B. 5103 (October 8, 1994) has been withdrawn by the Commission. The amendment of § 65.1 and the addition of §§ 65.21—65.23 and the deletion of § 69.171 was not included in the proposal at 24 Pa.B. 5103.*

A proposal to amend § 65.1, amended in this document, remains outstanding at 26 Pa.B. 2325 (May 18, 1996.)

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 26 Pa.B. 5915 (December 7, 1996.)*

### Statement of Commissioner John Hanger

This rulemaking has involved consideration of complex issues for which there is no simple answer. This Commission has been asked to resolve many line extension disputes in recent years, leading not only to a large volume of time consuming cases, but also to murky, at times undecipherable, Court and Commission policies and precedent. Cases sometimes are decided through pro forma applications of "rules" which are not reflected in any written standards. Sometimes the results bear little or no relationship to the underlying policies or rationales for the "rule." While the Regulations adopted today do adopt clear standards, those standards incorporate some misplaced considerations and sometimes do not adequately meet the guidance of either case law or important policy considerations.

Because it is essential that this Commission establishes clear standards for line extensions, I concur and dissent with the Regulations proposed by the Law Bureau. While certain aspects of the Regulations applied to water utilities raise important concerns, as indicated below, I hope that passage will permit most water line extension cases to proceed expeditiously and fairly. I must dissent to the extent that the Regulations fail to include gas utilities.

The basic legal standard governing line extensions must reflect the primary "duty to serve" embodied in Section 1501 of the Public Utility Code, and the Regulations recommended by the Law Bureau do not do so. Section 1501 clearly states that:

"Every public utility ... shall make all such ... extensions and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public."

Thus, every case starts with a presumption that a utility which has been granted a service territory has the obligation to provide line extensions at system cost. The Courts have given the Commission some latitude to permit customer contributions when extensions are not presently required to serve actual customers or will benefit only an individual need at uneconomic public expense. This Commission does not have the authority under Section 1501 of the code, however, to declare that the duty to serve does not apply wholesale to large categories of customers.

There are extraordinary ramifications to the Law Bureau recommendation that utilities need not provide line extensions for customers who have "a safe, adequate and competitively priced alternative." Section 1501 imposes the duty to serve to include the "accommodation" and "convenience" of the public, without limiting the duty to situations in which the extension is a practical or economic necessity.

The staff recommendation suggests that gas service is always "special utility service" and that gas utilities do not have any duty to make a line extension because all uses of gas can instead be served by electricity, oil, propane or other fuels. While it is true that there are alternatives to gas, there is no legal or policy basis for suggesting that gas utilities are exempt from the duty to serve embodied in Section 1501 and a large body of appellate case law.

For these reasons, I concur and dissent.

**Fiscal Note:** Fiscal Note 57-152 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED UTILITY SERVICES

CHAPTER 65. WATER SERVICE

§ 65.1. Definitions.

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

*Annual line extension costs*—The sum of a utility's additional annual operating and maintenance costs, debt costs and depreciation charges associated with the construction, operation and maintenance of the line extension.

*Annual revenue*—The utility's expected additional annual revenue from the line extension based on the utility's currently effective tariff rates and on the average annual usage of customers similar in nature and size to the bona fide service applicant.

*Bona fide service applicant*—A person or entity applying for water service to an existing or proposed structure within the utility's certificated service territory for which a valid occupancy or building permit has been issued if the structure is either a primary residence of the applicant or a place of business. An applicant will not be deemed a bona fide service applicant if one of the following applies:

- (i) The applicant is requesting water service to a building lot, subdivision or a secondary residence.
- (ii) The request for service is part of a plan for the development of a residential dwelling or subdivision.
- (iii) The applicant is requesting special utility service.

*Company's service line*—The connection between the distribution facilities or pipeline extensions of the utility which connects any main with the inlet connection of a service line of a customer at the curb or property line.

*Customer*—A party contracting with a public utility for service.

*Customer's service line*—The service line extending from the curb, property line or utility connection to a point of consumption.

*Debt costs*—The utility's additional annual cost of debt associated with financing the line extension investment based on the current debt ratio and weighted long-term debt cost rate for that utility or that of a comparable jurisdictional water utility.

*Depreciation charges*—The utility's additional annual depreciation charges associated with the specific line extension investment to be made based on the current depreciation accrual rates for that utility or that of a comparable jurisdictional water utility.

*Line extension*—An addition to the utility's main line which is necessary to serve the premises of a customer.

*Main*—The pipe of a public utility system, excluding service connections, located in a public highway, street, alley or private right-of-way which pipe is used in transporting water.

*Nonessential uses of water*—Nonessential uses of water include:

(i) The use of hoses, sprinklers or other means for sprinkling or watering of shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers or other vegetation.

(ii) The use of water for washing automobiles, trucks, trailers, trailer houses or another type of mobile equipment.

(iii) The washing of streets, driveways, parking lots, service station aprons, office buildings, exteriors of homes, sidewalks, apartments or other outdoor surfaces.

(iv) The operation of an ornamental fountain or other structures making a similar use of water.

(v) The use of water for filling swimming or wading pools.

(vi) The operation of any water-cooled comfort air conditioning which does not have water-conserving equipment.

(vii) The use of water from fire hydrants for construction purposes or fire drills.

(viii) The use of water to flush a sewer line or sewer manhole.

(ix) The use of water for commercial farms and nurseries other than a bare minimum to preserve plants, crops and livestock.

*Operating and maintenance costs*—The utility's average annual operating and maintenance costs associated with serving an additional customer, including customer accounting, billing, collections, water purchased, power purchased, chemicals and other variable costs based on the current total company level of the costs, as well as costs particular to the specific needs of that customer, such as line flushing.

*Public utility*—Persons or corporations owning or operating equipment or facilities in this Commonwealth for diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation. The term does not include a person or corporation not otherwise a public utility who or which furnishes service only to himself or itself, or a bona fide cooperative association which furnishes service only to its stockholders or members on a nonprofit basis.

*Short-term supply shortage*—An emergency which causes the total water supply of a public utility to be inadequate to meet maximum system demand.

*Special utility service*—Residential or business service which exceeds that required for ordinary residential purposes. The term may include installation of facilities such as oversized mains, booster pumps and storage tanks as necessary to provide adequate flows or to meet required pressure criteria and service to large water consuming commercial and industrial facilities.

§ 65.21. Duty of public utility to make line extensions.

Each public utility shall file with the Commission, as part of its tariff, a rule setting forth the conditions under which facilities will be extended to supply service to an applicant within its service area. Upon request by a bona fide service applicant, a utility shall construct line extensions within its franchised territory consistent with the following directives:

- (1) Line extensions to bona fide service applicants shall be funded without customer advance if the annual revenue from the line extension will equal or exceed the utility's annual line extension costs.

(2) If the annual revenue from the line extension will not equal or exceed the utility's annual line extension costs, a bona fide service applicant may be required to provide a customer advance to the utility's cost of construction for the line extension. The utility's investment for the line extension shall be the portion of the total construction costs which generate annual line extension costs equal to annual revenue from the line extension. The customer advance amount shall be determined by subtracting the utility's investment for the line extension from the total construction costs.

(3) The utility's investment for the line extension shall be based on the following formula, where X equals the utility's investment attributed to each bona fide applicant:

X = [AR - OM] divided by [I + D] ; and,  
 AR = the utility's annual revenue  
 OM = the utility's operating and maintenance costs  
 I = the utility's current debt ratio multiplied by the utility's weighted long-term debt cost rate  
 D = the utility's current depreciation accrual rate

**§ 65.22. Customer advance financing, refunds and facilities on private property.**

(a) If a customer advance is required from a bona fide service applicant for service from a company with gross annual receipts of \$10 million or more and the bona fide applicant is unable to advance the entire amount due, the utility shall do one of the following:

(1) Allow the applicant to pay the advance over a period of not less than 3 years, with the utility recovering financing costs equal to the utility's weighted cost of long

term debt. The utility may require the applicant to deposit up to one-third of the total customer advance prior to extending service.

(2) Provide information to the customer on financial institutions that may offer financing to the customer for the line extension.

(b) When a customer advance is required of a service applicant and an additional customer or customers attach service lines to the main extension within 10 years, the utility shall refund a portion of the advance to the customer in accordance with the utility's currently effective tariff. Deposits made for additional facilities other than the main extension, such as booster pumps, storage tanks and the like, are contributions in aid of construction and need not be refunded.

(c) A utility shall require a customer to pay, in advance, a reasonable charge for service lines and equipment installed on private property for the exclusive use of the customer.

**§ 65.23. Special utility service.**

Sections 65.21 and 65.22 (a) and (c) (relating to duty of public utility to make line extensions; and customer advance financing, refunds and facilities on private property) do not apply to special utility service.

**CHAPTER 69. GENERAL ORDERS, POLICY STATEMENTS AND GUIDELINES ON FIXED UTILITIES**

**§ 69.171. (Reserved).**

[Pa.B. Doc. No. 97-213. Filed for public inspection February 14, 1997, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF BANKING

[10 PA. CODE CH. 42]

### Registration of Loan Brokers

The Department of Banking (Department), under the authority contained in section 8 of the Credit Services Act (act) (73 P.S. § 2188), proposes to add Chapter 42 (relating to registration of loan brokers) which will impose registration requirements on persons acting as loan brokers in this Commonwealth.

#### *Purpose*

The purpose of the proposed regulations is to implement the requirements of section 8 of the act which requires loan brokers, as defined in the act, who are located in or act on behalf of residents of this Commonwealth, to become registered with the Department. The proposed regulations will enhance consumer protection by providing a means of ascertaining who is acting as a loan broker in this Commonwealth and by maintaining the names and addresses of those persons and by obtaining other relevant information about loan brokering activity conducted by those persons. This registration will enhance the Attorney General's ability to address consumer complaints by facilitating discovery and investigation of fraudulent activity and will provide an additional means for enforcement of the Unfair Trade Practices and Consumer Protection Law (73 P.S. §§ 201-1—209-6).

#### *Explanation of Regulatory Requirements*

Under the proposed regulations, persons acting as loan brokers in this Commonwealth will be required to register with the Department and to renew that registration annually. Loan brokers will be required to submit a completed registration form to the Department which will require the applicant to provide the home and business addresses of the applicant, the nature of the loan broker's business, and information relating to any legal or other enforcement actions taken against the loan broker. The Department retains the right to refuse to register an applicant as a loan broker and, accordingly, the proposed regulations set forth the relevant factors to be utilized by the Department in deciding whether to proffer a refusal.

#### *Entities Affected*

The number of entities that will be affected by these proposed regulations cannot be estimated at this time as this is the first registration requirement imposed on loan brokers who are not already licensed or authorized to broker a specific type of loan. These proposed regulations will not affect the 675 first mortgage loan brokers currently licensed by the Department or the 333 secondary mortgage loan brokers currently licensed by the Department. (Statistics are as of November 30, 1995.) These proposed regulations will also not affect any depository institutions whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration. Nor will the proposed regulations affect real estate brokers or salespersons licensed under the Real Estate Licensing and Registration Act (63 P.S. §§ 455.101—455.902), persons registered as securities broker-dealers under section 301 of the Pennsylvania Securities Act of 1972 (70 P.S. § 301) or persons exempt from this registration, persons admitted to the practice of law in this Commonwealth, nonprofit corporations or

consumer reporting agencies as defined by the Fair Credit Reporting Act (15 U.S.C.A. § 1681 et seq.).

#### *Cost and Paperwork Requirements*

These proposed regulations will impose paperwork requirements on the Department to process the registration and renewal applications. The cost of paperwork will be offset by the fees imposed.

These proposed regulations will not impose paperwork requirements on political subdivisions and will not affect the costs of political subdivisions of this Commonwealth.

These proposed regulations impose a fee of \$300 for registration and an additional \$300 for each renewal. The proposed regulations also impose nominal paperwork and reporting requirements on the regulated community, as loan brokers will be required to complete an annual registration or renewal registration application.

#### *Effectiveness/Sunset Date*

The anticipated effective date is 30 days after final adoption.

A sunset date is inapplicable as the statute imposes an ongoing requirement for registration of loan brokers and for annual renewal of those registrations.

#### *Contact Person*

Interested persons are invited to submit their written comments, if any, within 30 days from the date of this publication to Valentino F. DiGiorgio, III, Staff Attorney, Department of Banking, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2290, (717) 787-1471.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 31, 1997, the Department submitted a copy of these proposed regulations to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Committee for Business and Economic Development and the Senate Committee on Banking and Insurance. In addition to submitting the regulations, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 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 regulations, it will notify the Department within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review and comments including objections to the proposed regulations by IRRC, the General Assembly and the Office of Attorney General, prior to final publication and approval of the proposed regulations.

RICHARD C. RISHEL,  
*Secretary*

**Fiscal Note:** 3-31. No fiscal impact; (8) recommends adoption. The Banking Department Fund will receive approximately \$16,000 annually from the registration of these loan brokers.

**Annex A**  
**TITLE 10. BANKS AND BANKING**  
**PART IV. BUREAU OF CONSUMER CREDIT**  
**AGENCIES**  
**CHAPTER 42. REGISTRATION OF LOAN**  
**BROKERS**

Sec.	
42.1	Definitions.
42.2	Applicability.
42.3	Registration required.
42.4	Annual renewal required.
42.5	Disapproval of registration.
42.6	Information to the Department.
42.7	Failure to register.

**§ 42.1. Definitions.**

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

*Act*—The Credit Services Act (73 P. S. §§ 2181—2192).

*Applicant*—A person who, in accordance with this chapter, has submitted a registration application or renewal registration application and applicable fees to the Department in an effort to register with the Department as a loan broker.

*Employee*—A person who receives wages reportable pursuant to Internal Revenue Service Form W-2.

*Loan broker*—As defined in section 2 of the act (73 P. S. § 2182). The term includes a person who acts for or on behalf of a loan broker for the purpose of soliciting borrowers. The term does not include a person licensed by the Department as a loan broker.

*Principal*—An officer, director, partner, joint venturer, branch manager or other person with similar managerial responsibilities for a loan broker.

**§ 42.2. Applicability.**

This chapter applies to loan brokers who act as a loan broker in this Commonwealth or who act as a loan broker on behalf of residents of this Commonwealth.

**§ 42.3. Registration required.**

(a) On or after \_\_\_\_\_ (*Editor's Note:* The blank refers to the effective date of adoption of this proposal), a person may not act as a loan broker in this Commonwealth without registering with the Department.

(b) To register as a loan broker, a person shall submit the following to the Department:

(1) A completed registration application provided by the Department.

(2) Payment to the Department of a nonrefundable registration fee of \$300.

(c) Within 60 days of receipt of a registration application, the Department will do one of the following:

(1) Notify the applicant that the applicant is registered as a loan broker.

(2) Notify the applicant that the applicant's registration is rejected and that the applicant is not registered as a loan broker under § 42.5 (relating to disapproval of registration).

(3) Notify the applicant that the registration application was incomplete and that additional information is required. In this case, the Department has 60 days from receipt of a completed registration application to notify the applicant under paragraph (1) or (2).

(d) An applicant shall be registered as a loan broker upon the Department's issuance of written notification to the applicant that the applicant has been registered by the Department as a loan broker.

(e) No abatement of the registration fee may be made for any reason including a loan broker's initial registration period lasting for less than 1 year or the election by a loan broker to cancel its registration prior to the annual renewal date.

**§ 42.4. Annual renewal required.**

(a) Annually, the Department will mail to each registered loan broker an application for renewal of the loan broker's registration.

(b) On or before December 1 of each year, a loan broker shall return the following to the Department:

(1) A completed renewal registration application provided by the Department.

(2) Payment of a renewal registration fee of \$300.

(c) On or before January 15 of each year, the Department will take one of the following actions with regard to renewal applications which it received on or before December 1 of the prior year:

(1) Notify the loan broker that the loan broker's registration is renewed.

(2) Notify the loan broker that the loan broker's renewal registration is rejected and that the loan broker is no longer registered as a loan broker under § 42.5 (relating to disapproval of registration).

(3) Notify the loan broker that the registration application was incomplete and that additional information is required. In this case, the Department has 30 days from receipt of a completed registration application to notify the loan broker under paragraph (1) or (2).

(d) A loan broker who fails to return the following to the Department by December 1 of each year shall be subject to a late fee of \$100 upon submission to the Department of a renewal registration application:

(1) A completed renewal registration application provided by the Department.

(2) Payment of a renewal registration fee of \$300.

(e) The renewal registration shall be effective from February 1 or upon the Department's issuance of written notification to the applicant that the applicant has been registered by the Department as a loan broker, whichever is later, through January 31 of the following year.

(f) Nothing in this section relieves a loan broker from the requirement that a loan broker promptly register as a loan broker with the Department.

**§ 42.5. Disapproval of registration.**

The Department may refuse to register or renew the registration of an applicant. Notifications of refusal by the Department to register or renew the registration of an applicant shall include the reasons for the refusal. In determining whether to refuse to register or renew the registration of an applicant, the Department will weigh all relevant factors including the following:

(1) Whether the applicant has properly and fully completed the registration application or the registration renewal application.

(2) Whether the applicant has supplied false information or made a material misstatement to the Department.

(3) Whether the applicant or a principal or employe of the applicant has violated the act.

(4) Whether the applicant or a principal or employe of the applicant is subject to an administrative order issued by an agency of the Commonwealth or an agency of the United States.

(5) Whether the applicant, a principal of the applicant or an organization with which the applicant or a principal of the applicant was associated as an officer, director or principal, has applied to any state or to the Federal government for a license or authority to broker loans or to lend money and had the application for a license rejected, and the reasons for the rejection.

(6) Whether the applicant, a principal of the applicant or an organization with which the applicant or a principal of the applicant was associated as an officer, director or principal, which was licensed or authorized by a state or the Federal government to broker loans or to lend money, had the license suspended, canceled or revoked.

(7) Whether the applicant or a principal or employe of the applicant has ever pleaded guilty, pleaded nolo contendere or has ever been found guilty by a judge or jury for violation of a state or Federal law, other than motor vehicle traffic laws.

(8) Whether the applicant or a principal or employe of the applicant is subject to a civil or criminal proceeding by any state or Federal agency.

#### § 42.6. Information to the Department.

(a) In completing the registration application or renewal registration application, the applicant shall provide the Department with the following information:

(1) The name, address and telephone number of the applicant.

(2) The addresses at which the applicant acts or intends to act as a loan broker.

(3) The names and addresses of the agents and employes of the loan broker who act or will act as a loan broker on behalf of the loan broker.

(4) The names and addresses of the loan brokers or lenders on whose behalf the applicant acts or will act.

(5) The names and addresses of the principals of the applicant.

(6) A copy of its articles of incorporation or fictitious name filing, or both, to the extent applicable to the applicant.

(7) Other information required by the Department.

(b) A loan broker shall promptly inform the Department of additions or alterations to the information provided by the loan broker in a registration application or renewal registration application.

#### § 42.7. Failure to register.

A person who acts or holds himself out as a loan broker and is not registered with the Department under this chapter shall be in violation of the Unfair Trade Practices and Consumer Protection Law (73 P. S. §§ 201-1—209-6).

[Pa.B. Doc. No. 97-214. Filed for public inspection February 14, 1997, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Advance Notice of Proposed Rulemaking Regarding Electric Reliability Standards

[Doc. No. L-970120]

On December 3, 1996, Governor Tom Ridge signed into law the Electric Generation Customer Choice and Competition Act (PN 4282) (act) to establish standards and procedures to create direct access by retail customers to the competitive market for the generation of electricity, while maintaining the safety and reliability of the electric system.

In response, the Commission is considering, inter alia, the adoption of regulations to provide for and ensure continuing safety, adequacy and reliability of the generation, transmission and distribution of electricity in Pennsylvania. In order to facilitate the establishment of reliability standards, the Commission is considering the following issues and requests comments from electric utilities and other interested parties.

With regard to inspection and maintenance of transmission and distribution facilities, provide comments concerning the specific standards, if any, which are necessary to further ensure the safety and reliability of these facilities. Provide comments concerning whether the Commission should require annual or biennial inspection reports. If these inspection reports are deemed necessary, provide comments concerning the specific information which should be included in such reports. Provide comments concerning the applicability of other industry standards and practices, and whether such standards are needed to ensure the safety and reliability of electric service.

Provide comments concerning (1) whether it is sufficient to rely on the North American Electric Reliability Council (NERC) and the regional reliability councils for the development of reliability standards and practices and (2) whether the Commission should establish its own reliability criteria. If it is deemed appropriate for the Commission to establish its own reliability criteria, discuss what specific criteria are necessary, including a definition for an adequate reserve margin, and whether reliability protocols should be mandatory. If it is deemed necessary to mandate reliability protocols, discuss whether the Commission should enforce such protocols.

With regard to licensure, provide comments concerning whether full or associate membership in appropriate regional reliability councils should be a requirement for obtaining a license to provide service to retail customers. Discuss whether the Commission should require mandatory compliance with NERC or other reliability protocols as a condition for approval of tariffs, licenses or contractual agreements between industry participants. Provide

comments concerning additional reporting requirements, if any, which may be needed for monitoring reserve margins. Discuss the reporting requirements and other related filings which should be imposed upon non-jurisdictional electric suppliers as a prerequisite to providing service to Pennsylvania's retail customers. Discuss whether penalties or sanctions would be appropriate for non-compliance with established reliability protocols. Include in this discussion any other procedures which should be implemented to ensure the maintenance of adequate reserve margins.

Written comments, an original and fifteen copies, must be received 30 days after the date this notice is published in the *Pennsylvania Bulletin*. The contact person is Blaine

Loper, Bureau of Conservation, Economics and Energy Planning, (717) 787-3810 (technical) and Susan T. Povilaitis, Law Bureau, (717) 787-2871 (legal).

This is an advance notice of proposed rulemaking and is in addition to the normal rulemaking procedures for publication and comment established under the act of July 31, 1968 (P. L. 769, No. 240), known as the Commonwealth Documents Law.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-215. Filed for public inspection February 14, 1997, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending February 4, 1997.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-31-97	Keystone Financial, Inc., Harrisburg, to acquire 100% of the voting shares of Financial Trust Corp., Carlisle	Harrisburg	Filed
2-3-97	Carnegie Bancorp, Princeton, New Jersey, to acquire 100% of the voting shares of Regent Bancshares Corp., Philadelphia, PA	Princeton, NJ	Withdrawn

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-30-97	Mifflinburg Bank and Trust Company Mifflinburg Union County	Mifflinburg	Filed
	Purchase of assets/assumption of liabilities of one branch office of Northern Central Bank, Williamsport, located at: Route 35 Richfield Juniata County		
1-31-97	Sun Bank, Selinsgrove, and Bucktail Bank and Trust Company, Emporium surviving institution— Sun Bank, Selinsgrove	Selinsgrove	Filed

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-23-97	Mercer County State Bank Sandy Lake Mercer County	115 W. Adams Street Cochranton Crawford County	Opened
1-29-97	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	Rossmoyne Business Center Ritter Road Mechanicsburg Cumberland County	Approved
1-29-97	Harris Savings Bank Harrisburg Dauphin County	6301 Grayson Road Harrisburg Swatara Township Dauphin County	Approved
1-30-97	Peoples Thrift Savings Bank Norristown Montgomery County	Bellevue Hotel Broad and Walnut Sts. Philadelphia Philadelphia County	Approved
1-30-97	Harris Savings Bank Harrisburg Dauphin County	635 N. 12th St. Lemoyne Cumberland County	Filed



## NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-30-97	Orrstown Bank Orrstown Franklin County	22 S. Hanover St. Carlisle Cumberland County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-29-97	Franklin First Savings Bank Wilkes-Barre Luzerne County	<i>To:</i> 815 Kidder Street Wilkes-Barre Luzerne County  <i>From:</i> 685 Kidder Street Wilkes-Barre Luzerne County	Approved
2-3-97	Fayette Bank Uniontown Fayette County	<i>To:</i> 3539 Washington Rd. McMurray Washington County  <i>From:</i> 3870 Washington Rd. McMurray Washington County	Filed

**Branch Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-3-97	Jefferson Bank Haverford Montgomery County	<i>Into:</i> 401 City Line Ave. Bala Cynwyd Montgomery County  <i>From:</i> 100 Presidential Blvd. N. Bala Cynwyd Montgomery County	Filed
2-3-97	Jefferson Bank Haverford Montgomery County	<i>Into:</i> Old York Road and Washington Lane Jenkintown Montgomery County  <i>From:</i> 616 Old York Road Jenkintown Montgomery County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-31-97	Mid-State Bank and Trust Company Altoona Blair County	1935 Daisy Street Clearfield Clearfield County	Filed

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
2-4-97	Peoples Bank of Glen Rock Glen Rock York County	To provide for a change in corporate title to "PeoplesBank, A Cordorus Valley Company."	Approved and Effective

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-216. Filed for public inspection February 14, 1997. 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of March 1997

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of March is 9½%.

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

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the U.S. Treasury. The latest yield rate on long-term government securities is 6.89 to which was added 2.50 percentage points for a total of 9.39 that by law is rounded off to the nearest quarter at 9½%.

RICHARD C. RISHSEL,  
*Secretary*

[Pa.B. Doc. No. 97-217. Filed for public inspection February 14, 1997, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Grant Application Announcement

The Department of Conservation and Natural Resources (DCNR) is receiving applications for recreation and park projects. Grant proposals must meet the eligibility and program requirements of DCNR's Keystone Community Grants Program.

The deadline for submission of applications is the close-of-business on March 14, 1997. Two copies of the application must be submitted to DCNR's Bureau of Recreation and Conservation at the following address: Department of Conservation and Natural Resources, Bureau of Recreation and Conservation, Room 555 Forum Building, Harrisburg, PA 17120.

Keystone Community Grants Program application packets are available upon request by contacting the Bureau of Recreation and Conservation at the above address or following phone number: (717) 783-2658. No submissions will be accepted via FAX or E-Mail.

Persons with a disability who wish to submit an application for this funding and require assistance should contact Darrel Siesholtz at the above number to discuss how DCNR may best accommodate their needs. TTY or TDD users call 1 (800) 654-5984.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 97-218. Filed for public inspection February 14, 1997, 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 standard and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**PA 0054721.** Sewage, **Joseph and Sondra McGeever**, 2390 North Feathering Road, Media, PA 19063.

This application is for renewal of an NPDES permit to discharge treated sewage from single residence sewage treatment plant in Upper Providence Township, **Delaware County**. This is an existing discharge to an unnamed tributary of Ridley Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 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 0011266.** Industrial waste, **Cabot Corporation**, County Line Road, Boyertown, PA 19512.

This application is for renewal of an NPDES permit to discharge treated process wastewater and cooling water from the Cabot Corporation facility in Douglass Township, **Montgomery County**. This is an existing discharge to West Swamp Creek.

The receiving stream is classified for warm water fish, trout stocking, 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 0.222 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	20	40	50
Total Dissolved Solids	monitor/report	monitor/report	
Ammonia (as N)	31	62	78
Fluoride	monitor/report	monitor/report	88.5
Phosphorus (as P)	2.0	4.0	5.0
Oil and Grease	15		30
pH	within limits of 6.0—9.0 standard units at all times		
Sulfate SO <sub>4</sub>	monitor/report	monitor/report	
Total Lead	0.13	0.25	0.31
Total Zinc	monitor/report	monitor/report	1.63
Nitrite and Nitrate (as N)	monitor/report	monitor/report	
Total Copper	monitor/report	monitor/report	0.28
Total Selenium	0.16	0.31	0.39
Total Thallium	0.062	0.12	0.16
Total Molybdenum	monitor/report	monitor/report	0.98
Chloride	monitor/report	monitor/report	
Total Nickel	monitor/report	monitor/report	0.13

The proposed effluent limits for Outfall 002, based on an average flow of 0.147 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Suspended Solids	20	40	50
Total Dissolved Solids	monitor/report	monitor/report	
Ammonia (as N)	7.5		19.0
Fluoride	8.0		20.0
Sulfate SO <sub>4</sub>	monitor/report	monitor/report	
Chloride	monitor/report	monitor/report	
Phosphate PO <sub>4</sub>	0.5	1.0	1.3
Total Selenium	0.03	0.06	0.08
Total Phenols	0.12	0.24	0.30
1,1 Dichloroethylene	1.2	2.4	3.0
Total Residual Chlorine	0.5		1.6

The proposed effluent limits for Outfall 003 based on an average flow of 0.1 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	20	40	50
Phosphorus (as P)	2.0	4.0	5.0
pH	within limits of 6.0—9.0 standard units at all times		
Phosphate PO <sub>4</sub>	0.5	1.0	1.3

The proposed effluent limits for Outfall 001A based on instream monitoring at a point downstream from Outfall 001 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia (as N)			1.0
Fluoride			1.4
Sulfates (SO <sub>4</sub> )			250
Chloride			250
Nitrite and Nitrate (as N)			10
Total Dissolved Solids			500

The EPA waiver is not in effect.

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

**PA 0060186.** Sewerage, **Elk Meadows Association, c/o William N. Gerber**, President, R. R. 1, Box 120-B, Union Dale, PA 18470.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary of the east branch of the Tunkhannock Creek in Herrick Township, **Susquehanna County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Nicholson Borough Authority located on the Tunkhannock Creek at Nicholson Borough.

The proposed effluent limits for Outfall 001 based on a design flow of 0.023 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	50.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N		
(5-1 to 10-31)	4.0	8.0
(11-1 to 4-30)	12.0	24.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times	
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—9.0 standard units at all times	
Total Residual Chlorine		
1st month through 36th month	monitor and report	
37th month through expiration	0.3	0.7

The EPA waiver is in effect.

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

**PA 0003000.** Industrial waste, SIC: 3479, **Centria**, 401 FSC Industrial Park, 14th Street, Ambridge, PA 15003.

This application is for renewal of an NPDES permit to discharge treated process water and untreated cooling water, stormwater from Ambridge Plant in Ambridge Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Water Authority, located at Midland, PA, 17.4 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.0089 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Total Suspended Solids	4.24	8.68	monitor and report		51
Oil and Grease	2.54	4.24	monitor and report		25
Chromium	0.012	0.031	monitor and report		0.52
Copper	0.075	0.14	monitor and report		2.36
Zinc	0.044	0.099	monitor and report		1.67
Cyanide	0.009	0.021	monitor and report		0.35
Iron	0.047	0.091	monitor and report		1.53
pH	6.0—9.0				

Outfall 001: existing discharge, design flow of 0.102 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)					110
pH	6.0—9.0				

The EPA waiver is in effect.

**PA 0022306.** Sewage, **Brownsville Municipal Authority**, P. O. Box 330, Brownsville, PA 15417.

This application is for renewal of an NPDES permit to discharge treated sewage from the Shady Avenue STP in Brownsville Borough, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.96 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	8.0	12.0		16.0
(11-1 to 4-30)	24.0	36.0		48.0
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	10,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration			1.0	3.3
pH	6.0—9.0			

Outfalls 003 and 006 which discharge to the receiving waters known as Monongahela River, and Outfalls 004 and 005 which discharge to the receiving waters known as Dunlap Creek, serve as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. These are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

The EPA waiver is in effect.

**PA 0205249.** Amendment 1, Sewage, **Dollar Bank**, 3 Gateway Center, 10 North, Pittsburgh, PA 15222.

This application is for an amendment to the NPDES permit to discharge treated sewage from the Timber Creek Farms Sewage Treatment Plant in Marshall Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Big Sewickley Creek, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Water Authority on the Ohio River.

Outfall 001: expanded discharge, design flow of 0.0112 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2			4
(11-1 to 4-30)	3			6
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			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	0.03			0.06
Dissolved Oxygen	not less than 6.0 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0000914A1.** Industrial waste, SIC: 8371, **Department of Energy**, Pittsburgh Naval Reactors Office, Bettis Atomic Power Lab, 814 Pittsburgh-McKeesport Boulevard, West Mifflin, PA 15122-0109.

This application is for a modification of an NPDES permit to discharge treated groundwater from Bettis Atomic Power Lab in West Mifflin Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Bull Run, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Western PA Water Company, located at Pittsburgh, Allegheny County approximately 9 miles below the discharge point.

Outfall 007: new discharge, design flow of 0.0216 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Tetrachloroethylene			0.002		0.005
Trichloroethylene			0.002		0.005
1,2-Dichloroethylene			0.002		0.005
TSS			30		75
Dissolved Iron					7.0
pH	6.0—9.0				

The EPA waiver is in effect.

**PA 0031470.** Sewage, **Penns Manor Area School District**, R. D. 2, Box 446, Clymer, PA 15728-9434.

This application is for renewal of an NPDES permit to discharge treated sewage from the Penns Manor Area School District Sewage Treatment Plant in Cherryhill Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Rose Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Central Indiana Water Authority located on Yellow Creek.

Outfall 001: existing discharge, design flow of 0.03 mgd.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Ammonia-Nitrogen (5-1 to 10-31)	2.3			4.6
(11-1 to 4-30)	5.0			10.0
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			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	0.1			0.2
Dissolved Oxygen	not less than 6 mg/l			
pH	6.0—9.0			

*Other Conditions:*

The EPA waiver is in effect.

**PA 0096997.** Sewage, **New Plan Realty Trust**, 1120 Avenue of the Americas, New York, NY 10036.

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

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

Outfall 001: existing discharge, design flow of 0.015 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	9.5			19.0
(11-1 to 4-30)	monitor only			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	7,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	1.4			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

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*Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, telephone (717) 327-3670.*

**PA 0115011.** Sewerage, SIC: 4952, **Fairfield Industrial Park Owners Association**, P. O. Box 3487, Williamsport, PA 17701.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Bennetts Run in Fairfield Township, **Lycoming County**.

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.021 mgd, are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25		50
TSS	30		60
Ammonia-N (6-1 to 10-31)	6.5		13
(11-1 to 5-31)	19		38
Total Cl <sub>2</sub> Residual	report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200 col/100 ml as a geometric mean		
	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0114987.** Sewerage, SIC: 4952, **Charleston Village Property Owners Association**, 913 Sandpiper Road, Savannah, GA 31410.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Catlin Hollow in Charleston Township, **Tioga County**.

The receiving stream is classified for the following uses: trout stocking, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub> fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the PA/NY border 30 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.0168 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
TSS	30		60
NH <sub>3</sub> -N (6-1 to 10-31)	8.0		16
Total Cl <sub>2</sub> Residual			
1st month—36th month	report		report
37th month—expiration date	1.0		2.3
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200 col/100 ml as a geometric mean		
	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0112488.** SIC: 4952, **Ralpho Township Municipal Authority**, 32A South Market Street, Elysburg, PA 17842-9602.

This proposed action is for renewal of an NPDES permit for discharge of treated sewage to an unnamed tributary to Millers Run in Ralpho Township, **Northumberland County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Dauphin Consolidated Water Company located approximately 60 miles below the discharge at Dauphin.

The proposed effluent limits for Outfall 001, based on a design flow of 0.006 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60
Total Chlorine Residual	2.0		4.6
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average		
	2,000/100 ml as a geometric average		
pH	6.0—9.0 s.u. at all times		

The EPA waiver is in effect.

**PA 0110761.** Industrial waste, SIC: 4941, **Shamokin Dam Borough**, P. O. Box 273, Shamokin Dam, PA 17876.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to unnamed tributary of Susquehanna River in Shamokin Dam Borough, **Snyder County**.

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



The proposed effluent limits for Outfall 001, based on a design flow of 0.009 mgd, are:

Parameter	Concentration (mg/l)			Mass (lb/day)	
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
TSS	30				
Aluminum	2.3				
Total Iron	2.0				
Total Manganese	1.0				
Total Chlorine Residual	0.9		2.2		
pH	6.0—9.0 at all times				

The EPA waiver is in effect.

**PA 0112151.** Sewerage, SIC: 4952, **Riverside Borough Council**, P. O. Box 307, Riverside, PA 17868-0307.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Kipps Run in Riverside Boro., **Northumberland County**.

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.0055 mgd, are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Total Cl <sub>2</sub> Residual	report		
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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

**PAS10-G236**—George Harlan—Tyler Avenue

**PAG10-G238**—The Home Depot—East Whiteland

The hearing is scheduled for March 20, 1997, at 7 p.m. at the Chester County Conservation District Office, Government Services Center, Conference Room 380, 601 Westtown Road, West Chester, PA 19382-4519, Chester County. The hearing is being held to solicit pertinent comments on these applications. The applications are for stormwater construction activities, with discharges to the Valley Creek Watershed. Copies of these applications are available for review in the Southeast Regional Office's Record Management Section, (610) 832-6268. Those interested in reviewing these applications should call to schedule a date to review the file. The project sponsors are:

The Harlan Corporation, 266 East Lancaster Avenue, Suite 302, Malvern, PA 19355

The Home Depot, 3096 Hamilton Boulevard, South Plainfield, NJ 07080

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

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program at the above address. The notice should include your name, address and phone

number, whether you are opposed or in favor of the projects and a brief statement about your presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to 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:

**PAS10-G237**—Tattersall Golf Community—Phase 1

The hearing is scheduled for March 27, 1997, at 7 p.m. at West Bradford Township Building, Meeting Room, 1385 Campus Drive, Downingtown, PA 19335, 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 Broad Run. A copy of this application is available for review in the Southeast Regional Office's Record Management Section, (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is:

Tattersall Development Group, P. O. Box 217, Chester Springs, PA 19425

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

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

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

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

**1597404.** Sewerage. **East Marlborough Township**, 721 Unionville Road, Kennett, PA 19348. Construction of a reed bed drainage to serve East Marlborough Township located in East Marlborough Township, **Chester County**.

**2397401.** Sewerage. **Southwest Delaware County Municipal Authority**, P. O. Box 2466, Aston, PA 19014-0466. Modification of an extension of a pump station to serve Marcus Hook Creek located in Upper Chichester Township, **Delaware County**.

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

**WQM Permit No. 2597402.** Sewage, **John W. and Constance Lavery**, SRSTP, 242 East 6th Street, Apt. 3, Waterford, PA 16441. This project is for the construction of a single residence sewage treatment plant in Waterford Township, **Erie County**.

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

**A. 0297201.** Industrial waste. **Department of Energy**, Pittsburgh Energy Technology Center, 626 Cochran Mill Road, Pittsburgh, PA 15236. Application for the construction and operation of an acid mine drainage treatment plant and an industrial settling weir located in the Township of South Park, **Allegheny County** to serve the Bruceon Research Center.

**A. 0494403.** Amendment No. 1. Sewerage, **Turnpike Commission**, Route 283, Eisenhower Boulevard, Highspire, PA 17034. Application for the construction of tertiary sand filter located in the Borough of Big Beaver, **Beaver County** to serve the Homewood Maintenance Facility.

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

**3486442.** Bottling water facility. **Natures Way Pure Water of Lehigh Valley, Inc.**, 90 S. Commerce Way, Lehigh Valley Industrial Park, Bethlehem, PA 18017. This proposal involves the installation of a bottling plant consisting of carbon filters, water softening, distillation system and ozone disinfection unit. The water will be obtained from Pennsylvania American Water Company Public Water Supply System. This is located in Hanover Township, **Northampton County**.

**4097501.** **Pennsylvania American Water Company**, Rice Street Pump Station, Shavertown, PA. This proposal involves the construction of the Rice Street Booster Pump Station to deliver water from the Hillside Filter Plant distribution system via the Rice Street tank to customers in Shavertown currently served by the Wood Street, Goeringer Avenue and Summit Street wells. This is located in Kingston Township, **Luzerne County**.

*Engineer: Stephen J. Scidl, PAWC, 800 West Hersheypark Drive, Hershey, PA 17033.*

**6496505.** Public water supply. **Hollister Heights Mobile Home Park**, c/o Gregg Bates, Sanitary & Environmental Services, 19 Culvert Street, Forty Fort, PA 18704. This proposal involves the modification and permitting of an existing public water supply serving Hollister Heights Mobile Home Park. The facility includes one well, disinfection, pressure tanks and water distribution facilities.

*Engineer: Gregg Bates.*

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

**A. 1197501.** **East Taylor Municipal Authority**, 403 Donruth Lane, Johnstown, PA 15909. Construction of a water storage tank and approximately 3,450 L. F. of 8" pump line serving East Taylor Township, **Cambria County**.

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

**A. 1794501.** **Dept. of Conservation & Natural Resources**, Bureau of Forestry—Quehanna, Karthaus Township, **Clearfield County**. The permit authorizing operation of a water filtration plant, a raw water intake, pump station and transmission main, a finished water storage tank and pumping facilities has been issued.

**A. 1996502.** **Boone Nursing Home, Inc.**, R. R. 1, Box 340, Millville, PA 17846, Scott Township, **Columbia County**. The application requesting approval for operation of pumping facilities, storage and a well at a new nursing home facility has been issued.

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**Acknowledgment of Notices of Intent to Remediate**

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site

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

For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

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

**Commonwealth Corporate Center**, Horsham Township, **Montgomery County**. Ronald F. Carper, Jr., P. G., Environmental Resources Management, Inc., Princeton Crossroads Corp. Center, 300 Phillips Blvd., Suite 200, Ewing, NJ, has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX and solvents. The applicant proposes to remediate the site to meet Statewide health and groundwater standards. A final report was submitted at the same time.

*Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-5217.*

**LTV Southside Works** (Former J&L Garage and Vacant Lot at Carson Street and 29th Street), City of Pittsburgh, **Allegheny County**. LTV Southside Works (Former J&L Garage and Vacant Lot at Carson Street and 29th Street) Sarah Street properties, has submitted a Notice of Intent to Remediate soil contaminated with solvents and BTX. The applicant proposes to remediate the site to meet the Statewide health standard.

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

**Travel Ports of America**, (former Stuckey's Mobil), 4050 Depot Road, Harborcreek, PA, Harborcreek Township, **Erie County**, has submitted a Notice of Intent to Remediate groundwater. The site has been found to be contaminated with soil containing BTEX. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *North East Breeze* on June 9, 1996.

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified below, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified below. During this comment period a municipality may request that the person identified below, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

*Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-5217.*

**LTV Southside Works** (North of East Carson Street), City of Pittsburgh, **Allegheny County**. LTV Southside Works (North of East Carson Street) has submitted a Notice of Intent to Remediate soil contaminated with PCBs, heavy metals, PHCs and PAHs. The applicant proposes to remediate the site to meet a site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on January 21, 22, 1997.

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**Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.**

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

**PAD002390961. Bethlehem Apparatus Company—Hellertown Facility**, Bethlehem Apparatus Company,

Inc., 890 Front Street, Hellertown, PA 18055-0221. An application for mercury recovery and reclamation and mercury recycling from mercury bearing materials through high vacuum mercury retort for this hazardous waste recycling facility, located in Hellertown Borough, **Northampton County**. The application was found to be administratively complete in the Regional Office on January 16, 1997.

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**Beneficial use determination received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for municipal and residual waste.**

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*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, telephone (717) 327-3653.*

**Beneficial Use Request No. BU 40030.** (Permit Modification) **Bark Camp Site**, E & L Brokerage, Inc. (R. D. 1, Box 455, Morrisdale, PA 16858). Modification to Beneficial Use Order for the beneficial use of dredged material in grout mixes used in abandoned mine reclamation. Facility is located in Huston Township, **Clearfield County**. Application received in the Regional Office on January 24, 1997. Comments will be accepted and considered within 60 days of the publication of this notice, and may recommend conditions upon, revisions to, approval or disapproval of the beneficial use request.

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

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

**PAD982580136. Westinghouse Waltz Mill**, P. O. Box 158, I 70 at Madison Exit, Madison, PA 15663. An application for the storage of Hazardous (mixed) Waste at the Waltz Mill Site in Hempfield and Sewickley townships, **Westmoreland County**, was received in the Regional Office on January 27, 1997.

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

**A. 603435. Coates Farm, Bolton Farm, and Sinclair Farms, City of Philadelphia Water Department** (1101 Market Street, ARA Tower, 4th Street, Philadelphia, PA 19107). Application for operation of a three agricultural utilization of sewage sludge sites in Little Britain and Drumore Townships, **Lancaster County**. Application determined to be administratively complete in the Regional Office January 23, 1997.

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

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

**01-310-002B.** Construction of a fabric collector to control emissions from **Mills A & B by ISP Minerals, Inc.** (P. O. Box O, Blue Ridge Summit, PA 17214) at their facility located in Hamilton Township, **Adams County**.

**06-1003B.** Construction of a photoresist stripping process by **Lucent Technologies, Inc.** (P. O. Box 13396, Reading, PA 19612-1007) in Muhlenberg Township, **Berks County**.

**06-1007E.** Construction of two batch reheat furnaces by **Carpenter Technology Corporation** (P. O. Box 14662, Reading, PA 19612-4662) controlled by Low NOx burners in Reading, **Berks County**.

**06-310-020B.** Construction of a soil processing plant by **Martin Stone Quarries, Inc.** (P. O. Box 297, Bechtelsville, PA 19505) in Colebrookdale Township, **Berks County**. The source is subject to 40 CFR 60, Subpart 000, Standards of Performance for New Stationary Sources.

**06-319-099E.** Construction of a lead/acid battery assembly line by **General Battery Corporation** (P. O. Box 13995, Reading, PA 19612-3995) controlled by a fabric collector in Laureldale/Muhlenberg Township, **Berks County**. The source is subject to 40 CFR 60, Subpart KK, Standards of Performance for New Stationary Sources.

**21-317-058.** Construction of a breakfast cereal operation that will utilize a cyclonic separator to control particulate emissions for **The Quaker Oats Company** (P. O. Box 3040, Shiremanstown, PA 17011) located in Hampden Township, **Cumberland County**.

**67-304-042.** Construction of two Inductotherm Electric Furnaces which will be controlled by a Wheelabrator fabric filter collector at **Donsco, Inc.** (Wrightsville Plant—North Front Street, Wrightsville, PA 17368) in Wrightsville Borough, **York County**.

**31-310-004B.** Modification of the existing limestone crushing plant by **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) in Cromwell Township, **Huntingdon County**. The source is subject to 40 CFR 60, Subpart 000, Standards of Performance for New Stationary Sources.

**21-317-058.** Construction of a breakfast cereal operation that will utilize a cyclonic separator to control particulate emissions for **The Quaker Oats Company** (P. O. Box 3040, Shiremanstown, PA 17011) in Hampden Township, **Cumberland County**.

**21-317-058.** Construction of a breakfast cereal operation that will utilize a cyclonic separator to control particulate emissions for **The Quaker Oats Company** (P. O. Box 3040, Shiremanstown, PA 17011) in Hampden Township, **Cumberland County**.

**01-310-009G.** Installation of a fabric collector by **ISP Minerals, Inc.** (1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214) for their facility located in Hamiltonban Township, **Adams County**.

**01-317-007A.** Construction of a pelleting line, bin vents and associated fabric collectors by **Cooperative Milling, Inc.** (1892 York Road, Gettysburg, PA 17325) in Straban Township, **Adams County**.

**PA 28-320-005.** Installation of one flexographic printing press and one lithographic printing press by **James River Corporation** (1002 Wayne Avenue, Chambersburg, PA 17201) in the Borough of Chambersburg, **Franklin County**.

**67-2004A.** Modification of RACT Plan Approval by **P. H. Glatfelter Company** (228 S. Main Street, Spring Grove, PA 17362) in Spring Grove Township, **York County**.

**67-306-006B.** Modification of a circulating fluidized bed boiler Plan Approval by **P. H. Glatfelter Company** (228

S. Main Street, Spring Grove, PA 17362) in Spring Grove Township, **York County**. The source is subject to 40 CFR 60, Subpart Db, Standards of Performance for New Stationary Sources and 40 CFR 52.21, Prevention of Significant Deterioration of Air Quality.

**67-310-035B.** Modification of an existing limestone drying and grinding plant by **Global Stone PenRoc, Inc.** (P. O. Box 1967, York, PA 17405-1967) in West Manchester Township, **York County**. The modification is subject to Subpart OOO, Standards of Performance for New Stationary Sources.

**67-315-008A.** Modification of a No. 3 recovery boiler/smelt dissolving tank permit by **P. H. Glatfelter Company** (228 S. Main Street, Spring Grove, PA 17362) in Spring Grove Township, **York County**. The sources are subject to 40 CFR 60, Subpart BB, Standards of Performance for New Stationary Sources. When firing residual oil, recovery boiler No. 3 is subject to 40 CFR 60, Subpart Db, Standards of Performance for New Stationary Sources.

**31-310-004B.** Modification of the existing limestone crushing plant by **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) in Cromwell Township, **Huntingdon County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**21-317-058.** Construction of a breakfast cereal operation that will utilize a cyclonic separator to control particulate emissions for **The Quaker Oats Company** (P. O. Box 3040, Shiremanstown, PA 17011) in Hampden Township, **Cumberland County**.

**31-310-004B.** Modification of the existing limestone crushing plant by **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) in Cromwell Township, **Huntingdon County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**06-309-001A.** The Department intends to issue an Air Quality operating permit to **Glen Gery Corporation** (P. O. Box 340, Shoemakersville, PA 19555) for various brick manufacturing sources controlled by one cyclone and seven fabric collectors in Perry Township, **Berks County**.

**06-310-028.** The Department intends to issue an Air Quality operating permit to **Carmeuse Pennsylvania, Inc.** (P. O. Box 488, Chicago Heights, IL 60411-0488) for a non-metallic mineral handling plant controlled by wet suppression in Cumru Township, **Berks County**. The plant is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**36-315-017B.** The Department intends to issue an Air Quality operating permit to **R. R. Donnelley & Sons Company** (216 Greenfield Road, Lancaster, PA 17601) for the paper by-products handling systems controlled by fabric collectors at the Lancaster East Facility located in Lancaster, **Lancaster County**.

**36-320-028A.** The Department intends to issue an Air Quality operating permit to **R. R. Donnelley & Sons Company** (1375 Harrisburg Pike, Lancaster, PA 17601) for two non-heatset offset lithographic printing presses at the Lancaster West Facility located in Lancaster, **Lancaster County**.

**44-3001.** The Department intends to issue an Air Quality operating permit to **Mann Edge Tool Company** (P. O. Box 351, Lewistown, PA 17044) for a hand and edge tool manufacturing facility in Lewistown Borough, **Mifflin County**.

**36-310-038B.** The Department intends to issue an Air Quality operating permit to **Martin Limestone, Inc., Burkholder Quarry** (404 Martindale Road, Ephrata, PA 17522) for a stone crushing plant controlled by a fabric filter collector and wet suppression in Earl Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**36-318-158.** The Department intends to issue an Air Quality operating permit to **Conestoga Wood Specialties, Inc.** (245 Reading Road, P. O. Box 158, East Earl, PA 17519-0158) for a surface coating operation in East Earl Township, **Lancaster County**.

**38-318-031.** The Department intends to issue an Air Quality operating permit to **Aluminum Company of America** (3000 State Drive, Lebanon, PA 17042) for a laminator controlled by a catalytic incinerator in South Lebanon Township, **Lebanon County**.

**38-317-013.** The Department intends to issue an Air Quality operating permit to **Hershey Pasta Group** (Lebanon Plant, 749 Guilford Street, Lebanon, PA 17042) for a pasta regrind system controlled by a fabric filter in the City of Lebanon, **Lebanon County**.

**36-310-038B.** The Department intends to issue an Air Quality operating permit to **Martin Limestone, Inc., Burkholder Quarry** (404 Martindale Road, Ephrata, PA 17522) for a stone crushing plant controlled by a fabric filter collector and wet suppression in Earl Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**36-318-158.** The Department intends to issue an Air Quality operating permit to **Conestoga Wood Specialties, Inc.** (245 Reading Road, P. O. Box 158, East Earl, PA 17519-0158) for a surface coating operation in East Earl Township, **Lancaster County**.

**38-318-031.** The Department intends to issue an Air Quality operating permit to **Aluminum Company of America** (3000 State Drive, Lebanon, PA 17042) for a laminator controlled by a catalytic incinerator in South Lebanon Township, **Lebanon County**.

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**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.**

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*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.*

**62-312-035.** The Department intends to issue an Air Quality operating permit to **United Refining Company** (Box 780, Warren, PA 16365) for the operation of a volcanic heater in Warren, **Warren County**.

**62-329-005A.** The Department intends to issue an Air Quality operating permit to **Elkhorn Operating Company** (8801 S. Yale, Suite 420, Tulsa, OK 74137) for the operation of a gas processing facility in Sheffield Township, **Warren County**.

**PA-63-539A.** **Washington Power Company** (7201 Hamilton Boulevard, Allentown, PA 18195) for a coal waste fired cogeneration process at its L. P. Cogeneration Facility located in Robinson Township, **Washington County**.

**PA-63-883A.** **PA Transformer Technology, Inc.** (P. O. Box 440, Canonsburg, PA 15317) for a transformer manu-

facturing process at its facility located in Canonsburg Borough, **Washington County**.

**PA-32-040A. GPU Generation, Inc.** (1001 Broad Street, Johnstown, PA 15907) for a NALCO NOxOut Cascade System on Boiler 15 at its Seward Station facility located in East Wheatfield Township, **Indiana County**.

**PA-63-882A. Reliance Electric Company** (320 Reliance Drive, Washington, PA 15301) for a natural gas burnout oven at its facility located in the City of Washington, **Washington County**.

**PA-63-110B. Corning Consumer Products Company** (100 Eighth Street, Charleroi, PA 15022) for the Glass Melting Tank 56 at its Charleroi Plant facility located in Charleroi Borough, **Washington County**.

**30-305-013A.** The Department intends to issue an Air Quality operating permit to **Cyprus Emerald Resources Corporation**, (145 Elm Drive, P. O. Box 1020, Waynesburg, PA 15370) for a baghouse and wet dust suppression system on the coal handling system at its Emerald Mine No. 1 located in Franklin Township, **Greene County**.

*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.*

**10-309-052A.** The Department intends to issue an Air Quality operating permit to **Minteq International Inc.** (395 Grove City Road, Slippery Rock, PA 16057) for the operation of mixers in Slippery Rock, **Butler County**.

**16-302-021.** The Department intends to issue an Air Quality operating permit to **Georgia-Pacific Corporation** (P. O. Box 30, Marble, PA 16334) for the operation of a woodwaste boiler in Marble, **Clarion County**.

**24-313-116A.** The Department intends to issue an Air Quality operating permit to **Carbone of America Ind. Corp.** (215 Stackpole Street, St. Marys, PA 15857) for the operation of pulverizers and blenders in Benzinger Township, **Elk County**.

**24-313-138.** The Department intends to issue an Air Quality operating permit to **Carbide/Graphite Group, Inc.** (800 Theresia Street, St. Marys, PA 15857) for the operation of a burn off oven in St. Marys, **Elk County**.

**24-327-004.** The Department intends to issue an Air Quality operating permit to **Keystone Thermometrics** (973 Windfall Road, St. Marys, PA 15857) for the operation of open top degreasers in St. Marys, **Elk County**.

**25-304-035A.** The Department intends to issue an Air Quality operating permit to **Urlick Foundry, Inc.** (620 W. 15th Street, Erie, PA 16501) for the operation of a shakeout/cooling drum in Erie, **Erie County**.

**25-317-004C.** The Department intends to issue an Air Quality operating permit to **Van de Kamp's, Inc.** (P. O. Box 10367, Erie, PA 16514) for the operation of fish fryers and thermal fluid heaters in Erie, **Erie County**.

**33-309-016.** The Department intends to issue an Air Quality operating permit to **Glen-Gery Corp.** (P. O. Box 68, Summerville, PA 15864) for the operation of a shuttle kiln in Knox Township, **Jefferson County**.

**37-309-049A.** The Department intends to issue an Air Quality operating permit to **Universal Refractories, Inc.** (P. O. Box 97, Wampum, PA 16157) for the operation of drying ovens in Wampum Boro., **Lawrence County**.

**37-399-011.** The Department intends to issue an Air Quality operating permit to **Remacor** (P. O. Box 366, W.

Pittsburg, PA 16160) for the operations of magnesium grinder in Taylor Township, **Lawrence County**.

**61-399-007C.** The Department intends to issue an Air Quality operating permit to **A. G. Industries, Inc.** (P. O. Box 1107, Oil City, PA 16301) for the operation of a dip tank in Oil City, **Venango County**.

**62-312-035.** The Department intends to issue an Air Quality operating permit to **United Refining Company** (P. O. Box 780, Warren, PA 16365) for the operation of an oil heater in Warren, **Warren County**.

*Northcentral Regional Office: Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**OP-18-0001A.** The Department intends to issue an operating permit to **Columbia Gas Transmission Corporation** (P. O. Box 1273, Charleston, WV 25325-1273) for the operation of three 880 horsepower natural gas-fired reciprocating engines at the Renovo Compressor Station in Chapman Township, **Clinton County**.

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

*Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**OP-65-888.** The Department received a Minor Source Air Quality operating permit application from **Davison Sand & Gravel Company** (400 Industrial Boulevard, New Kensington, PA 15068) for a sand and gravel processing operation at its Tarrtown Plant located in East Franklin Township, **Armstrong County**.

**OP-65-065.** The Department received a Minor Source Air Quality operating permit application from **Davison Sand & Gravel Company**, (400 Industrial Boulevard, New Kensington, PA 15068) for a sand and gravel processing facility at its Lower Burrell Plant located in Lower Burrell, **Westmoreland County**.

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

*Northcentral Regional Office: Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**17-314-001D.** Reactivation of two synthetic elastomer curing ovens and associated air cleaning devices (two scrubbers) by **Equimeter, Inc.** (P. O. Box 528, DuBois, PA 15801) in the City of DuBois, **Clearfield County**.

**14-313-035.** Modification of a chemical process facility to manufacture a new product (identified as MMPDC intermediate) by **Ruetgers-Nease Corporation** (201 Struble Road, State College, PA 16801) in College Township, **Centre County**.

**8-313-049A.** Construction of two bulk ammonia storage tanks and associated air cleaning device (a packed bed scrubber) by **Osram Sylvania, Inc.** (Hawes Street, Towanda, PA 18848-0504) in Towanda Borough, **Bradford County**.

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**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 (DEP), 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 the 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, (814) 332-6940.

*Northwest Regional Office: Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335.*

**25-327-004.** The Department received a plan approval application for three vapor degreasers by **Spectrum Control, Inc.** (8061 Avonia Rd., Fairview, PA 16415) in Fairview Township, **Erie County**.

**25-327-005.** The Department received a plan approval application for three vapor degreasers by **Spectrum Control, Inc.** (6000 W. Ridge Rd., Erie, PA 16506) in Fairview Township, **Erie County**.

**37-318-023.** The Department received a plan approval application for the operation of an existing truck trailer surface coating operation (1,760 truck trailers/year) by **East Manufacturing Corporation** (40 Furnace Street, New Castle, PA 16101), in New Castle, **Lawrence County**.

**10-318-014A.** The Department received a plan approval application for modification of the coating line and installation of a new thermal oxidizer by **Napco, Inc.** (125 McFann Rd., Valencia, PA 16059), in Middlesex Township, **Butler County**.

**10-318-019A.** The Department received a plan approval application for construction of a horizontal coater/laminator (18 ft/min mica tapes) by **Lectromat, Inc.** (P. O. Box 608, Mars, PA 16046), in Adams Township, **Butler County**.

**25-318-123.** The Department received a plan approval application for the modification of 11 steam heat curing ovens to natural gas fired curing ovens for a previously grandfathered varnish line by **GE Transportation System** (2901 East Lake Road, Erie, PA 16531) in Lawrence Park Twp., **Erie County**.

**PA-10-00148A.** The Department received a plan approval application for the replacement of two 40,000 cfm dust collectors with two new 85,000 cfm reverse air dust collectors and modification of duct work, hooding, fans and electric control equipment on two electric arc furnaces by **Ervin Industries, Inc.** (681 E. Butler Road, Butler, PA 16001) in Summitt Township, **Butler County**.

#### MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the

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

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

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

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

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

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

*Coal Applications Received*

**56910105.** Permit renewal. **Svonavec, Inc.** (140 West Union Street, Somerset, PA 15501), commencement, op-

eration and restoration of bituminous strip mine in Milford Township, **Somerset County**, affecting 102.6 acres, receiving stream unnamed tributaries to and Coxes Creek, application received January 24, 1997.

**56910101.** Permit renewal. **Paul F. Becker Coal Company** (1593 Old Route 22, Duncansville, PA 16635), commencement, operation and restoration of bituminous strip mine in Somerset and Stonycreek Townships, **Somerset County**, affecting 120.0 acres, receiving stream unnamed tributaries to Kimberly Run, application received January 17, 1997.

**32870101.** Permit renewal. **Andray Mining Company** (P. O. Box 339, Punxsutawney, PA 15767), commencement, operation and restoration of bituminous strip mine in Banks, Montgomery Townships, Glen Campbell Borough, **Indiana County**, affecting 145.4 acres, receiving stream unnamed tributaries to Cush Creek and Cush Creek, application received January 22, 1997.

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

**17900140. Junior Coal Contracting, Inc.** (R. D. 3, Box 225-A, Philipsburg, PA 16866), renewal of an existing bituminous surface mine permit in Decatur Township, **Clearfield County** affecting 60.9 acres, receiving streams tributaries to Laurel Run to Moshannon Creek to the west branch Susquehanna River, application received January 7, 1997.

**17860136. E. M. Brown, Inc.** (P. O. Box 767, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Cooper Township, **Clearfield County** affecting 88.2 acres, receiving streams Browns Run and unnamed tributary of Moshannon Creek and Grassflat Run, all tributaries to west branch of the Susquehanna River, application received January 10, 1997.

**17880123. E. P. Bender Coal Co., Inc.** (Main and Lehmer Streets, P. O. Box 594, Carrolltown, PA 15722), renewal of an existing bituminous surface mine permit in Bigler and Beccaria Townships, **Clearfield County** affecting 166 acres, receiving streams unnamed tributary of Muddy Run and Muddy Run to Muddy Run and Muddy Run, Muddy Run to Clearfield Creek, Clearfield Creek to west branch Susquehanna River, west branch Susquehanna River to Susquehanna River, application received January 22, 1997.

**17910129. Beth Contracting, Inc.** (R. D. 1, Box 208C, Glen Campbell, PA 15712), renewal of an existing bituminous surface mine permit in Gulich Township, **Clearfield County** affecting 87 acres, receiving streams unnamed tributary to Little Muddy Run to Little Muddy Run, Muddy Run to Clearfield Creek to the west branch Susquehanna River, application received January 22, 1997.

*Bureau of District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**03970101. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Bradys Bend and Sugar creek Townships, **Armstrong County**, proposed to affect 74.9 acres. Receiving streams unnamed tributary to Allegheny River. Application received January 22, 1997.

**03960105. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application received to revise permit to add acres and to include road and stream variances on an existing bituminous surface mining op-

eration located in Cowanshannock Township, **Armstrong County**, affecting 470.0 acres. Receiving streams unnamed tributaries to Huskins Run and Huskins Run. Application received January 15, 1997.

**65840119. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Application received to revise permit to include a stream variance on an existing bituminous surface mining operation located in Derry Township, **Westmoreland County**, affecting 630.3 acres. Receiving streams unnamed tributary to Stony Run. Application received January 16, 1997.

**26910110R. Patterson Coal Company** (R. R. 2, Box 335, Smithfield, PA 15473). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Georges Township, **Fayette County**. Receiving streams York Run Watershed. Renewal application received January 17, 1997.

**63860106R. Boyle Land & Fuel Company** (Box 576, Fredericktown, PA 15333). Renewal application received for reclamation of a bituminous surface mine located in Deemston Borough, **Washington County**. Receiving streams unnamed tributary and Ten Mile Creek. Renewal application received January 21, 1997.

*District Mining Operations, P. O. Box 669, Knox, PA 16232.*

**102327-24890101-E-1. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Application for a stream encroachment to mine through and replace 322 feet of the stream bed in unnamed tributary no. 2 to Little Toby Creek in Horton and Fox Townships, **Elk County**. Application received January 13, 1997.

**10970101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip and coal preparation plant in Mercer Township, **Butler County** affecting 40.5 acres. Receiving streams an unnamed tributary to Wolf Creek; two unnamed tributaries to Swamp Run and an unnamed tributary to McMurray Run. Application received January 16, 1997.

**33900111. P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip and auger operation in Gaskill Township, **Jefferson County** affecting 168.6 acres. Receiving streams Lost Run, east branch of Mahoning Creek and two unnamed tributaries to east branch of Mahoning Creek. Application received January 24, 1997.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**63841302. Maple Creek Mining, Inc.** (981 Route 917, Bentleyville, PA 15314), to revise the permit for the Maple Creek bituminous deep mine in Fallowfield Township, **Washington County** to add NPDES discharge point at Spinner Shaft site, receiving stream unnamed tributary to Sawmill Creek. Application received January 6, 1997.

**63831302. Eighty Four Mining Company**, (P. O. Box 729, Indiana, PA 15701), to revise the permit for the Mine 84 in North Strabane Township, **Washington County** to add 6" bulk material borehole, no additional discharge. Application received January 21, 1997.

**30841316. Consol Pennsylvania Coal Company**, (P. O. Box 174, Graysville, PA 15337), to revise the permit for the Bailey bituminous deep mine in Richhill Township, **Greene County** to add Majorsville Air Shaft and three boreholes, no additional discharge. Application received January 7, 1997.



**32840701. Tanoma Coal Company, Inc.**, (R. R. 1, Box 594, Marion Center, PA 15759-9400), to revise the permit for the Tanoma Refuse Area No. 2 in Rayne Township, **Indiana County** to add 45 permit acres, no additional discharge. Application received December 23, 1996.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**22851601R2. Underkoffler Coal Service, Inc.**, (6833 State Rte. 209, Lykens, PA 17048), renewal of an existing coal preparation plant facility in Wiconisco Township, **Dauphin County**, affecting 13.0 acres, receiving stream none. Application received January 16, 1997.

**54743007C3. Continental Energy Associates**, (R. R. 1, Box 381-B, Hazleton, PA 18201), correction to an existing anthracite surface mine operation to include Fly Ash Disposal in Branch and Cass Townships, **Schuylkill County** affecting 325.9 acres, receiving stream West Creek. Application received January 24, 1997.

**54793206C9. Reading Anthracite Company**, (200 Mahantongo Street, Pottsville, PA 17901), correction to include an ash disposal site on existing SMP54793206 Mahanoy Township, **Schuylkill County**, affecting 31.0 acres, receiving stream Mahanoy Creek. Application received January 15, 1997.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**30841316. Consol Pennsylvania Coal Company**, (P. O. Box 174, Graysville, PA 15337), to revise the permit for the Bailey bituminous deep mine in Richhill Township, **Greene County** to add 11,200 acres to the underground permit area and 4,126 acres to the planned subsidence control plan area to the south of the Bailey mine, no additional discharge. This is a correction to an earlier publication. Application received December 20, 1996.

**32841307. Tanoma Coal Company, Inc.** (R. R. 1, Box 594, Marion Center, PA 15759), to revise the permit for the Tanoma bituminous deep mine in Rayne Township, **Indiana County**, E-2 seal borehole and Main E bleeder borehole, no additional discharge. Application received January 9, 1997.

**63831601. Champion Processing, Inc.**, (P. O. Box 1073, Coraopolis, PA 15108), to revise the permit for the Champion Prep Plant in Robinson Township, **Washington County** to add 10 permit acres, no additional discharge. Application received January 13, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*Noncoal Permits Received*

**6277SM1A1C. Compass Quarries, Inc.**, (47 McIlvaine Road, Box 130, Paradise, PA 17562), correction to an existing quarry and renewal of NPDES Permit #PA0595080 in Paradise Township, **Lancaster County** affecting 161.0 acres, receiving stream Londonland Run. Application received January 23, 1997.

**4874SM2C2. Thomasville Stone & Lime Company**, (P. O. Box 220, Thomasville, PA 17364), correction to an existing quarry and renewal of NPDES Permit #PA0123544 in Jackson Township, **York County**, affecting 214.8 acres, receiving stream Little Conewago Creek. Application received January 22, 1997.

**45970301. Eureka Stone Quarry, Inc.**, (Lower State and Pickertown Roads, Chalfont, PA 18914), commencement, operation and restoration of a stone quarry in Hamilton Township, **Monroe County**, affecting 97.70 acres, receiving stream McMichael's Creek. Application received January 23, 1997.

**4875SM1A1C2. Glen Gery Corporation** (P. O. Box 7001, Wyomissing, PA 19610-6001), renewal of NPDES #PA0612227 for existing SMP#4875SM1 in York Township, **York County**, affecting 51.0 acres, receiving stream Mill Creek. Application received January 15, 1997.

**7373SM2C. Alliance Sand Company**, (51 Flannery Road, Somerville, NJ 08876), correction to include incidental boundary correction to existing sand quarry operation in Lower Towamensing Township, **Carbon County**, affecting 270.0 acres, receiving stream Sleepy Hollow Run. Application received January 16, 1997.

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. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

**E45-317. Encroachment. Rock Tenn Company**, Paper Mill Road, Delaware Water Gap, PA 18327. To construct and maintain a building addition to the existing Rock Tenn Company paper milling facility consisting of a 640 S. F. building super structure supported by a concrete column in the floodway of Brodhead Creek (TSF,MF). The project is located along the southern streambank, approximately 0.5 mile east of the intersection of S. R. 0209 and S. R. 0080 (Stroudsburg, PA Quadrangle N: 22.6 inches; W: 4.0 inches) in Smithfield Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

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

**E01-173. Encroachment. Craig A. Hartley**, 2558 Old Route 30, Orrtanna, PA 17353. To construct and maintain

two 48-inch diameter squash pipes—20 feet long in Marsh Creek for a private drive located 1.5 miles west of Cashtown on SR 0030, 0.5 mile southwest of an existing drive at 2558 Old Route 30 (Caledonia Park, PA Quadrangle N: 2.75 inches; W: 4.0 inches) in Franklin Township, **Adams County**.

**E21-258.** Encroachment. **InfraTech International**, Section of GP Infrastructure, Inc., 3605 Hartzdale Drive, Camp Hill, PA 17011. To construct and maintain a foot bridge across Cedar Run for the purpose of providing access for personnel to the parking lot located about 0.9 mile southeast of the US 15 and PA 581 interchange (Lemoyne, PA Quadrangle N: 16.96 inches; W: 8.4 inches) in Lower Allen Township, **Cumberland County**.

**E22-361.** Encroachment. **Harrisburg Enterprise Development Corporation**, Mayor's Office of Economic Development, 10 North Second Street, Harrisburg, PA 17101. To remove an existing building and construct and maintain a building in the floodway of Paxton Creek at a point downstream of Sycamore Street (Harrisburg East, PA Quadrangle N: 0.0 inches; W: 16.2 inches) in the City of Harrisburg, **Dauphin County**.

**E22-362.** Encroachment. **909 Partners**, Jeffrey Camp, 3701 Perkiomen Avenue, Reading, PA 19606. To construct and maintain a 314 feet long 84-inch stream enclosure in the channel of a tributary to Paxton Creek at a point downstream of Elmerton Avenue (Harrisburg, PA Quadrangle N: 7.4 inches; W: 0.4 inch) in Susquehanna Township, **Dauphin County**.

**E36-628.** Encroachment. **Dept. of Transportation**, Engineering District 8-0, John Rautzahn, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure, construct and maintain a precast reinforced concrete box culvert with baffles, having a normal span of 15.0 feet with an underclearance of 4.0 feet on an 85 degree skew in Boyers Run on SR 4032-001, Segment 0130, offset 2120 (Manheim, PA Quadrangle N: 18.08 inches; W: 1.98 inches) in Penn Township, **Lancaster County**.

*DEP Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 6, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.*

*Requests for Environmental Assessment approval under 25 Pa. Code § 105.15 and Requests for Certification under Section 401 of the Federal Water Pollution Control Act.*

**EA09-011C0.** Environmental assessment. **Bucks County Technical School**, 610 Wistar Road, Fairless Hills, PA 19030. To construct and maintain a nonjurisdictional dam in the watershed of a tributary to the Delaware Estuary (WWF) impacting approximately 0.16 acre of wetlands (PEM) for the purpose of stormwater management at the proposed Bucks County Technical School expansion located approximately 1,000 feet southwest of the intersection of New Falls Road (S. R. 2006) and Wistar Road (T-331). The applicant has proposed making a contribution to the Pennsylvania Wetland Replacement Project as compensatory mitigation for wetland impacts (Trenton West, NJ-PA Quadrangle N: 6.1 inches; W: 14.0 inches) in Bristol Township, **Bucks County**.

**EA46-026C0.** Environmental assessment. **Gene Yerger**, 314 Main Street, Collegeville, PA 19426. To construct and maintain a nonjurisdictional dam (Basin A) in the watershed of a tributary to Perkiomen Creek (TSF) impacting approximately 0.19 acre of wetlands (PFO) for the purpose of stormwater management at the proposed Salford Knoll Subdivision located approximately 600 feet

southeast of the intersection of Salford Station Road (S. R. 1024) and Fulmer Road (T-359). The applicant has proposed making a contribution to the Pennsylvania Wetland Replacement Project as compensatory mitigation for wetland impacts (Perkiomenville, PA Quadrangle N: 7.1 inches; W: 13.2 inches) in Lower Frederick Township, **Montgomery County**.

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## ACTIONS

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

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

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#### Permits Issued

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

**NPDES Permit No. PA-0012751-A1.** Industrial waste. **Zinc Corporation of America**, A Division of Horsehead Industries, Inc., Fourth Street and Delaware Avenue, Palmerton, PA 18071 is authorized to discharge from a facility located in Palmerton Borough, **Carbon County** to Aquashicola Creek and the Lehigh River.

**NPDES Permit No. PA-0062634.** Sewerage. **AWB Associates** (Sammy's MHP), P. O. Box 388, Lionville, PA 19353 is authorized to discharge from a facility located in North Manheim Township, **Schuylkill County** to an unnamed tributary to Mahanoy Creek.

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

**NPDES Permit No. PA0056995.** Industrial waste. **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055 is authorized to discharge from a facility located in Norristown Borough, **Montgomery County** into the Schuylkill River.

**NPDES Permit No. PA0024121.** Sewerage. **Borough of Media**, 301 North Jackson Street, P. O. Box A, Media, PA 19063 is authorized to discharge from a facility located in Upper Providence Township, **Delaware County** into Ridley Creek.

**NPDES Permit No. PA0057011.** Sewerage. **Thornbury Township**, 8 Township Drive, Cheyney, PA 19319-

1019 is authorized to discharge from a facility located in Thornbury Township, **Chester County** into Radley Run.

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

**NPDES Permit No. PA0093475.** Sewage, **Findlay Township**, Drawer W, Clinton, PA 15026 is authorized to discharge from a facility located at Maronda Farms STP, Findlay Township, **Allegheny County** to tributary of Potato Garden Run.

**NPDES Permit No. PA0217506.** Sewage, **Black's Mobile Home Park**, Mary Ann Turner Parish, R. D. 2, Big Knob Road, Lot #38, Rochester, PA 15074 is authorized to discharge from a facility located at Black's Mobile Home Park Sewage Treatment Plant, New Sewickley Township, **Beaver County** to an unnamed tributary of Brush Creek.

**NPDES Permit No. PA0217522.** Sewage, **Municipal Authority of the Borough of Smithton**, P. O. Box 350, Smithton, PA 15479 is authorized to discharge from a facility located at Smithton Borough Sewage Treatment Plant, Smithton Borough, **Westmoreland County** to Youghiogheny River.

**NPDES Permit No. PA0111031.** Sewage, **Overdorff Associates**, 1211 Allegheny Street, Hollidaysburg, PA

16648 is authorized to discharge from a facility located at Vinco Shopping Plaza Sewage Treatment Plant, Jackson Township, **Cambria County** to unnamed tributary to Hinckston Run.

**Approvals to Use NPDES General Permits**

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

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

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

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

*NPDES*

*General Permit Type*

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

<i>Facility Location County and Municipality</i>	<i>Permit #</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone #</i>
Susquehanna County Forest City Borough	PAR106408	Greater Forest City Industries, Inc. 636 Main Street Forest City, PA 18421	Lackawanna River	Northeast Regional Office (717) 826-5485

**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-G226	Township of Schuylkill 101 Valley Park Road Phoenixville, PA 19460	Schuylkill Twp. Chester County	Pickering Creek
PAS10-G228	Glenn R. Plank 600 Taylor Road P. O. Box 152 Lionville, PA 19353	Uwchlan Twp. Chester County	Shamona Creek
PAS10-D086	Toll Bros., Inc. 3103 Philmont Avenue Huntingdon Valley, PA 19006	Lower Makefield Twp. Bucks County	Core Creek

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


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*Permits Issued*

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

**Permit No. 6496402.** Sewerage. **Orchard Heights Corporation**, P. O. Box 13, Newfoundland, PA 18445. Permit to construct and operate a small flow treatment facility along with spray irrigation. This project is located in Damascus Township, **Wayne 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. 1596405.** Amendment No. 1. Sewerage. **Willistown Township Board of Supervisors** (P. O. Box 688, Sugartown Road, Malvern, PA 19355). Construction of a wastewater treatment plant located in Willistown Township, **Chester County** to serve Penns Preserve.

**Permit No. 0996424.** Sewerage. **Milford-Trumbauersville Area Sewer Authority** (P. O. Box 126, Spinnerstown, PA 18968). Construction of a pump station and sewers located in Milford Township, **Bucks County** to serve Hillcrest Hunt.

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

**Permit No. 2696404.** Sewerage, **Consol Docks, Inc.**, 1800 Washington Road, Pittsburgh, PA 15241-1421. Construction of pumping station, force main, gravity sewers located in the Township of Luzerne, **Fayette County** to serve the Alicia Coal Transshipment Facility.

**Permit No. 6396410.** Sewerage, **Centerpointe Station Development Company**, P. O. Box 486, Richeyville, PA 15358. Construction of sanitary sewers and septic tank effluent pumping system located in the Borough of Centerville, **Washington County** to serve the Centerpointe Station.

**Permit No. 6570407.** Amendment No. 3. Sewerage, **Rostraver Township Sewer Authority**, P. O. Box 92, Brownsville, PA 15417. Construction of interceptor sewer located in the Township of Rostraver, **Westmoreland County** to serve the Pollock Run.

**Permit No. 0296411.** Sewerage, **Elizabeth Township Sanitary Authority**, 522 Rock Run Road, Buena Vista, PA 15018. Construction of interceptor sewer located in the Township of Elizabeth, **Allegheny County** to serve the Fallen Timber Watershed.

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

**WQM Permit No. 6297401.** Sewerage. **Michael Zobrest**, P. O. Box 264, Sugar Grove, PA 16350. This project is for construction of a small flow sewage treatment facility for two residences in Sugar Grove Township, **Warren County**.

**WQM Permit No. 2597401.** Sewerage. **Erie Sewer Authority**, c/o Knox, McLaughlin, Gornall & Sennett, P. C., 120 W. 10th Street, Erie, PA 16501. This project is for the relocation of a section of the existing Westside Interceptor sewer line in the City of Erie, **Erie County**.

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


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

*Location:* The Borough of Dunbar, Fayette County and the contiguous areas of Dunbar Township, Fayette County.

*Project Description:* Approval of an update revision (Special Study) to the Official Sewage Facilities Plans of the Borough of Dunbar and Dunbar Township. The project involves the construction of collection, conveyance and sewage treatment facilities to serve these communities. Treated effluent is to be discharged to Dunbar Creek a tributary of the Youghiogheny River.

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

*Location:* Sarah J. Dymond Elementary School, Exeter Township, Luzerne County.

*Project Description:* This project will entail the expansion of the existing Sarah J. Dymond Elementary School in the Wyoming Area School District. An 8,000 square foot addition containing six classrooms will be constructed and student capacity will increase from 175 to 325. Presently, wastewater is treated by an onlot sewage disposal system. A new sewage treatment facility with stream discharge will be constructed with design flows of 12,000 GPD. This facility will be owned, operated and maintained by the Wyoming Area School District. Upon completion of the treatment plant, the onlot sewage disposal system will be abandoned.

This treatment plant will discharge to a tributary of Sutton Creek. Acceptance of this revision is conceptual. It leaves to be addressed at a later date both (1) the effluent limitations necessary to protect public health, and (2) specific treatment technology.

The School District agrees that the treatment plant shall be considered an interim facility for sewage disposal. Should a public sewage system become available to the property, the School District agrees to abandon the treatment plant and connect to the public sewer system.

The location of this project is 600 feet west of S. R. 0092 on Sutton Creek Road in Exeter Township, Luzerne County, PA.

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


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

**Permit No. 4596506.** Public water supply. **Blakelee Village Association**, Gordon Saul, 115 Old York Road, Jenkintown, PA 19046. This proposal involves the addition of caustic soda and aqua mag to reduce lead and copper corrosion in a noncommunity public water system. It is located in Tobyhanna Township, **Monroe County**.

*Permit to Operate:* January 6, 1997.

**Permit No. 5296504.** Public water supply. **The Escape.** This proposal involves chemical treatment for manganese sequestering at the Hilltop well. It is located in Palmyra Township, **Pike County**.

*Permit to Operate:* January 13, 1997.

**Permit No. 3594504.** Public water supply. **Finch Hill Mobile Home Park, c/o Joseph Tuzzie,** Partner, 56 Cottage Street, Carbondale, PA 18407. This proposal involves an application for permit for existing well No. 1 serving 39 trailers. A 60 gallon per minute well, 5,000 gallon storage tank and two 95 gallon per minute booster pumps are proposed. Treatment consists of disinfection. It is located in Greenfield Township, **Lackawanna County**.

*Permit to Operate:* January 2, 1997.

**Permit No. 4091516.** Public water supply. **Pennsylvania Gas and Water Company—Spring Brook Division, c/o Peter Sarmonis,** Pennsylvania Gas and Water Company, 39 Public Square, Wilkes-Barre, PA 18711. This proposal involves an application for permit to install powdered activated carbon feed at the Hillside Filtration Plant in order to resolve taste and odor problems. It is located in Wilkes-Barre, **Luzerne County**.

*Permit to Operate:* January 6, 1997.

**Permit No. 4590507-T1.** **White Rock Mobile Home Park, c/o Richard Dionysius, Jr.,** P. O. Box 123, Canadensis, PA 18325. This proposal involves the permitting of an existing community water system supplying the White Rock Mobile Home Park in Coolbaugh Township, **Monroe County**. The system contains one well and shall be treated with chlorine, soda ash and polyphosphate in addition to metering and additional storage.

*Permit to Operate:* January 14, 1997.

*Northwest Regional Office: Sanitarian Regional Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.*

**Permit No. 2496501.** Public water supply. **Wilcox Water Company, Inc.,** P. O. Box 96, Wilcox, PA 15870-0096. This permit covers the approval of Well No. 3 as a source of supply and construction of a new building to house the proposed treatment in Jones Township, **Elk County**.

*Type of Facility:* Community Water Supply.

*Consulting Engineer:* Alan Vanderpoel, E&M Engineers & Surveyors, P. C., 24 Derrick Road, Bradford, PA 16701-3350.

*Permit to Construct Issued:* January 28, 1997.

**Permit No. 2096502.** Public water supply. **Meadville Area Water Authority,** 984 Water Street, Meadville, PA 16335. This permit approves the addition of Well No. 8 to replace Well No. 4. A pump house for Well No. 8 and raw water lines are also included in the City of Meadville, **Crawford County**.

*Type of Facility:* Community Water Supply.

*Consulting Engineer:* Theodore A. Fithian, P. E., KLH Engineers, Inc., 5173 Campbells Run Road, Pittsburgh, PA 15205.

*Permit to Construct Issued:* January 29, 1997.

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## Final Reports

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

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

For further information concerning the final report, please contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department has received the following final reports:

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

**Commonwealth Corporate Center,** Horsham Township, **Montgomery County.** Ronald F. Carper, Jr., P. G., Environmental Resources Management, Inc., Princeton Crossroads Corp. Center, 300 Phillips Blvd., Suite 200, Ewing, NJ 08618, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX and solvents. The report is intended to document remediation of the site to meet Statewide health and background standards.

**Santos Auto Center,** West Chester Borough, **Chester County.** Thomas R. Severino, Integrated Environmental Solutions, Inc., 105 E. Evans St., West Chester, PA 19380, has submitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard for soil and the site-specific standard for groundwater.

**Pizza Box Restaurant,** West Chester Borough, **Chester County.** Thomas R. Severino, Integrated Environmental Solutions, Inc., has submitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard for soils and site-specific standard for groundwater.

*Northwest Regional Office: John Fruehstorfer, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, telephone (814) 332-6648.*

**WSEE-TV**, Northstar Television Transmission Tower, City of Erie, **Erie County**, 8631 Peach Street, Erie, PA has submitted a Final Report to Remediate soil contaminated with PHCs and PAHs. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

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

**Safety Medical Systems, Inc.**, 43 Hercules Drive, Colchester, VT 05446; License No. **PA-HC 0189**; renewal license issued January 28, 1997.

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

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

**Newark Carting, Inc.**, P. O. Box 5670, Newark, NJ 07105; License No. **PA-AH 0551**; license issued January 28, 1997.

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

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

**Buffalo Fuel Corp.**, P. O. Box 2219, Niagara Falls, NY 14303; License No. **PA-AH 0147**; renewal license issued January 27, 1997.

**Dart Trucking Company, Inc.**, 61 Railroad Street, Canfield, OH 44406; License No. **PA-AH 0219**; renewal license issued January 28, 1997.

**Environmental Transport Group, Inc.**, P. O. Box 296, Flanders, NJ 07836-0296; License No. **PA-AH 0104**; renewal license issued January 24, 1997.

**MCF Systems Atlanta, Inc.**, 5353 Snappfinger Woods Drive, Decatur, GA 30035; License No. **PA-AH S240**; renewal license issued January 27, 1997.

**Robert Cummings Enterprises, Inc.**, DBA Wellington, LTD., 323 Spruce Avenue, Lindenwold, NJ 08021-4110; License No. **PA-AH 0383**; renewal license issued January 27, 1997.

**Ross Transportation Services, Inc.**, 36790 Giles Road, Grafton, OH 44044; License No. **PA-AH 0133**; renewal license issued January 27, 1997.

**Steel City Environmental Services, Inc.**, 210 Washington Avenue, Dravosburg, PA 15034; License No. **PA-AH 0389**; renewal license issued January 27, 1997.

**Trans-Enviro, Inc.**, 535 Spicer Street, Akron, OH 44311; License No. **PA-AH 0480**; renewal license issued January 29, 1997.

**Triumvirate Environmental, Inc.**, P. O. Box 136, Boston, MA 02143; License No. **PA-AH 0477**; renewal license issued January 29, 1997.

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

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

**Buffalo Fuel Corp.**, P. O. Box 1038, Niagara Falls, NY 14303; License No. **PA-AH 0147**; amended license issued January 27, 1997.

**Keystone Environmental Services, Inc.**, Huller Lane, Temple, PA 19560-0009; License No. **PA-AH 0236**; amended license issued January 29, 1997.

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

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

**Environmental Transfer Corporation**, 3 Gold Mine Road, Flanders, NJ 07836; License No. **PA-AH 0095**; license expired on January 31, 1997.

**Rinchem Company, Inc.**, 6133 Edith Boulevard NE, Albuquerque, NM 87107; License No. **PA-AH S205**; license expired on January 31, 1997.

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

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

A request was received from **Reading Area Water Authority**, 815 Washington Street, Reading, PA 19601, for a determination of applicability under general permit #WMGR017 issued to City of Lebanon Authority for use of drinking water treatment plant sludge as a soil additive on agricultural lands. The Department accepted the request as administrative complete on January 28, 1997.

**Beneficial use approved under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for municipal and residual waste.**

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

**BUI-0029. Pennridge Wastewater Treatment Authority**, 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960-0031. On January 22, 1997, the Southeast Regional Office received a Beneficial Use request for the agricultural utilization of municipal sewage sludge from the Pennridge Wastewater Treatment Authority.

**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. 603450. Andrew Fritz Farm, Waynesboro Borough Authority**, (57 East Main Street, Waynesboro, PA 17268). Application for operation of an agricultural utilization of sewage sludge site in Washington Township, **Franklin County**. Permit issued in the Regional Office January 27, 1997.

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

**Permit I.D. No. 100020. City of Bethlehem Landfill**, City of Bethlehem, 10 East Church Street, Bethlehem, PA 18018. A permit authorizing an increase in the average daily volume from 485 tons per day to 750 tons per day and an increase in the maximum daily volume from 750 tons per day to 1,200 tons per day. (These increases in the ADV and the MDV are justified due to Bethlehem Steel requiring long term residual waste disposal resulting from the cleanup of this adjacent site and entering into agreement with the City of Bethlehem. Also, construction and demolition waste generated by the remediation of portions of the Bethlehem Steel Plant will require proper disposal.); a revision in the landfill filling sequence authorizing the filling of disposal Cell 3-D prior to disposal Cell 3-C; and a change in the landfill subbase permeability from  $1 \times 10^{-7}$  cm/sec to  $1 \times 10^{-5}$  cm/sec. for this municipal waste landfill, located in Lower Saucon Township, **Northampton County**. The permit was issued in the Regional Office on January 30, 1997.

**Operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

*Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**11-307-039.** The Department issued an Air Quality operating permit on January 17, 1997 to **Bar Technologies, Inc.**, (227 Franklin Street, Suite 300, Johnstown, PA 15901) for a continuous bloom/billet caster at its Johnstown Plant located in Franklin Borough, **Cambria County**.

**Title V operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

*Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**TV-03-00076.** The Department issued a Title V Air Quality operating permit on January 27, 1997 to **The Peoples Natural Gas Company**, (625 Liberty Avenue, Pittsburgh, PA 15222) for natural gas distribution at its Dirty Compressor Station located in South Bend Township, **Armstrong County**.

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

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

**06-1007D.** On December 5, 1996, the Department issued a Plan Approval to **Carpenter Technology Corp.** (P. O. Box 14662, Reading, PA 19612-4662) for the construction of a specialty steel facility at their Reading Plant, Reading/Muhlenberg Township, **Berks County**.

**36-322-001B.** On December 16, 1996, the Department issued a Plan Approval to **Chester County Solid Waste Authority** (P. O. Box 476, Honey Brook, PA 19344) for the modification of a landfill gas extraction system controlled by an enclosed ground flare on Route 322 in Caernarvon Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart WWW, Standards of Performance for New Stationary Sources.

**67-318-120.** On December 18, 1996, the Department issued a Plan Approval to **FES, Inc.** (3475 Board Road, York, PA 17405) for the construction of two spray paint booths in Manchester Township, **York County**.

**38-318-030A.** On January 15, 1997, the Department issued a Plan Approval to **Supreme Mid-Atlantic Corporation** (P. O. Box 779, Jonestown, PA 17038) for the construction of a paint spray area in Swatara Township, **Lebanon County**.

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

**20-399-026.** On December 16, 1996, a Plan Approval was issued to **Lord Corp.—Cambridge Springs** (124 Grant St., Cambridge Springs, PA 16403) for construction of a sprayline at Cambridge Springs, **Crawford County**.

**61-318-008.** On December 13, 1996, a Plan Approval was issued to **Con Air Group—Franklin Division** (P. O. Box 790, Franklin, PA 16323) for spray painting operations at Sugar creek Township, **Venango County**.

**62-312-036.** On December 23, 1996, a Plan Approval was issued to **United Refining Company** (P. O. Box 780, Warren, PA 16365) for installation of a fixed roof over the API Separator at Warren, **Warren County**.

**37-345-010.** On November 15, 1996, a Plan Approval was issued to **INMETCO**, (P. O. Box 720, Ellwood City, PA 16117) for a sludge/cake dryer at Ellwood City, **Lawrence County**.

**43-329-002A.** On November 20, 1996, a Plan Approval was issued to **Atlas Resources, Inc.**, (311 Rouser Rd., P. O. Box 611, Moon Township, PA 15108) for an engine and dehydrator at Coolspring Township, **Mercer County**.

**62-329-005A.** On November 20, 1996, a Plan Approval was issued to **Elkhorn Operating Co.**, (8801 S. Yale St., Suite 420, Tulsa, OK 74137) for natural gas compressor engines at Sheffield Township, **Warren County**.

*Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**PA-65-078A.** On January 3, 1997, a Plan Approval was issued to **Hempfield Foundries Company**, (P. O. Box 69, Greensburg, PA 15601) for dust collectors on the sand reclamation and shotblast operation at its facility located in Southwest Greensburg Borough, **Westmoreland County**.

**PA-65-788A.** On January 9, 1997, a Plan Approval was issued to **Sony Electronics, Inc.**, (1001 Technology Drive, Mt. Pleasant, PA 15666) for an aperture grille manufacturing line at its Pittsburgh Manufacturing Center facility located in Mt. Pleasant Township, **Westmoreland County**.

**PA-30-072A.** On January 17, 1997, a Plan Approval was issued to **Consol Pennsylvania Coal Company**, (1800 Washington Road, Pittsburgh, PA 15241) for a coal preparation plant at its Bailey Prep Plant facility located in Richhill Township, **Greene County**.

**PA-65-378A.** On January 17, 1997, a Plan Approval was issued to **BP Exploration & Oil, Inc.**, (Logistics HSE, 200 Public Square, 7-T, Cleveland, OH 44114) for a IFR Storage Tank at its Greensburg Terminal facility located in Hempfield Township, **Westmoreland County**.

**PA-65-860A.** On January 17, 1997, a Plan Approval was issued to **Fansteel Hydro Carbide**, (P. O. Box 363, Latrobe, PA 15650) for an Attritor Mill at its Latrobe Plant facility located in Unity Township, **Westmoreland County**.

**PA-56-264A.** On January 17, 1997, a Plan Approval was issued to **Svonavec, Inc.**, (140 West Union Street, Somerset, PA 15501) for a coal crushing operation at its Milford Mine facility located in Milford Township, **Somerset County**.

**PA-63-646A.** On January 27, 1997, a Plan Approval was issued to **Ritchey Metals Company, Inc.** (Box 1, 30 Georgetown Road, Hendersonville, PA 15339) for a Reverb Furnace/Rotary Furnace at its Hendersonville Plant facility located in Cecil Township, **Washington County**.

**65-305-052.** On January 27, 1997, a Plan Approval was issued to **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) for a coal crushing plant at its Leon Strip facility located in Mt. Pleasant Township, **Westmoreland County**.

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

**37-399-011.** On January 17, 1997, a Plan Approval was issued to **REMACOR** (P. O. Box 366, West Pittsburg, PA 16160) for magnesium grinding operations at Taylor Township, **Lawrence County**.

**61-313-009.** On January 27, 1997, a Plan Approval was issued to **OMG Americas, Inc.** (P. O. Box 111, Franklin, PA 16323) for a reactor, tanks and scrubber at Sugar creek Boro, **Venango County**.

**Plan Approval extensions 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.**

*Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**63-313-021A.** On January 8, 1997, a Plan Approval expiration date was extended to December 31, 1997 for **Polycom Huntsman, Inc.**, (8th and Galiffa, P. O. Box 492, Donora, PA 15033) for eight baghouses on the

Thermoplastic Compounder at its Plant No. 2 facility located in Donegal Township, **Washington County**.

**04-312-025A.** On January 9, 1997, a Plan Approval expiration date was extended to June 30, 1997 for **Interstate Chemical Co., Inc.**, (2797 Freedland Road, Hermitage, PA 16148) for two aboveground storage tanks at its Vanport Terminal-West facility located in Beaver Borough, **Beaver County**.

**32-306-014.** On January 8, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **GPU Generation Corporation**, (1001 Broad Street, Johnstown, PA 15907) for a steam electric generator at its Homer City Station facility located in Center Township, **Indiana County**.

**32-306-015.** On January 8, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **GPU Generation Corporation**, (1001 Broad Street, Johnstown, PA 15907) for a steam electric generator at its Homer City Station facility located in Center Township, **Indiana County**.

**32-306-009B.** On January 8, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **GPU Generation Corporation**, (1001 Broad Street, Johnstown, PA 15907) for a selective non-catalytic reduction system on Boiler No. 15 at its Seward Station facility located in East Wheatfield Township, **Indiana County**.

**63-305-020A.** On January 9, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **Matt Canestrone Contracting, Inc.**, (P. O. Box 234, Belle Vernon, PA 15012) for a pebble lime loading/unloading operation at its facility located in Donora Borough, **Washington County**.

**32-000-129.** On January 27, 1997, a Plan Approval expiration date was extended to June 1, 1997, for **CNG Transmission Corporation** (445 West Main Street, P. O. Box 2450, Clarksburg, WV 26302) for four Ingersol Rand SVG-8AS engines at its Rochester Mills Station facility located in East Mahoning Township, **Indiana County**.

**63-07-023B.** On January 27, 1997, a Plan Approval expiration date was extended to May 31, 1997, for **Washington Steel Corporation** (P. O. Box 494, Washington, PA 15301) for a Vessel/Ladle Lancing Area at its Houston Plant facility located in Houston Borough, **Washington County**.

**11-305-029A.** On January 27, 1997, a Plan Approval expiration date was extended to May 1, 1997, for **L & J Energy Company, Inc.** (P. O. Box 247, Barnesboro, PA 15714) for a coal crushing and screening operation at its Garmantown Mine facility located in Susquehanna Township, **Cambria County**.

#### **MINING ACTIVITY ACTIONS**

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



§§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

*Coal Applications Issued*

**56900110.** Transfer from **B & W Coal, Inc. to Hardrock Coal Company** (R. D. 4, Box 155A, Berlin, PA 15530), commencement, operation and restoration of a bituminous strip mine in Conemaugh Township, **Somerset County**, affecting 61.3 acres, receiving stream unnamed tributaries to Quemahoning Creek, application received November 4, 1996, permit issued January 16, 1997.

**32910103.** Permit renewal, **Big Mack Leasing Company, Inc.** (R. D. 6, Box 231, Kittanning, PA 16201), commencement, operation and restoration of a bituminous strip-auger mine, valid for reclamation, only in Armstrong and Young Townships, **Indiana County**, affecting 132 acres, receiving stream Neal Run, unnamed tributary to Neal Run, unnamed tributary to Reeds Run, application received October 11, 1996, permit issued January 21, 1997.

**56733134.** Permit renewal, **Soberdash Coal & Coke Company** (R. D. 2, Box 55-A, Dunbar, PA 15431), commencement, operation and restoration of a bituminous strip-auger mine, in Black Township, **Somerset County**, affecting 455.5 acres, receiving stream to Weimer Run, to Casselman River, and to Wilson Creek, application received February 7, 1995, permit issued January 28, 1997.

*Bureau of District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**02960101.** **Robinson Coal Company** (P. O. Box 9347, Neville Island, PA 15225). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in North Fayette Township, **Allegheny County**, affecting 164.0 acres. Receiving streams unnamed tributary to north branch of Robinson Run to Robinson Run to the Ohio River. Application received August 2, 1996. Permit issued January 17, 1997.

**30960101.** **C J & L Coal** (R. D. 1, Box 125, Jefferson, PA 15344). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Morgan Township, **Greene County**, affecting 136.0 acres. Receiving streams unnamed tributary to South Fork of Tenmile Creek to Tenmile Creek to the Monongahela River. Application received April 23, 1996. Permit issued January 27, 1997.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**17841301.** **Manor Mining & Contracting Corporation**, (P. O. Box 368, Bigler, PA 16825), to renew and revise the permit for the Manor No. 44 bituminous deep mine in Girard Township, **Clearfield County** to renew/revise permit to add area to the subsidence control plan boundary, receiving stream Bald Hill Run. Permit issued January 30, 1997.

**33841303.** **Doverspike Brothers Coal Company**, (R. D. 4, Box 271, Punxsutawney, PA 15767), to renew the permit for the Dora No. 6 bituminous deep mine in Perry Township, **Jefferson County**, no additional discharge. Permit issued January 24, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**54850205T.** **Lehigh Coal & Navigation Co.**, (P. O. Box 311, Tamaqua, PA 18252), transfer of an existing coal refuse reprocessing operation in Tamaqua Borough, **Schuylkill County** affecting 65.2 acres, receiving stream unnamed tributary to Panther Creek. Transfer issued January 27, 1997.

**22851602R2.** **Meadowbrook Coal Co., Inc.**, (Box 477, Lykens, PA 17048), renewal of an existing coal preparation plant operation in Wiconisco Township, **Dauphin County** affecting 23.4 acres, receiving stream none. Renewal issued January 31, 1997.

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

**17900116.** **Whitetail Mining and Reclamation Company, Inc.** (15 1/2 N. Front Street, Clearfield, PA 16830), transfer of an existing bituminous surface mine permit from Doverspike Bros. Coal, Brady Township, **Clearfield County** affecting 291 acres, receiving streams Stump Creek, the east branch Mahoning Creek, and unnamed tributaries to east branch Mahoning Creek, application received September 10, 1996, permit issued January 3, 1997.

**17960112.** **Cougar Contracting, Inc.** (P. O. Box 217, Houtzdale, PA 16651), commencement, operation and restoration of a bituminous surface mine permit in Beccaria Township, **Clearfield County** affecting 3.1 acres, receiving streams Muddy Run to Clearfield Creek to west branch Susquehanna River, application received June 18, 1996, permit issued January 10, 1997.

**17900142.** **Maud Mining Company** (P. O. Box 729, Indiana, PA 15701), renewal of an existing bituminous surface mine permit in Brady Township, **Clearfield County** affecting 140.2 acres, receiving streams east branch of Mahoning Creek and Beech Run, application received September 30, 1996, permit issued January 8, 1997.

**17910130.** **Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine permit in Penn Township, **Clearfield County** affecting 191.7 acres, receiving streams Daily Run, Curry Run and unnamed tributary to Poplar Run, application received December 2, 1996, permit issued January 15, 1997.

**41870101.** **Fisher Mining Company** (460 Market Street, Suite 414, Williamsport, PA 17701), major permit modification to apply biosolids to enhance vegetation on an existing bituminous surface mine permit, Pine Township, **Lycoming County**, affecting 91 acres, application received August 27, 1996, permit issued January 14, 1997.

**41920101.** **Fisher Mining Company** (460 Market Street, Suite 414, Williamsport, PA 17701), major permit modification to apply biosolids to enhance vegetation on an existing bituminous surface mine permit, Pine Township, **Lycoming County**, affecting 177 acres, application received August 27, 1996, permit issued January 10, 1997.

**41840101.** **Fisher Mining Company** (460 Market Street, Suite 414, Williamsport, PA 17701), major permit modification to apply biosolids to enhance vegetation on an existing bituminous surface mine permit in Pine Township, **Lycoming County** affecting 175.6 acres, application received October 18, 1996, permit issued January 14, 1997.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**56841310. Genesis, Inc. d.b.a. Meadow Run Genesis, Inc.**, (P. O. Box 317, Stoystown, PA 15563), to transfer and revise the permit for the Solar No. 7 bituminous deep mine in Quemahoning Township, **Somerset County** from Solar Fuel, Inc. and add subsidence control plan acres and permit acres, no additional discharge. Permit issued January 22, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**49871601R. Calvin V. Lenig**, (R. D. 1, Box 330, Shamokin, PA 17872), renewal of an existing coal preparation plant operation in Little Mahanoy Township, **Northumberland County** affecting 3.2 acres, receiving stream none. Renewal issued January 22, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*Noncoal Permits Issued*

**54950302C. Pennsy Supply, Inc.**, (1001 Paxton Street, Harrisburg, PA 17104), correction to an existing quarry operation in Wayne Township, **Schuylkill County** affecting 154.21 acres, receiving stream Bear Creek. Correction issued January 27, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*General Small Noncoal Authorizations Granted*

**45960803. Elmer F. Possinger & Sons, Inc.**, (257 Rimrock Road, Stroudsburg, PA 18360), commencement, operation and restoration of a small quarry operation in Hamilton Township, **Monroe County** affecting 3.0 acres, receiving stream none. Authorization granted January 31, 1997.

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

*Small Industrial Mineral Authorizations Granted*

**53960806. Carroll M. Winseck, Sr.** (R. D. 1, Box 86, Roulette, PA 16746), commencement, operation and restoration of a Small Industrial Mineral (Flagstone) permit in Clara Township, **Potter County** affecting 1 acre, application received September 6, 1996, authorization granted January 8, 1997.

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, telephone (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, telephone (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 Secre-

tary to the Board, telephone (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of the 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.)

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

**E07-268. Encroachment. Barbara Joan Allison**, R. D. 2, Box 85, Williamsburg, PA 16693. To remove an existing bridge and to construct and maintain a single span bridge having a clear span of 16.0 feet and an underclearance of about 6.25 feet across Piney Creek to provide access private property located about 1,500 feet west of SR0866 on approximately 0.6 mile north of the village of Clappertown (Frankstown, PA Quadrangle N: 7.0 inches; W: 4.1 inches) in Houston Township, **Blair County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E31-133. Encroachment. Mount Union Borough**, Ken Daniel, 9 West Market St., Mount Union, PA 17066. To maintain a single span bridge having a span of about 22.0 feet and an underclearance of about 4.0 feet across Hill Valley Creek. Bridge already constructed under emergency permit EP31-96-10 for the purpose of providing a structurally safe crossing for residents on the west side of the Creek located on Moore Avenue in Mount Union Boro (Mount Union, PA Quadrangle N: 0.95 inch; W: 0.45 inch) in Mount Union Borough, **Huntingdon County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-575. Encroachment. County of York**, One West Marketway, Fourth Floor, York, PA 17401. To remove an existing structure and to construct and maintain a 50 foot span prestressed concrete bridge having an average underclearance of 5 feet 6 inches on Pentland Road over the Codorus Creek (Seven Valleys, PA Quadrangle N: 7.4 inches; W: 14.7 inches in Codorus and Manheim Townships, **York County**). This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E40-451. Encroachment. James and Nancy Ballard**, P. O. Box 949, Conyngham, PA 18219. To place fill in 0.09 acre of wetlands for the purpose of site grading in preparation for commercial development. The project is located on two adjacent parcels of land along the east side of S. R. 0309, immediately south of S. R. 0080 (Freeland, PA Quadrangle N: 9.5 inches; W: 11.5 inches), in Butler Township, **Luzerne County**. The permittee has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project.

**E52-144.** Encroachment. **The Forest Lake Club**, R. R. 1, Box 333, Hawley, PA 18428-9718. To remove the existing boathouse and to construct and maintain a boathouse, extending approximately 20 feet lakeward from the shoreline and having a width of 42 feet, in Wolf Lake. The structure will be supported by pressure-treated wooden piers in the lake and a concrete pad poured on the shore. The project is located along the southeastern shoreline of Wolf Lake (Narrowsburg, NY-PA Quadrangle N: 5.7 inches; W: 13.7 inches), in Lackawaxen Township, **Pike County**.

**E64-175.** Encroachment. **Joanne Schreiber**, R. R. 3, Box 2306, Honesdale, PA 18431. To remove the existing superstructures and to construct and maintain a two span steel I-beam bridge with wood decking across Big Brook to provide access to a private residence. The structures have spans of 25 feet and 13 feet and a maximum underclearance of approximately 13 feet and are located 200 feet north of Township Road T-477 (Gridline Road), 0.8 mile northeast of the intersection of T-477 and S. R. 0191 (Galilee, PA Quadrangle N: 10.2 inches; W: 16.0 inches) in Lebanon Township, **Wayne County**.

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

**E46-751.** Encroachment. **Borough of Royersford**, 300 Main Street, P. O. Box 188, Royersford, PA 19468. To modify and maintain the Royersford Wastewater Treatment Plant situated within the 100-year floodplain of the Schuylkill River. The proposed work includes replacement of the raw water influent pump station, chlorine contact tanks and office/control building, and also includes modifications to existing utility lines and plant facilities. The work site is located along the eastern bank of the Schuylkill River, at a point approximately 1 mile southwest from the intersection of Lewis Road and Vaughn Road (Phoenixville, PA Quadrangle N: 9.1 inches; W: 5.1 inches) in Upper Providence Township, **Montgomery County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-584.** Encroachment. **Davison Sand and Gravel Company**, 400 Industrial Boulevard, New Kensington, PA 15068. To amend Permit E02-584 to include Permit E02-457 and Permit E02-531 and to renew the three permits to perform commercial sand and gravel dredging in the Allegheny River in Pool 1 from Mile Point 4.0 to Mile Point 4.5 and from Mile Point 5.5 to Mile Point 6.2; in Pool 2 from Mile Point 8.3 to Mile Point 8.8, from Mile Point 9.0 to Mile Point 9.7, from Mile Point 11.4 to Mile Point 11.85, and from Mile Point 12.27 to Mile Point 12.65; in Pool 3 from Mile Point 15.0 to Mile Point 18.75, from Mile Point 19.5 to Mile Point 21.75, and from Mile Point 22.0 to Mile Point 22.5; in Pool 4 from Mile Point 24.9 to Mile Point 28.5; and in the Ohio River from Mile Point 1.0 to Mile Point 1.45, from Mile Point 2.4 to Mile Point 2.6 (on the west side of Brunot Island), from Mile Point 3.85 to Mile Point 4.1, from Mile Point 5.75 to Mile Point 5.95, from Mile Point 7.0 to Mile Point 8.57, from Mile Point 8.8 to Mile Point 9.55, from Mile Point 10.18 to Mile Point 10.75, from Mile Point 11.9 to Mile Point 12.5, and from Mile Point 13.8 to Mile Point 15.38 in the Cities of Arnold, Lower Burrell and New Kensington, and Allegheny Township in Westmoreland County, and in the City of Pittsburgh, the Boroughs of Aspinwall, Avalon,

Bellevue, Ben Avon, Blawnox, Brackenridge, Cheswick, Coraopolis, Edgeworth, Emsworth, Etna, Fox Chapel, Glenfield, Haysville, Leetsdale, McKees Rocks, Millvale, Oakmont, Osborne, Plum, Sewickley, Sharpsburg, Springdale, Tarentum, and Verona and the Townships of East Deer, Crescent, Harmar, Harrison, Kennedy, Kilbuck, Moon, Neville, O'Hara, Penn Hills, Robinson, Shaler and Stowe in **Allegheny County**.

**E02-1164.** Encroachment. **Gary and Mary Beth Homison**, 1442 Millerstown Road, Tarentum, PA 15084-9509. To operate and maintain a bridge having a normal span of 10 feet and an underclearance of 6 feet across a tributary to Bull Creek. The bridge is located adjacent to Millerstown Road approximately 1,800 feet west from the intersection of Millerstown Road and Thompson Road (Curtisville, PA Quadrangle N: 4.1 inches; W: 7.6 inches) in Fawn Township, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E02-1169.** Encroachment. **Tribune Review Publishing Company**, 622 Cabin Hill Drive, Greensburg, PA 15601. To place and maintain fill in a de minimus area of wetlands less than or equal to 0.05 acre for the purpose of constructing a Tribune Review Production Facility. The project is located on Parcel 49, approximately 1,000 feet south from the intersection of Thorn Hill Road and Keystone Drive (Mars, PA Quadrangle N: 7.9 inches; W: 15.9 inches) in Marshall Township, **Allegheny County**.

**E02-1173.** Encroachment. **Department of Transportation**, 45 Thoms Run Rd., Bridgeville, PA 15017. To remove the existing structure and to construct and maintain a single-span bridge having a clear span of 71 feet with a minimum underclearance of 8.0 feet across Miller Run. The project is located along Millers Run Road (SR 3026) (Section A02, Segment 0060, Offset 1332 or LR 00545 Station 44+49.50) approximately 1,000 feet west of the exit from SR 0050 (Canonsburg, PA Quadrangle N: 19.7 inches; W: 0.5 inch) in South Fayette Township, **Allegheny County**.

**E03-202.** Encroachment. **Davison Sand and Gravel Company**, 400 Industrial Boulevard, New Kensington, PA 15068. To amend Permit E03-202 to include Permit E03-156 and to renew both permits to perform commercial sand and gravel dredging in the Allegheny River and Pool 5 from Mile Point 31.5 to Mile Point 34.0 and in Pool 7 from Mile Point 46.0 to Mile Point 51.5 in the Townships of Boggs, East Franklin, Gilpin, Rayburn and South Buffalo and the Borough of Kittanning in **Armstrong County**.

**E04-103.** Encroachment. **Davison Sand and Gravel Company**, 400 Industrial Boulevard, New Kensington, PA 15068. To renew Permit E04-103 to perform commercial sand and gravel dredging in the Ohio River from Mile Point 16.0 to Mile Point 16.68, from Mile Point 16.9 to Mile Point 17.35, from Mile Point 17.53 to Mile Point 18.2, from Mile Point 19.5 to Mile Point 19.7, from Mile Point 19.93 to Mile Point 21.36, from Mile Point 21.57 to Mile Point 23.52, from Mile Point 23.76 to Mile Point 24.18, from Mile Point 24.4 to Mile Point 25.05, from Mile Point 28.4 to Mile Point 31.4, from Mile Point 35.0 to Mile Point 36.09, and from Mile Point 36.29 to Mile Point 39.5 in the City of Aliquippa, the Boroughs of Ambridge, Baden, Conway, East Rochester, Economy, Freedom, Georgetown, Glasgow, Industry, Midland, Monaca, Ohioville, Rochester, Shippingport, and South Heights and the Townships of Center, Greene, Harmony, Hopewell, Potter and Vanport in **Beaver County**.

**E04-238.** Encroachment. **Connoquenessing Associates**, 617 Portersville Road, Ellwood City, PA 16117. To place and maintain fill in approximately 0.69 acre of wetlands on the left bank of and in the floodway of the Connoquenessing Creek for the purpose of constructing the Heron's Landing Golf Course. The project is located approximately 1,500 feet downstream of the intersection of Country Club Drive and the SR 65 bridge (Beaver Falls, PA Quadrangle N: 15.1 inches; W: 4.1 inches) in North Sewickley Township, **Beaver County**. This permit also authorizes the construction of 0.69 acre of replacement wetlands.

**EA32002SW.** Environmental assessment. **Bureau of Abandoned Mine Reclamation**, 122 S. Center St., Ebensburg, PA 15931-0149. To place and maintain fill in a 1,600 linear feet abandoned water filled surface mining pit (POW) for purpose of eliminating a dangerous highwall of 40 to 50 feet in height; to construct and maintain 400 linear feet of stream channel to re-establish it to the original (pre-mining) location. The stream is an unnamed tributary to north branch Little Mahoning Creek (HQ-CWF) and currently flows into the abandoned pit. The site is located approximately 200 feet east of SR 1046, 0.2 mile west of the village of Canoe Ridge (Rochester Mills, PA Quadrangle N: 21.2 inches; W: 8.6 inches) in Canoe Township, **Indiana County**.

**E44-072.** Encroachment. **Department of Transportation**, P. O. Box 342, Clearfield, PA 16830. To remove an existing culvert and to construct and maintain two four-span concrete I beam bridges (Structures #3 and #4) having a total span of 483.0 feet and an underclearance of 49.0 foot across Tea Creek and to construct and maintain two stream enclosures in tributaries to Tea Creek, one 7-foot diameter, 366 foot long reinforced concrete pipe (Structure #19) and one 9.0 foot diameter, 227.5 foot long reinforced concrete pipe (Structure #20) as part of Contract No. 1 of the construction of 5.5 miles of SR 0322 (Burnham, PA Quadrangle N: 10.3 inches; W: 14.9 inches) in Brown Township, **Mifflin County**.

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

**E46-760.** Encroachment. **Wissahickon Valley Watershed Association**, 12 Morris Road, Ambler, PA 19002-5499. To construct and maintain a 48-foot long by 4-foot wide prefabricated pedestrian bridge across the Wissahickon Creek and in the adjacent 100 year floodway. The site is located approximately 8,300 feet upstream from the confluence with Sandy Run, (Ambler, PA Quadrangle N: 4.00 inches; W: 14.00 inches) in Upper Dublin Township, **Montgomery County**.

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

**E10-253.** Encroachment. **Regional Industrial Development Corp.**, 907 Penn Avenue, 7th Floor, Pittsburgh, PA 15222-3803. To place fill in 0.26 acre of two separate wetland areas in order to extend Keystone Drive by 900 feet to provide commercial vehicular access within Thorn Hill Industrial Park. The project is located within Thorn Hill Industrial Park approximately 3,000 feet west of the east bound lane of PA Turnpike I-76 at the Butler County/Allegheny County boundary. This project will include creation of 0.26 acre of replacement wetlands on RIDC property (Mars, PA Quadrangle N: 9.0 inches; W: 15.7 inches) located in Cranberry Township, **Butler County**.

**E20-439.** Encroachment. **Spring Township Supervisors**, R. D. 1, Box 29A, Springboro, PA 16435. To remove the existing bridge and install and maintain a 40-foot single span 6-foot 6-inch average underclearance concrete box beam bridge across Rundelltown Creek. Bridge abutment construction will involve temporary stream diversions in this cold water fishery. The project is located on King Road (T-749) approximately 300 feet east of its intersection with S. R. 4018 (Conneautville, PA Quadrangle N: 1.50 inches; W: 4.70 inches) located in Spring Township, **Crawford County**.

**E42-246.** Encroachment. **Bradford District Flood Control Authority**, P. O. Box 102, Bradford, PA 16701. To maintain existing flood control measures constructed by the U. S. Army Corps. of Engineers in 1961 (Bradford, PA Quadrangle N: 17.2 inches; W: 0 inches) located in the City of Bradford, Bradford Township, and Foster Township, **McKean County**.

The projects begin at the New York/Pennsylvania state line and extends upstream along Tunungwant Creek (CWF) to the City of Bradford/Bradford Township line on the east branch Tunungwant Creek (CWF) and to the City of Bradford/Bradford Township line on the west branch Tunungwant Creek (CWF). A total distance of 6.25 miles. The project also includes a reach of Bolivar Run (CWF) beginning at its confluence with Tunungwant Creek and extending upstream a distance of 1,275 feet, a reach of Kendall Creek (CWF) beginning at its confluence with Tunungwant Creek and extending upstream a distance of 462 feet and a reach of Foster Brook (CWF) beginning at its confluence with Tunungwant Creek and extending upstream a distance of 100 feet.

This project includes concrete and earthen bank restoration, sheet pile footer repair, cleaning of channel gravel deposits, minor masonry and concrete repair and weep hole cleaning. Yearly maintenance will not exceed 1,750 feet. The stream length and conform to the projects originally constructed dimensions as submitted.

**E43-256.** Encroachment. **County of Mercer**, County Commissioners, 503 Mercer County Courthouse, Mercer, PA 16137. To remove existing County Bridge 2629 single span steel I-beam bridge and to construct and maintain a 20-foot wide by 2.62-foot high by 28-foot long reinforced concrete box culvert road crossing on an 80° skew across Pine Run (TSF). County Bridge 2629 is located on Uber Road (T-944) approximately 2,600 feet southwest of the intersection of Uber Road (T-944) and S. R. 0058. This project will also include a de minimus wetland impact related to the culvert and wing wall placement (Mercer, PA Quadrangle N: 11.2 inches; W: 5.3 inches) located in Findley Township, **Mercer County**.

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

**E08-304.** Water obstruction and encroachment. **Department of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To 1) remove the existing structure and to construct and maintain a single cell reinforced box culvert with a normal span length of 10 feet, a skew of 90 degrees and an underclearance of 8.5 feet depressed 1 foot below the stream bed, crossing an unnamed tributary to Towanda Creek on SR 14 about 1.6 miles north of Alba; 2) to reconstruct about 7,350 linear feet of roadway. There will be some shifting of alignment to meet modern design standards. The roadway is two lanes, 12 feet wide and two shoulders 8 feet wide each, beginning and proceeding north on SR 14 about 1.6 miles

north of Alba (Canton, PA Quadrangle N: 18.4 inches; W: 8.9 inches) in Troy Township, **Bradford County**.

**E08-305.** Water obstruction and encroachment. **Department of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structure and to construct and maintain an 11.0 foot by 5.5 foot precast reinforced concrete box culvert skewed 67 degrees left ahead having a clear span of 11.95 feet and a minimum underclearance of 4.5 feet in Mill Creek located on SR 1003 approximately 30 feet from its intersection with T-508 (Laceyville, PA Quadrangle N: 17.4 inches; W: 5.7 inches) in Tuscarora Township, **Bradford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E17-306.** Water obstruction and encroachment. **Coral Cove Committee c/o Diane Andres**, 215 Treasure Lake, Dubois, PA 15801. To construct a cove identified as Coral Cove along Treasure Lake, to excavate 0.24 acre of wetlands, and to place fill in 0.01 acre of wetlands for the construction of a crossing located at the Treasure Lake development (Sabula, PA Quadrangle N: 7.1 inches; W: 11.1 inches) in Sandy Township, **Clearfield County**.

**E41-392.** Water obstruction and encroachment. **Department of Transportation**, 715 Jordan Ave., Montoursville, PA. To remove an existing structure and to construct and maintain two span prestressed concrete adjacent box beam bridge to carry SR 0422, Section 003 across Little Muncy Creek. The proposed bridge shall be constructed with two spans of 60 feet, an underclearance of 10.4 feet and a curb-to-curb width of 32.8 feet. The project is located along the western right-of-way of T-620 (Hughesville, PA Quadrangle N: 9.7 inches; W: 9.4 inches) in Moreland and Muncy Creek Townships, **Lycoming County**.

*DEP Central Office: Bureau of Waterways Engineering, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.*

**D01-095.** Dam. **Joseph A. Myers**, 160 Ram Drive, Hanover, PA 17331. To operate and maintain a stormwater detention dam in the Allwood Manor Subdivision located in Conewago Township, **Adams County**.

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

*Northwest Regional Office: Regional Program Manager, Water Supply and Community Health, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.*

*Permits Issued*

**Permit No. WA 10-904A.** Subsidiary water allocation. **Butler Township Area Water & Sewer Authority**, 228 South Main Street, Butler, PA 16001. Granting the right to purchase up to 618,165 gpd, based on a 30-day average, from the PA American Water Company-Butler District. The Butler Township Area Water & Sewer

Authority is independent of the Township of Butler, servicing a portion of the population of Butler Township, **Butler County**.

*Type of Facility:* Independent Water Authority (Subsidiary Water Allocation).

*Consulting Engineer:* Leo K. O'Neil, P. E., R. B. Shannon & Assoc., Inc., 315 Liberty Street, Butler, PA 16001.

*Permit Issue Date:* January 29, 1997.

**Permit No. WA 10-913A.** Subsidiary water allocation. **Connoquenessing Borough Authority (CBA)**, 228 Constitution Avenue, P. O. Box 215, Connoquenessing, PA 16027-0215. Granting the right to purchase up to 143,200 gpd from the PA American Water Company-Butler District. The CBA is a general purpose Authority serving Connoquenessing Borough and portions of Connoquenessing Township, **Butler County**.

*Type of Facility:* General purpose Authority (Subsidiary Water Allocation).

*Consulting Engineer:* Ronald R. Bolam, P. E., The Warnick Company, Inc., 226 Sunset Drive, Butler, PA 16001-1334.

*Permit Issue Date:* January 29, 1997.

**Permit No. WA-10-921A.** Subsidiary water allocation. **Center Township Water Department**, 419 Sunset Drive, Butler, PA 16001. Granting the right to purchase up to 320,880 gpd, from the PA American Water Company-Butler District. Center Township Water Department is the sole operator of the water distribution system that serves domestic connections to approximately one half of the population of Center Township, **Butler County**.

*Type of Facility:* Water distribution facility (Subsidiary Water Allocation).

*Consulting Engineer:* Ronald Olsen, P. E., Olsen Engineering & Associates, 126 S. Main Street, Butler, PA 16001.

*Permit Issue Date:* January 29, 1997.

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## SPECIAL NOTICES

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### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of January 1997 the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Mary E. Denney	110 West Lancaster Avenue Wayne, PA 19087	Testing
Todd Giddings Todd Giddings & Associates, Inc.	3049 Enterprise Drive State College, PA 16801	Mitigation
Jeffrey J. Koleny	89 Taylor Drive Fallsington, PA 19054	Testing
Brian T. Mishler	610 Market Street Rear Scottsdale, PA 15683	Testing
Dr. K. G. Rao Eastern Lab Service Assoc.	517 North George Street York, PA 17404	Testing
Jack A. Stanizzo	915 Brookline Boulevard Pittsburgh, PA 15226	Testing Mitigation
Janice Struder	P. O. Box 722 Thorndale, PA 19372	Testing

[Pa.B. Doc. No. 97-219. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Availability of Technical Guidance

#### *Governor's Office List*

Once a year on the first Saturday in August, the Governor's Office publishes a list of the nonregulatory guidance documents of all State agencies in the *Pennsylvania Bulletin*. The first publication of this list was in the August 3, 1996 edition of the *Bulletin*.

#### *DEP's Technical Guidance Document Inventory*

DEP publishes a list of its technical guidance documents in its Technical Guidance Document Inventory twice a year. The most recent edition of the Inventory is the December 1996 edition. One version of the list of the documents contained in this edition is now available on DEP's World Wide Web site. DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of the Inventory once on the DEP home page, persons should choose the Public Participation Center, scroll down to the "Technical Guidance Document" heading and (under this heading) click on "Basic Inventory."

Paper copies of the Inventory have been printed and are available now. DEP automatically mails a paper copy of the December 1996 Inventory to persons who received a paper copy of the June 1996 Inventory. Persons who wish to add their address to the mailing list should call Nina Huizinga at (717) 783-8727.

#### *DEP's Technical Guidance Documents on the World Wide Web*

DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of DEP's Technical Guidance Documents once on the DEP home page, persons should choose the Public Participation Center. The Center contains several links to DEP's Technical Guidance Documents. The link to draft technical guidance documents is listed under the heading "Proposals Open to Comment." The link to recently finalized technical guidance documents is listed under the heading "Recently Finalized Proposals." Two links are under the heading "Technical Guidance Documents": one link is to the "Basic Inventory" and one link is to "Final Documents" on the Web. The final documents menu will list DEP's bureaus. Persons should click on the name of the bureau to get to the list of the documents from that bureau that are currently on the Web. Then, to get to see a document, persons should click on the ID

number of the document. DEP will be adding its revised documents to the Web throughout 1997.

#### *Ordering Paper Copies of DEP Technical Guidance*

Persons can order a copy of the latest Inventory or a copy of any of the final documents listed on the Inventory by calling Elwyn Inc. (the printer) at 1 (800) 804-4020 if calling in Pennsylvania or (610) 497-5841 if calling from outside Pennsylvania.

#### *Changes to Technical Guidance Documents*

Between publication of its Inventory, DEP announces changes to its technical guidance documents in its weekly newsletter, the *UPDATE* and the *Pennsylvania Bulletin*. Here is the current list of recently finalized documents, draft documents and notices of intended changes to technical guidance.

Persons who have any questions or comments about a particular document should call the contact person whose name and phone is listed with each document. Persons who have questions or comments about the Inventory, the documents on the World Wide Web, the availability of paper copies from the printer or the technical guidance document process in general should call Nina Huizinga at (717) 783-8727.

#### *Notice of Intent to Revise Technical Guidance—Bureau of Air Quality*

DEP ID: 273-4130-007. Title: Stage II Enforcement Strategy. Anticipated Effective Date: April 1, 1997. Proposed Development and Review Process: The revision is being completed consistent with the recommendations of the Southwest Pennsylvania Ozone Stakeholder Working Group recommendations. Contact: Terry L. Black at (717) 787-4310 or Scott L. Kepner at (717) 787-1663.

Background: In March 1996, the Department formed the Southwest Pennsylvania Ozone Stakeholder Working Group to evaluate and recommend to the Department emission reduction strategies to bring the Pittsburgh-Beaver Valley into attainment with the Federal National Ambient Air Quality Standard (NAAQS) for ground level ozone. One of the strategies recommended by the Stakeholders Working Group in its report of January 16, 1997, to the Secretary is to implement a Stage II gasoline refueling vapor recovery program in Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland counties.

The Department is rescinding the suspension of enforcement of the Stage II gasoline vapor recovery enforcement strategy which has been in place for Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland counties. The Department will implement the provisions of section 6.7 of the APCA and of section 129.82 in a manner consistent with the Stakeholder recommendations.

The Department is continuing the suspension of its enforcement of the Stage II vapor recovery requirements, Section 6.7 of the (APCA) and 25 Pa. Code § 129.82, in Berks County.

*Notice of Intent to Rescind Technical Guidance—Bureau of Mining and Reclamation*

DEP ID: 561-2305-102. Title: SOAP, Review Procedures. Background: This guidance is being rescinded because its key components are incorporated into the SOAP Project Officer's Job Description and it is not guidance to the coal industry or SOAP consultants. The rescission will have no effect on the operation of the SOAP Program. Rescission Date: February 14, 1997. Contact: Lou DiLissio at (717) 787-4761.

DEP ID: 561-2305-303. Title: SOAP, Minority Business Report. Background: This guidance is being rescinded because this report is no longer required by the Federal Office of Surface Mining Reclamation and Enforcement and it is not guidance to the coal industry or SOAP consultants. The rescission will have no effect on the operation of the SOAP Program. Rescission Date: February 14, 1997. Contact: Lou DiLissio at (717) 787-4761.

DEP ID: 561-2305-304. Title: SOAP Annual and Semi-annual Performance Report. Background: This guidance is being rescinded because the information required by this report is now provided by the Bureau of Fiscal Management. A separate report by the Bureau is no longer required. It is not guidance to the coal industry or SOAP consultants. The rescission will have no effect on the operation of the SOAP Program. Rescission Date: February 14, 1997. Contact: Lou DiLissio at (717) 787-4761.

DEP ID: 561-2305-501. Title: SOAP, Project Tracking. Background: This guidance is being rescinded because its key components are incorporated into the SOAP Project Officer's Job Description and it is not guidance to the coal industry or SOAP consultants. The rescission will have no effect on the operation of the SOAP Program. Rescission Date: February 14, 1997. Contact: Lou DiLissio at (717) 787-4761.

DEP ID: 563-2000-103. Title: General Noncoal Petition Process. Background: In 1992, the General Assembly enacted Act 183 of 1992, which prohibits the Department and the EQB from designating areas as unsuitable for noncoal surface mining where the petition was received after July 30, 1992 (71 P.S. § 510.30). Because final action has been taken on all petitions not affected by this prohibition, this guidance is no longer applicable to authorized program activities. Rescission Date: February 14, 1997. Contact: M. C. McCommons at (717) 787-4761.

*Draft Technical Guidance*

DEP ID: 562-4180-311. Title: Civil Penalty Collections. Background: This document explains the procedure and information necessary for forwarding delinquent civil

penalties to the General Law Division for collection or write-off. Deadline for Submittal of Comments: March 7, 1997. Contact: Michael Terretti at (717) 787-7846.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-220. Filed for public inspection February 14, 1997, 9:00 a.m.]

**Mining and Reclamation Advisory Board; Ad Hoc Committee Meeting**

There will be an Ad Hoc Committee meeting of the Mining and Reclamation Advisory Board at 10 a.m. on February 21, 1997, at the Land and Research Institute, Penn State University, State College, PA.

The Committee will be discussing the document titled: *Alternative Financing Mechanisms for the Perpetual Treatment of Post-Mining Discharges*. Questions concerning the agenda can be directed to Rodney Kelley at (717) 783-5338 or e-mail to Kelley.Rodney@a1.dep.state.pa.us. The agenda for this meeting will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Rodney Kelley directly at (717) 783-5338 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-221. Filed for public inspection February 14, 1997, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Review of Health Services Covered by the Certificate of Need Program; Meeting Notice

On December 18, 1996, those provisions of the Health Care Facilities Act relevant to the Certificate of Need (CON) program terminated. (35 P.S. § 448.904(a)). On December 14, 1996, the Department of Health (Department) published notice that it would undertake a review of those clinically related health services covered under the CON program. (26 Pa. B. 6029).

The Department has commenced this review. Work groups have been established to review the relevant chapters of the State Health Services Plan and to determine if any criteria in these chapters discussing quality assurance and patient safety should be added to existing regulations of the Department regarding licensure of health care facilities.

Work group recommendations concerning six of these health care services were made available to the public on February 5, 1997. These six services consisted of: 1) ambulatory surgical care, 2) cardiac catheterization, 3) long-term care, 4) neonatal care, 5) open heart surgery, and

6) vital organ transplantation. A notice appeared in the February 1, 1997 issue of the *Pennsylvania Bulletin* setting forth the procedure for a public meeting which was held on February 11, 1997.

Work group recommendations on the remaining health care services will be presented to the Secretary of Health by February 21, 1997. These services are: 1) comprehensive medical rehabilitation—inpatient, 2) drug and alcohol rehabilitation—inpatient, 3) emergency department, 4) intermediate care facility/mentally retarded (ICF/MR), 5) lithotripsy—biliary and renal, 6) magnetic resonance imaging (MRI) and positron emission tomography (PET), 7) medical surgery and surgery inpatient and 8) psychiatric inpatient—adult, child and adolescent. Other administrative recommendations may also be available at this time. Those individuals who wish to obtain a copy of these recommendations should call James T. Steele, Jr., at (717) 783-2500. Copies will be available on February 21, 1997.

The Department will hold a public meeting on these recommendations on February 28, 1997, at the Pennsylvania State Museum, Main Auditorium, Third and North Streets, Harrisburg, PA, commencing at 10 a.m. Any person who wishes to present testimony at this meeting should contact Robin Bowman at (717) 783-2500 on or before February 27, 1997.

Written comments will be received by the Department until close of business on March 5, 1997, and should be sent to James T. Steele, Department of Health, Room 806 Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108.

For additional information or if you are a person with a disability and desire to attend the meeting and require an auxiliary aide service or other accommodation to do so, contact Robin Bowman at (717) 783-2500.

This meeting is subject to cancellation without notice.

TDD: (717) 783-6514 or Network/TDD: (8) 717-433-6514.

DANIEL F. HOFFMANN, FACHE,  
*Acting Secretary*

[Pa.B. Doc. No. 97-222. Filed for public inspection February 14, 1997, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Ace in the Hole Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Ace in the Hole.

2. *Price:* The price of a Pennsylvania Ace in the Hole instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Ace in the Hole instant lottery game ticket will contain play areas designated as "Hand 1," "Hand 2," "Hand 3" and "Hole Card." Each "Hand" will contain play areas designated as "Your Card" and "Their Card." The play symbols and their

captions located in the "Your Card" play areas are: 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), J (JACK), Q (QUEEN) and K (KING). The play symbols and their captions located in the "Their Card" play areas are: 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), J (JACK) and Q (QUEEN). The play symbols and their captions located in the "Hole Card" play area are: 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), J (JACK), Q (QUEEN), K (KING) and A (ACE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the three prize play areas are: \$1<sup>00</sup> (ONE), \$2<sup>00</sup> (TWO), \$5<sup>00</sup> (FIVE), \$10\$ (TEN), \$20\$ (TWENTY), \$40\$ (FORTY), \$100\$ (ONE HUN) and \$1000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$80, \$100, \$200, \$1,000 and \$2,000. The player can win up to three times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,703,200 tickets will be printed for the Pennsylvania Ace in the Hole instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$1000 (ONE THO) in the prize area for that "Hand," and an A (ACE) play symbol appears in the "Hole Card" area, on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$1000 (ONE THO) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$100\$ (ONE HUN) in the prize area for that "Hand," and an A (ACE) play symbol appears in the "Hole Card" area, on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$100\$ (ONE HUN) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$40\$ (FORTY) in the prize area for that "Hand," and an A (ACE) play symbol appears in the "Hole Card" area, on a single ticket, shall be entitled to a prize of \$80.

(f) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$40\$ (FORTY) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$20\$ (TWENTY) in the prize area for that "Hand," and an A (ACE) play symbol appears in the "Hole Card" area, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$20\$ (TWENTY) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$10\$ (TEN) in the prize area for that "Hand," and an A



(ACE) play symbol appears in the "Hole Card" area, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$10\$ (TEN) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$5<sup>00</sup> (FIVE) in the prize area for that "Hand," and an A (ACE) play symbol appears in the "Hole Card" area, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$5<sup>00</sup> (FIVE) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$2<sup>00</sup> (TWO) in the prize area for that "Hand," and an A (ACE) play symbol appears in the "Hole Card" area, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$2<sup>00</sup> (TWO) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets where "Your Card" beats the "Their Card" in the same "Hand," and a prize play symbol of \$1<sup>00</sup> (ONE) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Get	Win	Approximate Odds	Approximate No. of Winners Per 9,703,200 Tickets
\$1	\$1	1:10	970,320
\$2	\$2	1:25	388,128
\$2 + \$2	\$4	1:150	64,688
\$2 + Ace	\$4	1:100	97,032
\$5	\$5	1:300	32,344
\$2 + \$2 + \$2	\$6	1:200	48,516
\$5 + \$5	\$10	1:300	32,344
\$5 + Ace	\$10	1:300	32,344
\$10	\$10	1:600	16,172
\$5 + \$5 + \$5	\$15	1:1,000	9,703
\$10 + \$10	\$20	1:2,000	4,852
\$10 + Ace	\$20	1:2,000	4,852
\$20	\$20	1:9,996	971
\$10 + \$10 + \$10	\$30	1:9,996	971
\$20 + \$20	\$40	1:2,000	4,852
\$20 + Ace	\$40	1:2,000	4,852
\$40	\$40	1:3,999	2,427
\$40 + \$40	\$80	1:9,996	971
\$40 + Ace	\$80	1:9,996	971
\$100	\$100	1:9,996	971
\$40 + \$40 + \$40	\$120	1:9,996	971
\$100 + \$100	\$200	1:19,993	485
\$100 + Ace	\$200	1:19,993	485
\$100 + \$100 + \$100	\$300	1:46,650	208
\$1,000	\$1,000	1:139,950	69
\$1,000 + \$1,000	\$2,000	1:279,900	35
\$1,000 + Ace	\$2,000	1:279,900	35
1,000 + \$1,000 + \$1,000	\$3,000	1:559,800	17

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Ace in the Hole instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Ace in the Hole, prize money on winning Pennsylvania Ace in the Hole instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Ace in the Hole instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Ace in the Hole or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 97-223. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Pennsylvania Flower Show Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Flower Show.

2. *Price:* The price of a Pennsylvania Flower Show instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Flower Show instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: \$1<sup>00</sup> (ONE), \$2<sup>00</sup> (TWO), \$4<sup>00</sup> (FOUR), \$12\$ (TWELVE), \$24\$ (TWOEN-FOR), \$48\$ (FOREGHT), \$96\$ (NINESIX), \$1000 (ONE THO) and \$5000 (FIV THO).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$12, \$24, \$48, \$96, \$1,000 and \$5,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 2,172,000 tickets will be printed for the Pennsylvania Flower Show instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$5000 (FIV THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with three matching play symbols of \$1000 (ONE THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with three matching play symbols of \$96\$ (NINESIX) in the "Play Area" on a single ticket, shall be entitled to a prize of \$96.

(d) Holders of tickets with three matching play symbols of \$48\$ (FOREGHT) in the "Play Area" on a single ticket, shall be entitled to a prize of \$48.

(e) Holders of tickets with three matching play symbols of \$24\$ (TWEEN-FOR) in the "Play Area" on a single ticket, shall be entitled to a prize of \$24.

(f) Holders of tickets with three matching play symbols of \$12\$ (TWELVE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$12.

(g) Holders of tickets with three matching play symbols of \$4<sup>00</sup> (FOUR) in the "Play Area" on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(i) Holders of tickets with three matching play symbols of \$1<sup>00</sup> (ONE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1.

(j) A prize will be paid only for the highest Pennsylvania Flower Show instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Win	Approximate Odds	Approximate No. of Winners per 2,172,000 Tickets
\$1	1:10	217,200
\$2	1:25	86,880
\$4	1:80	27,150
\$12	1:150	14,480
\$24	1:200	10,860
\$48	1:1,000	2,172
\$96	1:2,000	1,086
\$1,000	1:217,200	10
\$5,000	1:434,400	5

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Flower Show instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Flower Show, prize money on winning Pennsylvania Flower Show instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Flower Show instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Flower Show or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 97-224. Filed for public inspection February 14, 1997, 9:00 a.m.]

**Pennsylvania Mother's Day Celebration Instant Lottery Game**

Under the provisions of the State Lottery Law (72 P.S. §§ 3761-1—3761.15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Mother's Day Celebration.

2. *Price:* The price of a Pennsylvania Mother's Day Celebration instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Mother's Day Celebration instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: \$2<sup>00</sup> (TWO), \$4<sup>00</sup> (FOUR), \$10\$ (TEN), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1000 (ONE THO) and \$10000 (TEN THO).

4. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$10, \$20, \$40, \$100, \$200, \$400, \$1,000 and \$10,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 4,344,000 tickets will be printed for the Pennsylvania Mother's Day Celebration instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$10000 (TEN THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets with three matching play symbols of \$1000 (ONE THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with three matching play symbols of \$400 (FOR HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets with three matching play symbols of \$200 (TWO HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with three matching play symbols of \$40\$ (FORTY) in the "Play Area" on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the "Play Area" on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with three matching play symbols of \$10<sup>S</sup> (TEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with three matching play symbols of \$4<sup>00</sup> (FOUR) in the "Play Area" on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(k) A prize will be paid only for the highest Pennsylvania Mother's Day Celebration instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,344,000 Tickets</i>
\$2	1:8	543,000
\$4	1:14	310,286
\$10	1:50	86,880
\$20	1:75	57,920
\$40	1:800	5,430
\$100	1:4,000	1,086
\$200	1:8,000	543
\$400	1:20,018	217
\$1,000	1:217,200	20
\$10,000	1:543,000	8

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Mother's Day Celebration instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Mother's Day Celebration, prize money on winning Pennsylvania Mother's Day Celebration instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Mother's Day Celebration instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote

Pennsylvania Mother's Day Celebration or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 97-225. Filed for public inspection February 14, 1997, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation, under 71 P. S. § 513(e)(7), intends to sell certain land owned by the Department.

The following is a list of properties available for sale by the Department.

1. Parcel N—City of McKeesport, Allegheny County. The Parcel contains 5.80 ± acres situated along Center Avenue, City of McKeesport. Minimum price \$3,500.

2. Parcel C and L—White Oak Borough, Allegheny County. The parcel contains 29.8 ± acres of unimproved land. Minimum price \$29,400.

3. Parcel 85—City of Pittsburgh, Allegheny County. The parcel contains 22,804 ± square feet situated along Western Avenue, bounded by Chateau Street and Hopkins Avenue, City of Pittsburgh. Minimum price \$182,400.

4. Parcel A—City of McKeesport, Allegheny County. The parcel contains 1.19 acres situated along Long Run Road (L. R. 288) City of McKeesport. Minimum price \$10,400.

It has been determined that the land is no longer needed for present or future Transportation purposes.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Henry M. Nutbrown, P.E., District Engineer, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-226. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Finding

#### Snyder, Juniata and Perry Counties

Under the provisions of section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to reconstruct state Route 0011, Section 002 in, Snyder, Juniata and Perry Counties.

The project consists of widening the existing three lane facility between Mt. Patrick in Perry County and McKees Half Falls in Snyder County.

The project requires the use of land from the future Fish and Boat Commission's Liverpool Access, State Game Land 258, the Canal Components and a portion of the Liverpool Historic District.

In accordance with coordination conducted with the Fish and Boat Commission and the Game Commission, Right-of-Way required for this project will be replaced with land of equal or greater functional value. Changes to the access to SGL 258 will be mitigated by the proposed median opening near Milepost 15.5. Treatment of the Canal Components and mitigation of the impacts to the Liverpool Historic District are outlined in the Memorandum of Agreement Approved November 11, 1994.

The environmental, economic and other effects of the project have been considered as enumerated in section 2002, subsection 18(b) of The Administrative Code of 1929 and concluded that there is no feasible and prudent the Secretary has alternative to the project as designed, and all reasonable steps have been taken to minimize such effects.

No adverse environmental effect is likely to result from the reconstruction of this section of highway.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-227. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Training Certification of Municipal Police Officers

The Department of Transportation, Bureau of Maintenance and Operations, under the provisions of section 4704(f) of the Vehicle Code (75 Pa.C.S. § 4704(f)), certifies the following municipal police officers have successfully completed the training prescribed by the Department of Transportation and are hereby certified as "Qualified Commonwealth Employees" as defined in section 4102 of the Vehicle Code (75 Pa.C.S. § 4102) for the calendar year ending December 31, 1997. Accordingly, local police so qualified are authorized to conduct systematic vehicle inspections of any vehicle, driver, documents, equipment and load and enforce any law or regulation pertaining to same.

Donald K. Alspaugh	Littlestown Borough, Adams County
Timothy J. Biggins	Cumberland Township, Adams County
Steven M. Chieffo	Pottstown, Montgomery County
Neil P. Coll	East Pennsboro Township, Cumberland County
Daniel L. George, Jr.	West Donegal Township, Lancaster County
David J. Greeley	Highspire Borough, Dauphin County
Charles M. Gulick	Dauphin Borough, Dauphin County
Andrew J. Hansen	Latimore Township—York Springs, Adams County
Craig A. Kelly	Fairview Township, Cumberland County
Steven D. Kingsborough	Middlesex Township, Cumberland County

Douglas G. McKinney	Gettysburg Borough, Adams County
Thomas A. Myers	Newberry Township, York County
Jeffrey D. Potteiger	Silver Spring Township, Cumberland County
Dwight R. Robison, Jr.	Penn Township, York County
Larry Runk	Gettysburg Borough, Adams County
James R. Sadler	Silver Spring Township, Cumberland County
Edwin J. Schneider	West Manheim Township, York County
Barry L. Sherman	Middlesex Township, Cumberland County
Donald S. Siekerman	Mechanicsburg Borough, Cumberland County
Howard C. Smoyer, Jr.	Pottstown, Montgomery County
Jeffrey A. Snyder	Hampden Township, Cumberland County
Stuart A. Spencer	East Pennsboro Township, Cumberland County
Scott Sundquist	East Hempfield Township, Lancaster County
Joseph P. Yatsko	Jackson Township, York County

The above listing of Qualified Commonwealth Employees is being published as an addenda to the listing of Qualified Commonwealth Employees which was published at 27 Pa.B. 357 (January 18, 1997). The Department of Transportation, from time to time, during the calendar year, will publish addenda to the listing of Qualified Commonwealth Employees as the same become certified.

Comments, suggestions or questions may be directed to Daniel R. Smyser, P.E., Chief, Motor Carrier Division, Bureau of Maintenance and Operations, 555 Walnut Street, 7th Floor, Harrisburg, PA 17101-1900, (717) 787-7445.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-228. Filed for public inspection February 14, 1997, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the date indicated, the following final-form regulations for review. The regulations will be considered within 30 days of its receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of a regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
18-318	Department of Transportation Prequalification of Bidders	1/30/97
7-298	Environmental Quality Board Marking of Infectious Waste Containers	2/4/97

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-229. Filed for public inspection February 14, 1997, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for Plan Approval of a Merger

Reliance Direct Insurance Company, a domestic stock casualty insurance company, has submitted a Plan of Merger, whereby it proposes to merge with Reliance National Insurance Company of New York, a New York domiciled stock casualty insurance company. The survivor will be Reliance Direct Insurance Company. The initial filing was received on February 3, 1997, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932 and 21205—21207. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving of this merger are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the author, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2660.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-230. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Application for Approval of a Liquidating Dividend and Voluntary Dissolution

Fidelity General Life Insurance Company, a domestic stock life insurance company, has submitted an application for approval of a liquidating dividend in order to voluntarily dissolve its charter. The initial filing was received on January 28, 1997, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 *et seq.* Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving the dividend and dissolution, are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the comment

and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Licensing Specialist, Company Licensing Division, Room 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2660.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-231. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Application for Approval of a Liquidating Dividend and Voluntary Dissolution

Pioneer Fire & Casualty Insurance Company, a domestic stock fire insurance company, has submitted an application for approval of a liquidating dividend in order to voluntarily dissolve its charter. The initial filing was received on January 29, 1997, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 *et seq.* Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving the dividend and dissolution, are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Licensing Specialist, Company Licensing Division, Room 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2660.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-232. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Pennsylvania Compensation Rating Bureau; Coal Mine Compensation Rating Bureau of Pennsylvania; Workers' Compensation Experience Rating Plans

The Insurance Department approved the Pennsylvania Compensation Rating Bureau's and the Coal Mine Compensation Rating Bureau's filings for the revision of their uniform Experience Rating Plans effective February 1, 1997.

These filings provide a means consistent with section 707(f)(1) of Act 44, whereby schedule rating adjustments would be allowed to reflect loss-producing characteristics of any insured, including both experience rated and nonexperience rated risks.

Copies of these filings are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Questions concerning this notice may be addressed to Stephen Kcenich, Insurance Department, Office of Rate and Policy Regulation, Bureau of Property and Casualty

Insurance, Actuarial Review Division, 1311 Strawberry Square, Harrisburg, PA 17120.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-233. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Evans, Richard M.; file no. 96-193-06715; GEICO; doc. no. P96-12-043; January 30, 1997, at 1 p.m.;

Appeal of Fow, O. Allen; file no. 96-121-07729; Old Guard Mutual Insurance Company; doc. no. P96-12-041; January 30, 1997, at 2 p.m.;

Appeal of Smith, Gibson and Sandra; file no. 96-124-07741; Aetna Insurance Company; doc. no. P96-12-039; January 31, 1997, at 9 a.m.;

Appeal of Morrison, James and Annette; file no. 96-407-91364; Providian Auto & Home Insurance Company; doc. no. E97-01-001; January 31, 1997, at 10 a.m.;

Appeal of Whipkey, John H. and Fay; file no. 96-407-91430; Nationwide Insurance Company; doc. no. E97-01-002; January 31, 1997, at 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-234. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Review Procedure Hearings under The Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Mitchell, Frank O. and Teresa T.; file no. 96-280-37884; Donegal Mutual Insurance Company; doc. no. PH97-01-023; March 4, 1997, at 11 a.m.;

Appeal of Garber, Daniel C. and Elaine; file no. 96-280-38199; Traveler Indemnity Company; doc. no. PH97-01-024; March 17, 1997, at 9 a.m.;

Appeal of Graham, Thomas; file no. 96-280-37835; Prudential Property & Casualty Insurance Company; doc. no. PH97-01-06; March 24, 1997, at 9 a.m.;

Appeal of Thomas, Herman; file no. 96-280-37623; Prudential Property & Casualty Insurance Company; doc. no. PH97-01-012; March 24, 1997, at 11 a.m.;

Appeal of Flynn, Donald M.; file no. 97-215-37456; The Green Tree Insurance Company; doc. no. PH97-01-017; March 24, 1997, at 2 p.m.;

Appeal of Goldsmith, Lawrence; file no. 96-215-37480; State Farm Insurance Company; doc. no. PH97-01-020; March 26, 1997, at 11 a.m.;

Appeal of Martin, Patrick and Kathleen; file no. 96-264-37909; Allstate Insurance Company; doc. no. PH97-01-015; April 4, 1997, at 10 a.m.;

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-235. Filed for public inspection February 14, 1997, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution # CB-96-339, January 8, 1997. The Commonwealth of Pennsylvania entered into a Collective Bargaining Agreement and a Memorandum of Understanding with the Federation of State Cultural and Educational Professionals, Local 2382, Pennsylvania Federation of Teachers, American Federation of Teachers, AFL-CIO; covering approximately 390 employees in the rank and file and first-level supervisory units, certified by the Pennsylvania Labor Relations Board.

Resolution # CB-96-340, Dated January 8, 1997. The Commonwealth of Pennsylvania entered into a Collective Bargaining Agreement with the Correctional Institution Vocational Education Association, Pennsylvania State Education Association, National Education Association; covering approximately 300 employees, certified by the Pennsylvania Labor Relations Board.

Resolution # CB-97-007, Dated January 22, 1997. The Commonwealth of Pennsylvania entered into Memorandum of Understanding with the United Plant Guard Workers of America, Locals 502, 506 and 509; covering approximately 28 employees in the R2 first-level supervisory unit certified by the Pennsylvania Labor Relations Board.

#### *Governor's Office*

Management Directive No. 315.1—Calculation and Payment of Statutory Salaries, Amended January 6, 1997.

Management Directive No. 505.9—Standard Abbreviations for Use With the Compensation Plan and the Integrated Personnel Payroll System, amended January 13, 1997.

Management Directive No. 530.2—Sick Leave Without Pay, Parental Leave Without Pay, and Family Care Leave Without Pay, amended January 13, 1997.

Administrative Circular No. 96-53—Computation of Interest Penalties, Act 1982-266 Amended, Dated December 17, 1996.

Administrative Circular No. 96-54—Relocation—Department of Transportation Comptroller, Dated December 30, 1996.

Administrative Circular No. 97-1—Fuel Receipts, Calendar Year 1996, Dated January 3, 1997.

Administrative Circular No. 97-2—Site Preparation for Construction of Keystone Building, Dated January 3, 1997.

Administrative Circular No. 97-3—1997-98 Budget Hearing Materials, Dated January 16, 1997.

Administrative Circular No. 97-4\*—Meeting Room Facilities, Dated January 21, 1997. (\*Administrative Circular 97-3 was a Special Distribution.)

Administrative Circular No. 97-5—Distribution of the 1997-98 Commonwealth Budget, dated January 21, 1997.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 97-236. Filed for public inspection February 14, 1997, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board seeks the following new site:

Philadelphia County, Wine & Spirits Shoppe #5106, Harrowgate Shopping Center, 3528 I Street, Philadelphia, PA 19134-1418.

*Lease Expiration Date:* September 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space in an area north of Allegheny Avenue, south of Erie Avenue, east of Front Street and west of Frankford Avenue, City of Philadelphia.

*Proposals due:* March 14, 1997, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794  
**Contact:** Robert Jolly, (215) 560-5310

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 97-237. Filed for public inspection February 14, 1997, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9508.1—Install Bituminous Asphaltic Concrete Overlay Paving at Pier 82 South until 2 p.m. on Thursday, March 13, 1997. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., Phila, PA 19106, 8th Fl., (215) 928-9100 and will be available February 25, 1997. The cost of the bid document is \$35 (includes 7% PA sales tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal employment opportunity

laws and regulations. Mandatory prebid job site meeting will be held March 6, 1997, 10 a.m. at the job site, Main Front Door—Pier 82 South.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 97-238. Filed for public inspection February 14, 1997, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service Without Hearing

**A-121850F2015. National Fuel Gas Distribution Corporation.** Application of approval of abandonment of service by National Fuel Gas Distribution Corporation to one gas service customer located in Ridgway Township, Elk County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before February 24, 1997, under 52 Pa. Code (relating to public utilities).

*Applicant:* National Fuel Gas Distribution Corporation, c/o Peter J. Scanlon, Esquire, 800 State Street, Erie, PA 16512.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-239. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Ratification and Adoption of Amendments to Parts 191, 192, 193 and 199 of Title 49 of the Code of Federal Regulations; Doc. No. M-00960892

*Commissioners Present:* John M. Quain, Chairperson; Lisa Cruchfield, Vice Chairperson; John Hanger; David W. Rolka; Robert K. Bloom

Public meeting held  
December 19, 1996

#### Order

*By the Commission:*

At 52 Pa. Code § 59.33(b) the Commission has adopted, except as otherwise indicated, the Federal safety standards for gas transmission and distribution facilities. The Federal standards are established by the United States Department of Transportation (DOT) at 49 U.S.C.A. § 60101, et seq., and are set forth in Parts 191, 192, 193 and 199 of Title 49 of the Code of Federal Regulations. Section 59.33(b) provides, in pertinent part, that amendments to Title 49 will become effective in Pennsylvania upon the date of entry of a Commission ratification order where that order is served upon all jurisdictional gas companies or, alternatively, upon the date of such order's publication in the *Pennsylvania Bulletin*.

On April 26, 1996, at 61 Fed. Reg. 18512, amendment 191-10, 192-74, 193-10, and 199-13 were adopted and

codified by the Federal Department of Transportation at 49 CFR 191.3, 191.19, 191.25, 191.11(b)(2), 192.227(b), 192.361(f)(1), 192.367(a), 192.511(a), 192.603(c), 192.623, 193.2001(a), 193.2007, 193.2017(a), 193.2321(a), 193.2515(c), 199.3, 199.7(b) and 199.205. The purpose of these amendments was to update regulations to reflect current titles, addresses, amendment summaries, typographical errors and statutory citations. In addition, unnecessary gender specific terms have been changed to gender neutral terms. Also, on July 24, 1996, at 61 Fed. Reg. 38403, the amendment number 192-74 was corrected to 192-75.

On May 24, 1996, at 61 Fed. Reg. 26121 amendments that were not identified by number were adopted and codified by the Federal Department of Transportation at 49 CFR 192.63(a)(1), 192.189(c), 192.625(b)(2)(iv)(c), 192.625(b)(3), 192.625(b)(4). Appendix A of Part 192 is amended by revising §§ I D, II A(1), (3), and (4), II B, II C(3) to (6) and II E. Appendix A to Part 193 is amended by revising §§ II C, II D(1) and (3), II E, II F and II G. The purpose of these amendments is to update references to voluntary specifications and standards to reflect more recently published editions of each document. Also, on July 15, 1996, at 61 Fed. Reg. 36825, the previously unidentified amendments were identified as 192-76 and 193-11. Corrections were also listed for § 192.63(a)(1) changing one word from singular to plural, and Appendix B to Part 192 by revising § I.

On June 3, 1996, at 61 Fed. Reg. 27789 amendments that were not identified by number were adopted and codified by the Federal Department of Transportation at §§ 191.1(b)(1), 192.513(c), 192.513(d), 193.2819(f), 193.2907(a) and 193.2907(b). The purpose of these amendments is to change various administrative practices in the pipeline safety program and make minor modifications to requirements for gas detection, protective enclosures, and pipeline testing temperatures. Also, on August 30, 1996, at 61 Fed. Reg. 45905 the previously unidentified amendments were identified as 191-11, 192-77 and 193-12 and minor typographical errors were corrected.

On June 6, 1996, at Fed. Reg. 28770 amendment 192-76 was adopted and codified by the Federal Department of Transportation at §§ 192.1(b)(1), 192.1(b)(4), 192.3, 192.5, 192.7(a), 192.11, 192.107(b)(1)(ii), 192.121, 192.123(b), 192.179(a), 192.203(b)(2), 192.227(b), 192.229(c), 192.229(d), 192.241(c), 192.243(d)(4), 192.281(c)(3), 192.281(c)(4), 192.283(a)(1)(i), 192.283(a)(1)(ii), 192.283(a)(1)(iii), 192.317(a), 192.319(c), 192.321(a), 192.321(g), 192.327(a), 192.327(e), 192.327(f), 192.327(g), 192.375(a), 192.455(a)(2), 192.455(f)(1), 192.475(c), 192.485(c), 192.491, 192.533(d), 192.607 (removed), 192.611(a)(3)(ii), 192.611(b), 192.611(c), 192.611(d), 192.614(b)(2), 192.619(a)(1), 192.619(a)(4), 192.619(b), 192.625(f), 192.705(c), 192.709, 192.721(b), and Appendix A. On June 18, 1996, at 61 Fed. Reg. 30824 the amendment number was corrected from 192-76 to 192-78. On July 5, 1996, at Fed. Reg. 35139 a correction was made to § 192.5(c)(2). On August 7, 1996, at Fed. Reg. 41019 a correction was made to Appendix A. This amendment changes miscellaneous gas pipeline safety regulations to provide clarity and eliminate unnecessary requirements.

On June 20, 1996, at 61 Fed. Reg. 31449 amendment 192-79 was adopted and codified as § 192.381. The purpose of this amendment was to publish performance standards for excess flow valves used to protect single residence service lines.



On July 17, 1996, at 61 Fed. Reg. 37222 an unnumbered amendment was adopted and codified at § 199.205. The purpose of this amendment was to delete the definition of "Substance Abuse Professional".

Copies of the aforementioned Federal Register publications are attached hereto and are hereby made part of this order.

Keeping in mind the safety of the public, we have reviewed the above-referenced amendments in accordance with the provisions of 52 Pa. Code § 59.33. Based upon this review, we find the Department of Transportation amendments to be in the public interest and adopt them as our own. The effective date of our adoption of the aforementioned amendments shall be the date upon which this order is entered;

*Therefore It Is Ordered That:*

1. The following amendments adopted by the U.S. Department of Transportation are hereby ratified and adopted in accordance with the provisions of 52 Pa. Code § 59.33(b):

(a) On April 26, 1996, at 61 Fed. Reg. 18512 and on July 24, 1996, at 61 Fed. Reg. 38403 to 49 CFR 191.3, 191.19, 191.25, 192.11(b)(2), 192.227(b), 192.361(f)(1), 192.367(a), 192.511(a), 192.603(c), 192.623, 192.2001(a), 193.2007, 193.2017(a), 193.2321(a), 193.2515(c), 199.3, 199.7(b) and 199.205.

(b) On May 24, 1996, at 61 Fed. Reg. 26121 on July 15, 1996, at 61 Fed. Reg. 36825 to 49 CFR 192.63(a)(1), 192.189(c), 192.625(b)(2)(iv)(c), 192.625(b)(3), 192.625(b)(4), Appendix A to Part 192 at §§ I D, II A(1), II A(3), II A(4), II B, II C(3) to (6), II E, and Appendix A to Part 193 §§ II C, II D(3), II E, II F and II G.

(c) On June 3, 1996, at 61 Fed. Reg. 27789 and on August 30, 1996, at 61 Fed. Reg. 45905 to 49 CFR 191.1(b)(1), 192.513(c), 192.513(d), 192.513(f), 193.2907(a) and 193.2907(b).

(d) On June 6, 1996, at 61 Fed. Reg. 28770, on June 18, 1996, at 61 Fed. Reg. 30824, on July 5, 1996, at 61 Fed. Reg. 35139, on August 7, 1996, at 61 Fed. Reg. 41019 to 49 CFR 192.1(b)(1), 192.1(b)(4), 192.3, 192.5, 192.7(a), 192.11, 192.107(b)(1)(ii), 192.121, 192.123(b), 192.179(a), 192.203(b)(2), 192.227(b), 192.229(c), 192.229(d), 192.241(c), 192.243(d)(4), 192.281(c)(3), 192.281(c)(4), 192.283(a)(1)(i), 192.283(a)(1)(ii), 192.283(a)(1)(iii), 192.317(a), 192.319(c), 192.321(a), 192.321(g), 192.327(a), 192.327(e), 192.327(f), 192.327(g), 192.375(a), 192.455(a)(2), 192.455(f)(1), 192.475(c), 192.485(c), 192.491, 192.553(d), 192.607(removed), 192.611(a)(3)(iii), 192.611(b), 192.611(c), 192.611(d), 192.614(b)(2), 192.619(a)(1), 192.619(a)(4), 192.619(b), 192.625(f), 192.705(c), 192.709, 192.721(b), Appendix A to Part 192.

(e) On June 20, 1996, at 61 Fed. Reg. 31449 to 49 CFR 192.381.

(f) On July 17, 1996, at 61 Fed. Reg. 37222 to 49 CFR 199.205.

2. The Secretary shall serve copies of this order together with its attachments upon all jurisdictional gas utilities. Accordingly, the effective date shall be the entry

date of this order. Concurrently, the Secretary shall cause this order, without attachments, to be published in the *Pennsylvania Bulletin*.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-240. Filed for public inspection February 14, 1997, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before March 10, 1997, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.**

**A-00113693. Joy Berman Associates, Inc., t/d/b/a Personal Driver Service** (2401 Pennsylvania Avenue, Unit 17-B-30, Philadelphia, Philadelphia County, PA 19130), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the city and county of Philadelphia, and from points in said city and county to points in Pennsylvania and return. *Attorney:* Michael C. Rainone, 1528 Walnut Street, Suite 800, Philadelphia, PA 19102.

**A-00113702. Paul F. Schmitt, Jr., t/d/b/a Stagecoach** (R. D. 1, Box 46, Sacramento, Schuylkill County, PA 17968), persons, in paratransit service, between points in the counties of Dauphin, Schuylkill, Lebanon, Northumberland, Snyder, Juniata, Perry, Union, Berks, Lancaster, York, Chester, Adams, Cumberland, Lycoming, Columbia, Huntingdon, Mifflin, Centre and Clinton; limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

**A-00113703. Earl S. and Marie E. Gantz, t/d/b/a Gantz Paratransit Service** (667 Klinger Road, Millersburg, Dauphin County, PA 17061)—persons in paratransit service between points in the borough of Millersburg, Dauphin County, and within an airline distance of 25 statute miles of the limits of said borough, and from points in said territory to points in Pennsylvania and return; limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

**A-00113707. Anthony Edward Kent, t/d/b/a Kent Passenger Services** (1644 North Third Street, Harrisburg, Dauphin County, PA 17102)—persons in call or demand service, in the city of Harrisburg, and the borough of Highspire, Hummelstown, Middletown, Paxtang and Pennbrook, and the townships of Derry, Lower Paxton, Lower Swatara, and Susquehanna, Dau-

phin County, and the boroughs of Camp Hill, Carlisle, Lemoyne and New Cumberland, Cumberland County.

**A-00113708. Dorinda Nolan, t/d/b/a Puddle Jumpers** (401 South Main Street, Ambler, Montgomery County, PA 19002)—primary and secondary school-age children, in paratransit service, between points in the borough of Ambler, Montgomery County, and within an airline radius of 10 statute miles of the limits of the said borough.

**A-00113709. Julia K. Norris, t/d/b/a C+J Van Services** (2402 North Colorado Street, Philadelphia, Philadelphia County, PA 19132)—persons in paratransit service from points in the city and county of Philadelphia, to State Correctional Facilities at Graterford, Montgomery County, Mahanoy and Frackville, Schuylkill County, Camp Hill, Cumberland County, Coal Township, Northumberland County, Rockview, Centre County, Muncy, Lycoming County, Dallas and Retreat, Luzerne County, and Somerset, Somerset County and return.

**Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.**

**A-00112577, Folder 2, Am-A. Airport Limousine Service, Inc., t/d/b/a Airport Limousine Service, Embassy Coach and Checker Cab** (3401 5th Avenue, North Versailles, Allegheny County, PA 15137), a corporation of the State of Delaware for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, persons upon call or demand in the borough of Coraopolis and townships of Moon, Crescent, Robinson and Findley, Allegheny County: *so as to permit* the transportation of persons upon call or demand in the city of Pittsburgh, Allegheny County. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**Application of the following for the approval of the transfer of stock as described under each application.**

**A-00110013, Folder 5000. Care Cab, Inc.** (1624 Bainbridge Street, Philadelphia, Philadelphia County, PA 19146), a corporation of the Commonwealth of Pennsylvania—stock transfer—for the approval of transfer of 50 shares of the issued and outstanding stock from Mohammadreza Aghanazari to Oscar P. Dungan.

**Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before March 3, 1997.

- A-00113694 William E. Cowles, Jr., t/d/b/a  
Diamond Services  
56 Academy Street, Shinglehouse,  
PA 16748
- A-00113695 Thomas E. Newman, Jr., t/d/b/a  
Thomas E. Newman, Jr. Trucking  
R. D. 1, Box 332, Shamokin, PA  
17872

- A-00113696 Gainey Transportation Services, Inc.  
6000 Clay Avenue, S. W., Grand  
Rapids, MI 49548: Louise R.  
Schrage, Esquire, Vuono & Gray  
Law Offices, 2310 Grant Building,  
Pittsburgh, PA 15219-2383
- A-00113699 Kenneth L. Stoltzfus, t/d/b/a K. L.  
Stoltzfus Trucking  
309 South State Street, Talmage,  
PA 17580
- A-00113700 Truckers Express, Inc.  
P. O. Box 4567, Missoula, MT  
59082: Brian J. Smith, P. O. Box  
4567, Missoula, MT 59806
- A-00113704 ARG Trucking Corp.  
369 Bostwick Road, Phelps, NY  
14532: Ronald W. Malin, Esquire,  
Price, Flowers, Malin &  
Westerberg, 400 Key Bank Build-  
ing, P. O. Box 1219, Jamestown,  
NY 14702-1219
- A-00113713 Jeffrey C. Schaeffer  
R. D. 1, Box 12, Pitman, PA 17964
- A-00113714 Ronald W. Steinruck  
R. D. 1, Box 33A, Benton, PA  
17814
- A-00113715 Reifsneider Motor Freight, Inc.  
P. O. Box 48, Royersford, PA 19468
- A-00112577, F. 4 Airport Limousine Service, Inc.  
t/d/b/a Airport Limousine Service &  
Embassy Coach and Checker Cab  
3401 5th Avenue, North Versailles,  
PA 15137: John A. Pillar, 1106  
Frick Building, Pittsburgh, PA  
15219
- A-00113710 Todd Berry  
1308 North Penryn Road,  
Manheim, PA 17545
- A-00113711 Melvin K. Stoltzfus, t/d/b/a Buffalo  
Valley Farm Supply  
R. D. 2, Box 520, Lewisburg, PA  
17837
- A-00113712 Perry Transport Service (LP)  
R. R. 1, Box 312, Sunbury, PA  
17801
- A-00113697 Perfect Trucking Corporation of  
America, Inc.  
Valmont Industrial Park, 400 Jay-  
cee Drive, West Hazleton, PA  
18201
- A-00113705 Steven W. Conrad, Sr.  
717 Fifth Street, Shamokin, PA  
17872: James Rosini, P. O. Box  
565, Shamokin, PA 17872
- A-00113706 Pave-Rite, Inc.  
819 High Plain Drive, Bel Air, MD  
21014, Robert Brophy, 9 West  
Courtland Street, Bel Air, MD  
21010

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-241. Filed for public inspection February 14, 1997, 9:00 a.m.]

**Water Service  
Without Hearing**

**A-211871F2000. William J. McCormick.** Application of William J. McCormick t/d/b/a Somerset Water Company, for approval of the abandonment of water service rights in the Village of Cokeburg Junction in Somerset Township, Washington County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg,

with a copy served on the applicant on or before February 24, 1997, under 52 Pa. Code (relating to public utilities).

*Applicant:* Somerset Water Company, 998 Main Street, Bentleyville, PA 15314, c/o John McCormick Petrisek, Esquire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-242. Filed for public inspection February 14, 1997, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

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

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

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

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

### Reader's Guide

#### Legal Services & Consultation—26

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

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

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

③ Contract Information

④ Department

⑦

⑤ Location

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

⑥ Duration

#### REQUIRED DATA DESCRIPTIONS

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

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

## GET 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.

BARBARA HAFER,  
*State Treasurer*

**Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340**

### Commodities

#### 0008-12 Envelopes.

**Department:** All Using Agencies  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717)783-6241 or call (717) 787-2199 or 787-4705

#### 0038-02 Emergency printing.

**Department:** All using agencies  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 0044-02 Snapset forms.

**Department:** All using agencies  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 3830-01 Cutting edges for plows & grades.

**Department:** Transportation  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 5665-03 Truck mounted attenuator.

**Department:** Transportation  
**Location:** Various locations  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 6515-17 Syringes and needles.

**Department:** All using agencies  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 6530-08 Ostomy supplies.

**Department:** All using agencies  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 6840-04 Deodorizer odor counteractant.

**Department:** All using agencies  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 7110-06 Furniture, systems and computer.

**Department:** All using agencies  
**Location:** Various locations  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 7510-07 Folders, file.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 7930-03 Compound, absorbent .

**Department:** General Services  
**Location:** Harrisburg, Dauphin County  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

#### 8010-08 Vehicle restoration paint.

**Department:** SCI Albion  
**Location:** Albion, Erie County, PA  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1526116** Agricultural machinery and Supplies—2 ea. latest model silo unloader; 3 ea. 3 tripods, complete with cable and hitch for model no. 98c silo unloader and 20 x 80 silo; complete, installed, and operational, with parts book and operator's manual; 3 motor driven winch assemblies for a 20 x 80 silo.

**Department:** Correctional Industries  
**Location:** Graterford, Montgomery County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1636356** Communication equipment—7 lot; Seismograph & 20 rolls of paper to include delivery & training for 10 people on complete use and operation of instrument.

**Department:** Environmental Protection  
**Location:** Ebensburg, Cambria County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1694386** Construction and building materials (water)—1 lot; furnish and assemble (not to be put in service on the dam) eight (8) trashboom flotation units.

**Department:** Little Pine State Park  
**Location:** Waterville, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1597116** Food prep and serving equip.—1 ea. model 252 spiral mixer as manufactured by Gemini Bakery equipment or an approved equal.

**Department:** Corrections  
**Location:** SCI Retreat, Hunlock Creek, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1585216** Food prep and serving equip.—1 lot; pot and pan washing system to include Hobart Model CPW100A dishwasher and Hobart Model FD3-300 disposer. No substitutions.

**Department:** Public Welfare  
**Location:** Selingsgrove, Snyder County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1588116** Food prep and serving equip.—1600 cs. trays—polystyrene 5 compartment school trays 500/cs.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1562116** Food prep and serving equip.—2 ea. coffee urns: twin automatic coffee urns, dual wall insulated, electric service 120/208 single phase 3-wire.

**Department:** Corrections  
**Location:** SCI Laurel Highlands, Somerset, Somerset County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1650116** Food prep and serving equip.—2 ea. roll in self contained refrigerator.

**Department:** Corrections  
**Location:** SCI Retreat, Hunlock Creek, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1658306** Lumber, millwork, plywood and veneer—1 ea. douglas fir 58'x12"x12"—spanker boom blank; laminated douglas fir, grade "L1" for structural laminations; 1 ea. douglas fir 42'x21"x21"; bowsprit blank-laminated douglas fir; grade "L1-c" for structural laminations; 2 ea. bowsprit cap douglas fir 10'x8-1/2"x4': laminated clear dense douglas fir; no sapwood; no voids; water proof blue; no finger or scarf joints; moisture content less than 12%; basic slope of grain not to exceed 1 in 16.

**Department:** Historical & Museum Commission, Flagship Niagara  
**Location:** Erie, Erie County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1676116** Materials handling equip.—1 lot; furnish and install laundry conveyor system as manufactured by Hytrol Conveyor Co. Inc. or approved equal.

**Department:** Correctional Industries  
**Location:** Hunlock Creek, SCI Retreat, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1646146** Motor vehicles, trailers and cycles—1 ea. 1997 Model Ford E-350 cargon van.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1622236** Motor vehicles, trailers and cycles—1 ea. 1997 model four (4) door executive type sedan, remote keyless entry system.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1624236** Motor vehicles, trailers and cycles—2 1997 model 1 1/2 ton stakebody truck.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1621236** Motor vehicles, trailers and cycles—2 ea. 1997 model heavy duty 3/4 ton 4x4 pickup truck.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1574386** Motor vehicles, trailers and cycles—3 ea. 1997 model compact enclosed type 4x4 vehicle.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1623236** Motor vehicles, trailers and cycles—4 ea. 1997 model cab and chassis w/tilt roll-back body.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1569116** Photographic equipment—1 sys., electronic photo identification system; 1 lot, ID card printing supplies.

**Department:** Correctional Industries  
**Location:** Graterford, Montgomery County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1606316** Photographic equipment—1 sys., electronic photo identification system; 1 lot, ID card printing supplies.

**Department:** Emergency Management Agency  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1673116** Plumbing equip.—1 ea. Aerco Model B+ 04/1.25/E "or approved equal" semi-instantaneous steam hot water heater.

**Department:** Corrections  
**Location:** Muncy, Lycoming County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1680116** Service and trade equip.—3 ea. overlock sewing machine; 2 ea. blindstitch hemming overlock sewing machine.

**Department:** Correctional Industries  
**Location:** Dallas, Luzerne County, PA  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

## SERVICES

### Computer Related Services—08

**IFB-96-07-04** PC Software Training. Vendor to provide computer software training, specifically: WordPerfect 6.1 (Introduction and Intermediate), Windows for Workgroups, Excel for Windows 5.0 (Introduction and Intermediate), and MS-DOS 6.22 (Introduction). Training will be provided to approximately 290 Department employes on-site in the Department's PC Learning Laboratory, Room 624, Health and Welfare Building, Harrisburg, Pennsylvania.

**Department:** Health  
**Location:** Room 624 Health and Welfare Building, Harrisburg, PA  
**Duration:** 7-1-97 to 12-31-98  
**Contact:** Melinda Schmitz, (717) 787-6109

**L&I-02-97** Software: customized scanner software to process mark sense forms designed by the Department to collect Applicant Registration data which will be scanned on Scantron Scanners, Model 8200. To include development, testing and maintenance costs.

**Department:** Labor and Industry  
**Location:** Bureau of Management Information Services, Third Floor, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, Dauphin County, PA 17120  
**Duration:** April 1, 1997 through June 30, 1999  
**Contact:** Donna A. Sodrosky, Procurement Manager, (717) 787-2560

### Construction and Construction Maintenance—09

**Contract No. FDC-102-186** Providing and installing 8 inlets, 15 inch and 18 inch C.P. pipe; excavating and widening; leveling and buildup; milling; BCBC and ID 2 wearing materials; 2 RC shoulders; and landscaping. All work is located in Black Moshannon State Park.

**Department:** Conservation and Natural Resources  
**Location:** Rush Township, Centre County, PA  
**Duration:** Complete all work by July 1, 1997  
**Contact:** Construction Management Section, (717) 787-5055

**Project No. 9735** Concrete placement and repairs.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 740 North Hermitage Road, Hermitage, Mercer County, PA  
**Duration:** 1 March 97—30 June 97  
**Contact:** Emma Schroff, (717) 861-8518

**080944** Northampton County, Group 5-96-POC5D; Schuylkill County, Group 5-96-POC6A; Carbon County, Group 5-96-POC2B; Lehigh County, Group 5-96-POC3E.

**Department:** Transportation  
**Location:** District 5-0  
**Duration:** FY 1996-97  
**Contact:** V. C. Shah, (717) 787-5914

**401-BL-526** Navy Hall Chiller Installation—work to include demolition, landscaping, sidewalk replacement, ceilings, piping chases, new chiller and chilled water system plant and related equipment, air distribution system, terminal heat transfer units, pipe and duct insulation, automatic control system, and related mechanical work—in addition demolition of existing building electrical distribution system, and installation of new 15 KV electrical service pad mount transformers, and electrical panels. There will be three prime contracts—general; HVAC and electrical. Plans can be obtained by submitting a non-refundable \$130.00 deposit by March 10th, 1997 made payable to Reilly Associates, 222 Wyoming Avenue, West Pittston, PA 18643-2822, phone (717) 654-2473. Documents will be released in mid-March and bids will open in mid-April, actual dates of bid opening and pre-bid info will be contained in the bid documents.

**Department:** State System of Higher Education  
**Location:** Bloomsburg University, Bloomsburg, PA 17815  
**Duration:** 4 months  
**Contact:** Joseph C. Quinn, (717) 389-4311

**Contract No. FDC-015-226** Removal and disposal of existing structures; clearing and grubbing; diversion and care of water; excavating, backfilling, placing aggregates and riprap; corrugated metal pipe and end sections. Work is located near Cherry Springs and Lyman Run State Parks along ATV trail.

**Department:** Conservation and Natural Resources  
**Location:** Summit and Ulysses Townships, Potter County, PA  
**Duration:** 90 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-109-182** Removing existing ladder rungs; providing and installing a new fiberglass reinforced plastic ladder, a fall prevention system, and a rectangular manhole frame and cover. All work is located in the dam outlet chamber at Hills Creek State Park.

**Department:** Conservation and Natural Resources  
**Location:** Charleston Township, Tioga County, PA  
**Duration:** 60 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-121-30** Construction of a concrete retaining wall and concrete paving; bituminous paving and chain link fencing at Reeds Gap State Park.

**Department:** Conservation and Natural Resources  
**Location:** Armagh Township, Mifflin County, PA  
**Duration:** 60 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-132-231** Excavation, grading and compaction; provide and place R-6 riprap slope protection; and landscaping. All work is located at Mt. Pisgah State Park.

**Department:** Conservation and Natural Resources  
**Location:** Springfield and West Burlington Townships, Bradford County, PA  
**Duration:** Complete all work by June 30, 1997  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-202-252** Providing and installing chart recorder, pressure transducer, metered pumps and solution tanks, phase loss and surge protection devices and new submersible pump and motor; testing of existing pump and motor; and/or reinstalling the existing pump and motor. All work is located in Cooks Forest State Park.

**Department:** Conservation and Natural Resources  
**Location:** Farmington Township, Clarion County, PA  
**Duration:** Ninety (90) days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-207-253** Raising the elevation of 14 existing inlets; and providing and placing fill material to regrade ditches at Laurel Hill State Park.

**Department:** Conservation and Natural Resources  
**Location:** Jefferson Township, Somerset County, PA  
**Duration:** 90 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-215-241** Provide and install all components for exterior lighting at the Maurice K. Goddard State Park Marina.

**Department:** Conservation and Natural Resources  
**Location:** New Vernon Township, Mercer County, PA  
**Duration:** 90 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-314-119** Demolition of existing bridge (steel I-beams, timber deck and stone masonry abutments), construction of new bridge (reinforced concrete abutments and wingwalls, timber arch and decking); and paving, work is located at Trough Creek State Park.

**Department:** Conservation and Natural Resources  
**Location:** Todd Township, Huntingdon County, PA  
**Duration:** Complete all work by October 31, 1997  
**Contact:** Construction Management Section, (717) 787-5055

**K-96051** Edinboro University of Pennsylvania is seeking bids for replacement of rooftop heating and ventilation units at Lawrence Towers (EUP). Work will consist of general, HVAC and electrical construction. A pre-bid meeting will be held on February 20, 1997 at 9:00 a.m. in the Lawrence Towers first floor meeting room. Bids are due by 2:00 p.m. on March 18, 1997 in the Purchasing Office, 237 McEnerly Hall, Edinboro, PA 16444. Plans and documents are available for a \$50.00 non-refundable deposit from the Purchasing Office. MBE/WBE firms are urged to respond.

**Department:** State System of Higher Education  
**Location:** Edinboro University of Pennsylvania, Edinboro, PA 16444  
**Duration:** 120 days  
**Contact:** Tom Anderson, Contract Specialist, (814) 732-2704

**00677 000 96 AS-3** Road and Parking Lot Resurfacing. Project to resurface existing road and walkway at Pensbury Manor. A mandatory pre-bid meeting will be held at the site on March 6, 1997 at 11:00 a.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions, please contact the site at (215) 946-0400. 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 Yingling. Bids are due on Friday, March 21, 1997 at 3:15 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, Pensbury Manor, 400 Pensbury Memorial Road, Morrisville, PA 19067  
**Duration:** May 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Galen Brown, (717) 772-2401

**DGS A 200-45** Project title: Roof Replacement. Brief description: replace roof with a single-ply membrane and new wood blocking as needed. Reuse metal edge and drains and use new expansion joints. General 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, March 12, 1997 at 11:00 a.m.

**Department:** General Services  
**Location:** Franklin Game Commission Field Office Building, Franklin, Venango County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 229-7** Project title: Repair Roads/Parking Area. Brief description: reconstruct approximately 2400 square yards of bituminous paving, repair/overlay approximately 2500 square yards of bituminous paving, replace approximately 700 lineal feet of sanitary sewer pipe and construct approximately 1900 square yards of riprap shoulders. Miscellaneous 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, March 12, 1997 at 2:00 p.m.

**Department:** General Services  
**Location:** Pennsylvania State Police Academy, Hershey, Dauphin County, PA  
**Duration:** 90 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 251-278** Project title: New Fuel Facility. Brief description: removal and replacement of UST/AST and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. UST/AST certified remover/installer. Plans deposit: \$100.00 per set. Payable to: Gwin, Dobson & Foreman, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Gwin, Dobson & Foreman, Inc., 3121 Fairway Drive, Suite B, Altoona, PA 16602, telephone (814) 943-5214. Bid date: Wednesday, March 19, 1997 at 2:00 p.m. Pre-bid has been scheduled for Monday, February 24, 1997 at 10:00 a.m. at the PennDOT Maintenance Building, 421 West Main Street, New Bloomfield, PA. Contact person: Randy Tressler, telephone (717) 582-2191.

**Department:** General Services  
**Location:** New Fuel Facility, PennDOT Maintenance Building  
**Duration:** 115 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 251-337** Project title: Roof Replacement. Brief description: remove existing metal roof from Building No. 33-5760. Install new insulated metal roof panels and install new plastic pipes from downspouts. Remove existing roll roofing and plywood roof sheathing from existing metal deck from Building No. 126 and install new tongue and groove plywood deck and fiberglass shingles. General 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, March 12, 1997 at 2:00 p.m.

**Department:** General Services  
**Location:** PennDOT Sign Shop, 21st and Herr Streets, Harrisburg, Dauphin County, PA  
**Duration:** 90 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 304-2** Project title: Construct Parking Area and Repair Roads. Brief description: construct approximately 1000 square yards parking area, repair and overlay approximately 4700 square yards of bituminous roads. Miscellaneous 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, March 12, 1997 at 2:00 p.m.

**Department:** General Services  
**Location:** Elizabethtown Training Academy, Elizabethtown, Lancaster County, PA  
**Duration:** 90 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 405-83** Project title: Repair Structural Cracks. Brief description: remove and replace cracked face brick; demolish and replace brick of Dansbury Commons partial north and east elevations. Repair cracks in Lenape Elevations Hall and Reibman Administration Building face panels. General 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, March 5, 1997 at 2:00 p.m.

**Department:** General Services  
**Location:** East Stroudsburg University, East Stroudsburg, Monroe County, PA  
**Duration:** 135 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS 408-53** Project title: Addition to DeFrancesco Classroom Building. Brief description: work consists of selective demolition, site preparation, concrete foundations, masonry cavity walls, steel framing, roofing, steel stud/drywall partitioning, windows, doors and interior finishes to include HVAC, plumbing and electrical systems. General HVAC, plumbing and electrical construction. Plans deposit: \$175.00 per set. Payable to: Kirkpatrick Architects/Consultants. 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: Muhlenberg Green Architects, Suite 1000, 400 Washington Street, Reading, PA 19601, Attention: Matt Kogut, telephone (610) 376-4927. Bid date: Wednesday, March 26, 1997 at 11:00 a.m. Pre-bid conference has been scheduled for Thursday, March 6, 1997 at 1:30 p.m. in the DeFrancesco Classroom Building, Room 100, Kutztown University, Kutztown, PA. Contact Mary Wilford-Hunt, telephone (610) 683-1562. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** Elizabethtown Training Academy, Elizabethtown, Lancaster County, PA  
**Duration:** 270 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS 414-60** Project title: Renovations of Phillips Memorial Hall Building. Brief description: work includes selective demolition, asbestos abatement, restoration of existing stone masonry, new masonry, steel framing, roofing, interior partitioning, doors, finishes and auditorium systems; HVAC, plumbing and electrical systems. General HVAC, plumbing, electrical construction and fire protection system. Plans deposit: \$355.00 per set. Payable to: Voith & MacTavish Architects. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Voith & MacTavish Architects, 1616 Walnut Street, 24th Floor, Philadelphia, PA 19103-5397, telephone (215) 545-4544. Bid date: Wednesday, March 26, 1997 at 11:00 a.m. A Historic Rehabilitation/Restoration qualification form is included in the bid package and must be completed and submitted prior to award. The contractor must demonstrate the qualifications and experience of the job site superintendent within the last ten (10) years. A pre-bid conference has been scheduled for Wednesday, March 5, 1997 at 10:00 a.m. in the Phillips Auditorium, West Chester University, West Chester, PA. Contact Nicole Fisher, telephone (610) 436-2332. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** West Chester University of Pennsylvania, West Chester, Chester County, PA  
**Duration:** 420 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS 572-18 Phase I** Project title: Life Safety Code Improvements. Brief description: work includes lead abatement, asbestos abatement, selective demolition, concrete foundations, masonry walls, structural steel, stairs, roofing, doors, interior finishes, HVAC, plumbing, electrical and sprinkler system modifications. General, HVAC, plumbing, electrical, sprinkler and asbestos abatement construction. Plans deposit: \$150.00 per set. Payable to: Dynamic Design Engineering, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Dynamic Design Engineering, Inc., 416 Main Street, Suite 300, Johnstown, PA 15901, telephone (814) 536-1651. Bid date: Wednesday, March 26, 1997 at 2:00 p.m. A pre-bid conference has been scheduled for Wednesday, March 5, 1997 at 10:00 a.m. Meet at the Main Gate, Huntingdon State Correctional Institution, Huntingdon, PA. Contact William Reihart, telephone (814) 643-2400. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** State Correctional Institution Huntingdon, Huntingdon County, PA  
**Duration:** 665 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS 948-34 Phase II** Project title: Repair and Restoration Work for the North, South and Center Porticoes and Plaza Entries of Capitol Building (Remaining Work in Project). Brief description: repair of exterior masonry including granite facing, portico decks and soffits. Installation of new deck drains and minor electrical retrofits, removal of existing pigeon control system, patching, caulking and sealing throughout. General and plumbing construction. Plans deposit: \$50.00 per set. Payable to: Dan Peter Kopple and Associates. 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: Dan Peter Kopple and Associates, 1611 Walnut Street, Philadelphia, PA 19103, telephone (215) 627-2700. Bid date: Wednesday, March 5, 1997 at 2:00 p.m. Pre-bid has been scheduled for Wednesday, February 12, 1997 at 10:00 a.m. Meet in Main Lobby, Central Rotunda, Capitol Building. Contact: Dean Arensdorf, telephone (717) 772-8842.

**Department:** General Services  
**Location:** Capitol Complex, Harrisburg, Dauphin County, PA  
**Duration:** 154 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 953-48** Project title: South Penthouse HVAC Control System. Brief description: replace the motor control center in the South 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, March 5, 1997 at 2:00 p.m.

**Department:** General Services  
**Location:** Pennsylvania Liquor Control Board, Northwest Office Building, Harrisburg, Dauphin County, PA  
**Duration:** 110 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 970-93** Project title: Elevator Upgrade. Brief description: replace three (3) passenger traction elevators and controls with new equipment. General and mechanical 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, March 5, 1997 at 11:00 a.m.

**Department:** General Services  
**Location:** Southeastern Pennsylvania Veterans' Center, Spring City, Chester County, PA  
**Duration:** 260 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556



**DGS A 1573-7** Project title: Repair Roads. Brief description: repair approximately 5000 square yards of existing 10' wide stone perimeter road. Miscellaneous 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, March 12, 1997 at 2:00 p.m.

**Department:** General Services  
**Location:** State Correctional Institution, Smithfield, Huntingdon County, PA  
**Duration:** 90 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**SP 323331** Excavate, grade and reshape approximately 1,925 L. F. of road along Knobsville Road. Excavate ditches and perform ditch reshaping along Knobsville Road (approximately 2,000 L. F.). The replacement of approximately 98 L. F. of corrugated polyethylene pipe. The placement of 3" base material for road surface (approximately 1,000 L. F.).

**Department:** Conservation and Natural Resources  
**Location:** State Parks Region No. 3, Cowans Gap State Park, HC 17266, Fort Loudon, PA 17224-9801  
**Duration:** Completion time—30 days after notice to proceed  
**Contact:** Ken Kozak or Jim Ross, (814) 733-9123

**SP 323332** Reshape and regrade 1,900 L. F. of ditches inside the campground road also including the ditch from the campground road leading to the sewage lagoon. Two applications of bituminous material, each followed by an application of coarse aggregate. The surface treatment will be applied to campground road network system to include parking areas located at the maintenance building. (Approximately 9,796 square yards.)

**Department:** Conservation and Natural Resources  
**Location:** State Parks Region No. 3, Greenwood Furnace State Park, R. R. 2, Box 118, Huntingdon, PA 16652-9006  
**Duration:** Completion time—30 days after notice to proceed  
**Contact:** Ken Kozak or Jim Ross, (814) 733-9123

## Demolition—11

**0800-R/W** The Pennsylvania Department of Transportation is seeking bids for the demolition and/or removal of structures from property(s) located in the Borough of Dauphin, and in Middle Paxton Township, Dauphin County, PA. Sealed bids will be accepted by the Department of Transportation at 2140 Herr Street, Harrisburg, PA 17103-1699 until 1:00 p.m. on Tuesday, March 4, 1997. The project will involve approximately 50 structures. For bid forms, date of the inspection tour, specifications, and further information, contact: Jerry Williams, Appraisal Supervisor, Universal Field Services, Inc., 96 Royal Street, Reedsville, PA 17084, phone: (717) 667-2022.

**Department:** Transportation  
**Location:** R/W District 8-0, R/W Unit, 2140 Herr Street, Harrisburg, PA 17103-1699  
**Duration:** Demolition to be completed within 60-90 days from authorization to proceed  
**Contact:** Jerry Williams, Universal Field Services, Inc., (717) 667-2022

## Engineering Services and Consultation—14

**Project No. 96-29** "Construction Materials Analysis and Design Specification Development." PennDOT is interested in working with colleges, universities and other interested parties in developing new partnerships. The objective of this research is to provide for the systematic, timely evaluation of construction materials in areas where PennDOT's facilities expertise with products or resources make it impossible to analyze or test these materials in timely manner. A minimum of dollar for dollar match of funds between PennDOT and successful contractor is required. Detailed requirements and an RFP are available upon request. FAX request to Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** PennDOT, Bureau of Office Services, Harrisburg, PA  
**Duration:** 48 months  
**Contact:** Tina Chubb, (717) 783-7971

**Project No. 96-30** "Materials Durability Testing and Analysis." PennDOT is interested in working with colleges, universities and other interested parties in developing new partnerships. The objective of this research is to assist PennDOT in determining material durability and in technology transfer activities related to material testing and analysis. A minimum dollar for dollar match of funds between PennDOT and successful contractor is required. Detailed requirements and an RFP are available upon request. FAX request to Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** PennDOT, Bureau of Office Services, Harrisburg, PA  
**Duration:** 48 months  
**Contact:** Tina Chubb, (717) 783-7971

**Project No. 96-31** "New Product Evaluations"—PennDOT is interested in working with colleges, universities and other interested parties in developing new partnerships. This will be an open-ended contract against which work orders will be written. The objective of this research is to provide for the systematic, timely evaluation of new technologies and products in areas where PennDOT's facilities, expertise with products or resources make it impossible to quickly evaluate and implement test results. This research will also assist PennDOT in developing more effective tracking of new product evaluation requests. A minimum of dollar for dollar match of funds between PennDOT and the successful contractor is required. Detailed requirements and an RFP are available upon request. FAX request to Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** PennDOT, Bureau of Office Services, Harrisburg, PA  
**Duration:** 48 months  
**Contact:** Tina Chubb, (717) 783-7971

## Environmental Maintenance Services—15

**BOGM 96-9** Clean out and plug one Abandoned Gas Well on the Kozlosky property. Estimated to be 1,000 feet deep.

**Department:** Environmental Protection  
**Location:** Borough of Ford City, Armstrong County, PA  
**Duration:** 30 days after notice to proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

**C46:21-101.5** Subsurface Exploration for Channel Improvements Project. Involves an estimated 80 L. F. of Overburden Drilling and Sampling, (3 inch Sampler), 2 Undisturbed Samples, 20 L. F. of Rock Coring (NX), 8 Field Permeability Tests and 12 Laboratory Tests.

**Department:** Environmental Protection  
**Location:** Borough of Conshohocken, Montgomery County, PA  
**Duration:** 21 days after notice to proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

**OSM 19(4494, 1527)101.1** Backfilling Strip Pits, McCauley Mountain. Involves an estimated 1,750,000 C. Y. of grading, 2,300 C. Y. of ditch excavation, 2,450 S. Y. of rock lining and 127 acres of seeding. One hundred percent (100%) of this project is financed by the Federal Government. Federal funds available for this program total \$19 million for Pennsylvania's 1995 AML Grant.

**Department:** Environmental Protection  
**Location:** Beaver Township, Columbia County, PA  
**Duration:** 520 days after notice to proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

## Financial and Insurance Consulting—17

**SP336654** Provide support and maintenance for the Pennsylvania Automated Cost Reporting System (PACRS), for the Office of Medical Assistance. This service will be for approximately 30 hours per month. Complete details and specifications may be obtained by contacting the Procurement Office.

**Department:** Public Welfare  
**Location:** Beech Drive, Cherry Wood Building No. 33, A213, P. O. Box 8047, Harrisburg, PA 17105  
**Duration:** 04-01-97 to 03-31-00  
**Contact:** Lori Vessella, (717) 783-9281

**Firefighting Services—18**

**00671 000 96 AS-53** Maintain fire system. Provide 3 year contract for maintenance of Fire Detection Systems and a two year contract for the maintenance of the Security System at Old Economy Village, Ambridge, PA. A pre-bid meeting will be held at the site on March 6, 1997 at 10:00 a.m., for all firms interested in submitting bids for the project. Attendance at the prebid is highly recommended. For directions, please contact the site at (412) 266-4500. All interested bidders should submit a request for a bid package in writing, to: PA Historical & Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026. Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 21, 1997 at 10:00 a.m. Bid opening will be held in room 526 of The State Museum of PA, corner of 3rd & North Sts., Harrisburg, PA.

**Department:** Bureau of Historic Sites & Museums  
**Location:** Old Economy Village, 14th and Church Streets, Ambridge, PA 15003  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling, or John Callan, (717) 772-2401

**00685 000 97 AS-50** Maintain fire and security. Provide contract services for the maintenance and repair of the installed Fire and Security Protection System. A pre-bid meeting will be held at the site on March 6, 1997 at 3:00 p.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (215) 583-7221. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026. Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Thursday, March 20, 1997 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, Morton Homestead, 100 Lincoln Avenue, Prospect Park, PA 19145  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Galen Brown, (717) 772-2401

**00701 000 96 AS-51** Maintain Installed Fire Detection and Suppression Systems. A pre-bid meeting will be held at the site on March 4, 1997 at 1:00 p.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (717) 733-6600. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026. Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 21, 1997 at 10:00 a.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Ephrata Cloister, 632 West Main Street, Ephrata, PA 17522  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Gina M. Douty, (717) 772-2401

**SP6500-048** Contractor shall supply all labor and materials necessary to test, inspect, maintain, recharge, repair all types of fire extinguishers, Ansul system, and fire hoses. Work to be provided on a scheduled and "as-needed" basis.

**Department:** Corrections  
**Location:** State Correctional Institution—Retreat, R. D. 3, Box 500, Hunlock Creek, Luzerne County, PA 18621  
**Duration:** July 1, 1997 through June 30, 2000  
**Contact:** Barbara Swiatek, Purchasing Agent, (717) 735-8754

**Food—19**

**663-96** Prepared salads, various types, for delivery April through July, 1997. For more specifications request bid proposal, Inquiry No. 663-96.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, Montgomery County, PA 19401  
**Duration:** April through July 1997  
**Contact:** Sue Brown, Purchasing Agent, (610) 270-1026

**8298** Miscellaneous foods. Delivery date(s), special delivery instructions and quantities may be obtained from the hospital. Award to be made on an item by item basis. Delivery schedules 8 a.m. to 3:30 p.m., Monday through Friday except State and National holidays.

**Department:** Public Welfare  
**Location:** Warren State Hospital, Route 62 North, North Warren, Warren County, PA 16365  
**Duration:** April 1997  
**Contact:** JD Sample, (814) 726-4448

**DIET-012** The Hiram G. Andrews Center is soliciting bids for registered dietitian consultation services to be performed at the facility. Consultations will consist of four weekly sessions of approximately four hours each, on a weekday, between the hours of 8:00 a.m. and 4:00 p.m. with the possibility of one session from 4:00 p.m. to 8:00 p.m. The facility reserves the right to increase or decrease the number of consultations according to its actual requirements. This will not be a contract of employment.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** 7/1/97 to 6/30/2000 with renewal option not to exceed two 1-year periods  
**Contact:** R. D. Robinson, Purchasing Agent II, (814) 255-8210

**FIQ-12** Frozen items: vegetables, juices, meat entrees, specialty sandwich breads, pastries, etc. To be delivered only at request of facility. Quantities/specs available upon request.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** April, May, June, 1997  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**LH-F049** Soda product syrups, equipment and service to include 1 ice topper, Model T-0 and 2 dispensers, 5 flavors with soda water nozzle. Vendor shall conduct physical survey in person prior to submission of bid. Bid on file at institution.

**Department:** Corrections  
**Location:** State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset, PA 15501-0631  
**Duration:** 07/01/97 to 06/30/98  
**Contact:** Carole Kolesko, Purchasing Agent, (814) 443-0366

**LH-F051** Bread/rolls/related products: to consist of the following but may include any other items that may be required: sliced white bread; rye bread loaves; Italian bread; hamburger rolls; frankfurter rolls; hoagie/sub rolls; fruit filled rolls; doughnuts (yeast type round); doughnuts cake plain; powdered sugar and cinnamon. Delivery dates will be specified prior to each month's delivery. Bid on file at institution.

**Department:** Corrections  
**Location:** State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset, PA 15501-0631  
**Duration:** 07/01/97 to 06/30/98  
**Contact:** Carole Kolesko, Purchasing Agent, (814) 443-0366

**M-865** Meat and meat products; poultry and poultry products; fish; cheeses. "Quantities may be obtained from facility upon request"; deliveries to be 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:** April, May, June, 1997  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**Fuel Related Services—20**

**00674 000 96 TANK** Removal of underground fuel storage tank. All work to include, but not be limited to, closure, removal, and disposal of three currently unused underground fuel storage tanks at Daniel Boone Homestead in accordance with all relevant State and Federal regulations and requirements. In addition, work will include the removal of all piping, pumps, and/or other equipment associated with the installation and operation of the tanks. Installation of clean fill materials and soil to infill the volume previously occupied by the removed tanks, and planting of grass seed, or other specified ground cover over filled area. A site visit and sign in is highly suggested to all vendors. This should be scheduled between February 21, 1997 and March 18, 1997 with the site administrator at the site. For directions, please contact the site at (215) 582-4900. 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 Yingling. Bids are due on Tuesday, March 25, 1997 at 2:00 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, Daniel Boone Homestead, R. D. 2, Box 162, Birdsboro, PA 19508  
**Duration:** May 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Jim Caufield, RA, (717) 772-2401

**00676 000 96 TANK** Removal of Underground Fuel Storage Tank -Bowman's Hill. All work to include, but not be limited to, closure, removal, and disposal of six currently unused underground fuel storage tanks at Bowman's Hill in accordance with all relevant State and Federal regulations and requirements. In addition, work will include the removal of all piping, pumps, and/or other equipment associated with the installation and operation of the tanks. Installation of clean fill materials and soil to infill the volume previously occupied by the removed tanks, and planting of grass seed, or other specified ground cover over filled area. A site visit and sign in is highly suggested to all vendors. This should be scheduled between February 21, 1997 and March 18, 1997 with the site administrator at the site. For directions, please contact the site at (215) 493-4076. 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 Yingling. Bids are due on Tuesday, March 25, 1997 at 2:00 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, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977

**Duration:** May 1, 1997 to August 30, 1997

**Contact:** Judi Yingling or Jim Caufield, RA, (717) 772-2401

**00676 000 96 TANK** Removal of Underground Fuel Storage Tank. All work to include, but not be limited to, closure, removal, and disposal of two currently unused underground fuel storage tanks at Washington Crossing in accordance with all relevant State and Federal regulations and requirements. In addition, work will include the removal of all piping, pumps, and/or other equipment associated with the installation and operation of the tanks. Installation of clean fill materials and soil to infill the volume previously occupied by the removed tanks, and planting of grass seed, or other specified ground cover over filled area. A site visit and sign in is highly suggested to all vendors. This should be scheduled between February 21, 1997 and March 18, 1997 with the site administrator at the site. For directions, please contact the site at (215) 493-4076. 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 Yingling. Bids are due on Tuesday, March 25, 1997 at 2:00 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, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977

**Duration:** May 1, 1997 to August 30, 1997

**Contact:** Judi Yingling or Jim Caufield, RA, (717) 772-2401

**00721 000 96 TANK** Removal of Underground Fuel Storage Tank. All work to include, but not be limited to, closure, removal, and disposal of one currently unused underground fuel storage tank at Drake Well Museum in accordance with all relevant State and Federal regulations and requirements. In addition, work will include the removal of all piping, pumps, and/or other equipment associated with the installation and operation of the tanks. Installation of clean fill materials and soil to infill the volume previously occupied by the removed tanks, and planting of grass seed, or other specified ground cover over filled area. A site visit and sign in is highly suggested to all vendors. This should be scheduled between February 21, 1997 and March 18, 1997 with the site administrator at the site. For directions, please contact the site at (814) 827-2797. 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 Yingling. Bids are due on Tuesday, March 25, 1997 at 2:00 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, Drake Well Museum, R. D. 3, Box 7, Titusville, PA 16354-8902

**Duration:** May 1, 1997 to August 30, 1997

**Contact:** Judi Yingling or Jim Caufield, RA, (717) 772-2401

**02953 000 96 TANK** Removal of Underground Fuel Storage Tank. All work to include, but not be limited to, closure, removal, and disposal of six currently unused underground fuel storage tanks at Brandywine Battlefield in accordance with all relevant State and Federal regulations and requirements. In addition, work will include the removal of all piping, pumps, and/or other equipment associated with the installation and operation of the tanks. Installation of clean fill materials and soil to infill the volume previously occupied by the removed tanks, and planting of grass seed, or other specified ground cover over filled area. A site visit and sign in is highly suggested to all vendors. This should be scheduled between February 21, 1997 and March 18, 1997 with the site administrator at the site. For directions, please contact the site at (215) 459-3342. 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 Yingling. Bids are due on Tuesday, March 25, 1997 at 2:00 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, Brandywine Battlefield Park, P. O. Box 202, Chadds Ford, PA 19317

**Duration:** May 1, 1997 to August 30, 1997

**Contact:** Judi Yingling or Jim Caufield, RA, (717) 772-2401

## Heating, Ventilation, Air Conditioning—22

**Project No. 218** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs

**Location:** PAARNG Armory, 301 Tenth Street, Ford City, Armstrong County, PA

**Duration:** 1 July 97—30 June 2000

**Contact:** Emma Schroff, (717) 861-8518

**Project No. 219** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs

**Location:** PAARNG Armory, 315 West Confederate Avenue, Gettysburg, Adams County, PA

**Duration:** 1 July 97—30 June 2000

**Contact:** Emma Schroff, (717) 861-8518

**Project No. 220** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs

**Location:** PAARNG Armory, R. D. 12, Box 232, Greensburg, Westmoreland County, PA

**Duration:** 1 July 97—30 June 2000

**Contact:** Emma Schroff, (717) 861-8518

**Project No. 221** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs

**Location:** PAARNG Armory, R. D. 2, Box 2828, Grove City, Mercer County, PA

**Duration:** 1 July 97—30 June 2000

**Contact:** Emma Schroff, (717) 861-8518

**Project No. 222** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs

**Location:** PAARNG Armory, 321 North 5th Street, Hamburg, Berks County, PA

**Duration:** 1 July 97—30 June 2000

**Contact:** Emma Schroff, (717) 861-8518

**Project No. 223** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs

**Location:** PAARNG Armory, 14th and Calder Streets, Harrisburg, Dauphin County, PA

**Duration:** 1 July 97—30 June 2000

**Contact:** Emma Schroff, (717) 861-8518



**Project No. 240** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 820 Frank Avenue, New Castle, Lawrence County, PA  
**Duration:** 1 July 97—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 241** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, East 2nd and State Streets, Oil City, Venango County, PA  
**Duration:** 1 July 97—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 242** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 23rd and Randstead Streets, Philadelphia, Philadelphia County, PA  
**Duration:** 1 July 97—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 243** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 441 North Findley Street, Punxsutawney, Jefferson County, PA  
**Duration:** 1 July 97—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 244** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 926 South Logan Avenue, Tyrone, Blair County, PA  
**Duration:** 1 July 97—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 245** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 61 North Washington Street, Waynesburg, Greene County, PA  
**Duration:** 1 July 97—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 246** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 100 Valley Hi Drive, West View, Allegheny County, PA  
**Duration:** 1 July 97—30 June 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 9734** Unit heater renovations, repairs.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, Coal Hill Road, Box 847, Clearfield, Clearfield County, PA  
**Duration:** 1 March 97—30 June 97  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 9736** Two (2) 3-ton unit ventilator replacements which include hot water piping connection, etc.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 1720 East Caracas Avenue, Hershey, Dauphin County, PA  
**Duration:** 1 March 97—30 June 97  
**Contact:** Emma Schroff, (717) 861-8518

**0703 000 95 AS-1** Renovations to the electrical system. Project to make renovations to existing electrical system at the Visitor Center at Eckley Miners Village. A mandatory pre-bid meeting will be held at the site on March 7, 1997 at 11:00 a.m. for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions, please contact the site at (717) 636-2070 or (717) 636-2071. 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 Yingling. Bids are due on Friday, March 21, 1997 at 3:15 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, Eckley Miners Village, Rural Route 2, Box 236, Weatherly, PA 18255  
**Duration:** May 1, 1997 to June 30, 1997  
**Contact:** Judi Yingling or Galen Brown, (717) 772-2401

**03958 000 96 AS-2** Flood cooling repairs. Provide new electrical equipment to refeed existing heating ventilation and air conditioning units in the Mechanical Room of the Fort Pitt Museum, Pittsburgh, PA. New electrical work includes circuit breakers, conduit, cabling starter/disconnect switches. Equipment to be refeed includes the chiller, main air handling unit, return air fan, chilled water pump and air compressor. A site visit is strongly recommended. Arrange your site visit with John Connolly at the site. For directions, please contact the site at (412) 281-9285. 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 Yingling. Bids are due on Monday, March 10, 1997 at 3:15 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, Fort Pitt Museum, 101 Commonwealth Place, Point State Park, Pittsburgh, PA 16501-1804  
**Duration:** May 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or John Callan, RA, (717) 772-2401

**6308-01-14** Mansfield University is seeking interested contractors for the demolition of existing lighting fixtures, installation of new lighting fixtures and accessories and installation of theatrical rigging. A pre-bid meeting is scheduled for March 13, 1997 at 10 a.m. in Brooks Maintenance Building and the Bid Opening will be March 28, 1997 at 2 p.m. in the Purchasing Department, Mansfield University. Bid packages can be obtained from Quad Three Group, 37 North Washington Street, Wilkes-Barre, PA 18701, at (712) 829-4200. Bid package cost of fifty dollars (\$50.00) non-refundable deposit. Bonding and prevailing wage is required for this project. All responsible bidders are invited to participate including MBE/WBE firms.

**Department:** State System of Higher Education  
**Location:** Mansfield University, Mansfield, PA 10933  
**Duration:** 90 calendar days from notice to proceed  
**Contact:** Quad Three Group, Michael Fort, (717) 829-4200

**BOL-2** The contractor shall supply all chemicals, test equipment, lab analysis, staff training, to provide a complete water treatment service program that will include steam boilers, aerator, condensate system, hot water recirculation system and chilled water recirculation system.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, State Route 2007, Houtzdale, PA 16698-1000  
**Duration:** 07/01/97—06/30/98  
**Contact:** Diane K. Davis, (814) 378-1000

## Janitorial Services—23

**FM-1** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Municipal Police Officers Education and Training Commission Facility, 75 East Derry Street, Hershey, PA 17033  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-2** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, York Station, Rural Route 2, 110 North Street, York, PA 17403  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-3** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Stonington Station, R. D. 2, Box 83, Sunbury, PA 17801  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-4** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Coudersport Station, R. D. 1, Box 259A, Coudersport, PA 16915  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-5** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Girard Station, 5950 Meadville Road, Girard, PA 16417  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-6** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Warren Station, Scott Run Road, Warren, PA 16365  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-7** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Erie Crime Lab, 4320 Iroquois Avenue, Erie, PA 16511  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-8** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Corry Station, 13675 Roosevelt Highway, Corry, PA 16401  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-9** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Meadville Station, 79 Curry Road, Meadville, PA 16335-0479  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-10** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Area to include P & S located in garage and restrooms, to be designated by the P & S Officer. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Erie Headquarters, 4320 Iroquois Avenue, Erie, PA 16512  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-11** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, wash bowls and sinks, clean mirrors, fill towel and tissue dispensers, every—machine buff tile floors, vacuum carpets. Do general housecleaning twice a year. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Mercer Station, 826 Franklin Road, Mercer, PA 16137  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-12** Furnish all labor, materials and equipment to provide janitorial services at the PA State Police, Punxsutawney Headquarters facility. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Punxsutawney Headquarters, P. O. Box 445, 445 North Findley Street, Punxsutawney, PA 15767-0445  
**Duration:** 7/1/97 to 6/30/98  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-13** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, general housecleaning twice a year, shampoo carpets. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Shipperville Station, R. D. 2, Box 233-A, Shipperville, PA 16254  
**Duration:** 7/1/97 to 6/30/2000  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-195** Furnish all labor, equipment and materials to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, vacuum carpets, dust furniture, wash windows inside and outside, to include snow removal from sidewalks, as required, semi-annual housecleaning at the discretion of the Officer in Charge or his representative at the Northwest Training Center. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Northwest Training Center, 195 Valley View Drive, R. D., Box 785-D, Meadville, PA 16335  
**Duration:** 5/1/97 to 6/30/99  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**Bid No. 97-2** Total janitorial services for the period 4/1/97—6/30/99 for the State Employees' Retirement System, State College Counseling Center.

**Department:** State Employees' Retirement System  
**Location:** State College Counseling Center, 2525 Green Tech Drive, Suite AA, State College, PA 16803  
**Duration:** 4/1/97—6/30/99  
**Contact:** Mandi Shadle, (717) 787-6981

**SP336647** Provide janitorial services at the Cambria County Assistance Office. The area to be serviced is approximately 25,600 square feet—including the stairways and hallways. Complete details and specifications may be obtained by contacting the Procurement Office.

**Department:** Public Welfare  
**Location:** 229 Main Street, Johnstown, PA 15901  
**Duration:** 07-01-97—06-30-98  
**Contact:** Lori Vessella, (717) 783-9281

**X108992** Provide janitorial services to the Hawk Run District Office to include cleaning restrooms, dusting, mopping floors, etc.

**Department:** Environmental Protection  
**Location:** Hawk Run, PA  
**Duration:** 7/1/97—6/30/98 with option to renew  
**Contact:** Ally Castaneira, (717) 787-2471

## Laboratory Services—24

**SP-571** Laboratory Services—includes profiles and miscellaneous tests.

**Department:** Military Affairs  
**Location:** Hollidaysburg Veterans Home, Route 220 at Meadows Intersection, P. O. Box 319, Hollidaysburg, PA 16648  
**Duration:** 01 July 97 through 30 June 00  
**Contact:** James E. Trimer, Purchasing Agent, (814) 696-5211

### Laundry/Dry Cleaning and Linen/Uniform Rental—25

**541001** Laundry services: mop heads and cleaning rags—estimated 25,000 lbs. and linens, sheets, pillowcases, shower curtains, blankets, and lab coats—estimated 10,000 lbs. Please contact Purchasing Department for specifications. All responsible bidders are invited to participate including MBE/WBE firms.

**Department:** State System of Higher Education  
**Location:** East Stroudsburg University, East Stroudsburg, PA 18301  
**Duration:** July 1, 1997—June 30, 1998  
**Contact:** William Roth, (717) 422-3203

### Lodging/Meeting Facilities—27

Contractor to provide lodging, meals, AM-PM breaks, meeting rooms and audio/visual equipment for 1997 Pennsylvania Conservation Corps Statewide Training Conference.

**Department:** Labor and Industry  
**Location:** Within 10 miles of Harrisburg, PA  
**Duration:** 4/14/97—4/16/97  
**Contact:** Richard J. Fairfax, (717) 772-4079

### Medical Services—29

**260088** Psychiatric physician services—provide psychiatric treatment to hospitalized patients through direct assessment and monitoring in conjunction with the development and implementation of comprehensive individual treatment plans, neuropsychiatric evaluations, and preparation of a comprehensive discharge summary. Conducts weekly treatment team meetings, reviews prescribed medications and ordered treatments on at least a monthly basis and completes an assessment and reevaluation with chart entries at least every 30 days for each patient. Must have experience and knowledge in preparing requests for research proposals/grants and experience and knowledge functioning as the principal investigator upon approval of the proposed research grants.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 07-01-97—06-30-02  
**Contact:** F. Molisee, Purchasing Agent, (412) 257-6215

**260097** Psychiatric physician services—provide psychiatric treatment to hospitalized patients through direct assessment and monitoring in conjunction with the development and implementation of comprehensive individual treatment plans, neuropsychiatric evaluations, and preparation of a comprehensive discharge summary. Conducts weekly treatment team meetings, reviews prescribed medications and ordered treatments on at least a monthly basis and completes an assessment and reevaluation with chart entries at least every 30 days for each patient.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 07-01-97—06-30-02  
**Contact:** F. Molisee, Purchasing Agent, (412) 257-6215

**SC-96-034** To supply physicians services on a daily part-time basis to include 24 hour, 7 day a week, on call service. Vendor may be a group of physicians (maximum of 3 persons). Residence and private practice must be located within a (25) twenty-five mile radius of the Northeastern Veterans Center. For written specifications send a FAX request to Mr. Joseph Libus, c/o Northeastern Veterans Center at (717) 961-4400.

**Department:** Military Affairs  
**Location:** Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** July 1, 1997 through June 30, 1999 with renewal option  
**Contact:** Joseph Libus, Purchasing Agent II, (717) 961-4318

**SP-572** Podiatry services, all services to be provided in the facility.

**Department:** Military Affairs  
**Location:** Hollidaysburg Veterans Home, Route 220 at Meadows Intersection, P. O. Box 319, Hollidaysburg, PA 16648  
**Duration:** 01 July 97 through 30 June 00  
**Contact:** James E. Trimer, Purchasing Agent, (814) 696-5511

### Property Maintenance—33

**00676 000 96 AS-3** Replace fencing—Thompson Neely Farm Area. Remove existing and install new hurdle fencing at the Thompson/Neely Farm, Washington Crossing Historic Park. A mandatory pre-bid meeting will be held at the site on March 11, 1997 at 11:00 a.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions, please contact the site at (215) 493-4076. 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 Yingling. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, Corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977  
**Duration:** April 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Kent Steinbrunner, (717) 772-2401

**00680 000 96 AS-2** New roofs on two tenant buildings. Remove existing and install new roofs on two (2) tenant houses at Curtin Village. A mandatory pre-bid meeting will be held at the site on March 13, 1997 at 10:30 a.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the pre-bid meeting. For directions, please contact the site at (814) 355-1982. 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 Yingling. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Curtin Village/Eagle Iron Works, Roland Curtin Foundation, Box 312, Bellefonte, PA 16823  
**Duration:** April 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Kent Steinbrunner, (717) 772-2401

**00681 000 96 AS-2** Park entrance. Upgrade the entrance to the grounds of the Military Museum and Shrine. Project to include repairs and/or changes to stone wall, widening of entrance and exit roads, vegetative planting, and signing. A mandatory pre-bid meeting will be held at the site on March 13, 1997 at 2:00 p.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions, please contact the site at (814) 466-6263. 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 Yingling. Bids are due on Monday, March 31, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Pennsylvania Military Museum, P. O. Box 160A, Boalsburg, PA 16827  
**Duration:** April 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Kent Steinbrunner, (717) 772-2401

**00696 000 96 AS-2** Secure facia brick on front of building. Exterior masonry repairs near main entrance to Museum Building. A mandatory pre-bid meeting will be held at the site on March 12, 1997 at 10:00 a.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions, please contact the site at (717) 963-4804 or (717) 963-4845. 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 Yingling. Bids are due on Thursday, March 27, 1997 at 10:00 a.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, Anthracite Heritage Museum, R. D. 1, Bald Mountain Road, Scranton, PA 18504  
**Duration:** May 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Kent Steinbrunner, (717) 772-2401

**00707 000 96 AS-2** Repairs and painting of the tenant house. Repaint and repairs to the Tenant House, at Hope Lodge, Montgomery County. A pre-bid meeting will be held at the site on March 4, 1997 at 2:00 p.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (215) 646-1595. 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 Yingling. Bids are due on Thursday, March 20, 1997 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, Hope Lodge, 553 Bethlehem Pike, Fort Washington, PA 19034  
**Duration:** May 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Galen Brown, (717) 772-2401

**00714 000 96 AS-1** Interior painting. Interior painting at the Joseph Priestley House. A mandatory pre-bid meeting will be held at the site on March 14, 1997 at 10:00 a.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions, please contact the site at (717) 473-9474. 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 Yingling. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Joseph Priestley House, 472 Priestley Avenue, Northumberland, PA 17857  
**Duration:** April 1, 1997 to August 30, 1997  
**Contact:** Judi Yingling or Kent Steinbrunner, (717) 772-2401

**321004** Cut and trim approximately fifteen (15) acres of ground on a monthly basis at the closed facility formerly known as Philadelphia State Hospital.

**Department:** Public Welfare  
**Location:** Former Philadelphia State Hospital Grounds, 14000 Roosevelt Boulevard, Philadelphia, PA  
**Duration:** 4/15/97 through 10/31/97  
**Contact:** Warren J. Dolan, Purchasing Agent, (610) 270-1025

**BVS-336011449** Contractor to supply all labor, tools, equipment and building materials to accomplish renovations to snack bar including removal and relocation of counter modules, cashier station, plumbing and electrical, and removal and reconstruction of partition. Complete specifications and drawings can be obtained by contacting the Procurement office.

**Department:** Public Welfare  
**Location:** Northampton County Court House, 7th and Walnut Streets, Easton, PA 18042-7464  
**Duration:** 03/17/97 to 12/31/97  
**Contact:** Ed Blandy, (717) 772-4883

**SP336650** Provide snow removal services for parking lot which holds approximately 34 cars and sidewalks located at the Clinton County Assistance Office. Complete details and specifications may be obtained by contacting the Procurement Office.

**Department:** Public Welfare  
**Location:** 220 Woodward Avenue, P. O. Box 450, Lock Haven, PA 17745  
**Duration:** 07-01-97—06-30-00  
**Contact:** Lori Vessella, (717) 783-9281

**X108991** Provide maintenance services for the Hawk Run District Office to include maintaining building exterior, gutters, minor carpentry, etc.

**Department:** Environmental Protection  
**Location:** Hawk Run, PA  
**Duration:** 7/1/97—6/30/98 with option to renew  
**Contact:** Ally Castaneira, (717) 787-2471

**YFC No. 1** Contractor to replace toilets, sinks and lighting fixtures at Youth Forestry Camp No. 2.

**Department:** Public Welfare  
**Location:** Youth Forestry Camp No. 2, White Haven, Carbon County, PA 18661  
**Duration:** 7/1/96 to 6/30/97  
**Contact:** Rose M. Palermo, (717) 443-9524

**YFC No. 2** Contractor to replace roof on Vo-Tech Building at Youth Forestry Camp No. 2.

**Department:** Public Welfare  
**Location:** Youth Forestry Camp No. 2, White Haven, Carbon County, PA 18661  
**Duration:** 7/1/96 to 6/30/97  
**Contact:** Rose M. Palermo, (717) 443-9524

## Real Estate Services—35

**957A** Survey and Subdivision of State Owned Property Commonwealth of Pennsylvania. The Department of General Services will accept sealed bids for the survey and subdivision of approximately 900 acres of land, known as the Selinsgrove State Farm, located in Penn Township, Snyder County, PA. Requests for information and bidding packages are due by 3:00 p.m., February 28, 1997. Solicitation No.: 957.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1996-97  
**Contact:** Jennings K. Ward, (717) 787-7412

**958A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Health with 3,794 useable square feet of new or existing office/clinic space in Centre County, PA, minimum parking for twenty (20) vehicles, within the Borough of State College or in College Township. In areas where street or public parking is not available, an additional ten parking spaces are required. Proposals due: April 14, 1997. Solicitation No.: 92457.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1996-97  
**Contact:** Doris Deckman or John A. Hocker, (717) 787-4394

**050423-4-5-6** S. R. 022-04M. Real Estate Appraisals of selected properties as delineated on the above captioned official highway project plan for condemnation of right-of-way for S. R. 22 Restoration, North of City of Bethlehem, PA. Appraisers must be on PennDOT Pre-Approved List.

**Department:** Transportation  
**Location:** ROW, 2460 Parkwood Drive, Allentown, PA 18103  
**Duration:** 1996/1997  
**Contact:** K. W. Kipp, Chief Appraiser, (610) 791-6010

## Security Services—37

**00673 000 97 AS-50** Maintenance fire and security. Work includes to maintain and repair installed fire and security system. A pre-bid meeting will be held at the site on March 11, 1997 at 10:30 a.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (215) 589-2934. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026, Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Conrad Weiser Homestead, 28 Weiser Road, Womelsdorf, PA 19567-9718  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Galen Brown, (717) 772-2401

**00676 000 97 AS-50** Maintenance fire and security. Work includes to maintain and repair installed fire and security system at Washington Crossing Historic Park. A pre-bid meeting will be held at the site on March 13, 1997 at 1:00 p.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (215) 493-4076. All interested bidders should submit a request for bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026, Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Galen Brown, (717) 772-2401



**00696 000 97 AS-53** Maintain fire and security. Provide contract services for the maintenance and repair of the installed fire and security protection systems. A pre-bid meeting will be held at the site on March 12, 1997 at 11:00 a.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (717) 963-4804 or (717) 963-4845. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026, Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Anthracite Heritage Museum, R. D. 1, Bald Mountain Road, McDade Park, Scranton, PA 18504  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Kent Steinbrunner, (717) 772-2401

**00700 000 97 AS-50** Maintain fire and security. Provide contract services for the maintenance and repair of the installed fire and security protection system. A pre-bid meeting will be held at the site on March 4, 1997 at 10:00 a.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (717) 569-0401. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026, Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 21, 1997 at 10:00 a.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, Landis Valley Museum, 2451 Kissel Hill Road, Lancaster, PA 17601  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Gina M. Douty, (717) 772-2401

**00702 000 97 AS-50** Maintenance fire and security. Work includes to maintain and repair installed fire and security system. A pre-bid meeting will be held at the site on March 11, 1997 at 10:30 a.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (717) 272-9711. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026, Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Cornwall Iron Furnace, P. O. Box 251, Cornwall, PA 17016  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Galen Brown, (717) 772-2401

**00717 000 97 AS-53** Maintain fire and security. Provide contract services for the maintenance and repair of the installed fire and security protection systems. A pre-bid meeting will be held at the site on March 12, 1997 at 2:30 p.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (717) 875-4708. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026, Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 28, 1997 at 1:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Museum of Anthracite Mining—Ashland, 17th and Pine Streets, Ashland, PA 17921  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Kent Steinbrunner, (717) 772-2401

**03379 000 97 AS-50** Maintenance of fire and security system. Work includes to maintain and repair installed fire and security system at the Railroad Museum of PA. A pre-bid meeting will be held at the site on March 3, 1997 at 1:30 p.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (717) 687-8628. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026, Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 21, 1997 at 10:00 a.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, Railroad Museum of Pennsylvania, Box 15, Strasburg, PA 17579  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Gina M. Douty, (717) 772-2401

**50010 000 97 AS-50** Fire and security maintenance. Work includes to maintain and repair the installed fire and security system at The State Museum of PA. A pre-bid meeting will be held on the ground floor of The State Museum, Harrisburg, PA on March 3, 1997 at 10:00 a.m., for all firms interested in submitting bids for the project. For directions, please contact the site at (717) 772-4992. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi Yingling or FAX request to (717) 783-1073. Bids are due on Friday, March 21, 1997 at 10:00 a.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, The State Museum of Pennsylvania, 3rd and North Streets, P. O. Box 1026, Harrisburg, PA 17108-1026  
**Duration:** July 1, 1997 to June 30, 2000  
**Contact:** Judi Yingling or Gina M. Douty, (717) 772-2401

**SP336645** The contractor shall provide unarmed Security Guard Services at the Philadelphia State Hospital, 14000 Roosevelt Boulevard, Philadelphia, PA 19114 and the Eastern State School and Hospital, 3740 Lincoln Highway, Trevoze, PA 19053. Complete details and specifications may be obtained by contacting the Procurement Office.

**Department:** Public Welfare  
**Location:** 14000 Roosevelt Boulevard, Philadelphia, PA 19114 and 3740 Lincoln Highway, Trevoze, PA 19053  
**Duration:** 07-01-97—06-30-98  
**Contact:** Lori Vessella, (717) 783-9281

## Vehicle, Heavy Equipment and Powered Machinery Services—38

**0120013** Provide (2) construction/demolition dump boxes to be retrofit to the tandem dump trucks currently in the fleet.

**Department:** Transportation  
**Location:** 9031 Peach Street, Waterford, PA 16441  
**Duration:** 6-30-97  
**Contact:** William C. Sachse, (814) 871-4411

**0800-97-00-WMEX-01** The PA Department of Transportation intends to rent the following described equipment: two (2) wheel mounted hydraulic excavators with 3/8 cubic yard bucket for excavating; two (2) wheel mounted hydraulic excavators with 5/8 cubic yard excavating bucket, and 60 inch ditching bucket. A reference manufacture/model for all of the above excavators is Gradall/G 660C or an equivalent or greater size.

**Department:** Transportation  
**Location:** District 8-0 Counties: Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon and Perry  
**Duration:** March 1, 1997 to February 29, 2000  
**Contact:** R. A. Wiest, (717) 783-0443

**0800-97-MM0401-1** The PA 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:** District 8-0 Counties: Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon and Perry  
**Duration:** April 1, 1997 to March 31, 2000  
**Contact:** R. A. Wiest, (717) 783-0443

**010311** Fuel truck—2000 gallon capacity. Operator. Truck to travel to maintenance sites throughout District.

**Department:** Transportation  
**Location:** 1140 Liberty Street, Franklin, Venango County, PA 16323  
**Duration:** 4/97—3/00  
**Contact:** Tom Moore, (814) 437-4237

**260094** State inspection and emission testing for all vehicles in Mayview State Hospital's automotive fleet. Required repairs to vehicles to pass inspection will be done at Mayview State Hospital, Transportation Department.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 07-01-97—06-30-00  
**Contact:** F. Molisee, Purchasing Agent, (412) 257-6215

**2-0-00332** The Pennsylvania Department of Transportation Engineering District 0200 will be renting one (1) mobile crane, minimum 17 ton and one self-propelled cold planing machine minimum 14" cutting width for use at various locations within District 0200, both items will be bid with operator.

**Department:** Transportation  
**Location:** Various locations within Engineering District 0200  
**Duration:** May 1, 1997 to April 30, 2000  
**Contact:** Grover C. Beightol, (814) 765-0492

**Miscellaneous—39**

**No. 96-01** The Pennsylvania Department of Transportation (PennDOT) seeks a firm to provide services to upgrade, repair, calibrate, and to maintain traffic data collection sites, and various types of equipment including portable traffic data collection devices. There are approximately 343 sites throughout the State at various locations. If additional sites are required in the future the contractor must be prepared to make installations if PennDOT so chooses. Additional information and a Request for Proposals (RFP) may be obtained by faxing a request for RFP No. 96-01 to Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** Bureau of Office Services, Forum Place, 8th Floor, 555 Walnut Street, Harrisburg, PA 17101-1900  
**Duration:** 1 year with option to renew  
**Contact:** Tina Chubb, (717) 787-7001

**CRE-0195** Supplemental Chaplaincy Services—to assist the Institutional Protestant Chaplain in religious duties within the institution. Estimated requirements—20 hours per week. Details and specifications for duties and qualifications on file in the agency purchasing department.

**Department:** Corrections  
**Location:** State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16699-0001  
**Duration:** July 1, 1997 to June 30, 2000 (3 years)  
**Contact:** Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, ext. 166

**LH-SER039** Contractor to provide Protestant Chaplaincy Services for the inmate population of State Correctional Institution at Laurel Highlands as follows: 30 hours per week first year; 32 hours per week second year and 35 hours per week third year. Bid on file at institution.

**Department:** Corrections  
**Location:** State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset, PA 15501-0631  
**Duration:** 07/01/97 to 06/30/00  
**Contact:** Carole Kolesko, (814) 443-0366

**PSERS-TPA** Third Party Administrator—The Public School Employees' Retirement System is looking for a firm or organization to administer the communications, enrollment and eligibility functions of the PSERS Health Options Program. In this capacity the successful bidder will serve as the primary administrative agent of the Program, including but not limited to the management of the annual open enrollment process. A complete copy of the bid package and bid specifications can be obtained by calling (717) 720-4607. Preproposal meeting will be held on March 3, 1997 at 1:00 p.m. in PSERS Main facilities located at 5 North 5th Street, Harrisburg, PA.

**Department:** Public School Employees' Retirement System  
**Location:** 5 North 5th Street, Harrisburg, PA 17101  
**Duration:** Indeterminate 1996-97  
**Contact:** Rebecca A. Snead, (717) 720-4607

**SP6500-046** Religious Services (Protestant Faith). Chaplaincy services for inmates of the Protestant Faith at the State Correctional Institution at Retreat. The contractor shall provide approximately 30 hours of service per week which shall include formal religious services, counseling, infirmary and restricted housing visits.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, R. D. 3, Box 500, Hunlock Creek, Luzerne County, PA 18621  
**Duration:** July 1, 1997 through June 30, 2000  
**Contact:** Barbara Swiatek, Purchasing Agent, (717) 735-8754

**SP6500-047** Religious Services (Spanish-speaking). Religious services for Spanish-speaking inmates at the State Correctional Institution at Retreat. The contractor shall provide bi-weekly services which shall include formal religious services, counseling, infirmary and restricted housing visits.

**Department:** Corrections  
**Location:** State Correctional Institution at Retreat, R. D. 3, Box 500, Hunlock Creek, Luzerne County, PA 18621  
**Duration:** July 1, 1997 through June 30, 2000  
**Contact:** Barbara Swiatek, Purchasing Agent, (717) 735-8754

**SP-320475** Provide materials and installation of woven wire deer fencing as follows: Area No. 1—approximately 7,100 linear feet perimeter of a portion of the Boot Hill, Timber Sale 13-96BC03, in Portage Township, Potter County. Area No. 2—approximately 6,000 linear feet perimeter of a portion of the Right Fork, Timber Sale 13-96BC05, in Lumber and Grove Townships, Cameron County.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Forest District 13, Area No. 1—Boot Hill, Portage Township, Potter County; Area No. 2—Right Fork, Lumber and Grove Townships, Cameron County, PA  
**Duration:** June 30, 1997  
**Contact:** Robert W. Martin, Jr., Forest District Manager, (814) 486-3353

**SP 323202** Provide installation of an electric deer fence on the Tuscarora State Forest. Bid specifications available at District Office.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Forest District 3, Tuscarora State Forest, South Fork Trail, Perry County, PA  
**Duration:** Project to be completed by June 6, 1997  
**Contact:** Peter C. Johnson, (717) 536-3191

**SP 323204** Provide installation of an electric deer fence on the Tuscarora State Forest. Bid specifications available at District Office. This is a rebid.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Forest District 3, Tuscarora State Forest, Meadows Road, Perry County, PA  
**Duration:** Project to be completed by June 6, 1997  
**Contact:** Peter C. Johnson, (717) 536-3191

[Pa.B. Doc. No. 97-243. Filed for public inspection February 14, 1997, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of
0050-08	02/01/97	Advanced Communica- tions Agency	52,170.24
1315216-01	01/29/97	Cumberland Truck Equip. Co.	34,499.00
1381216-01	02/05/97	Wolffington Body Co.	58,840.00
1403226-01	02/05/97	Griffin Motors Co.	42,144.00
1403226-02	02/05/97	Manheim Chrysler Plymouth	25,443.00
1403226-03	02/05/97	Babe Charapp Ford	18,999.00
1422216-01	01/29/97	Cumberland Truck Equipment Co.	35,020.00
1424216-01	01/29/97	Rohrer Bus Sales	37,559.00
1442116-01	01/29/97	The Donald H. Kaiser Co.	25,996.18
1450186-01	02/05/97	Cardels	57,998.00
1451226-01	02/05/97	Safety League, Inc.	26,906.25
1459116-01	01/29/97	Wesco Distri- bution	13,100.00
1461116-01	02/05/97	Grims Glass and Glazing, Inc.	24,970.00
1497216-01	01/29/97	Twin Medical Company	14,352.00
1536116-01	02/05/97	Security Fence Co.	32,062.50
1541216-01	02/05/97	Holt Ramsey Pump and Equipment Co.	11,500.00
1549226-01	01/29/97	Dura-Sales	61,227.05
1553046-01	02/05/97	Ketchum Manufac- turing Co.	8,992.00
2420-01 (Rebid in Part No. 1)	02/06/97	F&S Supply Co., Inc.	25,000.00
2420-01 (Rebid in Part No. 1)	02/06/97	Wenner Ford Tractor, Inc.	20,000.00
2420-01 (Rebid in Part No. 1)	02/06/97	Hollingers Lawn and Garden Equip.	22,500.00

Requisition or Contract #	Awarded On	To	In the Amount Of
2420-01 (Rebid in Part No. 1)	02/06/97	ABC Groff, Inc.	5,000.00
2420-01 (Rebid in Part No. 1)	02/06/97	Bull Interna- tional	7,500.00
2420-01 (Rebid in Part No. 1)	02/06/97	Bandit Indus- tries, Inc.	15,000.00
2420-01 (Rebid in Part No. 1)	02/06/97	Cleveland Bros. Equip- ment Co., Inc.	7,500.00
2420-01 (Rebid in Part No. 1)	02/06/97	Kut-Kwick Corp.	5,000.00
2420-01 (Rebid in Part No. 1)	02/06/97	Tiger Corp.	5,000.00
2420-01 (Rebid in Part No. 1)	02/06/97	Micro-Mower Co./R. L. Parsons & Son ECI	2,500.00
2420-01 (Rebid in Part No. 1)	02/06/97	Alamo Sales Corp.	60,000.00
2420-01 (Rebid in Part No. 1)	02/06/97	Walsh Equip- ment, Inc.	22,500.00
5680-02	02/05/97	Morgan Weld- ing Co.	15,123.00
5680-02	02/05/97	Continental Concrete Products, Inc.	6,349.00
5680-02	02/05/97	Terre Hill Concr. Pre Cast	67,240.28
5680-02	02/05/97	Janet McCar- roll	29,775.00
5680-02	02/05/97	Syracuse Cast- ings Sales Corp.	151,488.58
5810-05	02/06/97	Onix Network- ing Corp.	300,000.00
6810-04	02/15/97	Mercer Lime and Stone Co.	33,373.20
6810-04	02/15/97	Tarmac America	39,215.00
8010-07	02/05/97	Gateway Paint and Chemi- cal Co.	10,000.00
8010-07	02/05/97	PA Paint, Inc.	10,000.00
8010-07	02/05/97	Finnaren & Haley, Inc.	10,000.00
8010-07	02/05/97	Bob's Ace Hardware	10,000.00
8010-07	02/05/97	Birk Paint Manufac- turers, Inc.	10,000.00
8010-07	02/05/97	Glidden Co.	10,000.00
8010-07	02/05/97	Duron, Inc.	10,000.00

## STATE CONTRACTS INFORMATION

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>	<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
8010-07	02/05/97	M. A. Bruder & Sons, Inc.	10,000.00	8205470-02	01/29/97	WorkAmerica— The Uniform Co.	15,925.00
8010-07	02/05/97	Sherwin Will- iams Co.	20,000.00			GARY E. CROWELL, <i>Secretary</i>	
8084760-01	02/05/97	Southern Em- blem Co., Inc.	87,500.00				
8205470-01	01/29/97	Fashion Star, Inc.	80,608.75				

[Pa.B. Doc. No. 97-244. Filed for public inspection February 14, 1997, 9:00 a.m.]

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 77]

### Noncoal Regulations

The Environmental Quality Board (Board) proposes to amend Chapter 77 (relating to noncoal mining). The amendments are the result of the Department of Environmental Protection's (Department) Regulatory Basics Initiative to revise regulations which impose disproportionate economic costs, which are obsolete or redundant, which are prescriptive or technology specific, and which lack clarity.

This proposal was adopted by the Board at its meeting of December 17, 1996.

#### A. Effective Date

These proposed amendments will go into effect upon publication in the *Pennsylvania Bulletin* as final rule-making.

#### B. Contact Persons

For further information contact Evan T. Shuster, Chief, Division of Monitoring and Compliance, Bureau of Mining and Reclamation, P. O. Box 8461, Room 203 Executive House, Harrisburg, PA 17105-8461 (717) 787-7846, or Leigh Cohen, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464 (717) 787-7060. Information regarding submitting comments on this proposal appears in Section I of this Preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposal is available electronically through the Department's Web site (<http://www.dep.state.pa.us>).

#### C. Statutory Authority

These amendments are proposed under the rulemaking authority of the following acts: section 11(a) of the Noncoal Surface Mining Conservation and Reclamation Act (Noncoal SMCRA) (52 P. S. § 3311(a)); section 5(b) of The Clean Streams Law (35 P. S. § 691.5(b)); and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20) which authorizes the Board to adopt regulations necessary for the Department to perform its work.

#### D. Background and Purpose

In August 1995, the Department announced the Regulatory Basics Initiative to revise regulations which impose disproportionate economic costs, which are obsolete or redundant, and which lack clarity. Under this initiative the Department solicited public input through a notice in the *Pennsylvania Bulletin* and the Department's web site (<http://www.dep.state.pa.us>). The amendments being proposed at this time are the result of suggestions from the public and the Department's own review of its regulations. Additionally, the Department proposes to insert, where appropriate, equivalent measures in standard international metric units.

#### E. Summary of Regulatory Requirements

A description of the revisions to Chapter 77 follows:

#### § 77.1 (relating to definitions)

The amendment adds a definition for "general permit." The term is used extensively in proposed Subchapter J (relating to general permits) which establishes procedures for developing general permits.

#### § 77.51 (relating to license requirement)

This amendment replaces the terms "small noncoal license" and "small noncoal exemption," with a general reference to the Noncoal Surface Mining Conservation and Reclamation Act (Noncoal SMCRA) (52 P. S. §§ 3301—3826) requirements for liability insurance.

#### § 77.53 (relating to suspension and revocation)

Subsection (a) is revised to correctly refer to § 77.51(e) which deals with issuing and renewing licenses.

#### § 77.54 (relating to fees)

New language is inserted to acknowledge that alternate fee requirements may be established in Noncoal SMCRA which will supersede the requirements of this section.

#### § 77.102 (relating to compliance with existing permits)

Noncoal surface mine permits issued prior to the effective date of this chapter (March 17, 1990) contain a condition which requires reclamation concurrent with the progress of the proposed mining operation to the highest extent possible. This requirement was in the regulations prior to March 17, 1990. In some cases, concurrent reclamation may not have been fully addressed in the approved mining plans in these earlier permits. In other cases changing market conditions and long term overburdened storage have created conditions whereby reclamation is not current with the progress of mineral extraction. These conditions create large and extremely expensive reclamation obligations for this type of operation. These obligations can likely exist after all mineral extraction is completed and income from the mining operation has ceased. If this obligation is not fulfilled by the permittee, the obligation passes to the Commonwealth. In order to minimize the chance that this situation will occur, this section is revised to allow the Department to require a modification to mining and reclamation plans in permits issued prior to March 17, 1990, in order to comply with the applicable concurrent reclamation requirements, to the extent that it is practicable.

#### § 77.108 (relating to permits for small noncoal operations)

The title of this section is revised by deleting the word "general." The use of this term is confusing since this section does not deal with general permits as that term is used in Noncoal SMCRA. Other amendments to this section increase the allowable yearly tonnage limit for small noncoal operations from 2,000 to 10,000 tons per year; add a reference to § 77.163 (relating to right of entry); and require a blast plan if blasting will occur.

Language is added to subsection (f) to indicate clearly that the Department is responsible for publishing public notice of applications and bond releases in the *Pennsylvania Bulletin* and that the requirement to publicize notices in local newspapers does not apply to activities authorized under this section.

The allowable production on small noncoal permits is increased from 2,000 to 10,000 tons per year with the limit applied to each permit issued under this section. A

provision requiring mineral production by an applicant's family to be attributed to the applicant is no longer appropriate and is deleted.

The remaining revisions to § 77.108 establish a minimum bond of \$1,000 and basic reclamation standards for bond release. The conditions under which the Department may delegate some of its regulatory functions to a conservation district are revised to refer to operations authorized under this section, as provided by the Noncoal SMCRA.

The proposed amendments to this section will enable a person who holds a large noncoal mining license to obtain a small noncoal permit in appropriate situations.

*§ 77.109 (relating to noncoal exploration activities)*

The amendments to this section provide for a less complex authorization process for noncoal exploration activities conducted outside a permit area and less prescriptive performance standards. The information to be provided in a notice of intent to conduct exploration activities is more clearly described.

*§ 77.110 (relating to permit waiver—oil and gas well site development)*

The language in this section is proposed to be replaced with a statement that oil and gas well borrow areas which meet the requirements of section 603.1 of the Oil and Gas Act (58 P.S. § 601.603a) are exempt from the provisions of the Noncoal SMCRA.

*§ 77.126 (relating to criteria for permit approval or denial)*

This proposed amendment requires the Department to make written findings for permit approval or denial. Language is inserted to clarify the cross reference to § 77.504 (relating to distance limitations and areas designated as unsuitable for mining). Present § 77.126(a)(6) is being deleted since it is redundant and is covered by amended § 77.126(a)(8). These revisions also include language which clearly states that the applicant for a permit transfer must obtain a noncoal license and that the Department will consider the State and Federal endangered species acts in its permit decisions. An incorrect reference in subsection (b)(2) has been corrected.

*§ 77.128 (relating to permit terms)*

The proposed amendments expand reasons for which the Department may grant an extension of time for commencement of mining activities to include conditions beyond the control of the permittee when there has been no negligence on the permittee's part.

*§ 77.142 (relating to public notice of permit revision)*

This section is proposed to be rewritten to identify specific types of major permit revisions which are required to have public notice. Presently many minor changes to a permit, which have insignificant impacts on the environment and the public, are required to have public notices.

*§ 77.144 (relating to transfer of permit)*

The vague language of subsection (c)(1) is proposed to be replaced with a specific reference to § 77.126(a)(6)—(8) which requires the new operator be in compliance with this section and the Noncoal SMCRA. The proposed language does not change the requirements of this section.

*§ 77.164 (relating to personal injury and property damage insurance information)*

Language which exempts small noncoal permits from the requirement to provide proof of liability insurance is proposed to be deleted. The new language requires proof of insurance when required by the Noncoal SMCRA. The current language of the Noncoal SMCRA exempts operators who produce less than 2,000 tons (1,960 metric tons) per year from the requirement for liability insurance. Related changes are being made to § 77.231 (relating to terms and conditions for liability).

*§ 77.165 (relating to proof of publication)*

This proposed amendment provides that a copy of the weekly advertisements can be submitted as an alternative to a notarized proof of publication.

*§ 77.204 (relating to period of liability)*

Current language in this section refers to the Noncoal SMCRA and other environmental acts. This reference is replaced with language from section 9(j) of the Noncoal SMCRA (52 P.S. § 3309(j)) which provides that the Department may release a bond in whole or in part if the Department is satisfied that the reclamation covered by the bond has been accomplished as required by the Noncoal SMCRA.

*§ 77.205 (relating to bond adjustments)*

A new provision is proposed to be added which requires the Department to notify the permittee, surety and a person with a property interest in collateral, who has requested this notice of any proposed adjustment to the bond. The provision also provides the permittee an opportunity for an informal conference to discuss bond adjustments prior to the adjustments. The title of this section is revised to read "bond adjustments."

*§ 77.231 (relating to terms and conditions for liability insurance)*

This proposed amendment references Noncoal SMCRA as the basis for the requirement for liability insurance, and deletes the reference to an operator's status as a small noncoal operator.

*§ 77.241 (relating to scope)*

This section is proposed to be amended to provide that the bond release procedures of §§ 77.242 and 77.243 (relating to procedures for seeking release of bond; and criteria and schedule for release of bond) will be followed unless other requirements are specified by these regulations or by a general permit issued. These proposed amendments will allow the Department to develop specific bond release procedures for general permits.

*§ 77.242 (relating to procedures for seeking release of bond)*

The proposed amendments require an applicant for bond release to submit the proof of publication within 60 days after filing the application for bond release. This change provides the applicant for bond release a longer time period in which it may submit the proof of publication. Additional language provides that the application will not be considered complete and may be returned if the proof of publication is not received within the 60-day period.

*§ 77.243 (relating to criteria and schedule for release of bond)*

This proposed revision replaces a vague and undefined standard for initial bond release with a requirement that land be stabilized to prevent accelerated erosion and sedimentation as specified in Chapter 102 (relating to erosion control).

*§ 77.401 (relating to responsibilities)*

This section describes the general requirement for permit applicants to provide information on environmental resources on areas which may be affected by proposed mining activities. A new provision allows the Department to waive any requirements of this subchapter for specific categories of surface mining operations if the information is not needed to evaluate potential impacts on the public and the environment.

*§ 77.403 (relating to description of hydrology and geology—general requirements)*

The present regulations convey the impression that similar hydrologic and geologic descriptions may be needed for all types of noncoal operations. The proposed amendments require that an applicant submit geologic and hydrologic information to the extent it is necessary for the Department to evaluate the potential hydrologic impacts of the type of noncoal mining operation being proposed. Subsection (b) is revised to limit the Department's authority to require modeling and other predictive techniques to situations in which the proposed mining has the potential to impact streams or water supplies.

*§ 77.456 (relating to reclamation information)*

This section is proposed to be reworded to require reclamation plans to be designed to provide for reclamation which is as concurrent as possible with the progress of mining. An additional change requires a timetable for reclamation activities to meet the requirements of § 77.595 (relating to concurrent reclamation) which relates to concurrent reclamation.

*§ 77.461 (relating to dams, ponds, embankments and impoundments)*

This amendment provides that hydrologic and geologic information in general and design plans are required only when requested by the Department. The present regulation requires hydrologic and geologic information for all impounding structures covered by this section. Specific information is often not needed to evaluate sediment ponds.

*§ 77.502 (relating to signs and markers)*

The changes to this section require signs which identify a permit to be posted within 60 days after permit issuance. The present regulation is not clear regarding the time period when these signs are to be installed. This amendment also requires the telephone number of the operator to be identified on the sign. The purpose of this is to provide the public with evidence that a permit has been issued on a specific area particularly when the permit is not activated for a long period after permit issuance.

*§ 77.503 (relating to casing and sealing of drilled holes)*

These proposed amendments replace the phrase "Prevent, to the maximum extent possible," with the word "minimize." This change is proposed so that the language of this section remains consistent with a similar section in the coal mining regulations which are also being revised under the Regulatory Basics Initiative. These proposed amendments do not weaken or diminish the effectiveness of this performance standard. This amendment also deletes subsection (d) dealing with barriers around oil and gas wells. The identical language is found at § 77.504(c).

*§ 77.504 (relating to distance limitations and areas designated unsuitable for mining)*

To maintain consistent terminology within this chapter "surface mining operations" is replaced with "surface mining activities." A minor editorial change is made in subsection (c). The principal revision to this section provides that waivers to allow mining activities within 300 feet (91.4 meters) of an occupied dwelling or commercial or industrial building which are signed by a property owner remain effective for subsequent purchasers of the dwelling or building if the purchaser had constructive knowledge of the waiver at time of purchase. The revision also defines what is meant by "constructive knowledge."

*§ 77.527 (relating to sediment controls)*

The title is proposed to be revised to more accurately indicate the applicability of this section to the more general "sediment controls." Additional changes clarify when sediment controls other than sediment ponds may be used. The subsection dealing with removal of ponds and facilities is modified to include other controls.

*§ 77.562 (relating to preblasting surveys)*

The proposed revisions to this section replace a confusing and unenforceable standard for the exemption from requiring preblasting surveys with precise values in a graph (Figure 1). Figure 1 represents levels of ground vibration below which the probability of threshold damage to a dwelling, such as hairline cracks in plaster or drywall, is virtually zero. At higher vibration frequencies the allowable vibration level may exceed the current design standard of 0.5 inches per second peak particle velocity. At extremely low vibration frequencies, the allowable level will be less than 0.5 inches per second. Figure 1 is the result of extensive research by the United States Bureau of Mines (USBM). A discussion of this research can be found in USBM Report of Investigations #8507, Structure Response and Damage Produced by Ground Vibration From Surface Mine Blasting. Additional references to USBM research may be obtained from the person identified in Section B of this Preamble.

These proposed amendments include provisions which describe how the operator must monitor blasting for compliance with the vibration levels in Figure 1 and which prohibit additional blasting if vibration levels exceed the levels in Figure 1 and preblasting surveys have not been offered. These proposed amendments also clarify that the right to a preblasting survey extends to schools, churches, commercial and industrial buildings.

*§ 77.564 (relating to surface blasting requirements)*

These proposed amendments clarify the provision that the maximum peak particle velocity does not apply at a structure owned by the permittee.

*§ 77.572 (relating to permit line setback)*

This section is proposed to be rewritten to eliminate confusing language dealing with the distance that a highwall must be set back from the boundary of the bonded area.

*§ 77.594 (relating to final slopes)*

Additional language clarifies when the Department will consider approving a final slope greater than 35° on terraced reclamation slopes. The proposal also indicates that the final safety bench in unconsolidated materials is needed to provide for safe exit from a postmining impoundment.



§ 77.595 (relating to concurrent reclamation)

This section is proposed to be amended by inserting a requirement that reclamation procedures conform to the reclamation plan required by § 77.456. A new subsection is added which specifies the conditions under which reclamation may be delayed until mineral extraction is completed. Reasons for these delays must be explained in the reclamation plan. In any event, reclamation must begin within 30 days of the end of mineral extraction. The purpose of these amendments is to eliminate safety hazards from highwalls as soon as practicable.

Subchapter J (relating to general permits)

This new subchapter authorizes the Department to develop general permits for categories of noncoal mining where the Department determines that the operations within that category are similar in nature and can be adequately regulated utilizing standard specifications and conditions. It describes the nature of a general permit and that the general permit is a substitute for individual permits. Subchapter J establishes the minimum contents of a general permit, the procedures for issuing a general permit and the requirements for operators wishing to register under the general permit. Finally, the proposal requires persons who operate under the general permit to maintain a mining operator's license and comply with the terms and conditions of the permit, the regulations and applicable laws.

F. Benefits, Costs and Compliance

Executive Order 1996-1 requires a cost/benefit analysis of the proposed amendments.

Benefits

These amendments are proposed in order to revise noncoal mining regulations which impose disproportionate economic costs, regulations which are obsolete or are redundant, regulations which are prescriptive or technology specific, and regulations which lack clarity. The noncoal mining industry, the Department and the public will benefit from these amendments.

Benefits to the general public cannot be quantified. They include more timely reclamation of highwalls which eliminates potential safety hazards and better documentation of Department decisions to issue permits through the requirement for the Department to provide written findings.

The benefits to the regulated community will primarily be a savings in permitting costs as follows:

	Site/yr.	Savings/ site	Savings
—Less prescriptive permit application requirements based on type of operation	20	\$2,000	\$40,000
—General Permit compared to large noncoal permit application	10	\$4,000	\$40,000
—Large noncoal operation obtaining small noncoal permits	10	\$3,000	\$30,000
Total Savings			\$110,000

The Department will benefit by a savings through a reduction in the time and effort to review permit applications as follows:

—Reduced review times with general permits:

Affected Sites	Time Saved	Ave. Wage	Savings/ Year	
10 large	110 hrs.	\$15/hr.	\$16,500	\$16,500
5 small	5 hrs.	\$15/hr.	\$1,500	\$1,500

—Review of hydrology/geology information based on reduced level of detail for certain types of noncoal operations:

Affected Sites	Time Saved	Ave. Wage	Savings/ Year	
20	40 hrs.	\$20/hr.	\$16,000	\$16,000

—Large noncoal operations obtaining small noncoal permits:

Affected Sites	Time Saved	Ave. Wage	Savings/ Year	
10	100 hrs.	\$15/hr.	\$15,000	\$15,000

Total Savings \$49,000/yr.

Compliance Costs

The proposed changes will impose no additional compliance costs on the regulated community.

Compliance Assistance Plan

Since noncoal mining regulation is an established program in this Commonwealth, compliance assistance will be limited to an effort to inform the industry of the specific changes in the program. This can be accomplished by mailing fact sheets directly to mine operators. If necessary, regional roundtable meetings with the industry will be arranged.

Paperwork Requirements

The proposed amendments will impose no additional paperwork on the regulated community. It will be necessary for the Department to revise several existing forms and technical guidance documents.

G. Sunset Review

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which it was intended.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 4, 1997, the Department submitted a copy of the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department. A copy of this material is available to the public upon request.

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

I. Public Comments

Written comments. Interested persons are invited to submit written comments, suggestions or objections re-

garding the proposed amendments to the Environmental Quality Board, P. O. Box 8477, Harrisburg, Pa 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments received by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by April 16, 1997 (within 60 days of publication in the *Pennsylvania Bulletin*). Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by April 16, 1997 (within 60 days of publication in the *Pennsylvania Bulletin*). The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulations will be considered.

*Electronic comments.* Comments may be submitted electronically to the Board at RegComments@A1.dep.state.pa.us and must also be received by the Board by April 16, 1997. A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

J. *Public Hearings*

The Environmental Quality Board will hold two public hearings for the purpose of accepting comments on this proposal. They will be held at 1 p.m. on the following dates:

March 25, 1997: Ramada Inn, Route 255 and I-80 (Exit 17), DuBois, PA

March 31, 1997: Ramada Inn—Allentown, 1500 MacArthur Road, Whitehall, PA

Persons wishing to present testimony at a hearing are requested to contact Nancy Roush at the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (717) 787-4526, at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Nancy Roush directly at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TTD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Chairperson*

**Fiscal Note:** 7-303. (1) Noncoal Surface Mining Conservation and Reclamation Fund; (2) Implementing Year 1996-97 is \$0; (3) 1st Succeeding Year 1997-98 is \$5,000; 2nd Succeeding Year 1998-99 is \$5,000; 3rd Succeeding Year 1999-00 is \$5,000; 4th Succeeding Year 2000-01 is \$5,000; 5th Succeeding Year 2001-02 is \$5,000; (4) Fiscal Year 1995-96 \$5,447,000; Fiscal Year 1994-95 \$4,847,000; Fiscal Year 1993-94 \$4,252,000; (7) Licenses and fees; (8) recommends adoption.

These proposed amendments also result in minor cost savings to the Department's Operations and Environmental Program Management Appropriations. Cost savings

may be realized from a reduction in administrative workload associated with review of certain permit applications.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION  
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart C. PROTECTION OF NATURAL RESOURCES**

**ARTICLE I. LAND RESOURCES**

**CHAPTER 77. NONCOAL MINING**

**Subchapter A. GENERAL PROVISIONS**

**§ 77.1. Definitions.**

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

\* \* \* \* \*

*General permit*—[ **A permit issued under section 26 of the act (52 P. S. § 3326).** ] **A permit that is used for any category of noncoal surface mining activities authorized by the act if the Department determines that the activities in the category are similar in nature and can be adequately regulated utilizing standardized specifications and conditions. A general permit shall specify the design, operating and monitoring requirements as are necessary to adequately protect life, health, property and the environment and under which the surface mining activities may be conducted.**

\* \* \* \* \*

**Subchapter B. SURFACE MINING OPERATOR'S LICENSE**

**§ 77.51. License requirement.**

\* \* \* \* \*

(b) *Noncoal surface mining operator's license application.* Application for license shall be made in writing on forms prepared and furnished by the Department and contain information pertaining to:

\* \* \* \* \*

(2) Public liability insurance [ **except to operators who meet the requirements of and obtain a small noncoal license** ] **when required by the act.**

\* \* \* \* \*

(d) *Public liability insurance.* [ **Except for operators who meet the small noncoal exemption,** ] **When required by the act,** the applicant shall provide a certificate of insurance for the term of the license covering surface mining activities of the applicant in this Commonwealth under § 77.231 (relating to terms and conditions for liability insurance).

\* \* \* \* \*

**§ 77.53. Suspension and revocation.**

(a) The Department may suspend or revoke a license for a reason listed in § 77.51 [ **(f)** ] **(e)** (relating to license requirement).

\* \* \* \* \*

§ 77.54. Fees.

Unless otherwise established by the act, the following license fees apply:

[ (a) ](1) \*\*\*

[ (b) ](2) \*\*\*

Subchapter C. PERMITS AND PERMIT APPLICATIONS

GENERAL

§ 77.102. Compliance with existing permits.

A person may conduct noncoal mining activities under permits issued by the Department prior to March 17, 1990, under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31) or the act and in compliance with the terms and conditions of the permit except for the requirements of §§ 77.504 and 77.561 (relating to distance limitations and areas designated as unsuitable for mining; and general requirements). The Department may require modification of mining and reclamation plans for a permit issued prior to March 17, 1990, to ensure compliance, to the extent practicable, with the applicable concurrent reclamation requirements.

§ 77.108. [ General permits ] Permit for small noncoal operations.

(a) A person who intends to conduct noncoal surface mining activities from which the total weight of mineral mined per year is less than [ 2,000 ] 10,000 tons (9,800 metric tons), prior to conducting the activities, shall apply in writing for a small [ operator ] noncoal permit on forms furnished by the Department.

(b) In lieu of the application requirements of this subchapter and Subchapters G and H (relating to information on environmental resources; and requirements for operation and reclamation plan), an application for a small noncoal permit shall include the following:

\* \* \* \* \*

(3) Information and documents [ concerning right of entry ] required by § 77.163 (relating to right of entry).

\* \* \* \* \*

(9) A United States Geological Survey topographical map or aerial photograph approved by the Department with the proposed permit area outlined.

\* \* \* \* \*

(11) A notarized statement signed by the applicant stating that the yearly production from the proposed mining activity will not exceed [ 2,000 ] 10,000 tons (9,800 metric tons).

(12) A blast plan, if applicable.

(13) Other information the Department deems relevant.

\* \* \* \* \*

(d) A person [ qualifying for a small operator permit ] operating under this section shall comply with Subchapter B (relating to surface mining operator's license).

(e) In lieu of the requirements of Subchapter I (relating to environmental protection performance standards), [ a small operator ] this permit has the following conditions:

\* \* \* \* \*

(3) The operating face of a bench may not exceed a height of 25 feet (7.6 meters). Multiple benching shall be developed as necessary.

(4) Reclamation shall be conducted concurrently with mining operations on a one for one basis—1 acre (0.4 hectare) reclaimed for each acre (0.4 hectare) affected, unless the operator demonstrates, to the Department's satisfaction, acceptable alternate concurrent reclamation.

\* \* \* \* \*

(7) The permittee shall identify this operation during its lifetime by constructing and maintaining a weather resistant sign with a minimum size of 2 feet by 3 feet (60 centimeters by 91.4 centimeters) to be located immediately adjacent to the closest public highway, from which it shall be clearly visible, at the junction of that public highway with the access road to the operation. The sign shall be painted with a light background and show, in a contrasting color, the name of the permittee and the permit number under which the operation is being conducted. The letters and numbers shall be a minimum height of 1½ inches (3.8 centimeters).

(8) [ The permittee is responsible for complying with local zoning ordinances under section 16 of the act (52 P. S. § 3316).

(9) Topsoil, as needed for reclamation, shall be conserved onsite for replacement on affected areas upon completion of mining and prior to revegetation. Topsoil in excess of that needed for reclamation, as demonstrated by the applicant, may be removed from the site.

[ (10) ](9) \*\*\*

[ (11) ](10) \*\*\*

(f) [ A general ] The Department will publish its decision on a small noncoal permit [ shall be published ] application and a final bond release in the Pennsylvania Bulletin [ at least 30 days prior to the effective date of the permit ]. Permit applications and bond releases under this section are exempt from the newspaper public notice requirements of section 10(a) of the act (52 P. S. § 3310(a)).

(g) It is unlawful for a person who has obtained a small noncoal surface mining permit to mine more than [ 2,000 ] 10,000 tons (9,800 metric tons) in a 1-year period from each permit issued under this section.

(h) [ Minerals produced by members of the applicants' family, relatives or related parties shall be attributed to the applicant unless the applicant demonstrates that there is no direct or indirect business relationship between them.

(i) A general small noncoal permit will require [ A person operating under a small noncoal permit shall submit a bond in accordance with the bond rates established by the Department. The minimum bond for a small noncoal permit is \$1,000.

(i) Bond release shall be based on the reclamation requirements under this section in lieu of §§ 77.241—77.243 (relating to release of bonds).

(j) The Department may by agreement delegate to a conservation district one or more of its regulatory functions under the act for **[ surface mining operators licensed to mine less than 2,000 tons of marketable minerals per year ] operations authorized under this section as allowed by the act.** A conservation district acting under a delegation agreement has the same powers and duties otherwise vested in the Department to implement the act to the extent delegated by agreement.

**§ 77.109. Noncoal exploration activities.**

(a) **[ Application. This section applies to a person who conducts or seeks to conduct noncoal exploration outside of the permit area. Noncoal exploration which substantially disturbs the natural land surface shall comply with the minimum performance standards and design requirements of this section. The Department may, if it deems necessary, require compliance with other applicable performance and design requirements of this chapter.**

(b) **Definition.** The following word, when used in this section has the following meaning, unless the context clearly indicates otherwise:

**Substantially disturb**—For purposes of noncoal exploration, to have an impact upon land, air or water resources by activities such as blasting, mechanical excavation, construction of roads and other access routes, and the placement of structures, excavated earth or other debris on the surface of land.

(c) **General requirements.**

(1) **[ A person who intends to conduct noncoal exploration [ during which noncoal minerals will not be removed except from boreholes or coreholes in the area to be explored ] outside an existing permit shall [ , prior to conducting the exploration, ] file with the Department [ one copy of ] a written notice of intention to explore for each exploration area at least 10 days prior to the start of exploration activities on forms provided by the Department.**

**[ (2) ](b)** The notice shall include:

**[ (i) ](1)** \*\*\*

**[ (ii) ]** The name, address and telephone number of the representative who will be present at and responsible for conducting the exploration activities.

**(iii) ](2)** A map, at a scale of 1:24,000, of the exploration area showing the extent of the exploration area and **[ drill hole ] locations of drill holes, exploratory pits, trenches and excavations.**

**[ (iv) ](3)** \*\*\*

**(4)** The method of exploration and types of equipment to be used.

**[ (v) ]** A description of the practices proposed to be followed to protect the environment from adverse impacts as a result of the exploration activities. ]

**(5)** The purpose of testing.

**(6)** The amount of mineral needed for testing (if exploration is by test pit, trench or excavation).

**(7) Other information the Department deems relevant to assure compliance with the environmental acts (for example—the location of access roads).**

(c) Exploration by drilling methods may proceed 10 days after the notice of intent to explore form is submitted to the Department unless notified otherwise by the Department or if the area is located within the distance limitations of § 77.504 (relating to distance limitations and areas designated unsuitable for mining).

**[ (3) ]** A person who conducts noncoal exploration which substantially disturbs the natural land surface shall comply with the noncoal exploration performance and design standards of this section.

**(4) ] (d)** \*\*\*

**[ (5) ](e)** \*\*\*

**[ (6) ](f)** A person who conducts noncoal exploration activities will observe the distance limitations under § 77.504 **[ relating to distance limitations and areas designated unsuitable for mining ].**

(g) Exploration activities shall be conducted to accomplish the following:

(1) Minimize environmental impacts on roadways and vegetation.

(2) Provide erosion controls for excavated areas, including access roads, in accordance with Chapter 102 (relating to erosion control).

(3) Avoid disturbance of wetland areas.

(h) The areas affected by the noncoal exploration shall be graded to approximate original contour when possible or restored to a slope not to exceed 35° unless approved by the Department under § 77.594(2)(v) (relating to final slopes), and will contain no depressions which will impound water. Drill holes shall be sealed under § 77.503 (relating to casing and sealing of drilled holes). The affected areas shall be revegetated.

**[ (d) Noncoal exploration performance and design standards.** The performance standards in this section are applicable to noncoal exploration which substantially disturbs the land surface.

(1) Habitats of wild and endangered species or wetland areas may not be disturbed during noncoal exploration.

(2) The person who conducts noncoal exploration shall, to the extent practicable, measure important environmental characteristics of the exploration area during the operations to minimize environmental damage to the area and to provide supportive information for a permit application that the person may submit under this chapter.

(3) Vehicular travel on other than established graded and surfaced roads shall be limited by the person who conducts noncoal exploration to that absolutely necessary to conduct the exploration. Vehicular travel shall be confined to graded and surfaced roads during periods when excessive damage to vegetation or rutting of the land surface could result.

(i) New roads in the exploration area shall comply with §§ 77.631 and 77.632 (relating to general requirements; and restoration).

(ii) Existing roads may be used for exploration in accordance with the following:

(A) Applicable Federal, State and local requirements shall be met.

(B) If the road is significantly altered for exploration, including, but not limited to, change of grade, widening or change of route, or if use of the road for exploration contributes additional suspended solids to streamflow or runoff, then paragraph (7) shall apply to areas of the road which are altered or which result in these additional contributions.

(C) If the road is significantly altered for exploration activities and will remain as a permanent road after exploration activities are completed, the person conducting exploration shall ensure that the requirements of §§ 77.631 and 77.632 are met for the design, construction, alteration and maintenance of the road.

(iii) Promptly after exploration activities are completed, existing roads used during exploration shall be restored to one of the following:

(A) A condition equal to or better than their pre-exploration condition.

(B) The condition required for permanent roads under §§ 77.631 and 77.632.

(4) If excavations, artificial flat areas or embankments are created during exploration, these areas shall be returned to the approximate original contour promptly after the features are no longer needed for noncoal exploration.

(5) Topsoil shall be removed, stored and redistributed on disturbed areas as necessary to assure successful revegetation.

(6) Revegetation of areas disturbed by noncoal exploration shall be performed by the person who conducts the exploration, or his agent.

(7) With the exception of small and temporary diversions of overland flow of water around new roads, drill pads and support facilities, an ephemeral, intermittent or perennial streams may not be diverted during noncoal exploration activities. Overland flow of water shall be diverted in a manner that does the following:

(i) Prevents erosion.

(ii) Prevents additional contributions of suspended solids to streamflow or runoff outside the exploration area, to the extent possible using the best technology currently available.

(iii) Complies with other applicable State or Federal requirements.

(8) An exploration hole, borehole, well or other exposed underground opening created during exploration shall meet the requirements of § 77.503 (relating to casing and sealing of drilled holes).

(9) Facilities and equipment shall be removed from the exploration area promptly when they are no longer needed for exploration, except for those facilities and equipment that the Department determines may remain to do one of the following:

(i) Provide additional environmental quality data.

(ii) Reduce or control the onsite and offsite effects of the exploration activities.

(iii) Facilitate future surface mining and reclamation operations by the person conducting the exploration, under an approved permit.

(10) Noncoal exploration shall be conducted in a manner which minimizes disturbance of the prevailing hydrologic balance, and shall include sediment control measures which comply with Chapter 102 (relating to erosion control).

(11) Toxic-forming or acid-forming materials shall be handled and disposed of under § 77.529 (relating to acid-forming and toxic-forming spoil).

(12) Blasting operations of noncoal exploration sites shall comply with applicable State and Federal laws in the use of explosives and with §§ 77.561(b) and (c) and 77.562 (relating to general requirements; and preblasting surveys).

(e) *Noncoal exploration compliance duties.*

(1) Noncoal exploration and reclamation activities which substantially disturb the natural land surface shall be conducted in accordance with the noncoal exploration requirements of applicable State and Federal laws, this chapter and conditions on approval for exploration and reclamation imposed by the Department.

(2) (i) [A person who conducts noncoal] Noncoal exploration [in violation of this subchapter] activities shall be subject to the applicable inspection and enforcement provisions of the Department, and Subchapters E and F (relating to civil penalties for noncoal mining activities; and enforcement and inspection).

(f) (j) *Public availability of information.*

(1) Except as provided in paragraph (2), information submitted to the Department under [the subchapter] this section will be made available for public inspection and copying at the appropriate [District Office of the Department] district mining office.

(2) Information which pertains only to the analysis of the chemical and physical properties of the mineral ([excepting] except information regarding the mineral or elemental content that is potentially toxic to the environment) will be kept confidential and will not be made a matter of public record.

§ 77.110. Permit waiver—oil and gas well site development.

[As used in this section the term “borrow area” means an area where minerals are extracted solely for the purpose of oil and gas well development. The noncoal surface mining permit requirements of the act and this chapter do not apply to the extraction of noncoal minerals from borrow areas for the purpose of oil and gas well site development, including access road construction, if the well operator demonstrates, at a minimum, to the Department’s satisfaction that the following exist:

(1) The noncoal minerals are used solely for site development at a well site regulated under the Oil and Gas Act (58 P. S. § 601.101—601.605).

(2) The borrow area will not be used for a period exceeding 30 days.

(3) The well operator maintains a valid Noncoal Surface Mining Operator License prior to the extraction of noncoal minerals under Subchapter B (relating to surface mining operator's license).

(4) Noncoal mineral extraction in the borrow area will be conducted in accordance with an erosion and sedimentation control plan or permit implemented under Chapter 102 (relating to erosion control).

(5) The areas affected by the extraction of noncoal minerals will be graded and restored to a slope not to exceed 35 degrees, and will contain no depressions which will impound water. The affected areas will be revegetated to provide a quick germinating, fast-growing, effective and permanent vegetative cover of the same seasonal variety native to the area of land to be affected and capable of self-regeneration and plant succession at least equal to extent of cover to the natural vegetation of the area. Introduced species may be used in the revegetation process where desirable and necessary to achieve the approved postmining land use plan. Vegetative cover shall be considered of the same seasonal variety when it consists of a mixture of species of equal or superior utility for the land use, when compared with the utility of naturally-occurring vegetation during each season of the year.

(6) The reclamation of the borrow area will commence within 10 days of the last extraction of noncoal minerals and will be completed within 30 days. Planting shall be completed by the first normal period for favorable planting. ]

This chapter does not apply to a borrow area where minerals are extracted solely for the purpose of oil and gas well development, including access road construction, if the owner or operator of the well meets the requirements of section 603.1 of the Oil and Gas Act (58 P. S. § 601.603).

REVIEW, PUBLIC PARTICIPATION, ITEMS AND CONDITIONS OF PERMIT APPLICATIONS

§ 77.126. Criteria for permit approval or denial.

(a) A permit, permit renewal or revised permit application will not be approved, unless the application affirmatively demonstrates [ to ] and the Department finds in writing, on the basis of the information in the application or from information otherwise available, that the following apply:

\* \* \* \* \*

(4) The proposed permit area, as defined in § 77.1 (relating to definitions) for surface mining activities—unless the requirements of § 77.504 (relating to distance limitations and areas designated as unsuitable for mining) are demonstrated—is:

(i) Not within 100 feet (30.5 meters) of the outside right-of-way line of a public highway.

(ii) Not within 300 feet (91.4 meters) of an occupied dwelling house or commercial or industrial building unless released by the owner thereof.

(iii) Not within 100 feet (30.5 meters) of the bank of a perennial or intermittent stream.

(iv) Not within 300 feet (91.4 meters) of a public building, school or community or institutional building.

(v) Not within 100 feet (30.5 meters) of a cemetery.

(vi) Not within 300 feet (91.4 meters) of a public park.

(vii) Not within 125 feet (38.1 meters) of an oil or gas well.

\* \* \* \* \*

(6) [ The applicant is in satisfactory compliance with compliance orders of the Department.

(7) ] The applicant or related party, as indicated by past or continuing violations, has not shown a lack of ability or intention to comply with the act or the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31).

[ (8) ](7) \*\*\*

[ (9) ](8) \*\*\*

[ (10) ](9) \*\*\*

(10) The proposed activities would not affect the continued existence of endangered or threatened species or result in the destruction or adverse modification of their known critical habitats as determined under the Endangered Species Act of 1973 (16 U.S.C.A. §§ 1531—1544), the Wild Resource Conservation Act (32 P. S. §§ 5301—5314), 30 Pa.C.S. (relating to the Fish and Boat Code) and 34 Pa.C.S. (relating to the Game and Wildlife code).

(11) The applicant has obtained a noncoal license.

(b) No incremental phase approval of the permit will be granted to conduct mining or reclamation operations, or permission to expand mining or reclamation operations within a permit area which has been limited to a portion or phase of the entire area until the applicant:

\* \* \* \* \*

(2) Has met the requirements of subsection (a)(5) [ and (6) for surface mining and subsection (a)(5)—(7) for underground mining ]—(8).

§ 77.128. Permit terms.

\* \* \* \* \*

(b) A permit will terminate if the permittee has not begun the noncoal mining activities covered by the permit within 3 years of the issuance of the permit. The Department may grant reasonable extensions of time for commencement of these activities upon receipt of a written statement showing that the extensions of time are necessary if litigation precludes the commencement or threatens substantial economic loss to the permittee or if there are conditions beyond the control and without the fault or negligence of the permittee. Requests for extensions shall be submitted to the Department prior to expiration of the permit. [ A permittee whose ] If a permit has not been activated within 3 years [ nor ] or the permittee has not been granted an extension [ shall ], the permittee may apply for a permit renewal.

(c) A permit renewal application shall be filed under § 77.143 (relating to permit renewals).

**PERMIT REVIEWS, RENEWALS, REVISIONS AND TRANSFERS**

**§ 77.142. Public notice of permit revision.**

A permit revision request is subject to the notice requirements of § 77.121 (relating to public notices of filing of permit applications) under the following circumstances:

(1) For surface mining activities:

(i) Discharging to a different watershed [ **not previously receiving a discharge from the operation** ] or a change in water [ **handling procedure. Water handling includes, but is not limited to,** ] treatment facility design [ **and** ] which would result in a change in effluent limits or additional discharge points.

\* \* \* \* \*

(iii) A [ **major** ] change in the type of reclamation [ **plan including, but not limited to, changes in the final reclamation slopes or means to achieve the final slopes** ] (for example—approximate original contour, terrace, water impoundment or other alternative reclamation).

(iv) A [ **proposed** ] physical change in the mine configuration. Physical changes include[ , **but are not limited to,** ] stream diversion structures, new or expanded haul [ **roads and** ] road connections to a public highway, elimination of public highways and increases in approved pit depth.

\* \* \* \* \*

(vi) The addition of mineral processing to the mining activity.

(2) For underground mining activities:

(i) Discharging to a different watershed [ **not previously receiving a discharge from the operation** ] or a change in water [ **handling procedure. Water handling includes, but is not limited to,** ] treatment facility design [ **and** ] which would result in a change in effluent limits or additional discharge points.

(ii) A [ **proposed** ] physical change in the mine configuration. Physical changes include[ , **but are not limited to,** ] stream diversion structures, new or expanded haul [ **roads** ] road connections to a public highway, elimination of public highways[ , ] and new openings [ **and acreage modifications** ].

(iii) A [ **proposed** ] change to the postmining land use.

**§ 77.144. Transfer of permit.**

\* \* \* \* \*

(c) The Department may allow a permittee to transfer a permit to another operator if the successor operator:

(1) [ **Is entitled to a permit under the environmental acts, the act, regulations adopted thereunder and the terms and conditions of permits issued thereunder** ] Meets the requirements of § 77.126.(a)(6)—(8) (relating to criteria for permit approval or denial).

\* \* \* \* \*

(5) Submits additional information to enable the Department to determine that the applicant is able to operate the mine in a manner complying with [ **the act and** ] the environmental acts.

**REQUIREMENTS FOR LEGAL, FINANCIAL COMPLIANCE AND RELATED INFORMATION**

**§ 77.164. Personal injury and property damage insurance information.**

An application for noncoal mining activities, [ **except for small noncoal permits** ] when required by the act, shall contain proof of liability insurance under § 77.231 (relating to terms and conditions for liability insurance).

**§ 77.165. Proof of publication.**

(a) An application shall contain an intent to publish noting that the advertisement requirement of § 77.121(a) (relating to public notices of filing of permit applications) is in the process of being satisfied. Prior to the issuance of the permit, and within 4 weeks after the last date of advertisement, the applicant shall submit a copy of the [ **advertisement** ] advertisements as required by § 77.121(a) [ **and** ] or the original notarized proof of publication to the Department.

\* \* \* \* \*

**Subchapter D. BONDING AND INSURANCE REQUIREMENTS**

**AMOUNT AND DURATION OF LIABILITY**

**§ 77.204. Period of liability.**

(a) Liability under bonds posted for a noncoal mining activity shall continue for the duration of the mining activities and its reclamation as provided in the act, this chapter and the conditions of the permit for [ **a period of** ] 5 years after completion of the mining and reclamation of the area, unless released in whole or in part prior thereto [ **as provided by the act, the environmental acts and this subchapter** ] if the Department is satisfied that the reclamation covered by the bond has been accomplished as required by the act.

\* \* \* \* \*

**§ 77.205. [ Adjustments ] Bond adjustments.**

\* \* \* \* \*

(d) The Department will notify the permittee, the surety and any person with a property interest in collateral who has requested notification, of any proposed adjustment to the bond amount. The Department will also provide the permittee an opportunity for an informal conference on the proposed adjustment.

**FORM, TERMS AND CONDITIONS OF BONDS AND INSURANCE**

**§ 77.231. Terms and conditions for liability insurance.**

(a) A license applicant or licensee, [ **except small noncoal operators,** ] when required by the act, shall submit proof of liability insurance before a license is

issued or renewed and before a permit is issued. The proof shall consist of a certificate issued by an insurance company authorized to do business in this Commonwealth, and the certificate may be filed at the time of license application and renewal thereof; or, otherwise annually filed with the Department certifying that the permittee has a public liability insurance policy in force covering the licensee's mining and reclamation operations in this Commonwealth.

\* \* \* \* \*

RELEASE OF BONDS

§ 77.241. Scope.

Sections 77.242 and 77.243 (relating to procedures for seeking release of bond; and criteria and schedule for release of bond) set forth the procedures and criteria for release of bonds for mining and reclamation operations, unless otherwise specified by the terms and conditions of this chapter or by a general permit issued under this chapter.

§ 77.242. Procedures for seeking release of bond.

(a) Release of bond. The permittee may file an application with the Department for release of all or part of the bond liability applicable to a permit or designated phase of a permit area after reclamation, restoration and abatement work in a reclamation stage, as defined in § 77.243 (relating to criteria and schedule for release of bond), has been completed on the permit area or designated phase of a permit area, subject to the following conditions:

\* \* \* \* \*

(2) [ Within 10 days after the final date of publication for application for final release, the permittee shall submit proof of publication of the advertisement required by subsection (b). The proof of publication shall be considered part of the bond release application. ] Within 60 days after filing the application for release, the permittee shall submit proof of publication of the advertisement required by subsection (b). The proof of publication shall be considered part of the bond release application. If the proof of publication is not received within 60 days after filing the application for release of bond, the application will be considered incomplete and the Department may return the application with no further action.

\* \* \* \* \*

§ 77.243. Criteria and schedule for release of bond.

\* \* \* \* \*

(b) For the purposes of this section the following apply:

(1) Reclamation Stage I shall be deemed to have been completed when:

\* \* \* \* \*

(iii) The lands [are not contributing suspended solids to stream flow or runoff outside the permit area in excess of the requirements of the act, this chapter or the permit] have been stabilized to prevent accelerated erosion and sedimentation in accordance with Chapter 102 (relating to erosion control).

\* \* \* \* \*

Subchapter G. INFORMATION ON ENVIRONMENTAL RESOURCE

§ 77.401. Responsibilities.

A permit application shall contain a description of the existing, premining resources within the proposed permit and adjacent area that may be affected by the proposed surface mining activities. The description shall include the information required in this subchapter. The Department may waive, wholly or in part, the requirements of this subchapter for any category of surface mining operation, if the Department determines that the requirement is not needed to evaluate impacts on public health and safety and the environment.

§ 77.403. Description of hydrology and geology—general requirements.

(a) An application shall contain a description, under this section and §§ 77.404—77.407, of the geology, hydrology and water quality and quantity of surface waters and groundwaters within the general area, and water which will flow into or receive discharges of water from the general area to the extent necessary for the type of noncoal operation for the Department to evaluate the impacts of the operation. The information may be gathered from appropriate government agencies, if available.

(b) The use of modeling or other predictive techniques may be required by the Department as part of the permit application [ , but the same surface water and groundwater information shall be required for each site when models are not used ] if the proposed mining activity has the potential to impact water supplies or streams.

Subchapter H. REQUIREMENTS FOR OPERATION AND RECLAMATION PLAN

§ 77.456. Reclamation information.

An application shall contain a plan [ for the reclamation of the lands within the proposed permit area, including ] which provides for reclamation concurrent with the progress of the proposed mining operation to the highest extent possible. The plan shall include the following information:

(1) A timetable describing the steps to be taken in the reclamation plan and their relative sequence to each other to meet the requirements of § 77.595 (relating to concurrent reclamation).

\* \* \* \* \*

§ 77.461. Dams, ponds, embankments and impoundments.

\* \* \* \* \*

(b) The general plan shall contain the following:

\* \* \* \* \*



(2) Preliminary hydrologic and geologic information required to assess the hydrologic impact of the structure if requested by the Department.

\* \* \* \* \*

[ (4) A certification statement which includes a schedule setting forth the dates that a detailed design of the structure will be approved by the Department, in writing, before construction of the structure begins. ]

(c) The design plan for a structure shall:

\* \* \* \* \*

(2) Include design and construction requirements for each structure, including [ required ] geotechnical information if requested by the Department.

\* \* \* \* \*

(5) Include a stability analysis if the structure is more than 15 feet (4.6 meters) in height as measured from the upstream toe of the embankment to the crest of the emergency spillway or has a storage volume of more than 50 acre feet (61.7 cubic meters).

\* \* \* \* \*

Subchapter I. ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS

GENERAL

§ 77.502. Signs and markers.

(a) The operator shall identify the operation for the duration of the surface mining activities by posting and maintaining a sign which will be clearly visible at the junction of each haul road and the public highway. The sign shall be constructed of a durable, weather resistant material and shall be of a minimum size of 2 feet by 3 feet (60 centimeters by 91.4 centimeters) with a light background and contrasting letters and numbers of a minimum height of 1½ inches (3.8 centimeters) that may be easily seen and read. The sign shall show the name of the operator conducting the surface mining activities, the telephone number of the operator and the identification number of the current permit authorizing noncoal mining activities. The sign shall be erected within 60 days after permit issuance.

\* \* \* \* \*

§ 77.503. Casing and sealing of drilled holes.

(a) An exploration hole, other drill or borehole, well or other exposed underground opening—except for holes solely drilled and used for blasting—or other opening exposed during surface mining activities shall be cased, sealed or otherwise managed as approved by the Department if necessary to:

\* \* \* \* \*

(2) [ Prevent, to the maximum extent possible, ] Minimize disturbance to the prevailing hydrologic balance.

\* \* \* \* \*

[ (d) A solid barrier of undisturbed earth, 125 feet in radius, shall be maintained around oil and gas wells, unless one of the following applies:

(1) The well is sealed under subsection (c).

(2) The Department approves, in writing, a lesser distance, if the following apply:

(i) Access to the well is provided at all times.

(ii) The integrity of the well is maintained.

(iii) The well operator agrees in writing to the lesser distance. ]

§ 77.504. Distance limitations and areas designated as unsuitable for mining.

(a) Except as provided in subsection (b), a person may not conduct noncoal surface mining [ operations ] activities, other than borrow pits for highway construction purposes, as follows:

(1) Within 100 feet (30.5 meters) of the outside line of right-of-way of a public highway.

(2) Within 300 feet (91.4 meters) of an occupied dwelling house or commercial or industrial building, unless released by the owner thereof.

(3) Within 300 feet (91.4 meters) of a public building, school, community or institutional building.

(4) Within 300 feet (91.4 meters) of a public park.

(5) Within 100 feet (30.5 meters) of a cemetery.

\* \* \* \* \*

(b) The Department may allow operators to operate within the distance limitations of subsection (a) if the operator demonstrates:

\* \* \* \* \*

(2) Support areas. For parts of surface mining [ operations ] activities other than opening or expansion of pits, that special circumstances warrant [ operations ] activities within the distance limitations, that the public health and safety will not be endangered, that the environment and the interests of the public and the landowners affected thereby will be adequately protected and that there are no feasible or prudent alternatives to conducting those aspects of the [ operation ] activity within the distance limitations.

(c) A solid barrier of undisturbed material, 125 feet (38.1 meters) in radius shall be maintained around oil and gas wells unless one of the following apply:

\* \* \* \* \*

(d) Areas to be affected within the 100-foot (30.5 meters) stream barrier shall meet the requirements of § 77.523 (relating to water obstructions and encroachments) in addition to subsection (b).

(e) When the surface mining activities would be conducted within 300 feet (91.4 meters) measured horizontally of an occupied dwelling or commercial or industrial building, the applicant shall submit with the application a written waiver from the owner of the dwelling or building, consenting to the activities within a closer distance of the dwelling or building as specified in the waiver. The waiver shall be:

(1) Knowingly made and separate from a lease or deed unless the lease or deed contains an explicit waiver from the owner.

(2) Effective against subsequent purchasers of the dwelling or building who had actual or constructive knowledge of the existing waiver at the time of purchase. A subsequent purchaser shall be deemed to have constructive knowledge if the waiver was recorded at the office of the recorder of deeds in the county in which the dwelling or building is located or if the surface mining activities have proceeded to within the 300 foot (91.4 meters) limit prior to the date of purchase.

[(e)] (f) \*\*\*

\* \* \* \* \*

**HYDROLOGIC BALANCE**

§ 77.527. Sedimentation [ ponds ] controls.

(a) Surface drainage from the disturbed area, including areas which have been graded, seeded or planted, shall be passed through a sedimentation pond or a series of sedimentation ponds before leaving the permit area. The Department may waive the required use of sedimentation ponds when the person who conducts surface mining activities demonstrates to the satisfaction of the Department that **alternate sediment [ ponds are not necessary to meet the effluent limitations under § 77.522 (relating to effluent standards) ] control facilities will prevent accelerated erosion and sedimentation in accordance with Chapter 102 (relating to erosion control).**

\* \* \* \* \*

(c) Sedimentation ponds and **controls and** other treatment facilities shall be maintained until removal of the ponds and facilities is approved by the Department.

(d) Sedimentation ponds shall meet[, at a minimum,] the requirements of Chapters 102 and 105, if applicable, and be designed to meet the effluent requirements of the permit.

**USE OF EXPLOSIVES**

§ 77.562. Preblasting surveys.

(a) [ No preblasting ] Preblasting surveys will not be required if blasting is designed [ to meet a peak particle velocity of .5 inch per second or less—with no seismographed blast to exceed .75 inch per second— ] and conducted below the levels of blasting vibration shown on Figure #1 at the nearest [ residence ] dwelling, school, church, commercial or institutional building neither owned nor leased by the operator. [ The .5 inch per second peak particle velocity limit shall remain in effect for the life of the operation. ] If preblast surveys are not conducted, the operator shall provide a seismograph record including both the particle velocity time-history (wave form) and the particle velocity and vibration frequency levels for each blast.

(1) The vibration frequency shall be displayed and analyzed over the frequency range of 2 Hz through 100 Hz.

(2) The permittee shall obtain Department approval of the analytical method used to determine the predominant frequency before applying this alternative criterion.

(3) If an operator who has not offered preblasting surveys, blasts at a level exceeding the levels of vibration in figure #1, no additional blasting may be conducted until one of the following applies:

(i) The operator meets the requirements of subsections (b)—(e).

(ii) The operator demonstrates that subsequent blasting will produce vibrations at levels below the levels of blasting vibration shown in Figure #1.

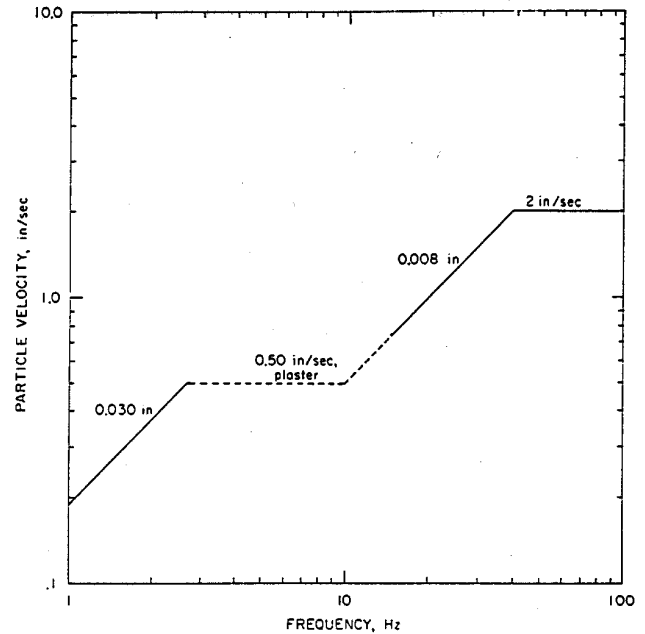


Figure #1.—Levels of blasting vibration using a combination of velocity and frequency.

(b) If the operator intends to conduct blasting at vibration levels exceeding [ .5 inch per second ] the levels of vibration in Figure #1 at the nearest dwelling, school, church, commercial or institutional building neither owned nor leased by the operator, [ he ] the operator shall offer preblast surveys. At least 30 days before commencement or resumption of the blasting, the operator shall notify, in writing, the residents or owners of dwellings or other structures located within [ 1000 ] 1,000 feet (304.8 meters) of the area where blasting will occur of their right to request a preblasting survey and how to request a preblasting survey. On the request to the Department or operator by a resident or owner of a dwelling or structure that is located within [ 1000 ] 1,000 feet (304.8 meters) of [ a part of ] the [ permit ] area where blasting will occur, the [ persons who conduct the surface mining activities ] operator shall promptly conduct a preblasting survey of the dwelling or structure. If a dwelling or structure is renovated or added to subsequent to a preblast survey, then, upon request by the resident or owner to the Department or operator, a survey of the additions and renovations shall be performed by the operator in accordance with this section. The operator shall provide the Department with a copy of the request.

\* \* \* \* \*

§ 77.564. Surface blasting requirements.

\* \* \* \* \*

(j) The maximum peak particle velocity limitation of subsection (i) does not apply at [ the following locations: ] a structure owned by the permittee.

[ (1) At a structure owned by the person conducting the mining activity, and not leased to another party.

(2) At structures owned by the person conducting the mining activity, and leased to another party. ]

\* \* \* \* \*

**OPERATIONS**

**§ 77.572. Permit line setback.**

(a) [A permit boundary line setback distance shall be maintained for the highwall during mining.] Highwalls shall be set back from the boundary of the area covered by a bond under § 77.193 (relating to requirement to file bond). The setback shall be of sufficient width to accomplish the following:

\* \* \* \* \*

[ (3) Allow for a minimum 25-foot wide working area above the top of the final reclamation slope. The minimum setback in unconsolidated material shall be at least equal to the height of the face if the face is greater than 25 feet. ]

(b) The minimum setback distance shall be 25 feet (7.6 meters) in consolidated material. In unconsolidated material, the minimum setback distance shall be equal to the height of the exposed unconsolidated material unless otherwise approved by the Department.

[ (b) ](c) \*\*\*

**BACKFILLING AND GRADING**

**§ 77.594. Final slopes.**

Final slopes for reclamation of noncoal surface mines shall conform with the following requirements:

\* \* \* \* \*

(2) If terracing is approved for postmining reclamation, the final overall slope shall be 35 [degrees] ° or less unless otherwise approved under subparagraph (v).

(i) If a water impoundment is part of the reclamation, the slope shall extend to 50 feet (15.2 meters) below the post reclamation water level at a maximum slope of 35 [degrees] ° to serve as a safety bench for safe exit from the impoundment. The underwater safety bench may be reduced to a lesser depth—a minimum 25-foot (7.6 meters) width shall be maintained in all cases—if the operator demonstrates to the Department's satisfaction that there will be an overflow at a defined elevation or that the seasonal water table fluctuation will not require a 50-foot (15.2 meters) depth. **For purposes of safe exit from an impoundment in unconsolidated materials, the Department may require an underwater safety bench be sloped at less than 35° from the horizontal.**

\* \* \* \* \*

**§ 77.595. Concurrent reclamation.**

(a) Reclamation procedures, including backfilling, grading, topsoil replacement and revegetation of land that is disturbed by noncoal surface mining shall be kept concurrent with the progress of the proposed operation to the greatest extent possible in conformance with §§ 77.456, 77.592—77.594, this section [and], § 77.596 and the approved reclamation plan.

(b) If site conditions dictate that reclamation cannot begin until mineral extraction is terminated, the reasons for this delay shall be detailed in the reclamation plan required under § 77.456 (relating to reclamation information).

(c) Reclamation shall begin within 30 days of when mineral extraction is terminated, and be

completed within the time period specified in the approved reclamation plan.

(d) Mineral extraction is considered to be terminated when the permitted extent of the mineral reserves has been extracted.

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

**Subchapter J. GENERAL PERMITS**

Sec.

- 77.801. Scope.
- 77.802. Authorization for general permits.
- 77.803. Nature of a general permit; substitution for individual applications and permits.
- 77.804. Contents of general permits.
- 77.805. Procedure for issuance.
- 77.806. Registration requirements.
- 77.807. Compliance with permit conditions, regulations and laws.

**§ 77.801. Scope.**

This subchapter applies to the issuance of general permits by the Department under section 26(b) of the act (52 P. S. § 3326(b)).

**§ 77.802. Authorization for general permits.**

Under this subchapter, the Department may issue general permits for any category of noncoal surface mining activities if the Department determines the following:

- (1) The activities in the category are similar in nature.
- (2) The activities in the category can be adequately regulated utilizing standardized specifications and conditions.
- (3) The activities in the category, in the opinion of the Department, are more appropriately regulated under a general permit than under individual permits.

**§ 77.803. Nature of a general permit; substitution for individual applications and permits.**

(a) When the Department issues a general permit for a specified category of noncoal surface mining activities, persons who intend to conduct a noncoal surface mining activity in accordance with the specifications and conditions of the general permit may do so without obtaining an individual permit.

(b) The general permit sets forth the standardized specifications and conditions for design, operations and monitoring as are necessary to adequately protect life, health, property and the environment. The operator shall comply with the standardized specifications and conditions of the general permit in lieu of the requirements of Subchapters C, D, G, H and I.

(c) A person may only use a general permit if the following apply:

- (1) Activities are conducted in accordance with the specifications, terms and conditions of the applicable general permit.
- (2) The operator of the noncoal surface mining activity complies with the registration requirements in the general permits, as authorized by § 77.806 (relating to registration requirements).

(d) The Department may amend, suspend, revoke, reissue or terminate any general permit or any individual registration authorized under this subchapter.

(e) Notwithstanding subsections (a)—(c), the Department may require an operator authorized by a general permit to apply for, and obtain, an individual permit when the person or municipality is not in compliance with the conditions of the general permit.

**§ 77.804. Contents of general permits.**

A general permit at a minimum shall:

(1) Describe the category of noncoal surface mining activities authorized by the general permit, including any exceptions to that authorization.

(2) Specify the areas where the general permit is effective.

(3) Set forth a set of standardized specifications or plans for the category of noncoal surface mining activities or a reference to specific criteria and requirements adopted by another Federal or State agency which adequately regulate the category or particular aspects of this category.

(4) Set forth conditions governing the erosion controls, operations, reclamation, blasting, inspection and monitoring of the activities covered by the general permit as are necessary to assure compliance with the act and with other laws administered by the Department.

(5) Specify registration requirements, if any, established under § 77.806 (relating to registration requirements).

(6) Set forth registration fees, if any, and bond requirements, if any, and procedures for release of bond for the category covered by the general permit.

**§ 77.805. Procedure for issuance.**

(a) The Department may issue or modify a general permit for a category of noncoal mining activities and in accordance with this section.

(b) At least 30 days prior to issuance of a general permit, the Department will publish notice in the *Pennsylvania Bulletin* of intent to issue a general permit, including the text of the proposed general permit and the locations where standardized plans may be reviewed.

(c) An opportunity shall be provided for interested members of the public and State agencies to provide written comments to the Department on a proposed general permit.

(d) The Department may hold a public hearing on a proposed general permit for the purposes of gathering information and comments.

(e) General permits issued by the Department will be published in the *Pennsylvania Bulletin* at least 30 days prior to the effective date of the permits, as required by section 26(b) of the act (52 P. S. § 3326(b)).

**§ 77.806. Registration requirements.**

(a) The Department may require the registration of noncoal surface mining activities conducted under a general permit.

(b) Registration requirements shall be set forth in each general permit.

(c) Registration requests at a minimum shall set forth:

(1) The name, address and surface mining operator's license number of the person responsible for the activities.

(2) The location of the activities.

(3) The name or number of the general permit being utilized for the activities.

(4) Information and documents to satisfy the requirement of § 77.163 (relating to right of entry).

(5) Identification of ownership interests in the property including rights to the minerals.

(6) The names and addresses of the owners of record of surface areas contiguous to any part of the area proposed for authorization to operate under a general permit.

(7) A description of the proposed noncoal surface mining activities that demonstrates that the operation would qualify to operate under the general permit.

(d) For an activity requiring registration under this section, an amended registration shall be filed if there is a change of ownership of the entity conducting the surface mining activities.

(e) For an activity requiring registration under this section, the applicant cannot conduct surface mining activities under a general permit until notice of Department approval of registration.

(f) The Department may require public notice in a newspaper of a proposed registration.

**§ 77.807. Compliance with permit conditions, regulations and laws.**

A person who operates under a general permit shall maintain a valid surface mining operator's license and comply with the specifications, terms and conditions of the general permit, applicable law and regulations.

[Pa.B. Doc. No. 97-245. Filed for public inspection February 14, 1997, 9:00 a.m.]

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 271—273, 277, 279, 281, 283, 285, 287—289, 291, 293, 295, 297 AND 299]

### Amendments to Municipal and Residual Waste Recordkeeping and Reporting Requirements; Substantial Plan Revisions

The Environmental Quality Board (Board) proposes to amend Chapters 271—273, 277, 279, 281, 283, 285, 287—289, 291, 293, 295, 297 and 299.

The proposed amendments eliminate duplicate data submission to the Department of Environmental Protection (Department) and reduce unnecessary or duplicative recordkeeping requirements for the regulated community while maintaining environmental protection and public access to information. These proposed amendments result from a year long review of all the reporting requirements in the municipal and residual waste programs under the Secretary's Regulatory Basics Initiative and Executive Order 1996-1. Each report or recordkeeping requirement was evaluated to determine if the information was necessary and critical, if the requested information was available elsewhere, if additional or different information was needed and if the information could be handled more efficiently through electronic receipt, improved data input, submission to different offices or other method.

In addition, these proposed amendments implement a recommendation of the Municipal Waste Stakeholders Group (Stakeholders Group) regarding county municipal waste plan revisions. The 28-member Stakeholders Group, sponsored by the Department and the County Commissioners Association of Pennsylvania, was formed to discuss municipal waste issues. The group included recyclers, haulers, landfill operators, county waste authorities, municipal and county government representatives, and environmental and public interest groups. The proposed amendment would revise § 272.252(e) (relating to development of plan revisions) to allow counties to add or delete a waste management facility to or from their county municipal waste management plan as a nonsubstantial plan revision. Currently the regulations consider this to be a substantial plan revision.

This proposal was adopted by the Board at its meeting of December 17, 1996.

#### A. Effective Date

These amendments will go into effect upon publication in the *Pennsylvania Bulletin* as a final rulemaking.

#### B. Contact Persons

For further information contact Keith Kerns, Chief, Division of Waste Minimization and Planning, P. O. Box 8472, Rachel Carson State Office Building, Harrisburg, PA 17105-8472 (717) 787-7382, or electronically at Kerns.Keith@A1.dep.state.pa.us or Kristen Campfield, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464 (717) 787-7060 or electronically at Campfield.Kristen@A1.dep.state.pa.us. Information regarding submitting comments on this proposal appears in Section J of this Preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984

(TDD users) or (800) 654-5988 (voice users). This proposal is available electronically through the Department Web site (<http://www.dep.state.pa.us>).

#### C. Statutory Authority

The proposed rulemaking is being made under the authority of the following:

- The Solid Waste Management Act (SWMA) (35 P. S. §§ 6018.101—6018.1003), which in section 105(a) (35 P. S. § 6018.105(a)) grants the Board the power and duty to adopt the rules and regulations of the Department to carry out the provisions of the SWMA.

- The Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904), which in section 302 (53 P. S. § 4000.302) gives the Board the power and duty to adopt the regulations of the Department to accomplish the purposes and to carry out the provisions of this act.

- The Clean Streams Law (35 P. S. §§ 691.1—691.1001), which in section 5(b) (35 P. S. § 691.5(b)) grants the Department the authority to formulate, adopt, promulgate and repeal the rules and regulations as are necessary to implement the provisions of this act.

- The Infectious and Chemotherapeutic Wastes Law (35 P. S. §§ 6019.1—6019.6), which in sections 2(b) and 4(b) (35 P. S. §§ 6019.2(b) and 6019.4(b)) grants the Department the authority to propose regulations as may be necessary or appropriate to accomplish the purposes of this act and grants the Board the authority to adopt rules and regulations of the Department to accomplish the purposes and to carry out the provisions of this act.

#### D. Background and Purpose

##### Reporting Requirements

The Department, in an effort to maintain environmental protection, continue providing information to the public, eliminate duplicate data submission, and reduce recordkeeping requirements, formed a committee of regional and central office managerial and technical staff to review all relevant report requirements. Except for those forms previously reviewed by the Department's Permit Application Team, this amounted to over 100 separate forms. The result of the review of the municipal, residual and infectious and chemotherapeutic waste regulations is included in this regulatory package. Revisions to the hazardous waste reporting requirements appeared at 27 Pa.B. 237 (January 11, 1997).

The review committee began its work in March, 1995. Its objectives were to eliminate unnecessary and duplicative reports, to reduce the information requested, to more effectively handle the information received and to ask only for the information needed to administer the waste programs without compromising the Department's or the public's need for information. For each reporting requirement the committee asked:

- Is the report necessary and critical?
- Can the amount of information be decreased?
- Is the requested information available elsewhere?
- Is additional or different information needed?
- Can the information be handled better—electronically, data input, submission to different offices, etc.?

The Department's Solid Waste Advisory Committee (SWAC) was given a status report on this proposal in May

1995. An additional briefing was provided in March 1996. SWAC suggested that for each reporting requirement the Department proposes to eliminate, the Department provide information on an alternate source of the same data. As a result of this comment, a table containing this information appears in the "Summary of Regulatory Requirements" portion of this Preamble.

SWAC also suggested that the program administration fee structure be evaluated to see if the fees could be reduced in line with the reduction in reporting requirements. The review of the fee structure showed that the fees should not be revised since, for the most part, the information is still being reviewed, either through submission or by inspections. Even though it may not be submitted as often, the Department's field staff will have the added responsibility of ensuring it is prepared and maintained at the facility.

The public, regulated industry and Department staff were invited to participate in the review by an article in the May 26, 1995, Department Update. Suggestions on improving the format and ease of use of the forms as well as frequency of reporting were specifically requested. In addition, presentations were made to the Pennsylvania Chamber of Business and Industry and to the Pennsylvania Waste Industry Association's Technical Advisory Committee members. Of all the comments submitted, 90% had already been anticipated by the review committee.

In October 1995, Keith Kerns, Chief of the Department's Waste Minimization and Planning Division, co-chaired a session at the Waste Today Conference and reviewed the Committee's progress. Participants were enthusiastic about the time and money these reporting revisions will save industry.

The package also includes the addition of a new section to the municipal waste regulations (§ 271.4) which will authorize the submission of data electronically. Electronic submissions are allowed under the existing residual waste regulations. The Board is interested in comments regarding interest in and the feasibility of allowing submission of reports electronically. Specific suggestions on which reports are better suited to electronic submission and the format preferred are requested. Any information on costs or savings to the regulated community realized by the reduction in reporting and the electronic reporting option are also requested.

The Department has prepared draft forms of what the various report forms will look like if the proposed revisions are finalized. These draft forms are available through the contact persons listed in Section B of this Preamble or can be viewed on the Department's World Wide Web site (<http://www.dep.state.pa.us>). To locate, select "INFORMATION BY ENVIRONMENTAL SUBJECT" and then select the MUNICIPAL AND RESIDUAL WASTE HOMEPAGE.

#### *Plan Revisions*

These proposed regulatory revisions also implement a recommendation of the Stakeholders Group regarding county municipal waste plan revisions. The Board proposes to revise § 272.252(e) to allow counties to add or delete a waste management facility to or from their county municipal waste management plan through a nonsubstantial plan revision. Currently the regulations require a substantial plan revision.

#### *Entire Package*

The full proposed regulatory package was reviewed with SWAC at its September 12, 1996, meeting. SWAC

approved the proposal with several recommended revisions. The revisions are incorporated in this proposal.

None of these revisions exceeds Federal requirements. Related municipal waste Federal regulations can be found in the Environmental Protection Agency's (EPA) "Criteria for Municipal Solid Waste Landfills," 40 CFR Part 258, at § 258.29. The EPA requires submission of records upon request, to the state director (that is, the Secretary of the Department). The Department has obtained EPA approval of its landfill permitting program (including recordkeeping and reporting under Part 258). These proposed regulatory amendments will not jeopardize the EPA approval.

There are no companion Federal residual waste regulations. Because the Department is responsible for program administration, including compliance monitoring, detailed periodic reporting is necessary.

#### *E. Summary of Regulatory Requirements*

##### *Descriptive Summary*

##### *Chapter 271 (relating to municipal waste management—general provisions)*

Chapter 271 contains the general provisions for the municipal waste programs, including permit requirements, review procedures, financial assurance requirements, civil penalties and enforcement procedures. The Board proposes to add § 271.4 (relating to alternate data submission). This section would authorize the submission of information to the Department electronically. There have been significant advances in the field of electronic data interchange. The Board requests specific comments regarding the different methods of electronic submission and which techniques should be pursued and made available to the regulated community—electronic data interchange, internet connection, fax submission, smart forms, and the like.

##### *Chapter 272 (relating to municipal waste planning, recycling and waste reduction)*

Chapter 272 contains the municipal waste planning, recycling and waste reduction requirements.

The Board proposes to revise § 272.252(e). This section lists those county municipal waste plan revisions that are considered a substantial revision. As a substantial revision, the county is required to comply with §§ 272.202–272.241–272.243 and 272.245 including notification to the county advisory committee, publication of a public notice, notification to the municipalities following the ratification process used in the initial plan adoption, and submitting implementing documents, in addition to requirements applicable to a nonsubstantial plan revision. Those requirements consist of notifying the Department, complying with certain content requirements and notifying the municipalities and advisory committee. The proposed revision would remove the addition or deletion of a resource recovery facility or municipal waste landfill from the list of actions that are considered to be substantial plan revisions.

##### *Chapter 273 (relating to municipal waste landfills)*

Chapter 273 contains the application and operating requirements for municipal waste landfills. The Board proposes to revise § 273.311 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

No changes are proposed for the quarterly operation report in § 273.312 (relating to the quarterly operation report).

The Board proposes to revise § 273.313 (relating to annual operation report). Information on the weight or volume of waste received and on the type of waste received by county and transporter will no longer be required. This information will still be required to be recorded in the daily record. Information on groundwater monitoring wells, erosion and sedimentation control structures, leachate storage or treatment facilities will no longer be required on the annual report. This information is required to be submitted in the initial permit application and revisions to these systems must be reported as they are made. Information regarding emergency disposal areas will not be required in the annual report because that information must be recorded in the daily record.

Additionally, the facility will not be required to include notification of critical stages of construction in the annual report because that information is included in a permit application. Nor will a facility be required to include an analysis of special handling or residual waste received, because these analyses must be retained as part of the approval needed prior to the receipt of these wastes. Since the facility identifies the counties which have used the facility in the previous year on their daily record and quarterly report, this information will no longer be required on the annual report. Waste identified by specific transporter will also no longer be required.

For each reporting requirement that is proposed to be eliminated an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 277 (relating to construction/demolition waste landfills)*

Chapter 277 contains the application and operating requirements for construction/demolition waste landfills.

The Board proposes to revise § 277.311 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 277.312 (relating to annual operation report). Information on the weight or volume of waste received and the type of waste received by county and transporter will no longer be required. This information will still be required to be recorded on the daily record. Information on groundwater monitoring wells, erosion and sedimentation control structures, leachate storage or treatment facilities will no longer be required on the annual report. This information is required to be submitted in the initial permit application and revisions to these systems must be reported as they occur. Information regarding emergency disposal areas will not be required in the annual report because changes in that information must be included in the daily record. The facility will not be required to include notification of critical stages of construction in the annual report because that information is included in a permit application. Waste identified by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 279 (relating to transfer stations)*

Chapter 279 contains the application and operating requirements for transfer stations.

The Board proposes to revise § 279.251 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board also proposes to revise § 279.252 (relating to annual operation report). Because a transfer facility is required to include the weight or volume of waste received, the county or State where it originated, the transporters, amount of material recycled or marketed, and the destination of the waste on the daily record, this information will no longer be required on the annual report. Information regarding emergency disposal areas will not be required in the annual report because that information must be kept in the daily record. Chemical analyses for special handling waste certification will no longer be required because the facility is required to receive these analyses and keep them as part of their approval to receive these wastes.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 281 (relating to composting facilities)*

Chapter 281 contains the application and operating requirements for composting facilities.

The Board proposes to revise § 281.271 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 281.272 (relating to the annual operational report). Because a composting facility is required to include the weight or volume of waste received and the transporters on the daily record, this information will no longer be required on the annual report. Chemical analyses for special handling waste certification will no longer be required because the facility is required to receive these analyses and keep them as part of their approval to receive these wastes. Waste identified by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 283 (relating to resource recovery and other processing facilities)*

Chapter 283 contains the application and operating requirements for municipal waste resource recovery and other processing facilities.

The Board proposes to revise § 283.261 (relating to daily operational records). Specifically, the information required in the daily records would not change; however, the report document itself would no longer be required to be recorded on a Department form. In addition, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 283.262 (relating to annual operational report). Because the facility is required to include the county or state where it originated, the transporters, amount of material recycled or marketed, disposal information for bypassed waste and waste products, and handling and disposal problems on the daily record, this information will no longer be required on the annual report. Analyses for special handling waste will no longer be required because the facility is required to receive these analyses and keep them as part of their approval to receive these wastes. Waste identified by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 285 (relating to storage, collection and transportation of municipal waste)*

Chapter 285 contains the requirements for storage, collection and transportation of municipal waste, as well as the operational and transporter licensing requirements for infectious and chemotherapeutic waste.

The Board proposes to revise § 285.217 (relating to recordkeeping) to clarify that a report is required in the cab of a collection or transportation vehicle.

Currently there is no requirement for an infectious and chemotherapeutic waste transporter daily report and none is proposed. However, an infectious and chemotherapeutic waste manifest is required to be prepared by the infectious and chemotherapeutic waste generator, § 285.412 (relating to preparation of manifest), and carried with each load, § 285.421 (relating to basic requirements). The manifest is required to be retained for 5 years, § 285.403 (relating to recordkeeping). There are four copies of the manifest, § 285.411 (relating to use of manifest). One is retained by the generator, one by the transporter, and one by the management facility who then returns the final copy back to the generator after the material is received by the management facility.

The Board proposes to revise § 285.334 (relating to annual operational report). Because the infectious and chemotherapeutic waste transporter is required to include generator and transporter information on the infectious and chemotherapeutic waste manifest, this information will no longer be required on the annual report. The State manifest document number is no longer applicable and has been eliminated from the annual report. In addition, the annual report will now only include the first transporter when multiple transporters are utilized. All transporters must be identified on the manifest.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 287 (relating to residual waste management—general provisions)*

Chapter 287 contains the general provisions for residual waste management.

The Board proposes to revise § 287.51 (relating to scope). Currently persons or municipalities that generate more than 2,200 pounds of residual waste per generating location in any single month of the previous year are required to prepare a biennial report, a source reduction strategy and a chemical analysis of the waste generated. The proposed revision would allow the generator to average the amount generated over the year and the generator would be required to comply with this subchapter only if the average per month exceeds 2,200 pounds.

*Chapter 288 (relating to residual waste landfills)*

Chapter 288 contains the operating requirements for residual waste landfills.

The Board proposes to revise § 288.281 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request. An analysis of the quantity and quality of leachate flowing from the landfill would be required as per the specific facility permit requirements.

The Board proposes to delete § 288.282 (relating to quarterly operation report), because all of the information required in the quarterly report must be included on the daily report.

The Board proposes to revise § 288.283 (relating to annual operational report). Because the facility is required to include information about groundwater monitoring wells, access roads, a facility office, erosion and sedimentation structures, and property lines and boundaries of the permitted fill areas in the permit application map or in a permit modification, this information will no longer be required on the annual report. Information about leachate storage or treatment facilities must be part of the facility permit application or leachate treatment plan, and will no longer be required on the annual report. For noncaptive facilities, the type and weight of the waste received from each transporter is required on the daily record and will no longer be required on the annual report. Identification of waste received by transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 289 (relating to residual waste disposal impoundments)*

Chapter 289 contains the requirements for residual waste disposal impoundments.

The Board proposes to revise § 289.301 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than



submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond or longer if directed by the Department. The information must be made available to the Department upon request.

The Board proposes no changes to the quarterly operation report.

The Board proposes to revise § 289.303 (relating to annual operational report). Identification of contours at the beginning and end of the year, and of the completed fill area will no longer be required on the annual report. That information is not appropriate for an impoundment. Information about groundwater monitoring wells, access roads, the facility office, erosion and sedimentation control structures and location of treatment facilities must be included in the initial map and facility operation plan, submitted with a permit application, and will no longer be required on the annual report. Identification of property lines and boundaries of the permitted disposal and lined areas will no longer be required since that information must be submitted in the permit application. Notification of critical stages of facility construction or operation that require certification by a registered professional engineer must be included upon completion of each major construction activity with the certification in § 289.202 (relating to certification) and will not be required in the annual report. Certification that the operator of a disposal impoundment has received the waste analysis or certification required by § 287.54 (relating to chemical analysis of waste) for special handling waste received at the facility, and that the special handling waste received at the facility meets the conditions in the facility's permit will no longer be required on the annual report. Special handling wastes are not permitted to be disposed at residual waste impoundments.

For noncaptive facilities, the type and weight or volume of solid waste received from each transporter will no longer be required on the annual report. Daily records require reporting of the amount and type of waste and of the transporters, but not the amount or type of waste received from each transporter.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 291 (relating to land application of residual waste)*

Chapter 291 applies to the land application of residual waste.

The Board proposes to revise § 291.221 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 293 (relating to transfer facilities for residual waste)*

Chapter 293 contains the requirements for residual waste transfer facilities.

The Board proposes to revise § 293.251 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 293.252 (relating to annual operational report). Because the transfer facility is required to include information about the weight or volume of waste received, generator information and transporter information on the daily record, this information will no longer be required on the annual report. Specific amounts of waste received by each generator will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 295 (relating to composting facilities for residual waste)*

Chapter 295 applies to residual waste composting facilities.

The Board proposes to revise § 295.271 (relating to daily operational records). The weight or volume of materials used, reclaimed, marketed or disposed must be reported on the annual report and will no longer be required on the daily record. A record of deviation from the approved design will no longer be required on the daily report because that information must be reported to the Department as it occurs. The daily report itself would no longer be required to be recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 295.272 (relating to annual operational report). Identification of waste received by specific transporter will no longer be required.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 297 (relating to incinerators and other processing facilities)*

Chapter 297 applies to residual waste incinerators and other processing facilities.

The Board proposes to revise § 297.261 (relating to daily operational records). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be

recorded on a Department form. In addition, rather than submitting the report to the Department, the facility would be required to retain the daily record for the life of the facility bond, or longer if directed by the Department. The information must be made available to the Department upon request.

Currently there is no regulatory requirement for a quarterly operation report and none is proposed.

The Board proposes to revise § 297.262 (relating to annual operational report). Because the facility is required to include information in the daily record about transporters and where bypass wastes and other waste are ultimately disposed, this information will no longer be required on the annual report. Identification by a transporter of specific wastes will no longer be required. The amount of waste disposed must now be included on the annual report.

For each reporting requirement that is proposed to be eliminated, an alternate source of the same data is listed in the table at the end of this summary.

*Chapter 299 (relating to storage and transportation of residual waste)*

Chapter 299 applies to residual waste storage and transportation.

The Board proposes to revise § 299.219 (relating to recordkeeping and reporting). Specifically, the information required in the daily records would not change. However, the report itself would no longer be required to be recorded on a Department form. Clarification was added that the daily record must be in the cab of the transportation vehicle on the date of collection or transportation. In addition, the Department can require retention of the daily record for a specified length of time.

The annual report requirement has been deleted completely. Information needed by the Department can be found on the daily record. Annual totals of waste transported and information specific to each generator will not be required.

For each reporting requirement that is proposed to be eliminated an alternate source of the same data is listed in the table at the end of this summary.

#### TABLE

This table is provided upon SWAC's recommendation. It lists the reporting items proposed to be deleted (a section reference is given along with a summary of the requirement) and at least one alternate location where the information can be found.

#### *Proposed Deletion*

#### *Alternate Information Source*

### CHAPTER 273. MUNICIPAL WASTE LANDFILLS

#### *§ 273.313. Annual operation report.*

(b)(1) Weight or volume of solid waste received.	Daily record. § 273.311(b)(1). Quarterly fee report. § 273.312(b)(1).
(b)(2) Type and weight or volume of solid waste received by county or state.	Daily record. § 273.311(b)(2). Quarterly fee report. § 273.312(b)(2).
(b)(3) Type and weight or volume of solid waste received by transporter.	Daily record. § 273.311(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.
(b)(4)(ii, iv, v, vi) Location of groundwater monitoring wells, access roads, erosion and sedimentation control structures and devices, leachate storage or treatment facilities, property lines, boundaries of permitted fill areas and boundaries of lined areas.	Maps & related information. § 273.113. Map and grid requirements. § 273.133. Water quality monitoring plan. § 273.152. Recordkeeping. § 273.288. Permit modification. § 271.222.
(b)(10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.	Daily record. § 273.311(b)(5).
(b)(11) Notification of critical stages of facility construction requiring professional engineer certification in the next year.	Operation plan. § 273.132(1). Permit modification. § 271.222.
(b)(12) An analysis of special handling or residual waste received at the facility in the previous year.	Facility is required to receive these analyses and keep them as part of their approval to receive these wastes. § 271.621.
(b)(15) Counties that have used the facility during the past year.	Daily operational record. § 273.311(b)(2).

### CHAPTER 277. CONSTRUCTION/DEMOLITION WASTE LANDFILLS

#### *§ 277.312. Annual operation report.*

(b)(1) Weight or volume of the types of solid waste received.	Daily record. § 277.311(b)(1).
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*Proposed Deletion*

(b)(2) The type and weight or volume of solid waste received by county or state.

(b)(3) Type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(b)(4)(ii, iv, v, vi) Groundwater monitoring wells, access roads, facility office, erosion and sedimentation control structures, leachate storage or treatment facilities, property lines, boundaries of permitted fill areas and boundaries of lined areas.

(b)(10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.

(b)(11) Notification of critical stages of facility construction or operation that require professional engineer certification.

*Alternate Information Source*

Daily record. § 277.311(b)(2).

Daily records. § 277.311(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

Map and grid requirements. § 277.133.  
Map and related information. § 277.113.  
Leachate treatment plan. § 277.162.  
Permit modification. § 271.222.

Daily operational record. § 277.311(b)(5).

Operation plan. § 277.132(1).  
Map and grid requirements. § 277.133(a)(1).

**CHAPTER 279. TRANSFER FACILITIES**

*§ 279.252. Annual operation report.*

(b)(1) The weight or volume of each waste received.

Daily record. § 279.251(b)(1).

(b)(2) The county or state in which the solid waste originated.

Daily record. § 279.251(b)(2).

(b)(3) The transporters of the solid waste.

Daily record. § 279.251(b)(3).

(b)(4) The weight or volume of each material recycled or marketed.

Daily record. § 279.251(b)(5) requires information on materials recycled but not materials marketed.

(b)(5) The destination of the solid waste.

Daily record. § 279.251(b)(4).

(b)(9) A description of emergency disposal areas.

Daily record. § 279.251(b)(6).

(b)(10) An analysis of special handling waste received at the facility in the previous year.

Facility is required to receive these analyses and keep them as part of their approval to receive these wastes. § 271.621.

**CHAPTER 281. COMPOSTING FACILITIES**

*§ 281.272. Annual operation report.*

(b)(2) The transporters of the waste.

Daily record. § 281.271(b)(3).

(b)(4) The type and weight or volume of waste received by transporter.

Daily records. § 281.271(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

(b)(10) Certification that the residual or special handling waste received at the facility meets the conditions of the facility's permit.

Facility is required to receive the analyses and keep them on file as part of its permit to receive residual and/or special handling municipal waste. § 271.621.

**CHAPTER 283. RESOURCE RECOVERY AND OTHER PROCESSING FACILITIES**

*§ 283.262. Annual operation report.*

(b)(1) The weight or volume of each waste received.

Daily record period. § 283.261(b)(1).  
Quarterly fee reports. § 273.32(b)(1)

(b)(2) The county or state in which the solid waste originated.

Daily record. § 283.261(b)(2).

(b)(3) The transporters of the solid waste.

Daily record. § 283.261(b)(3).

(b)(4) The weight or volume of each material recycled or marketed as a result of the process.

Daily record. § 283.261(b)(4).

(b)(5) For bypassed wastes and waste products, the name and county or state of the facility where the solid waste is ultimately disposed.

Daily record. § 283.261(b)(5).

*Proposed Deletion*

(b)(6) A description of handling problems or emergency disposal activities.

(b)(7) The type and weight or volume of solid waste received from each transporter.

(b)(11) A description of emergency disposal areas or methods.

(b)(12) An analysis of special handling waste received at the facility in the previous year.

(b)(14) Certification that the residual or special handling waste received at the facility meets the conditions of the facility's permit.

*Alternate Information Source*

Daily record. § 283.261(b)(6).

Daily record. § 283.261(b)(1) and (3) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

Daily record. § 283.261(b)(6).

Facility is required to receive these analyses and keep them as part of their approval to receive these wastes. § 271.621.

Facility is required to receive analyses and keep them on file as part of its permit to receive these wastes. § 271.621

**CHAPTER 285. STORAGE, COLLECTION AND TRANSPORTATION OF MUNICIPAL WASTE****Subchapter C. TRANSPORTER LICENSING FOR INFECTIOUS AND CHEMOTHERAPEUTIC WASTE***§ 285.334. Annual report.*

(b)(1) The name, mailing address and telephone number for each generator from whom the transporter accepted infectious or chemotherapeutic waste.

Manifest. § 285.412(a)(1).

(b)(2) Telephone number of the processing or disposal facility.

Manifest. § 285.412(a)(10).

(b)(3) The State manifest document number for each shipment of infectious or chemotherapeutic waste transported.

Document number is not needed. The Department does not receive a copy of the manifest.

(b)(5) When more than one transporter is used to transport a single shipment of infectious or chemotherapeutic waste from the generator to the processing or disposal facility, the name, mailing address, telephone number and infectious or chemotherapeutic waste license number for each transporter.

Manifest. § 285.412(a)(3) and § 285.411(c)(2) and (3).

**CHAPTER 288. RESIDUAL WASTE LANDFILLS**

*§ 288.282. Quarterly operation report*—Proposal is to delete this quarterly report requirement.

(b)(1) The type and weight or volume of solid waste received

Daily record. § 288.281(b)(1).

(b)(2) For noncaptive facilities, the name, mailing address, county and state of each generator of residual waste.

Daily record. § 288.281(b)(8)(ii).

(b)(3) An analysis of the quality and quantity of leachate flowing from the landfill into the leachate storage and treatment system.

Added to daily record. § 288.281(b)(8)(iii).

*§ 288.283. Annual operation report.*

(b)(2)(ii) The location of groundwater monitoring wells, access roads and the facility office.

Permit modification. § 287.222.  
Application map and grid requirements. § 288.133(a).

(b)(2)(iv) Erosion and sedimentation control structures and devices.

Permit modification. § 287.222.  
Application map and grid requirements. § 288.133(a)(6).

(b)(2)(v) Leachate storage or treatment facilities, or both.

Permit modification. § 287.222.  
Leachate treatment plan. § 288.413.  
Leachate treatment plan. § 288.513.

(b)(2)(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas.

Permit modification. § 287.222.  
Application map and grid requirements. § 288.133.

*Proposed Deletion*

(b)(11)(ii) For noncaptive facilities the type and weight or volume of solid waste received from each transporter.

*Alternate Information Source*

Daily record. § 288.281(b)(1) and (b)(8)(i) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

**CHAPTER 289. RESIDUAL WASTE DISPOSAL IMPOUNDMENTS**

*§ 289.303. Annual operation report.*

(b)(2)(i) The contours at the beginning and the end of the year.

Not appropriate for an impoundment.

(b)(2)(ii) The location of groundwater monitoring wells, access roads and the facility office.

Map and grid requirements. § 289.133.  
Operation plan. § 289.132.  
Permit Modification. § 287.222.

(b)(2)(iii) The completed area of the site as well as areas partially filled but not active during the previous year.

Not appropriate for an impoundment.

(b)(2)(iv) Erosion and sedimentation control structures and devices.

Operation plan. § 289.132.  
Map and grid requirements. § 289.133(a)(6).  
Permit Modification. § 287.222.

(b)(2)(v) The location of treatment facilities.

Map and grid requirements. § 289.133(a)(6).  
Postclosure land use plan. § 289.172.  
Permit modification. § 297.222.

(b)(2)(vi) Property lines, boundaries of permitted disposal areas and boundaries of lined areas.

Permit application. § 289.133.  
Permit modification. § 287.222

(b)(8) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will occur the next year.

Certification. § 289.202.

(b)(10) Certification that the special handling waste that is received at the facility meets the conditions in the facility's permit.

Special handling wastes are not permitted to be disposed at a residual waste impoundment. § 289.423 and § 289.523.

(b)(11)(ii) For noncaptive facilities, the type and weight or volume of solid waste received from each transporter

Daily records. § 289.301(b)(1) and (b)(7)(i) require recording of the amount and type of waste and the transporters but not the amount or type of waste received from each transporter.

**CHAPTER 293. TRANSFER FACILITIES FOR RESIDUAL WASTE**

*§ 293.252. Annual operational record.*

(b)(2) The type and weight or volume of solid waste received from each generator, including the name, mailing address, county and the state of each generator.

Daily record. § 293.251(1) and (2) require this information be recorded by type and amount but not by each generator.

(b)(3) The transporters of the solid waste.

Daily record. § 293.251(b)(3).

**CHAPTER 295. COMPOSTING FACILITIES FOR RESIDUAL WASTE**

*§ 295.271. Daily operational records.*

(b)(4) Weight or volume of each material used, reclaimed or marketed.

Annual operation report. § 295.272.

(b)(5) A record of deviation from the approved design or operational plans.

Any deviation from the permit must be reported to the Department immediately. § 287.222.

*§ 295.272. Annual operation report.*

(b)(4) The type and weight or volume of waste received from each transporter.

Daily operational record. § 295.271(b)(1) and (b)(3) require recording of waste received and transporters by amount, but not waste received by each transporter.

**CHAPTER 297. INCINERATORS AND OTHER PROCESSING FACILITIES**

*§ 297.262. Annual operation report.*

(b)(3) The transporters of the solid waste.

Daily operational record. § 297.261(b)(3).

*Proposed Deletion*

(b)(5) The name, county and state of the facility where by-pass wastes and waste products are ultimately disposed.

(b)(6) The type and weight or volume of solid waste received from each transporter.

*Alternate Information Source*

Daily operational record. § 297.261(b)(5).

Daily operational record. § 297.261(b)(1) and (3) require recording of waste received by amount and transporter, but not waste received by each transporter.

**CHAPTER 299. STORAGE AND TRANSPORTATION OF RESIDUAL WASTE**

§ 299.219(b) *Annual report.* Proposal is to delete this annual report requirement.

(b)(1) A summary of the types or classifications of residual wastes transported each month of the year by weight or volume and annual totals.

(b)(2) The name, mailing address, county and state of each generator of the transported waste, including the type or classification of the waste, and weight or volume of the waste.

(b)(3) The destination or facility to which the wastes were delivered by the name, mailing address, county, state, type or classification of the waste and the weight or volume of the waste.

Daily record. § 299.219(a)(2). Annual totals would not appear on the daily record.

Daily record. § 299.219(a)(1), (2) and (3) requires this information, but not by generator.

Daily record. § 299.219(a)(4). Identification of the quantity of waste delivered to a specific destination will no longer be required.

*F. Benefits, Costs and Compliance*

Executive Order 1996-1 requires a cost/benefit analysis of the proposed amendments.

*Benefits**Reporting Requirements*

The regulated community will benefit since the amount of information reported and the frequency will lessen—approximately 2,500 facilities completing 185,508 fewer pages of reports per year. The Department will benefit since only information maintained and submitted will be what is needed to administer the waste programs.

*Plan Revisions*

The counties, municipalities, waste facilities and the general public will benefit since the shorter plan revision process will allow counties to take advantage of competitive pricing in the waste management industry.

*Compliance Costs**Reporting Requirements*

The number of persons, groups or entities required to comply will not change from those currently regulated. There will be a significant reduction in the efforts required to comply. Because there are a variety of techniques to comply with these reporting requirements (completion by hand, computer, contractor, and the like) it is difficult to estimate costs or savings. The Department has asked for input on this specific question in the Preamble. It is known that the proposal will delete 15 forms formally required of 2,326 facilities.

*Plan Revisions*

All 67 Pennsylvania counties are required to prepare a county municipal waste management plan. Only those who will be revising their plan to add or delete a waste management facility will need to comply with the regulation. Since plan revisions are initiated by the county, it is not possible to estimate how many will be affected at any given time. Counties will realize a time saving in revising their plans which should translate into a cost savings because of fewer meetings and notices.

*Compliance Assistance Plan**Reporting Requirements*

Because these revisions do not add any new reporting requirements, no specific hearings or meetings are scheduled. To assist the public in its review of this proposal, the Department has prepared drafts of what the various report forms would look like. These draft forms are available through the contact persons listed in the Preamble, Section B or can be viewed on the Department World Wide Web site (<http://www.dep.state.pa.us>). To locate, select "INFORMATION BY ENVIRONMENTAL SUBJECT" and then select the MUNICIPAL AND RESIDUAL WASTE HOMEPAGE. No financial assistance appears to be needed and none will be offered.

*Plan Revisions*

The Department intends to conduct at least one State-wide meeting on county municipal waste planning. It will include this revision and others expected within the next year. Plan revision is an eligible expense under the Act 101, Section 901 planning grant program. Counties will be encouraged to consider submission of a grant application to cover plan revision expenses.

*Entire Package*

The Department intends to provide educational, technical and compliance assistance directly to interested parties through the regional offices, articles in its weekly Update newsletter, distribution of information through trade associations, and electronically by having all the report forms available on the Department's World Wide Web site.

*Paperwork Requirements**Reporting Requirements*

These proposed amendments eliminate duplicate data submission and reduce unnecessary or duplicative record-keeping requirements for the regulated community while maintaining environmental protection and public access to information. No additional forms or paperwork will be needed.

*Plan Revisions*

These proposed amendments will allow counties to add or delete a waste management facility to or from their county municipal waste management plan as a non-substantial plan revision. No additional forms or paperwork will be needed.

*G. Sunset Review*

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

*H. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 4, 1997, the Department submitted a copy of the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department. A copy of this material is available to the public upon request.

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

*I. Public Comments*

*Written comments.* Interested persons are invited to submit comments, suggestions or objections regarding the proposed amendments to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by April 16, 1997 (within 60 days of publication in the *Pennsylvania Bulletin*). Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by April 16, 1997 (within 60 days following publication in the *Pennsylvania Bulletin*). The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulations will be considered.

*Electronic Comments.* Comments may be submitted electronically to the Board at RegComments@A1.dep.state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. Comments submitted electronically must also be received by the Board by April 16, 1997.

*J. Public Hearing*

The Board will hold a public hearing for the purpose of accepting comments on this proposal. The hearing will be held at 1 p.m. on the following date:

April 1, 1997: DEP, 1st Floor Meeting Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Persons wishing to present testimony at the hearing are requested to contact Nancy Roush at the Environmen-

tal Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Nancy Roush directly at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Chairperson*

*(Editor's Note:* Sections 272.252 and 287.51 were amended at 27 Pa.B. 521 (January 25, 1997). These amendments will be codified in the April 1997 *Pennsylvania Code Reporter* (MTS 269).)

**Fiscal Note: 7-304.** No fiscal impact; (8) recommends adoption. These proposed amendments may result in minor cost savings to the Department. Cost savings may be realized from a reduction in administrative workload associated with the handling, storage and tracking of documents.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION  
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart D. ENVIRONMENTAL HEALTH AND SAFETY**

**ARTICLE VIII. MUNICIPAL WASTE  
CHAPTER 271. MUNICIPAL WASTE MANAGEMENT—GENERAL PROVISIONS**

**Subchapter A. GENERAL**

**§ 271.4. Alternate data submission.**

**Data required under this article may be submitted electronically or on magnetic or optic storage media in a format specified by the Department, if authorized by the Department.**

**CHAPTER 272. MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION**

**Subchapter C. MUNICIPAL WASTE PLANNING PLAN REVISIONS**

**§ 272.252. Development of plan revisions.**

\* \* \* \* \*

(e) For purposes of this section, substantial plan revisions shall include, but not be limited to:

**[ (1) The designation of an additional resource recovery facility or municipal waste landfill.**

**(2) ] (1) \*\*\***

**[ (3) The deletion of a designated resource recovery or disposal facility by a county. The deletion will not be considered a substantial revision if the deletion occurs as a result of failure to secure necessary contracts as long as adequate disposal capacity remains to implement the plan.**

**(4) ] (2) \*\*\***

**CHAPTER 273. MUNICIPAL WASTE LANDFILLS**

**Subchapter C. OPERATING REQUIREMENTS  
RECORDKEEPING AND REPORTING**

**§ 273.311. Daily operational records.**

\* \* \* \* \*

(b) The daily operational record [ , which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

**§ 273.313. Annual operation report.**

\* \* \* \* \*

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

[ (1) The weight or volume of each type of solid waste received.

(2) The type and weight or volume of solid waste received from each county in which the waste originated or, if the waste originated outside this Commonwealth, the state.

(3) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(4) ] (1) A topographic survey map of the same scale, contour interval and grid system as the original site plans showing the following:

\* \* \* \* \*

[ (ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii) ] (ii) \*\*\*

[ (iv) Erosion and sedimentation control structures and devices.

(v) Leachate storage or treatment facilities, or both.

(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas.

(5) ] (2) \*\*\*

[ (6) ] (3) \*\*\*

[ (7) ] (4) \*\*\*

[ (8) ] (5) \*\*\*

[ (9) ] (6) \*\*\*

[ (10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.

(11) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will occur in the next year.

(12) An analysis of special handling or residual waste received at the facility in the previous year.

(13) ] (7) \*\*\*

[ (14) ] (8) Certification that the operator has received [ the analysis or certification ] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste received at the facility[ , and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit ] during the calendar year.

[ (15) Documentation identifying the counties that have used the facility during the past year and that have provided for the use of the facility in the coming year pursuant to county municipal waste management plans. ]

\* \* \* \* \*

**CHAPTER 277. CONSTRUCTION/DEMOLITION  
WASTE LANDFILLS**

**Subchapter C. OPERATING REQUIREMENTS  
RECORDKEEPING AND REPORTING**

**§ 277.311. Daily operational records.**

\* \* \* \* \*

(b) The daily operational record[ which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

**§ 277.312. Annual operation report.**

\* \* \* \* \*

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

[ (1) The weight or volume of the types of solid waste received.

(2) The type and weight or volume of solid waste received from each county in which the waste originated or, if the waste originated outside this Commonwealth, the state

(3) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(4) ] (1) \*\*\*

\* \* \* \* \*

[ (ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii) ](ii) \*\*\*

[ (iv) Erosion and sedimentation control structures and devices.

(v) Leachate storage or treatment facilities, or both.

(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas.

(5) ] (2) \*\*\*

[ (6) ] (3) \*\*\*



[ (7) ] (4) \*\*\*

[ (8) ] (5) \*\*\*

[ (9) ] (6) \*\*\*

[ (10) A description of emergency disposal areas or methods approved by the Department and used by the operator, which are not described in the permit.

(11) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will occur in the next year. ]

[ (12) ] (7) \*\*\*

[ (13) ] (8) Certification that the operator has received [ the analysis or certification ] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste received at the facility [ , and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit ] during the calendar year.

\* \* \* \* \*

CHAPTER 279. TRANSFER FACILITIES

Subchapter C. OPERATING REQUIREMENTS FOR TRANSFER FACILITIES

RECORDKEEPING AND REPORTING

§ 279.251. Daily operational records.

\* \* \* \* \*

(b) The daily operational record[ , which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 279.252. Annual operation report.

\* \* \* \* \*

(b) The annual operating report, which shall be submitted on a form supplied by the Department, shall include the following:

[ (1) The weight or volume of each type of solid waste received.

(2) The county in which the solid waste originated, or if the waste originated outside of this Commonwealth, the state.

(3) The transporters of the solid waste.

(4) The weight or volume of each material recycled or marketed.

(5) The destination of the solid waste, including the facility name, the county and state in which it is located and the type and weight or volume of waste transported.

(6) ] (1) \*\*\*

[ (7) ] (2) \*\*\*

[ (8) ] (3) \*\*\*

[ (9) A description of emergency disposal areas or methods approved by the Department and used by the operator which are not described in the approved design and operational plan or permit for the facility.

(10) An analysis of special handling waste received at the facility in the previous year.

(11) ] (4) \*\*\*

[ (12) ] (5) \*\*\*

\* \* \* \* \*

CHAPTER 281. COMPOSTING FACILITIES

Subchapter C. OPERATING REQUIREMENTS FOR GENERAL COMPOSTING FACILITIES

RECORDKEEPING AND REPORTING

§ 281.271. Daily operational records.

\* \* \* \* \*

(b) The daily operational record[ , which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 281.272. Annual operation report.

\* \* \* \* \*

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

\* \* \* \* \*

[ (2) The transporters of the waste.

(3) ] (2) \*\*\*

[ (4) The type and weight or volume of waste received from each transporter that delivered waste to the facility.

(5) ] (3) \*\*\*

[ (6) ] (4) \*\*\*

[ (7) ] (5) \*\*\*

[ (8) ] (6) \*\*\*

[ (9) ] (7) \*\*\*

[ (10) ] (8) Certification that the operator has received [ the analysis or certification ] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste received at the facility[ , and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit ] during the calendar year.

\* \* \* \* \*

CHAPTER 283. RESOURCE RECOVERY AND OTHER PROCESSING FACILITIES

Subchapter C. OPERATING REQUIREMENTS RECORDKEEPING AND REPORTING

§ 283.261. Daily operational records.

\* \* \* \* \*

(b) The daily operational record [ , which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 283.262. Annual operation report.

\* \* \* \* \*

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

[ (1) The weight or volume of each type of solid waste received.

(2) The county in which the solid waste originated, or if the waste originated outside of this Commonwealth, the state.

(3) The transporters of the solid waste.

(4) The weight or volume of each material recycled or marketed as a result of the process.

(5) For bypassed wastes and waste products, the name and county or state of the facility where the solid waste is ultimately disposed.

(6) A description of handling problems or emergency disposal activities.

(7) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility.

(8) ] (1) \*\*\*

[ (9) ] (2) \*\*\*

[ (10) ] (3) \*\*\*

[ (11) A description of emergency disposal areas or methods approved by the Department and used by the operator which are not described in the approved design and operational plan or permit for the facility.

(12) An analysis of special handling waste received at the facility in the previous year.

(13) ] (4) \*\*\*

[ (14) ] (5) Certificaton that the operator has received [ the analysis or certification ] all analyses required by § 287.54 (relating to chemical analysis of waste) for each type of residual waste or special handling waste that is received at the facility [ , and that the residual waste or special handling waste that is received at the facility meets the conditions in the facility's permit ] during the calendar year.

\* \* \* \* \*

CHAPTER 285. STORAGE, COLLECTION AND TRANSPORTATION OF MUNICIPAL WASTE

Subchapter B. COLLECTION AND TRANSPORTATION OF MUNICIPAL WASTE  
GENERAL PROVISIONS

§ 285.217. Recordkeeping.

(a) General. A person or municipality that collects [ and ] or transports municipal waste shall keep records

that include, at a minimum, quantities of waste collected, municipalities served and the facility to which the waste was delivered. The records shall be made available to the Department upon request, and shall be retained for at least 5 years.

(b) Report required. A collection [ and ] or transportation vehicle for waste other than infectious and chemotherapeutic waste shall have a report in the cab that includes the following:

\* \* \* \* \*

Subchapter C. TRANSPORTER LICENSING FOR INFECTIOUS AND CHEMOTHERAPEUTIC WASTE  
OPERATIONAL REQUIREMENTS

§ 285.334. Annual report.

\* \* \* \* \*

(b) The annual report shall be based on the shipments of infectious or chemotherapeutic waste during the previous calendar year, and shall include the following:

[ (1) The name, mailing address and telephone number for each generator from whom the transporter accepted infectious or chemotherapeutic waste.

(2) ] (1) \*\*\*

[ (3) The State manifest document number, if applicable, for each shipment of infectious or chemotherapeutic waste transported by the transporter to or from locations within this Commonwealth.

(4) ] (2) \*\*\*

[ (5) ] (3) When more than one transporter is used to transport a single shipment of infectious or chemotherapeutic waste from the generator to the processing or disposal facility, [ the name, mailing address, telephone number and, if applicable, a Department-issued infectious or chemotherapeutic waste license number for each transporter ] only the first transporter shall be required to submit information for that shipment on the annual report.

ARTICLE IX. RESIDUAL WASTE

CHAPTER 287. RESIDUAL WASTE MANAGEMENT—GENERAL PROVISIONS

Subchapter B. DUTIES OF GENERATORS

§ 287.51. Scope.

(a) This subchapter contains requirements that are directly applicable to persons or municipalities that generate more than an average of 2,200 pounds of residual waste per generating location [ in any single ] per month [ of ] based on generation in the previous year. The Department may waive or modify the requirements of this section for individual types of waste that are generated in quantities of less than 2,200 pounds per month per generating location.

\* \* \* \* \*

CHAPTER 288. RESIDUAL WASTE LANDFILLS

Subchapter C. OPERATING REQUIREMENTS  
RECORDKEEPING AND REPORTING

§ 288.281. Daily operational records.

\* \* \* \* \*

(b) The daily operational record[, which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(8) For noncaptive facilities, the following:

\* \* \* \* \*

(iii) An analysis of the quality and quantity of leachate flowing from the landfill into the leachate storage and treatment system.

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 288.282. [ Quarterly operation report ] (Reserved).

[ (a) An operator of a noncaptive facility that is not a monofill shall submit to the Department a quarterly report. The report shall be submitted on or before the 20th day of April, July, October and January for the 3 months ending the last day of March, June, September and December. The report shall be submitted on forms supplied by the Department.

(b) The quarterly operational report shall include the following:

(1) The type and weight or volume of solid waste received in each month of the reported quarter.

(2) For noncaptive facilities, the name, mailing address, county and state of each generator of residual waste.

(3) An analysis of the quality and quantity of leachate flowing from the landfill into the leachate storage and treatment system. ]

§ 288.283. Annual operation report.

\* \* \* \* \*

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

\* \* \* \* \*

(2) Unless otherwise provided by the Department in writing, a topographic survey map of the same scale, contour interval and grid system as the original site plans showing the following:

\* \* \* \* \*

[ (ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii) ] (ii) \*\*\*

[ (iv) Erosion and sedimentation control structures and devices.

(v) Leachate storage or treatment facilities, or both.

(vi) Property lines, boundaries of permitted fill areas and boundaries of lined areas. ]

(3) A [ volumetric ] calculation of capacity used in the previous year and remaining permitted capacity.

\* \* \* \* \*

(11) For noncaptive facilities, the [ following apply:

(i) The ] type and weight or volume of solid waste received from each generator, including the name, mailing address, county and state of each generator.

[ (ii) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility. ]

\* \* \* \* \*

CHAPTER 289. RESIDUAL WASTE DISPOSAL IMPOUNDMENTS

Subchapter C. OPERATING REQUIREMENTS RECORDKEEPING AND REPORTING

§ 289.301. Daily operational records.

\* \* \* \* \*

(b) The daily operational record[, which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 289.303. Annual operation report.

\* \* \* \* \*

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following information:

\* \* \* \* \*

[ (2) Unless otherwise provided by the Department in writing, a topographic survey map of the same scale, contour interval and grid system as the original site plans showing the following:

(i) The contours at the beginning and the end of the year.

(ii) The location of groundwater monitoring wells, access roads and the facility office.

(iii) The completed areas of the site as well as areas partially filled but not active during the previous years.

(iv) Erosion and sedimentation control structures and devices.

(v) The location of treatment facilities.

(vi) Property lines, boundaries of permitted disposal areas and boundaries of lined areas.

(3) ] (2) \*\*\*

[ (4) ] (3) \*\*\*

[ (5) ] (4) \*\*\*

[ (6) ] (5) \*\*\*

[ (7) ] (6) \*\*\*

[ (8) Notification of critical stages of facility construction or operation that require certification by a registered professional engineer which will be occurring the next year.

(9) ] (7) \*\*\*

[ (10) ] (8) Certificaton that the operator has received the analysis or certification required by § 287.54 (relating

to chemical analysis of waste) for each type of residual waste [ or special handling waste ] received at the facility, and that the residual waste [ or special handling waste ] that is received at the facility meets the conditions in the facility's permit.

[ (11) ] (9) For noncaptive facilities, the [ following:

(i) The ] type and weight or volume of solid waste received from each generator, including the name, mailing address, county and state of each generator.

[ (ii) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility. ]

\* \* \* \* \*

CHAPTER 291. LAND APPLICATION OF RESIDUAL WASTE

Subchapter C. GENERAL OPERATING REQUIREMENTS FOR THE LAND APPLICATION OF RESIDUAL WASTE

RECORDKEEPING AND REPORTING

§ 291.221. Daily operational records.

\* \* \* \* \*

(b) The daily operational record[ , which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond or longer if directed by the Department. These records shall be made available to the Department upon request.

CHAPTER 293. TRANSFER FACILITIES FOR RESIDUAL WASTE

Subchapter C. OPERATING REQUIREMENTS FOR TRANSFER FACILITIES

RECORDKEEPING AND REPORTING

§ 293.251. Daily operational records.

\* \* \* \* \*

(b) The daily operational record[ , which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 293.252. Annual operation report.

\* \* \* \* \*

(b) The annual operating report, which shall be submitted on a form supplied by the Department, shall include the following:

\* \* \* \* \*

[ (2) The type and weight or volume of solid waste received from each generator, including the name, mailing address, county and the state of each generator.

(3) The transporters of the solid waste.

(4) ] (2) \*\*\*

[ (5) ] (3) \*\*\*

[ (6) ] (4) \*\*\*

[ (7) ] (5) \*\*\*

[ (8) ] (6) \*\*\*

[ (9) ] (7) \*\*\*

[ (10) ] (8) \*\*\*

\* \* \* \* \*

CHAPTER 295. COMPOSTING FACILITIES FOR RESIDUAL WASTE

Subchapter C. OPERATING REQUIREMENTS FOR COMPOSTING FACILITIES

RECORDKEEPING AND REPORTING

§ 295.271. Daily operational records.

(a) A person or municipality that operates a composting facility shall make and maintain an operational record for each day that residual waste is received, processed or transported offsite. Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

(b) The daily operation record[ , which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

[ (4) The weight or volume or each material used, reclaimed, marketed or disposed of as a result of the process.

(5) A record of deviation from the approved design or operational plans.

(6) ] (4) \*\*\*

[ (7) ] (5) \*\*\*

\* \* \* \* \*

§ 295.272. Annual operation report.

\* \* \* \* \*

(b) The annual report, which shall be submitted on a form supplied by the Department, shall include the following:

\* \* \* \* \*

[ (4) The type and weight or volume of waste received from each transporter that delivered waste to the facility.

(5) ] (4) \*\*\*

[ (6) ] (5) \*\*\*

[ (7) ] (6) \*\*\*

[ (8) ] (7) \*\*\*

[ (9) ] (8) \*\*\*

[ (10) ] (9) \*\*\*

\* \* \* \* \*

CHAPTER 297. INCINERATORS AND OTHER PROCESSING FACILITIES

Subchapter C. OPERATING REQUIREMENTS FOR PROCESSING FACILITIES

RECORDKEEPING AND REPORTING

§ 297.261. Daily operational records.

\* \* \* \* \*

(b) The daily operational record[, which shall be recorded on a form supplied by the Department, ] shall include the following:

\* \* \* \* \*

(d) Daily operational records shall be retained for the life of the facility bond, or longer if directed by the Department. These records shall be made available to the Department upon request.

§ 297.262. Annual operation report.

\* \* \* \* \*

(b) The annual operation report, which shall be submitted on a form supplied by the Department, shall include the following:

\* \* \* \* \*

[ (3) The transporters of the solid waste.

(4) (3) The weight or volume of each material [ used, reclaimed or ] marketed or disposed as a result of the process.

(5) The name, county and state of the facility where bypass wastes and waste products are ultimately disposed.

(6) The type and weight or volume of solid waste received from each transporter that delivered waste to the facility. ]

[ (7) ] (4) \*\*\*

[ (8) ] (5) \*\*\*

[ (9) ] (6) \*\*\*

[ (10) ] (7) \*\*\*

[ (11) ] (8) \*\*\*

\* \* \* \* \*

CHAPTER 299. STORAGE AND TRANSPORTATION OF RESIDUAL WASTE

Subchapter B. STANDARDS FOR COLLECTING AND TRANSPORTING OF RESIDUAL WASTE

GENERAL PROVISIONS

§ 299.219. Recordkeeping and reporting.

(a) A person or municipality that transports residual waste shall make and maintain an operational record each day that residual waste is collected or transported, or both. The daily operational record shall [ be recorded on a form supplied by the Department, and shall ] be kept in the cab of each transportation vehicle on the date of collection or transportation. The record shall include the following:

\* \* \* \* \*

(b) [ A person or municipality that transports residual waste shall submit to the Department an annual report. The report shall be submitted on or before March 1 of each year for the previous calendar year. The report shall be submitted on forms supplied by the Department. The annual operational report shall include the following:

(1) A summary of the types or classifications of residual wastes transported each month of the year by weight or volume and annual totals.

(2) The name, mailing address, county and state of each generator of the transported waste, including the type or classification of the waste, and weight or volume of the waste.

(3) The destination or facility to which the wastes were delivered by the name, mailing address, county, state, type or classification of the waste and the weight or volume of the waste. ] A person or municipality shall retain the daily operational record for a specified period of time if requested by the Department in writing.

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