



---

Volume 28 (1998)

Pennsylvania Bulletin  
Repository

---

3-21-1998

**March 21, 1998 (Pages 1381-1496)**

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: [https://digitalcommons.law.villanova.edu/pabulletin\\_1998](https://digitalcommons.law.villanova.edu/pabulletin_1998)

---

**Recommended Citation**

Pennsylvania Legislative Reference Bureau, "March 21, 1998 (Pages 1381-1496)" (1998). *Volume 28 (1998)*. 12.

[https://digitalcommons.law.villanova.edu/pabulletin\\_1998/12](https://digitalcommons.law.villanova.edu/pabulletin_1998/12)

This March is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 28 (1998) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

# PENNSYLVANIA BULLETIN

Volume 28  
Saturday, March 21, 1998 • Harrisburg, Pa.  
Number 12  
Pages 1381—1496

**Agencies in this issue:**

The Courts  
Delaware River Basin Commission  
Department of Banking  
Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of General Services  
Department of Public Welfare  
Department of Transportation  
Environmental Hearing Board  
Insurance Department  
Legislative Reference Bureau  
Liquor Control Board  
Milk Marketing Board  
Pennsylvania Public Utility Commission  
State Board of Psychology  
Turnpike Commission

**Detailed list of contents appears inside.**

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

**No. 280, March 1998**

---

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$80.50 per year, postpaid to points in the United States. Individual copies \$2. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

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

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

Postmaster send address changes to:

FRY COMMUNICATIONS  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 340  
(800) 334-1429 ext. 340 (toll free, out-of-State)  
(800) 524-3232 ext. 340 (toll free, in State)

Copyright © 1998 Commonwealth of Pennsylvania  
ISBN 0-8182-0004-9

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

# Contents

## THE COURTS

### CIVIL PROCEDURAL RULES

Amendment of the rules relating to protection from abuse actions; no. 289; doc. no. 5 ..... 1391

### JUDICIAL COURT

Internal operating procedures; doc. no. 1 JD 94..... 1388

## EXECUTIVE AGENCIES

### DELAWARE RIVER BASIN COMMISSION

#### Notices

Notice of Commission meeting and public hearing .. 1428

### DEPARTMENT OF BANKING

#### Notices

Action on applications..... 1428

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Neshaminy Creek Watershed Conservation Plan .... 1429

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices..... 1430

Availability of technical guidance ..... 1463

### DEPARTMENT OF GENERAL SERVICES

#### Notices

Contract awards..... 1495

State contracts information..... 1485

### DEPARTMENT OF PUBLIC WELFARE

#### Notices

Income limits for the categorically needy; Nonmoney Payment Medical Assistance Program..... 1464

Medical Assistance Program fee schedule revisions; 1998 HCPCS updates ..... 1464

### DEPARTMENT OF TRANSPORTATION

#### Notices

Application to lease property ..... 1465

Finding ..... 1466

Retention of engineering firms..... 1466

### ENVIRONMENTAL HEARING BOARD

#### Notices

The County of Dauphin, Washington Township and the Upper Dauphin Area Citizens Action Committee v. DEP and Dauphin Meadows, Inc., permittee; EHB doc. no. 98-040-MR ..... 1468

## INSURANCE DEPARTMENT

### Rules and Regulations

Credit insurance..... 1401

### Notices

Application and request for plan approval of a merger by Bedford County Grange Mutual Insurance Company with Elk County Mutual Fire Insurance Company..... 1468

Credit life, credit accident and health, and credit involuntary unemployment insurance prima facie premium rates..... 1469

## LEGISLATIVE REFERENCE BUREAU

### Notices

Documents filed but not published..... 1480

## LIQUOR CONTROL BOARD

### Rules and Regulations

License applications; duties and rights of licensees; promotion; special rules of administrative practice and procedure regarding matters before the Office of Administrative Law Judge ..... 1418

### Notices

Expiration of leases..... 1481

## MILK MARKETING BOARD

### Notices

Hearing, presubmission schedule and prehearing conference for all milk marketing areas over-order premium ..... 1481

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Statements of Policy

Electric distribution utility rates, rules, regulations and practices ..... 1425

### Notices

GTE North Incorporated and Capital Telecommunications, Inc.—telecommunications..... 1483

The Peoples Natural Gas Company—gas service .... 1482

Service of notice of motor carrier applications..... 1482

## STATE BOARD OF PSYCHOLOGY

### Proposed Rulemaking

Sexual intimacies..... 1421

## TURNPIKE COMMISSION

### Notices

Request for proposals (2 documents) ..... 1483

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

### Printing Format

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

### Fiscal Notes

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

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

### Reproduction, Dissemination or Publication of Information

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

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

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

## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1998.

### 4 Pa. Code (Administration)

#### Adopted Rules

1 .....	466
5 .....	471
7 .....	356

#### Statements of Policy

9 .....	49, 382
---------	---------

### 10 Pa. Code (Banks and Banking)

#### Adopted Rules

11 .....	14
13 .....	14
17 .....	14
35 .....	14
41 .....	14

#### Proposed Rulemaking

41 .....	44
----------	----

### 12 Pa. code (Community and Economic Development)

#### Statements of Policy

61 .....	1139
----------	------

### 19 Pa. Code (Corporations and Business Associations)

#### Adopted Rules

41 .....	799
----------	-----

### 22 Pa. Code (Education)

#### Adopted Rules

14 .....	1002
342 (with correction) .....	1004, 1135

### 25 Pa. Code (Environmental Protection)

#### Adopted Rules

77 (with correction) .....	619, 801
78 .....	1234
79 .....	1234
80 .....	1234
86 .....	15
93 .....	137
103 .....	18
245 (with correction) .....	1135
901 .....	1136

#### Proposed Rulemaking

86 .....	941
102 .....	769
215 .....	881
217 .....	881
219 .....	881
220 .....	881
224 .....	881
225 .....	881
226 .....	881
230 .....	881
232 .....	881
1021 .....	807

### 28 Pa. Code (Health and Safety)

#### Proposed Rulemaking

6 .....	485, 1008
---------	-----------

### 31 Pa. Code (Insurance)

#### Adopted Rules

91 .....	1401
73 .....	1401
113 .....	1235
131 .....	1314
137 .....	1237

### 34 Pa. Code (Labor & Industry)

#### Adopted Rules

65 .....	21
122 .....	329
123 .....	329
127 .....	329
131 .....	329

### 40 Pa. Code (Liquor)

#### Adopted Rules

3 .....	1418
5 .....	1418
9 .....	279
11 .....	279
13 .....	1418
15 .....	1418

#### Proposed Rulemaking

13 .....	488
----------	-----

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

#### Adopted Rules

16 .....	1315, 1316
----------	------------

#### Proposed Rulemaking

16 .....	814
41 .....	1421

#### Statements of Policy

61 .....	382
----------	-----

### 52 Pa. Code (Public Utilities)

#### Adopted Rules

1 .....	647
3 .....	647
5 .....	647, 801
21 .....	647
23 .....	647
29 .....	647
31 .....	647
37 .....	801
53 .....	801
55 .....	801
56 .....	801
58 .....	25
65 .....	801, 804
69 .....	801
71 .....	801

#### Proposed Rulemaking

53 .....	508
53a .....	508
54 .....	490, 493, 501, 508, 514, 518
57 .....	493

**Proposed Statements of Policy**  
69 ..... 1425

**55 Pa. Code (Public Welfare)**  
**Proposed Rulemaking**  
3480 ..... 1079  
3490 ..... 1079  
3680 ..... 953, 1320  
3710 ..... 953, 1320  
3760 ..... 953, 1320  
3800 (with correction) ..... 953, 1138, 1320  
3810 ..... 953, 1320  
5310 ..... 953, 1320  
6400 ..... 953, 1320

**Statements of Policy**  
1101 ..... 138  
1187 ..... 138

**58 Pa. Code (Recreation)**  
**Adopted Rules**  
21 ..... 1238  
51 ..... 30  
53 ..... 30  
93 ..... 30, 34, 40, 1006  
109 ..... 30  
143 ..... 1316  
147 ..... 1316

**Proposed Rulemaking**  
61 ..... 45, 1322  
65 ..... 45, 1322  
135 ..... 1243  
139 ..... 1243  
141 ..... 1243

**61 Pa. Code (Revenue)**  
**Adopted Rules**  
71 ..... 979  
72 ..... 979  
73 ..... 979  
75 ..... 979  
76 ..... 979  
77 ..... 979  
79 ..... 979  
83 ..... 979  
85 ..... 979

**Proposed Rulemaking**  
7 ..... 366  
31 ..... 366  
32 ..... 366, 1320  
33 ..... 366

34 ..... 366  
42 ..... 366  
44 ..... 366  
45 ..... 366  
46 ..... 366  
47 ..... 366  
58 ..... 366  
155 ..... 380

**67 Pa. Code (Transportation)**  
**Adopted Rules**  
71 ..... 364  
75 ..... 364  
83 ..... 364

**207 Pa. Code (Judicial Conduct)**  
**Adopted Rules**  
5 ..... 359  
21 ..... 1388

**Proposed Rulemaking**  
113 ..... 795  
119 ..... 646

**231 Pa. Code (Rules of Civil Procedure)**  
**Adopted Rules**  
200 ..... 359  
1900 ..... 1391

**Proposed Rulemaking**  
1910 ..... 1216

**234 Pa. Code (Rules of Criminal Procedure)**  
**Adopted Rules**  
50 ..... 1126  
100 ..... 1126  
1400 ..... 480

**Proposed Rulemaking**  
20 ..... 475  
300 ..... 475  
305 ..... 276  
1100 ..... 475

**249 Pa. Code (Philadelphia Rules)**  
Unclassified ..... 997

**252 (Allegheny County Rules)**  
Unclassified ..... 133, 135

**255 Pa. Code (Local Court Rules)**  
Unclassified ..... 8, 9, 10, 135, 136, 277, 481, 482, 646, 795, 796, 798, 1000, 1128, 1132, 1233, 1312



# THE COURTS

## Title 207—JUDICIAL CONDUCT

### PART IV. COURT OF JUDICIAL DISCIPLINE [207 PA. CODE CH. 21]

#### Internal Operating Procedures; Doc. No. 1 JD 94

*Per Curiam:*

#### Order

*And Now*, this 20th day of February, 1998, the Court, pursuant to Article 5, Section 18(b)(4) of the Constitution of Pennsylvania, having adopted Internal Operating Procedures, as more specifically hereinafter set forth, *It Is Hereby Ordered:*

That Court Administrator Wanda W. Sweigart provide the publication of the Internal Operating Procedures in the *Pennsylvania Bulletin*.

#### Annex A

### TITLE 207. JUDICIAL CONDUCT PART IV. COURT OF JUDICIAL CONDUCT ARTICLE IV. INTERNAL OPERATING PROCEDURES GENERAL PROVISIONS

Rule	
101.	Classification of Judges.
102.	Composition of Court of Panel.
103.	Location of Proceedings.
104.	Duty Month Judges.
105.	Conducting Conferences by Telephone.
106.	Miscellaneous Orders of Court.
107.	Judicial Conferences.
108.	Adoption of Rules of Procedure.
109.	Confidentiality.
	<b>FORMAL COMPLAINTS</b>
201.	Assignment of Conference Judge.
202.	Distribution of Formal Complaints and Filings Related to Formal Complaints.
203.	Orders and Decisions of Conference Judge.
204.	Deferral or Disposition of Omnibus Motion by Conference Judge to the Full Court.
205.	Certification by Conference Judge that Case is Ready for Trial.
206.	Deliberation Following Trial.
207.	Assignment to Judge.
208.	Distribution of Proposed Decisions and Voting.
209.	Concurring or Dissenting Statements.
210.	Disposition of Objections to Findings of Fact and Conclusions of Law.

#### SANCTION PHASE OF PROCEEDINGS

301.	Scheduling Sanction Hearings.
302.	Sanction Hearings.
303.	Deliberation Following Sanction Hearings.
304.	Formal Sanction Order.

#### REQUESTS FOR OTHER RELIEF

401.	Initial Procedure.
402.	Conference Judge.
403.	Preliminary Motions Deferred to the Full Court.
404.	Hearing and Oral Argument Requested.
405.	Deliberation and Decision.

#### Rule 101. Classification of Judges.

Judges who are serving a term of office which has not expired shall be classified as Active Members or Judges. Those Judges whose terms have expired, but who must continue to participate in a

hearing in accordance with Article V, § 18(b)(2), shall be classified as Participating Former Members or Judges.

#### Rule 102. Composition of Court or Panel.

En banc or full Court proceedings shall be conducted by the entire Court. The President Judge shall preside unless he or she is unavailable to participate, in which case, the empanelled Judge most senior shall preside. Panels appointed to conduct a trial pursuant to C.J.D.R.P. No. 501 shall be composed of no fewer than three Judges of the Court, one of whom shall be the Conference Judge, and at least one of whom shall be a non-lawyer elector in accordance with C.J.D.R.P. No. 501(B). The Judge who has seniority shall preside over three-member panel proceedings.

#### Rule 103. Location of Proceedings.

Proceedings before the Court shall be in Harrisburg, unless the Court selects another location for a proceeding.

#### Rule 104. Duty Month Judges.

Each month an Active Judge of the Court shall be designated the duty Judge for the month. Assignment as duty Judge shall be based upon reverse seniority. A new assignment schedule shall be developed by the Court Administrator each year, following the appointment of new members, and shall be approved by the Court. The schedule shall reflect any previous service of members by ensuring that assignments are made in an equitable fashion.

#### Rule 105. Conducting Conferences by Telephone.

When a particular proceeding does not entail the creation of a record or public access, the Court or a Judge conducting a conference, may elect to proceed by teleconference.

#### Rule 106. Miscellaneous Orders of Court.

a. When the Court determines that the issuance of an Order regarding a pending matter is warranted, and when the matter requires a majority vote of the members of the Court, the President Judge shall cause to be distributed for vote by the Court a proposed Per Curiam Order.

b. Circulation of Proposed Per Curiam Orders. The President Judge shall direct the Court Administrator to provide a response sheet with each Proposed Per Curiam Order upon which each Judge shall respond as to whether or not he or she is in agreement with the Proposed Order. The response sheet shall indicate the date by which a response is directed to be forwarded. Responses shall be returned to the Court Administrator, who shall keep the President Judge informed as to the status of votes.

#### Rule 107. Judicial Conferences.

The Court shall convene regularly to address the business of the Court. The President Judge shall preside over conferences. The Court Administrator shall develop an agenda for judicial conferences in consultation with the President Judge, who shall approve the agenda. The Court Administrator shall distribute copies of the agenda and any related materials to all Judges before the date of the judicial conference.

**Rule 108. Adoption of Rules of Procedure.**

When the Court determines that it should adopt or amend any rule of procedure, Counsel shall draft a proposed rule for consideration by the full Court. When the Court determines that the rule satisfies the purpose or need for the adoption or amendment, it shall vote upon the new or amended rule. When approved by a majority of the Court, the Court Administrator shall forward a copy of the rule to the Legislative Reference Bureau for initial publication in the *Pennsylvania Bulletin*, seeking responses in the form of criticisms or suggestions from the public. If suggestions or criticisms are received during the 30-day response period, the Court shall consider those suggestions and criticisms before final adoption of the rule, and, if a majority believes that the suggestions or criticisms should be reflected in the rule, the approval procedure described above shall be repeated and the full Court must approve the new draft for republication in the *Pennsylvania Bulletin* and response as set forth above. If the Court rejects the suggestions and criticisms, or if the Court receives no suggestions or criticisms, the Court Administrator shall submit the rule for final publication and adoption in the *Pennsylvania Bulletin*. All proposed and final rule adoptions and changes sent to the Legislative Reference Bureau shall be accompanied by a Per Curiam Order stating whether the publication is for public response or a final rule adoption. The Court may forego the above procedures herein described if it determines that exigent circumstances warrant the immediate adoption or amendment of a rule.

**Rule 109. Confidentiality.**

All members of the Court, staff employees and any contractual employees shall at all times maintain strict confidentiality concerning proceedings before the Court, and shall refrain from discussing with persons not a member or employee of the Court the substance of deliberations concerning any matter. This provision applies to all matters involving the deliberative process regardless of whether the matter still is pending or has already been decided.

**FORMAL COMPLAINTS****Rule 201. Assignment of Conference Judge.**

When the Judicial Conduct Board files a Formal Complaint with the Court, the Court Administrator shall immediately notify the President Judge that a Formal Complaint has been filed. The President Judge shall appoint a Conference Judge or Judges in accordance with C.J.D.R.P. No. 301(B). The President Judge, at his or her discretion, may appoint two other members to serve as Co-conference Judges. In such a case, the Conference Judge and Co-conference Judges shall serve as a panel in the performance of all duties to be performed by a Conference Judge under this Court's Rules of Procedure and these Internal Operating Procedures.

**Rule 202. Distribution of Formal Complaints and Filings Related to Formal Complaints.**

When the Judicial Conduct Board files a Formal Complaint, the Court Administrator shall forward copies of the Complaint to all Active Judges of the Court. The Court Administrator shall forward copies of all pleadings and filings related to a Formal Complaint to all Active Judges. When a former member of the Court must participate in a pending matter by virtue of Article V, § 18(b)(2), the Court Administrator shall forward copies of pleadings and filings relating to the pending matter to such Participating Former Members.

**Rule 203. Orders and Decisions of Conference Judge.**

When a Conference Judge issues an order or decision regarding a preliminary matter which the Conference Judge has the power to decide in accordance with C.J.D.R.P. Nos. 301 and 421, the Court Administrator shall circulate copies of said orders and decisions to all Active Judges, and, if applicable under I.O.P. No. 101, shall circulate said copies to Participating Former Members of the Court.

**Rule 204. Deferral of Disposition of Omnibus Motion by Conference Judge to the Full Court.**

When, under the authority of C.J.D.R.P. No. 414(A), a Conference Judge determines that the full Court should dispose of an issue or issues raised in an Omnibus Motion, or, when, upon consideration of an Omnibus Motion, a Conference Judge proposes to dismiss a charge or terminate the case, under C.J.D.R.P. No. 414(C), he or she shall submit a memorandum to the President Judge summarizing the issues to be decided. The President Judge shall set a date for determination of the issues by the full Court and may schedule a date for hearing or argument if either is necessary.

**Rule 205. Certification by Conference Judge that Case is Ready for Trial.**

Following the filing of Stipulations of Fact in Lieu of Trial under C.J.D.R.P. No. 502(D), or following pre-trial conference, and when the Conference Judge believes that a case is ready for trial, the Conference Judge shall certify to the President Judge that a case is ready for disposition. When the Conference Judge certifies a case is ready for disposition or trial, the President Judge shall set a date for trial or deliberation on the stipulations, as required.

**Rule 206. Deliberation Following Trial.**

Unless otherwise decided by the Court, the Court shall convene immediately following the conclusion of trial in order to develop a general consensus as to matters necessary for adjudication.

**Rule 207. Assignment to Judge.**

When the Court reaches a general dispositive conclusion as to issues raised in a trial, the President Judge shall assign the matter to the Conference Judge to develop a draft decision, unless the Conference Judge is not in agreement with the majority vote, in which case, the President Judge shall assign the matter to a Judge whose conclusions are in accord with the majority.

**Rule 208. Distribution of Proposed Decisions and Voting.**

When the assigned Judge has completed the drafting and review process, he or she shall request the Court Administrator to circulate the draft decision for a tentative vote by the other Judges. The draft shall be accompanied by a vote sheet.

**Rule 209. Concurring or Dissenting Statements.**

When a Judge elects to dissent or concur, he or she may provide a concurring or dissenting statement to the Court Administrator who shall circulate the concurring or dissenting statement to the other Judges.

**Rule 210. Disposition of Objections to Findings of Fact and Conclusions of Law.**

Upon receipt of objections to the Court's Findings of Fact and Conclusions of Law, the Court Administrator shall forward such objections to the members of the Court. The President Judge shall obtain responses of the members to the objections as to whether the objections have or lack merit and whether oral argument is warranted. When a majority of the Court concludes that the objections lack merit and that no argument is necessary, the President Judge shall cause to be issued an Order disposing of the objections. If a majority of the Court concludes that the objections have merit or that oral argument is necessary, the President Judge shall set a date for oral argument and thereafter cause to be drafted an order affirming the Court's Findings and Conclusions or addressing the revisions warranted by a majority of the Court, as the case may be.

**SANCTION PHASE OF PROCEEDINGS**

**Rule 301. Scheduling Sanction Hearings.**

When the Court has issued Findings of Fact and Conclusions of Law which have become final under C.J.D.R.P. No. 503(C), and when such Conclusions of Law authorize the Court to impose a sanction upon a judicial officer, the Court shall schedule a hearing on the sanction to be imposed. Orders scheduling sanction hearings shall direct the judicial respondent and the Judicial Conduct Board to submit a list of witnesses they propose to call at the hearing.

**Rule 302. Sanction Hearings.**

The President Judge shall preside at sanction hearings unless he or she is unavailable to participate. The Board shall proceed first with the presentation of testimony, if it elects to present such testimony. The respondent shall follow with the presentation of testimony if he or she elects to present such testimony.

**Rule 303. Deliberation Following Sanction Hearings.**

The Court shall convene following sanction hearings in order to determine the sanction to be imposed upon a judicial officer. A majority of participating Judges must agree upon a particular sanction in order for a sanction to be imposed.

**Rule 304. Formal Sanction Order.**

The Court may enter an order of sanction or discipline in open Court following deliberation, or it may defer the entry of its decision regarding sanctions for written disposition. However, in either case, the Court must reduce its sanction order to written form in accordance with C.J.D.R.P. No. 504(B).

**REQUESTS FOR OTHER RELIEF**

**Rule 401. Initial Procedure.**

When the Judicial Conduct Board files a Petition for Relief under C.J.D.R.P. No. 701, the Court Administrator shall inform the President Judge of the filing, and at his or her request shall immediately mail or fax a copy of the filing to the President Judge. If, upon review of the Petition, the President Judge deems that the matter should be expedited, he or she may convene the Court in

person or by teleconference to determine whether the judicial officer must respond before the normal 14-day response period provided under C.J.D.R.P. No. 703. If the Court concludes that an expedited answer is warranted, the Court shall so notify the respondent by Order.

**Rule 402. Conference Judge.**

As provided under C.J.D.R.P. No. 705, the President Judge may appoint a Conference Judge or Judges to preside over preliminary motions arising in a matter commenced under Chapter 7. The President Judge, at his or her discretion, may appoint two other members to serve as Co-conference Judges. In such a case, the Conference Judge and co-conference Judges shall serve as a panel in the performance of all duties to be performed by a Conference Judge under the Court's Rules of Procedure and these Internal Operating Procedures. When the Conference Judge or Judges deem that a ruling regarding a preliminary motion should be deferred to the judgment of the full Court, they shall forward to the President Judge a memorandum describing the issue to be resolved by the full Court.

**Rule 403. Preliminary Motions Deferred to the Full Court.**

When a Conference Judge defers to the full Court a preliminary motion under C.J.D.R.P. No. 705, the President Judge shall set a date for hearing or argument before the full Court, if the matter requires the presentation of evidence or warrants oral argument, or may convene the Court by teleconference, if the matter does not require the presentation of evidence or oral argument.

**Rule 404. Hearing and Oral Argument Requested.**

When a Petition for Relief filed by the Judicial Conduct Board under C.J.D.R.P. No. 702 indicates that an evidentiary hearing or oral argument is required, the President Judge shall review the request. If following the filing of a judicial officer's response, the President Judge concludes that the presentation of evidence or oral argument is required, he or she shall set a date for hearing or oral argument.

**Rule 405. Deliberation and Decision.**

Following the receipt of the judicial officer's answer to the Judicial Conduct Board's Petition, or, if the Court has elected to convene for a formal hearing or oral argument under I.O.P. No. 404, following the hearing or oral argument, the Court shall deliberate upon the issues and relief requested. If a formal written decision requiring findings of fact and conclusions of law is warranted, the President Judge shall designate a Judge to draft said findings of fact and conclusions of law. Drafting of such findings and conclusions, circulation, voting and filing, shall be accomplished in the same manner in which such decisions are processed under Chapter 2 of these Internal Operating Procedures, relating to Formal Complaints. If the full Court deems that an Order only is warranted, the President Judge shall direct Counsel to prepare an Order that incorporates the decision of the Court, which shall be approved by the President Judge for circulation and approval by the full Court.

[Pa.B. Doc. No. 98-445. Filed for public inspection March 20, 1998, 9:00 a.m.]

# Title 231—RULES OF CIVIL PROCEDURE

## PART I. GENERAL

[231 PA. CODE CH. 1900]

Amendment of the Rules Relating to Protection from Abuse Actions; No. 289; Doc. No. 5

### Order

*Per Curiam:*

And Now, this 9th day of March, 1998, the Pennsylvania Rules of Civil Procedure are amended as follows:

1. Rule 1901 is amended as follows.
2. Rules 1902, 1903 and 1905 are renumbered and amended as follows.
3. Rule 1904 is renumbered and the Note is amended as follows.
4. Rules 1901.2, 1901.5 and 1905 are added as follows.
5. Rule 1930.4 is amended as follows.

This order shall be processed in accordance with Pennsylvania Rule of Judicial Administration 103(b) and shall be effective July 1, 1998.

### Annex A

## TITLE 231. RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### CHAPTER 1900. ACTIONS PURSUANT TO THE PROTECTION FROM ABUSE ACT

##### Rule 1901. Definitions.

As used in this chapter:

\* \* \* \* \*

*Action*—A proceeding for protection from abuse defined in [ Section 2 ] § 6102 of the Act;

\* \* \* \* \*

*Emergency Order*—An order entered by a hearing officer, who is a person meeting the definition set forth at 23 Pa.C.S. § 6102.

*Temporary Order*—An ex parte order entered by the court pursuant to 23 Pa.C.S. § 6107.

##### Rule 1901.2. Scheduling

Each judicial district shall establish times when the court will hear temporary Protection From Abuse matters.

##### Rule [ 1902 ] 1901.3. Commencement of Action.

(a) Except as provided in subdivision (b), an action shall be commenced by **presenting to the court** or filing with the prothonotary a petition setting forth the alleged [ **abuses** ] **abuse** by the defendant. **The petition shall be substantially in the form set forth in Rule 1905(b) and shall have as its first page the Notice of Hearing and Order set forth in Rule 1905(a).**

(b) [ **Filing in the office of the prothonotary of a certified order of a district justice entered pursuant to 23 Pa.C.S. § 6110 shall constitute the commencement of an action in the court of common pleas.** ] An action may be commenced by filing with

the prothonotary a certified copy of an emergency order entered pursuant to 23 P.C.S. § 6110.

[ **Official Note: See 23 Pa.C.S. § 6110 conferring emergency jurisdiction on district justices and requiring immediate certification of its order to the court.** ]

##### Rule [ 1903 ] 1901.4. Service and Registration of Order [ . Enforcement ] .

(a) [ **Rescinded.** ] Service of the petition and temporary order shall be in accordance with Rule 1930.4.

[ **Official Note: For service of the petition or certified order of the district justice, see Rule 1930.4.** ]

(b) [ **An order entered under 23 Pa.C.S. §§ 6107 and 6108 shall be served and enforced by such persons and in such manner as the court shall direct in the order.** ] An Affidavit of Service substantially in the form set forth in Rule 1905(d) shall be filed with the prothonotary.

(c) Upon the filing of a protection order with the prothonotary, the prothonotary shall transmit a copy of the order to the State Police PFA Registry in the manner prescribed by the Pennsylvania State Police.

**Official Note: This provision also applies to an order denying plaintiff's request for a final protection order.**

#### Explanatory Comment—1997

Subdivision (c) reflects the prothonotary's role in ensuring that all protection orders reach the new statewide PFA Registry. Pursuant to the 1994 amendments to the Protection From Abuse Act, the Pennsylvania State Police Department is mandated to establish this registry for all protection orders issued or registered in the Commonwealth. Once it becomes fully operational, it will be available at all times to inform law enforcement officers, dispatchers and courts of the existence and terms of protection orders. The Registry represents a major improvement in the manner in which protection orders are registered and verified by not only eliminating the need to register the order in every county where the victim believes enforcement is necessary, but also enabling the police to immediately verify the order for purposes of enforcement. In order to ensure that the information in the Registry remains current, subdivision (c) requires the prothonotary to transmit all protection orders issued or registered in the Commonwealth, including temporary, final, modified and consent orders as well as any orders withdrawing, extending or denying plaintiff's request for a protection order.

##### RULE 1901.5. Enforcement.

(a) When an arrest is made for violation of an order, a complaint for indirect criminal contempt shall be completed and signed by either a police officer or the plaintiff. When the complaint is filed by a police officer, neither plaintiff's presence nor signature is required.

(b) If an arrest is not effected, a complaint for indirect criminal contempt may be completed and signed by the plaintiff pursuant to 23 Pa.C.S. § 6113.1.

Rule [ 1904 ] 1901.6. No responsive pleading required.

No pleading is required in response to the petition or the certified order and all averments not admitted shall be deemed denied.

**Official Note:** For procedures as to the time and manner of hearings and issuance of orders [ **ex parte or after hearing** ], see 23 Pa.C.S. § 6107. For provisions as to the scope of relief **available**, see 23 Pa.C.S. § 6108. For provisions as to contempt for violation of an order, see 23 Pa.C.S. § 6114.

Rule [ 1905 ] 1901.7. Decision. No Post-Trial Relief.

(a) The decision of the court [ **shall be governed by Rule 1038(b) and (c)** ] may consist of only general findings of abuse but shall dispose of all claims for relief. The court's order shall be rendered substantially in the form set forth in Rule 1905(e).

(b) No motions for post-trial relief may be filed to the final order.

**Official Note:** The procedure relating to Motions for Reconsideration is set forth in Rule 1930.2.

**Rule 1905. Forms for Use in PFA Actions. Notice and Hearing. Petition. Temporary Protection Order. Final Protection Order.**

(a) The Notice of Hearing and Order required by Rule 1901.3 shall be substantially in the following form:

(Caption)

**NOTICE OF HEARING AND ORDER**

**YOU HAVE BEEN SUED IN COURT.** If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled herein. If you fail to do so, the case may proceed against you and a FINAL Order may be entered against you granting the relief requested in the

(Caption)

**PETITION FOR PROTECTION FROM ABUSE**

1. Plaintiff's name is: \_\_\_\_\_

2. I am filing this Petition on behalf of:  Myself and/or  Another Person.

If you checked "myself," please answer all questions referring to yourself as "Plaintiff." If you checked "another person," please answer all questions referring to that person as the "Plaintiff, and provide your address here, unless confidential:

If you checked "Another Person," indicate your relationship with Plaintiff:

- parent of minor Plaintiff(s)       applicant for appointment as guardian ad litem of minor Plaintiff(s)
- adult household member with minor       court appointed guardian of incompetent Plaintiff(s)

3. Name(s) of ALL person(s), including Plaintiff and minor children, who seek protection from abuse: \_\_\_\_\_

4.  Plaintiff's address is confidential or  
 Plaintiff's address is: \_\_\_\_\_

5. Defendant is believed to live at the following address: \_\_\_\_\_

Defendant's Social Security Number (if known) is: \_\_\_\_\_

Defendant's date of birth is: \_\_\_\_\_

Defendant's place of employment is: \_\_\_\_\_

Check here if Defendant is 17 years old or younger.

**Petition.** In particular, you may be evicted from your residence and lose other important rights.

A hearing on the matter is scheduled for the \_\_\_\_\_, day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_m., in Courtroom \_\_\_\_\_ at \_\_\_\_\_ Courthouse, \_\_\_\_\_, Pennsylvania.

You **MUST** obey the Order that is attached until it is modified or terminated by the court after notice and hearing. If you disobey this Order, the police may arrest you. Violation of this Order may subject you to a charge of indirect criminal contempt which is punishable by a fine of up to \$1,000.00 and/or up to six months in jail under 23 Pa.C.S. § 6114. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crimes Code. Under federal law, 18 U.S.C. § 2265, this Order is enforceable anywhere in the United States, tribal lands, U. S. Territories and the Commonwealth of Puerto Rico. If you travel outside of the state and intentionally violate this Order, you may be subject to federal criminal proceedings under the Violence Against Women Act, 18 U.S.C. §§ 2261—2262.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE THE RIGHT TO HAVE A LAWYER REPRESENT YOU AT THE HEARING. THE COURT WILL NOT, HOWEVER, APPOINT A LAWYER FOR YOU. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. IF YOU CANNOT FIND A LAWYER, YOU MAY HAVE TO PROCEED WITHOUT ONE.**

County Lawyer Referral Service  
[insert Street Address]  
[insert City, State, and ZIP]  
[insert Phone Number]

(b) The Petition in an action filed pursuant to the Act shall be substantially in the following form:

6. Indicate the relationship between Plaintiff and Defendant.

- Spouse
- Current or former sexual/intimate partner
- Other relationship by blood or marriage: \_\_\_\_\_
- Ex-spouse
- Parent/Child
- Persons who live or have lived like spouses
- Parents of the same children
- Brother/Sister

7. Have Plaintiff and Defendant been involved in any of the following court actions?

- Divorce
- Custody
- Support
- Protection from Abuse

If you checked any of the above, briefly indicate when and where the case was filed and the court number, if known: \_\_\_\_\_

8. Has the Defendant been involved in any criminal court action? \_\_\_\_\_

If you answered Yes, is the Defendant currently on probation? \_\_\_\_\_

9. Plaintiff and Defendant are the parents of the following minor child/ren:

Name(s)	Age(s)	who reside at (list address unless confidential)
_____	_____	_____
_____	_____	_____

10. If Plaintiff and Defendant are parents of any minor child/ren together, is there an existing court Order regarding their custody? \_\_\_\_\_

If you answered Yes, describe the terms of the Order (e.g., primary, shared, legal and/or physical custody): \_\_\_\_\_

If you answered Yes, in what county and state was the order issued? \_\_\_\_\_

If you are now seeking an Order of child custody as part of this petition, list the following information:

(a) Where has each child resided during the past five years?

Child's name	Person(s) child lived with	Address, unless confidential	When
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(b) List any other persons who are known to have or claim a right to custody of each child listed above.

Name	Address	Basis of Claim
_____	_____	_____
_____	_____	_____

11. The following other minor child/ren presently live with Plaintiff:

Name(s)	Age(s)	Plaintiff's relationship to child/ren
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. The facts of the most recent incident of abuse are as follows:

Approximate Date: \_\_\_\_\_ Approximate Time: \_\_\_\_\_ Place: \_\_\_\_\_

Describe in detail what happened, including any physical or sexual abuse, threats, injury, incidents of

stalking, medical treatment sought, and/or calls to law enforcement (attach additional sheets of paper if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. If the Defendant has committed prior acts of abuse against Plaintiff or the minor child/ren, describe these prior incidents, including any threats, injuries, or incidents of stalking, and indicate approximately when such acts of abuse occurred (attach additional sheets of paper if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. List the weapon(s) that Defendant has used or threatened to use against Plaintiff or the minor child/ren:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. Identify the police department or law enforcement agency in the area in which Plaintiff lives that should be provided with a copy of the protection order:

\_\_\_\_\_  
\_\_\_\_\_

16. There is an immediate and present danger of further abuse from the Defendant.

CHECK THE FOLLOWING BOXES ONLY IF THEY APPLY TO YOUR CASE AND PROVIDE THE REQUESTED INFORMATION

- Plaintiff is asking the court to evict and exclude the Defendant from the following residence: \_\_\_\_\_  
\_\_\_\_\_
- owned by (list owners, if known): \_\_\_\_\_
- rented by (list all names, if known): \_\_\_\_\_
- Defendant owes a duty of support to Plaintiff and/or the minor child/ren.
- Plaintiff has suffered out-of-pocket financial losses as a result of the abuse described above. Those losses are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, and AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (CHECK ALL FORMS OF RELIEF REQUESTED):

- A. Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or minor child/ren in any place where Plaintiff may be found.
- B. Evict/exclude Defendant from Plaintiff's residence and prohibit Defendant from attempting to enter any temporary or permanent residence of the Plaintiff.
- C. Require Defendant to provide Plaintiff and/or minor child/ren with other suitable housing.
- D. Award Plaintiff temporary custody of the minor child/ren and place the following restrictions on contact between Defendant and child/ren: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- E. Prohibit Defendant from having any contact with Plaintiff and/or minor child/ren, either in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment, except as the court may find necessary with respect to partial custody and/or visitation with the minor child/ren.
- F. Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this Petition, except as the court may find necessary with respect to partial custody and/or visitation with the minor child/ren.

- G. Order Defendant to temporarily turn over weapons to the Sheriff of this County and prohibit Defendant from transferring, acquiring or possessing any such weapons for the duration of the Order.
- H. Order Defendant to pay temporary support for Plaintiff and/or the minor child/ren, including medical support and  payment of the rent or mortgage on the residence.
- I. Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.
- J. Order Defendant to pay the costs of this action, including filing and service fees.
- K. Order Defendant to pay Plaintiff's reasonable attorney's fees.
- L. Order the following additional relief, not listed above:

---



---



---



---



---

- M. Grant such other relief as the court deems appropriate.
- N. Order the police or other law enforcement agency to serve the Defendant with a copy of this Petition, any Order issued, and the Order for Hearing. The petitioner will inform the designated authority of any addresses, other than Defendant's residence, where Defendant can be served.

VERIFICATION

I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above Petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(c) The Temporary Order of Court entered pursuant to the Act shall be substantially in the following form:  
(Caption)

TEMPORARY PROTECTION FROM ABUSE ORDER

Defendant's Name: \_\_\_\_\_

Defendant's Date of Birth: \_\_\_\_\_

Defendant's Social Security Number: \_\_\_\_\_

Names of All Protected Persons, including Plaintiff and minor child/ren: \_\_\_\_\_

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_, upon consideration of the attached Petition for Protection from Abuse, the court hereby enters the following Temporary Order:

- 1. Defendant shall not abuse, harass, stalk or threaten any of the above persons in any place where they might be found.
- 2. Defendant is evicted and excluded from the residence at [NONCONFIDENTIAL ADDRESS FROM WHICH DEFENDANT IS EXCLUDED] or any other permanent or temporary residence where Plaintiff may live. Plaintiff is granted exclusive possession of the residence. Defendant shall have no right or privilege to enter or be present on the premises.
- 3. Except for such contact with the minor child/ren as may be permitted under Paragraph 5 of this Order, Defendant is prohibited from having ANY CONTACT with Plaintiff at any location, including but not limited to any contact at Plaintiff's school, business, or place of employment. Defendant is specifically ordered to stay away from the following locations for the duration of this Order:

---



---

- 4. Except for such contact with the minor child/ren as may be permitted under Paragraph 5 of this Order, Defendant shall not contact Plaintiff by telephone or by any other means, including through third persons.



5. Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child/ren: \_\_\_\_\_

Until the final hearing, all contact between Defendant and the child/ren shall be limited to the following: \_\_\_\_\_

The local law enforcement agency in the jurisdiction where the child/ren are located shall ensure that the child/ren are placed in the care and control of the Plaintiff in accordance with the terms of this Order.

6. Defendant shall immediately relinquish the following weapons to the the Sheriff's Office or a designated local law enforcement agency for delivery to the Sheriff's office: \_\_\_\_\_

Defendant is prohibited from possessing, transferring or acquiring any other weapons for the duration of this order.

7. The following additional relief is granted: \_\_\_\_\_

8. A certified copy of this Order shall be provided to the police department where Plaintiff resides and any other agency specified hereafter: [insert name of agency]

9. THIS ORDER SUPERSEDES  ANY PRIOR PFA ORDER AND  ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

10. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING.

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this Order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000.00 and/or up to six months in jail. 23 Pa.C.S. § 6114. Consent of the Plaintiff to Defendant's return to the residence shall not invalidate this Order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S. § 6113. Defendant is further notified that violation of this Order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. §§ 2261—2262.

NOTICE TO LAW ENFORCEMENT OFFICIALS

This Order shall be enforced by the police who have jurisdiction over the plaintiff's residence OR any location where a violation of this order occurs OR where the defendant may be located. If defendant violates Paragraphs 1 through 6 of this Order, defendant may be arrested on the charge of Indirect Criminal Contempt. An arrest for violation of this Order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of law enforcement.

Subsequent to an arrest, the law enforcement officer shall seize all weapons used or threatened to be used during the violation of this Order OR during prior incidents of abuse. Weapons must forthwith be delivered to the Sheriff's office of the county which issued this Order, which office shall maintain possession of the weapons until further Order of this court, unless the weapon/s are evidence of a crime, in which case, they shall remain with the law enforcement agency whose officer made the arrest.

BY THE COURT:

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date

(d) The form of the Affidavit of Service in a Protection From Abuse matter shall be substantially in the following form:

(Caption)

AFFIDAVIT OF SERVICE

I, \_\_\_\_\_, the undersigned, hereby state that I served a copy of the Petition and Temporary Order in the above-captioned action upon the Defendant by handing the papers to

\_\_\_\_\_ at the following address: \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at approximately \_\_\_o'clock \_\_.m.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

(Signature)

(Title)

(Address)

(Date)

(e) The Final Order of Court entered pursuant to the Act shall be substantially in the following form:

(Caption)

**FINAL ORDER OF COURT**

Defendant's Name: \_\_\_\_\_

Defendant's Date of Birth: \_\_\_\_\_

Defendant's Social Security Number: \_\_\_\_\_

Names of All Protected Persons, including Plaintiff and minor children:

\_\_\_\_\_  
\_\_\_\_\_

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the court having jurisdiction over the parties and the subject-matter, it is ORDERED, ADJUDGED and DECREED as follows:

Note: Space is provided to allow for 1) the court's general findings of abuse; 2) inclusion of the terms under which the order was entered (e.g., that the order was entered with the consent of the parties, or that the defendant, though properly served, failed to appear for the hearing, or the reasons why plaintiff's request for a final PFA order was denied); and/or 3) information that may be helpful to law enforcement (e.g., whether a weapon was involved in the incident of abuse and/or whether the defendant is believed to be armed and dangerous).

Plaintiff's request for a final protection order is denied. OR

Plaintiff's request for a final protection order is granted.

1. Defendant shall not abuse, stalk, harass, threaten the Plaintiff or any other protected person in any place where they might be found.

2. Defendant is completely evicted and excluded from the residence at [ NONCONFIDENTIAL ADDRESS FROM WHICH DEFENDANT IS EXCLUDED ] or any other residence where Plaintiff may live. Exclusive possession of the residence is granted to Plaintiff. Defendant shall have no right or privilege to enter or be present on the premises.

On [insert date and time], Defendant may enter the residence to retrieve his/her clothing and other personal effects, provided that Defendant is in the company of a law enforcement officer when such retrieval is made.

3. Except as provided in Paragraph 5 of this Order, Defendant is prohibited from having ANY CONTACT with the Plaintiff at any location, including but not limited to any contact at the Plaintiff's school, business, or place of employment. Defendant is specifically ordered to stay away from the following locations for the duration of this Order: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Except as provided in Paragraph 5 of this Order, Defendant shall not contact the Plaintiff by telephone or by any other means, including through third persons.

5. Custody of the minor children, [names of the children subject to the provision of this paragraph] shall be as follows: [state to whom primary physical custody awarded; state terms of partial custody or visitation, if any.]

6. Defendant shall immediately turn over to the Sheriff's Office, or to a local law enforcement agency for delivery to the Sheriff's Office, the following weapons used or threatened to be used by Defendant in an act of abuse against Plaintiff and/or the minor child/ren: \_\_\_\_\_  
\_\_\_\_\_

7. Defendant is prohibited from possessing, transferring or acquiring any other weapons for the duration of this order. Any weapons delivered to the sheriff under Paragraph 6 of this Order or under Paragraph 6 of the Temporary Order shall not be returned until further order of court.

8. The following additional relief is granted as authorized by § 6108 of the Act:

---

---

---

---

---

9. Defendant is directed to pay temporary support for: [insert the names of the persons for whom support is to be paid] as follows: [insert amount, frequency and other terms and conditions of the support order]. This order for support shall remain in effect until a final support order is entered by this Court. However, this order shall lapse automatically if the Plaintiff does not file a complaint for support with the court within fifteen days of the date of this order. The amount of this temporary order does not necessarily reflect Defendant's correct support obligation, which shall be determined in accordance with the guidelines at the support hearing. Any adjustments in the final amount of support shall be credited, retroactive to this date, to the appropriate party.

10. The costs of this action are waived as to the Plaintiff and imposed on Defendant. 11.

11.  Defendant shall pay \$\_\_\_\_\_ to Plaintiff as compensation for Plaintiff's out-of-pocket losses, which are as follows: \_\_\_\_\_ OR

Plaintiff is granted leave to present a petition, with appropriate notice to Defendant, to [insert the name of the judge or court to which the petition should be presented] requesting recovery of out-of-pocket losses. The petition shall include an exhibit itemizing all claimed out-of-pocket losses, copies of all bills and estimates of repair, and an order scheduling a hearing. No fee shall be required by the Prothonotary's office for the filing of this petition.

12. BRADY INDICATOR.

1.  The Plaintiff or protected person(s) is a spouse, former spouse, a person who cohabitates or has cohabited with the Defendant, a parent of a common child, a child of that person, or a child of the Defendant.

2.  This order is being entered after a hearing of which the Defendant received actual notice and had an opportunity to be heard.

3.  Paragraph 1 of this Order has been checked to restrain the Defendant from harassing, stalking, or threatening Plaintiff or protected person(s).

4.  Defendant represents a credible threat to the physical safety of the Plaintiff or other protected person(s) OR

The terms of this order prohibit Defendant from using, attempting to use, or threatening to use physical force against the Plaintiff or protected person that would reasonably be expected to cause bodily injury.

13. THIS ORDER SUPERCEDES  ANY PRIOR PFA ORDER AND  ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

14. All provisions of this order shall expire in one year, on [insert expiration date].

**NOTICE TO THE DEFENDANT**

**VIOLATION OF THIS ORDER MAY RESULT IN YOUR ARREST ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT WHICH IS PUNISHABLE BY A FINE OF UP TO \$1,000 AND/OR A JAIL SENTENCE OF UP TO SIX MONTHS. 23 PA.C.S. § 6114. VIOLATION MAY ALSO SUBJECT YOU TO PROSECUTION AND CRIMINAL PENALTIES UNDER THE PENNSYLVANIA CRIMES CODE. THIS ORDER IS ENFORCEABLE IN ALL FIFTY (50) STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES AND THE COMMONWEALTH OF PUERTO RICO UNDER THE VIOLENCE AGAINST WOMEN ACT, 18 U.S.C. § 2265. IF YOU TRAVEL OUTSIDE OF THE STATE AND INTENTIONALLY VIOLATE THIS ORDER, YOU MAY BE SUBJECT TO FEDERAL CRIMINAL PROCEEDINGS UNDER THAT ACT. 18 U.S.C. §§ 2261—2262. IF PARAGRAPH 12 OF THIS ORDER HAS BEEN CHECKED, YOU MAY BE SUBJECT TO FEDERAL PROSECUTION AND PENALTIES UNDER THE "BRADY" PROVISIONS OF THE GUN CONTROL ACT, 18 U.S.C. §§ 922(G), FOR POSSESSION, TRANSPORT OR RECEIPT OF FIREARMS OR AMMUNITION.**

**NOTICE TO LAW ENFORCEMENT OFFICIALS**

The police who have jurisdiction over the plaintiff's residence OR any location where a violation of this order occurs OR where the defendant may be located, shall enforce this order. An arrest for violation of Paragraphs 1 through 7 of this order may be without warrant, based solely on probable cause, whether or not the violation is committed in the presence of the police. 23 Pa.C.S. § 6113.

Subsequent to an arrest, the police officer shall seize all weapons used or threatened to be used during the violation of the protection order or during prior incidents of abuse. The [insert the appropriate name or title] shall maintain possession of the weapons until further order of this Court. When the defendant is

placed under arrest for violation of the order, the defendant shall be taken to the appropriate authority or authorities before whom defendant is to be arraigned. A "Complaint for Indirect Criminal Contempt" shall then be completed and signed by the police officer OR the plaintiff. Plaintiff's presence and signature are not required to file the complaint.

If sufficient grounds for violation of this order are alleged, the defendant shall be arraigned, bond set and both parties given notice of the date of the hearing.

BY THE COURT:

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date

If entered pursuant to the consent of plaintiff and defendant:

\_\_\_\_\_  
(Plaintiff's signature)

\_\_\_\_\_  
(Defendant's signature)

**Explanatory Comment—Rule 1905 Forms—1997**

The use of standardized forms provides uniformity and is also critical to the enforcement of protection orders both inside and outside of the Commonwealth. These forms are substantially based on those proposed by members of the Pennsylvania Coalition Against Domestic Violence and have been further refined to accommodate the litigant's need for simplicity, the court's need for flexibility and law enforcement's need for certain identifying information necessary to enforce the protection order.

The forms must be used so that all protection orders can be properly registered with the statewide PFA Registry and the federal Protection Order File (POF) established by the National Crime Information Center (NCIC) for the collection of information that is necessary for nationwide enforcement of protection orders. Entering a protection order into the Registry and NCIC file enables law enforcement to immediately verify the existence and terms of the order. It is important, therefore, that all protection orders be registered with these two files. To this end, the forms capture all of the information that is required for data entry and the form orders are further structured to present that information in the order and sequence that is most helpful to the various law enforcement agencies responsible for entering the information into the files. Once the information reaches the Registry and is accepted by the NCIC file, it becomes immediately accessible to law enforcement agencies, dispatchers and courts throughout the country.

**I. General Use of Forms**

The provisions in the form petition and orders reflect the most common forms of relief available under the Protection from Abuse Act. Plenty of space, however, is provided for plaintiff to request additional relief, and for courts to fashion appropriate relief, based on the individual circumstances of the litigants. Since all of the provisions will not necessarily apply in every case, the forms adopt a checkbox method that requires the user to affirmatively check only those provisions which are applicable to his or her situation.

In cases where a provision is generally applicable but its terms do not correspond precisely to the

relief being requested or granted, the user should not check the standard provision but instead should use the blank spaces provided in the forms to specify the relief. For example, while the final order contains a standard provision permitting the defendant to retrieve personal belongings only in the company of a police officer, there may be more suitable methods of retrieval available in some cases. If so, then the plaintiff or court should use the blank spaces provided in the form petition or order (rather than the standard provision) to specify the alternative manner of retrieval.

**II. The Brady Law**

Paragraph 12 of the final protection order reflects what are known as the "Brady" provisions of the federal Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), codified at 18 U.S.C. § 922(g). These provisions amend the Gun Control Act of 1968 to extend the prohibitions relating to the possession, receipt and purchase of firearms and ammunition to persons who are subject to a final protection order, if the order meets the following four criteria: 1) the order must have been entered after a hearing of which the defendant received actual notice and had the opportunity to participate; 2) the plaintiff or protected person is an "intimate partner" within the meaning of 18 U.S.C. § 921(a)(32), or a child of an intimate partner, or a child of the defendant; 3) the terms of the order restrain defendant from harassing, stalking, or threatening the plaintiff or protected person; and 4) the order includes a finding that the defendant represents a credible threat to the physical safety of the intimate partner or child or by its terms explicitly prohibits the use, attempted use or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury. An "intimate partner" is defined as a spouse, former spouse, a person who cohabitates or has cohabited with the defendant, or a parent of a child who is protected under the order. 18 U.S.C. § 921(a)(32).

The Brady Indicator is a mandatory field for entry of a protection order into the national NCIC file, i.e., federal data entry agencies are required to indicate by a "Yes" or "No" response whether a final protection order meets these criteria for disqualifying a defendant from possessing or purchasing firearms or ammunition. Thus, if all four provisions

of Paragraph 12 are affirmatively checked, the order will be entered into the statewide Registry and the NCIC file as a "Yes" response indicating that the defendant may be subject to prosecution by the appropriate authorities under federal law if he or she possesses, receives or purchases firearms at any time while the order is in effect. If all four provisions have not been checked, then the order is entered as a "No" response indicating that the order is not Brady-eligible.

It is important to distinguish the Brady disqualifier in Paragraph 12 of the final order from the scope of relief contemplated by Paragraphs 6 and 7 of the temporary and final orders. Under the Protection from Abuse Act, 23 Pa.C.S. § 6108(a)(7), a court may order the defendant to relinquish to the sheriff any weapons which were used or threatened to be used in an incident of abuse and to prohibit the defendant from acquiring or possessing any other weapons for the duration of the order. The "weapon" used in an incident of abuse may or may not be a firearm. If the weapon used is not a firearm, the defendant may still be disqualified from possessing or purchasing a firearm under Brady if the order otherwise meets the criteria under federal law.

**Rule 1930.4. Service of Original Process in Domestic Relations Matters.**

\* \* \* \* \*

(f) Service Outside of the Commonwealth. Original

process shall be served outside the Commonwealth within ninety days of the filing of the complaint:

- (1) by any means authorized by this rule; or
- (2) in the manner provided by the law of the jurisdiction in which defendant will be served; or
- (3) in the manner provided by treaty; or
- (4) as directed by the foreign authority in response to a letter rogatory or request.

**In Protection from Abuse matters, the defendant must be personally served with original process outside of the Commonwealth. Such service may be made either in accordance with subdivisions (a) and (b) of this Rule governing personal service or as provided for by law in the jurisdiction where the defendant resides. If personal service cannot be completed within 48 hours after entry of the protection order, service outside of the Commonwealth may be made by any other means authorized by this rule.**

**Official Note:** Sections 5323 and 5329(2) of the Judicial Code, 42 Pa.C.S. §§ 5323 and 5329(2), provide additional alternative procedures for service outside the Commonwealth. **For Protection from Abuse matters, personal service outside of the Commonwealth must first be attempted before service can be made by certified and regular mail or by any of the other means prescribed in subsection (f) of this Rule for out-of-state service.**

[Pa.B. Doc. No. 98-446. Filed for public inspection March 20, 1998, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 31—INSURANCE

### INSURANCE DEPARTMENT

#### [31 PA. CODE CHS. 71 AND 73]

#### Credit Insurance

The Insurance Department (Department) hereby deletes Chapter 71 (relating to general provisions) and amends Chapter 73 (relating to credit life insurance and credit accident and health insurance) to read as set forth in Annex A. These final-form regulations are promulgated under the authority of sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412). The amendments to Chapter 73 are made under the authority of section 12 of the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (act) (40 P. S. § 1007.12). Additional authority is found under section 649 of The Insurance Department Act of 1921 as renumbered and amended by the act of June 25, 1997 (40 P. S. § 289).

#### *Purpose*

The purpose of this final rulemaking is to interpret and implement the provisions of the act and section 641 of The Insurance Department Act of 1921 (40 P. S. § 281), as the latter relates to credit insurance, both of which authorize the Department to promulgate regulations.

Credit life insurance and credit accident and health insurance are presently regulated under Chapters 71 and 73. As the nature and type of credit transactions and resulting credit insurance coverages have evolved, Chapters 71 and 73 have become outdated and incomplete. Numerous notices and directives have been developed by the Department in an effort to keep credit insurance regulations current and to provide direction to the credit insurance industry. This final rulemaking incorporates and codifies these notices and directives. In addition, section 641 of The Insurance Department Act of 1921 was amended in 1994 to provide for the regulation of credit unemployment insurance under the act. This final rulemaking expands credit insurance regulations to now cover credit involuntary unemployment insurance and credit voluntary unemployment insurance.

The credit insurance industry has expressed a desire that the credit insurance premium rates provide for adequate expense and profit margins and that the prima facie premiums be periodically reviewed and updated, if necessary, based on claim experience. To ensure that prima facie rates continue to be based on current claim experience, this rulemaking makes the Department responsible for periodically reviewing loss experience and insurer expenses, and making appropriate adjustments in prima facie rates and loss ratio standards.

In developing the rulemaking, Department staff worked with an industry advisory group comprised of Pennsylvania credit insurers that write all types of credit insurance.

#### *Comments*

Notice of proposed rulemaking was published at 27 Pa.B. 3796 (August 2, 1997) with a 30-day public comment period.

During the 30-day comment period, comments were received from Protective Life Insurance Company (Protective Life), Universal Underwriters Group (Universal Underwriters), American Bankers Insurance Group (American Bankers), Consumer Credit Insurance Association (CCIA) and Cuna Mutual Group (CUNA). After the 30-day comment period, comments were received from the Insurance Federation of Pennsylvania (IFP). On October 2, 1997, comments were received from the Independent Regulatory Review Commission (IRRC).

Protective Life noted an inconsistency in certain terminology used in the proposed rulemaking; "medical doctor" was used in § 73.104(a)(4) (relating to life insurance and life insurance with TPD benefit), while "physician" was used in § 73.115(1)(iii) (relating to benefit exclusions). IRRC raised the same issue. Protective Life noted that the inconsistency in terminology raised an issue as to whether a doctor of osteopathy would qualify as a "physician." The Department agrees with the expressed concern and has amended §§ 73.104(a)(4) and 73.115(1)(iii) to reference "physician and podiatrist," and has added to § 73.103 (relating to definitions) a definition of "physician," which includes a doctor of osteopathy.

Additionally, Protective Life requested clarification as to whether the formula contained in § 73.106(g) (relating to life insurance rate standards) or in § 73.106(i) should be used to calculate net rates for credit life insurance. Section 73.106(i) is an alternative formula, is captioned as such, and may be used in lieu of the formula in § 73.106(g). The Department believes that a change is unnecessary as the language of § 73.106(g) is clear.

Universal Underwriters suggested that the definition of "simple interest loan" be deleted from § 73.103 as the terminology is not used in the rulemaking. The Department agrees that the definition is unnecessary and has addressed the concern by amending § 73.103 to omit reference to "simple interest loan."

Additionally, Universal Underwriters requested clarification as to whether the 5% discount provided for by § 73.119 (relating to combination coverage rate) would be required when an insurer makes credit disability insurance available only in conjunction with credit life insurance. Whenever any credit insurance coverages (life, accident and health, and unemployment) are provided under separate and distinct policies and only a package of the coverages is made available to the debtor for purchase, the 5% discount applies. The Department agrees that clarification was necessary and has amended § 73.119 to provide clarification as to the types of credit insurance that are affected by the discount.

Universal Underwriters also suggested that the language of § 73.134(c)(12) (relating to compensation of producers and creditors) be revised due to the use of double negatives. The Department is in agreement and has addressed this concern by amending the language of § 73.134(c)(12).

Finally, Universal Underwriters suggested that the reference to "reasonable return" in § 73.134(c)(12) leaves the section open to question and interpretation. The Department believes that the use of the term "reasonable return" is a viable way to identify reinsurance arrangements that are designed primarily to provide compensation to producers of credit insurance. Section 73.134(c)(12) of the rulemaking has not been modified.

Sections 73.106(l) and (m), 73.109(l) and (m), 73.112(i) and (j) and 73.113(f) provide that if a change in the

nonclaim elements of the premium rates is necessary, the Department will propose amendments to the loss ratio standards. American Bankers expressed concern that the loss ratio standards in § 73.123 (relating to loss ratio standards) would be implemented without the formal process required by the Regulatory Review Act (71 P. S. §§ 745.1—745.15). The Department had contemplated that the regulatory procedures of the Regulatory Review Act would be followed. IRRC suggested that the rulemaking clarify that amendments to the loss ratio standards of § 73.123 be made through the regulatory review process. The Department has provided such clarification in §§ 73.106(l) and (m), 73.109(l) and (m), 73.112(i) and (j) and 73.113(f) of the final rulemaking so that the procedures set forth in the Regulatory Review Act will be used to amend the loss ratio standards of § 73.123.

The CCIA, CUNA and Insurance Federation of Pennsylvania (IFP) expressed concern with the requirement in § 73.120(2) (relating to composite term premium rate) that a composite term premium rate not exceed by more than 5% any term specific rate within the composite term period. The commentators believe that a single term rate for all term periods should be permitted and requested deletion of the 5% limitation. The Department is not persuaded by the assertions that inequity in the premium rates is an acceptable tradeoff for premium rate structure simplification. Additionally, the parties point out that historically one rate has been used for all ages and for both males and females. The Department maintains that the historical practice of not differentiating in premium rates by age and gender, does not justify charging the same rate for all periods of coverage. It is appropriate to have some limitation which ensures that rates are not excessive for insured debtors. IRRC expressed its agreement that some limitation ensures that rates will not be excessive for insured debtors. Recognizing the concern with the number of term specific rates when imposing a 5% limitation, § 73.120(2) has been modified by changing the 5% limitation contained in the proposed rulemaking to now reflect 10%. The Department is of the opinion that a 10% limitation will maintain equity in the premium rate structure.

CUNA noted that the 5% limit in § 73.120(2) is inconsistent with the definition of "composite term premium rate" in § 73.103. The Department is in agreement. The statutory citation referenced in the definition of "composite term premium rate" should correctly reference § 73.120, not § 73.121 (relating to maximum rates). The Department has amended the definition of composite term premium rate in § 73.103.

CUNA suggested that § 73.115 (relating to benefit exclusions) be modified to clearly disclose that the exclusions and limitations of this section are intended to be in addition to those of §§ 73.104(a), 73.107(a) and 73.110(a) (relating to life insurance and life insurance with TPD benefit; accident and health insurance benefits; and involuntary unemployment insurance benefits). The Department agrees that clarification is necessary and has amended § 73.115 of the rulemaking accordingly.

CUNA noted concern with the Department's use of the term "application," as opposed to CUNA's preferred "written instrument," in various sections of the rulemaking. With respect to the issues of age, employment and contestability referenced in §§ 73.105 (3), (4), (6) and (7), 73.108 (4)—(6), (8) and (9) and 73.111 (4)—(6), (8) and (9), the Department believes that the use of the term "application" is correct and that it is important that the instrument on which the company would rely upon to

invoke these sections be an application. While it is true that section 6 of Group Life Insurance Law (40 P. S. § 532.6) does speak to "written instrument," that reference in the statute has long been interpreted by the Department to mean an insurance application. Accordingly, the Department did not modify the sections of the rulemaking which refer to "written application."

Both the CCIA and CUNA indicated that §§ 73.105(9), 73.108(10) and 73.111(10) did not clearly enunciate the effect on changes in the amount and term of the indebtedness that occur after the renewal or refinancing of an existing insured indebtedness. The Department agrees that clarification is needed. Accordingly §§ 73.105(9), 73.108(10) and 73.111(10) have been modified to clarify the effective date for renewed or refinanced indebtedness.

CUNA also commented on the provision in §§ 73.105(7), 73.108(9) and 73.111(9) which requires the presence of a fraudulent misstatement of age prior to allowing a premium or benefit adjustment. CUNA would prefer to eliminate the referenced fraud component during the initial 2-year contestability period of the contract. The Department maintains that the contestability provisions and the adjustment provisions of the rulemaking are unrelated. Hence, the contestability provisions do not apply to the adjustment of premiums or benefits. The contestability provisions allow a company to void coverage as if the coverage never existed. The adjustment provisions allow the company to adjust premiums, benefits, or both as necessary and permissible. There is no overlap between the contestability and adjustment provisions; each of the provisions have a separate and distinct applicability. The Department strongly believes that it is appropriate to require that a misstatement be fraudulent for the misstatement to result in an adjustment of the benefits, premiums, or both. The adjustment sections of the rulemaking have therefore not been modified.

CUNA noted concern with the requirement in § 73.105(8)(ii) that the life insurance certificate disclose the annual percentage rate (APR). CUNA is of the opinion that the disclosure is not applicable to monthly premium group certificates. For single premium certificates, CUNA expressed that the disclosure would be burdensome and unnecessary because the APR is disclosed in the loan document. The Department agrees that it is unnecessary to disclose the annual percentage rate in monthly premium group certificates or individual policies. However, the annual percentage rate is necessary in single premium group certificates or individual policies for the Department to verify that the single premium rate, and any refund applicable to an insured, are calculated correctly. The Department has amended § 73.105(8)(ii) to clarify that the requirement pertains only to single premium certificates and policies.

CUNA suggested that the definition of "initial insured indebtedness" in § 73.103 recognize that the insured indebtedness may be subject to a policy maximum. The Department is in agreement and has amended the definition.

CUNA questioned whether the conditions of § 73.107(7) under which payment of an A and H benefit terminates should be expanded. The Department did not modify § 73.107(7) because it is reasonable to assume that an insurer would not continue benefit payments on the other occasions (for example, death, recovery) mentioned by CUNA.

CUNA expressed concern that the reference to outstanding balance in § 73.109(b)(2) (relating to A and H

insurance rate standards) is unclear. The Department is in agreement and has amended the definition of the monthly prima facie premium rate in this section. Due to this change, the Department also amended §§ 73.108(6), 73.109(g)—(i), 73.111(6), 73.112(e) and (f), 73.139(g)(1)(i), 73.140(d) and (e).

CUNA suggested that the reference to “or limited” in §§ 73.109(f) and 73.112(i) (relating to involuntary unemployment insurance rate standards) is unnecessary. The Department believes the reference is necessary to clarify that the requirements apply to both full term and limited term periods. Therefore, the Department has not amended §§ 73.109(f) and 73.112(i).

CUNA also suggested that §§ 73.106(l), 73.109(l) and 73.112(i) include a description of a formula for adjusting the loss ratio standards. The Department believes that the determination of an adjusted loss ratio standard should be based on the information and data available and on the methodologies in use at the time of the adjustment. Therefore, the Department has not amended § 73.106(l), § 73.109(l) or § 73.112(i).

CUNA expressed concern with the proposed disclosure requirements of § 73.116(a)(2)(i) and (ii) (relating to age requirements). CUNA believes that the disclosure of (1) the term of insurance coverage and, (2) the termination prior to the scheduled maturity date of the indebtedness, is inapplicable to open end loans and is unnecessary for closed end loans. CUNA suggested generally that it would be more appropriate to disclose only that the coverage will terminate when the insured reaches a certain age. CUNA also expressed concern as to whether the Department has the authority to mandate the disclosures. The Department is clearly authorized to require reasonable disclosure when it is in the public interest. The rulemaking has been modified, as suggested by CUNA, to require a disclosure of the age of the debtor at which the insurance will terminate. Accordingly, § 73.116(a)(2)(i) and (ii) have been amended.

CUNA suggested that § 73.130(c) (relating to election of coverage and disclosure requirements) clarify that both debtors agree on which one of the debtors will be selected as the insured. The Department believes that this clarification is unnecessary as it is obvious that agreement must be reached among the debtors prior to electing the coverage.

CUNA also suggested that the last sentence of § 73.139(f)(1) (relating to credit insurance on open end loans) be deleted because the minimum loan payment on open end loans is not always determined as a percentage of the loan balance. The Department is in agreement and § 73.139(f)(1) has been amended. For clarification, § 73.139(g)(1) and (i) have also been amended to provide that the premium rate methodology in § 73.139(g)(1)(i) applies when the benefit amount is expressed as a percentage of the loan balance.

CUNA suggested restricting the applicability of § 73.140(b) (relating to credit insurance on closed end variable interest loans) to single premium plans, contending that monthly premium plans do not require separate forms for different loan types. In certain cases, however, separate monthly premium forms would be required for use with variable interest loans. Additionally, the nature of the plan shall be identified in the filing so that the Department can determine whether the filed description of the monthly premium calculation is consistent with the requirement in § 73.140(d). Thus, § 73.140(b) has not been modified.

IRRC recommended that § 73.126 (relating to voluntary unemployment experience reports) be clarified as to the minimum advance notice required for filing voluntary unemployment insurance experience reports with the Department. The Department has now incorporated a period of 6 months as the minimum advance notice for § 73.126.

Sections 73.105(3), 73.106(5) and 73.111(5) concern the outright voiding of coverage within a certain period of time from issuance of the contract. Sections 73.105(4), 73.106(6) and 73.111(6) concern the termination of coverage at the end of each period for which a premium was collected. IRRC expressed concern that the distinction between §§ 73.105(3), 73.106(5) and 73.111(5) and §§ 73.105(4), 73.106(6) and 73.111(6) is unclear. Sections 73.105(4), 73.106(6) and 73.111(6) apply only in situations where premiums are payable monthly based on the actual monthly outstanding balance. Sections 73.105(3), 73.106(5) and 73.111(5) apply notwithstanding the manner in which the premium calculation is developed. Due to the inherent distinction between voiding and terminating coverage, the Department believes that the language of the rulemaking is sufficiently clear and has chosen not to modify these sections.

IRRC also expressed concern that § 73.104(a) is unclear as to whether all of the conditions of paragraphs (1)—(4) must be met in order for the prima facie premium rates to apply. The Department agrees that clarification is necessary. Accordingly, § 73.104(a) has been appropriately modified.

IRRC suggested that the term “excess benefits,” as used in § 73.105(1)(iii), be defined. The Department has incorporated a definition of “excess benefits” in § 73.103.

Sections 73.139(a), 73.140(a), 73.141(a), 73.142(a) and 73.143(a) provide requirements applicable specifically to credit insurance on open end loans, closed end variable interest loans, lease transactions, fixed residual loans and balloon loans, respectively. IRRC recommended deleting the phrase “to the extent that they are inconsistent” as that appeared in each of these sections of the proposal. The Department is in agreement that the requirements of §§ 73.139(a), 73.140(a), 73.141(a), 73.142(a) and 73.143(a) are not necessarily “inconsistent” with other provisions of the rulemaking. Rather, in certain situations, some provisions simply are not applicable. Sections 73.139(a), 73.140(a), 73.141(a), 73.142(a) and 73.143(a) have been modified to delete the phrase “to the extent that they are inconsistent.”

Editorial changes have been made to: (1) § 73.106(l) by adding the word “will”; (2) to § 73.109(g)—(i) and § 73.112(e) and (f) by adding the word “premium”; (3) to § 73.130(a) by deleting “to”; (4) to § 73.130(b) by substituting the words “signed for” with “authorized” and “signing” with “authorizing”; (5) § 73.130(b)(2) by relocating the word “credit”; and (6) to § 73.137(b) by clarifying a violation.

#### *Affected Parties*

This final rulemaking applies to life insurance companies and casualty insurance companies marketing credit life, accident and health, and unemployment insurance in this Commonwealth.

#### *Fiscal Impact*

##### *State Government*

The Department anticipates that there will be a substantial reduction in Department staff time which is presently devoted to the regulation of credit insurance



due to amendment to the rate adjustment procedure. Insurers are no longer required to file annually for rate adjustments for each of their creditor accounts. Last year alone, for example, rate adjustment filings numbered 8,000. Under the rulemaking, the Department will review only those rate filings which insurers choose to file for upward deviations. In addition, Department personnel will no longer need to review experience reports for each creditor account. The rulemaking will result in an estimated annual savings of \$50,000.

#### *General Public*

The Department anticipates that a greater number of insurers will be inclined to enter the credit insurance marketplace in this Commonwealth due to the elimination of compliance with the previously imposed burdensome rate adjustment system. A greater number of insurers should result in increased competition and resulting lower credit insurance rates and improved benefits.

Creditors' compensation will not be affected by the premium rates charged by the insurer. Therefore, creditors may be more likely to select, for their debtors, insurers offering lower credit insurance rates.

#### *Political Subdivisions*

Implementation of this final rulemaking will not impose additional costs on political subdivisions. However, because insurers and creditors may need to employ fewer individuals to administer their credit insurance programs, there could be a slight increase in unemployment and a slight decrease in the income tax base for certain subdivisions. If a greater number of insurers and creditors offer credit insurance, those effects could be offset.

#### *Private Sector*

This final rulemaking is anticipated to have a positive fiscal impact on insurers. Once implemented, it will be less costly for insurers to perform the administrative functions necessary to provide credit insurance coverage in this Commonwealth. There will be a substantial reduction in the number of deviation filings that insurers will need to prepare. It is estimated that the total cost savings will be \$300,000.

The Department is also of the opinion that this final rulemaking may have the effect of opening a new market for insurers who have not previously participated in the credit insurance market due primarily to the administrative difficulties connected with the prior regulations.

This rulemaking will impact creditors fiscally to the extent that creditors will have to implement in their premium calculation systems substantially fewer rate changes. It is estimated that the total cost savings in that regard will be \$100,000.

#### *Paperwork*

The adoption of this final rulemaking will reduce the amount of paperwork that insurers will have to maintain and file with the Department. Insurers will no longer need to submit to the Department annual rate adjustment filings for their accounts, or to notify the Department when changes of insurers occur. Insurers will be able to use an NAIC experience report, thereby reducing the need to prepare special reports for this Commonwealth. Additionally, the reduction in insurers' filings with the Department will result in a substantial reduction in the paperwork that the Department will have to process and maintain.

#### *Effectiveness/Sunset Date*

This rulemaking becomes effective July 20, 1998. No sunset date has been assigned.

#### *Contact Person*

Questions or comments concerning this final rulemaking should be addressed to Peter J. Salvatore, Regulatory Coordinator, 1326 Strawberry Square, Harrisburg, PA 17120, (717) 787-4429.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)) on July 23, 1997, the Department submitted a copy of the proposed rulemaking to IRRC and to the Chairpersons of the House Insurance Committee and the Senate Banking and Insurance Committee. In addition to the submitted final-form 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 1996-1, "Regulatory Review and Promulgation." In compliance with section 5(c) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received. A copy of that material is available to the public upon request.

These final-form regulations were approved by the House Committee and by the Senate Committee on January 25, 1998, in accordance with section 5.1(d) of the Regulatory Review Act (71 P. S. § 745.5a(d)). IRRC met on January 29, 1998, and approved the final-form regulations in accordance with section 5.1(e) of the Regulatory Review Act.

#### *Findings*

The Insurance Commissioner finds that:

(1) Public notice of intention to adopt this rulemaking as amended by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of this rulemaking in the manner provided for in this order is necessary and appropriate for the administration and enforcement of the authorizing statutes.

#### *Order*

The Insurance Commissioner, acting under the authorizing statutes, orders that:

(a) The regulations of the Insurance Department, 31 Pa. Code Chapters 71 and 73, are amended by deleting §§ 71.1—71.4, 73.1—73.5, 73.11—73.13, 73.21—73.29, 73.31—73.43 and 73.51 and Appendices A—D and by adding §§ 73.101, 73.102, 73.107, 73.110, 73.114, 73.117, 73.118, 73.121—73.125, 73.127—73.129, 73.131—73.133, 73.135 and 73.136 to read as set forth at 27 Pa.B. 3796 (August 2, 1997) and by adding §§ 73.103—73.106, 73.108, 73.109, 73.111—73.113, 73.115, 73.116, 73.119, 73.120, 73.126, 73.130, 73.134, 73.137—73.143 to read as set forth in Annex A.

(b) The Commissioner shall submit this order, 27 Pa.B. 3796 and Annex A to the Office of General Counsel and Office of Attorney General for approval as to form and legality as required by law.

(c) The Commissioner shall certify this order, 27 Pa.B. 3796 and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) The regulations adopted by this order shall take effect July 20, 1998.

M. DIANE KOKEN,  
Insurance Commissioner

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 859 (February 14, 1998).)*

**Fiscal Note:** Fiscal Note 11-148 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 31. INSURANCE**

**PART III. CREDIT INSURANCE**

**CHAPTER 73. CREDIT LIFE INSURANCE, CREDIT ACCIDENT AND HEALTH INSURANCE AND CREDIT UNEMPLOYMENT INSURANCE**

**§ 73.103. Definitions.**

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

*A and H*—Accident and health insurance.

*Account*—The coverage for a single line of insurance offered to a single type of business by one creditor. The term includes coverage written on a group or individual policy.

*Act*—The Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (40 P. S. §§ 1007.1—1007.15).

*Agent*—A person defined in section 601 of The Insurance Department Act of 1921 (40 P. S. § 231).

*Amount financed*—The amount on which interest charges are calculated.

*Amount of level lease insurance*—In connection with a lease transaction, the amount of death benefit equal to the residual payment, plus any applicable taxes on the residual payment.

*Balloon amount*—The excess of the final payment on a balloon loan over the amount of one periodic installment payment.

*Balloon loan*—A loan which provides for periodic installment payments of a stated amount during the term of the indebtedness and for a final payment at the end of the term of the indebtedness which is substantially more than the amount of one periodic installment payment and less than the initial net unpaid indebtedness.

*Broker*—A person defined in section 621 of The Insurance Department Act of 1921 (40 P. S. § 251).

*Closed end loan*—Indebtedness which is not an open end loan or a lease.

*Commissioner*—The Insurance Commissioner of the Commonwealth.

*Composite term period*—The installment periods for which composite term premium rates will be charged.

*Composite term premium rate*—Premium rates which do not vary based on the number of monthly installments and which meet the requirements of § 73.120 (Relating to composite term premium rate).

*Contributory insurance*—Insurance for which the debtor is charged an identifiable charge.

*Credit accident and health insurance*—Insurance as defined in section 2(b)(2) of the act (40 P. S. § 1007.2(b)(2)).

*Credit instrument*—A loan or sales instrument or agreement.

*Credit insurance*—Insurance subject to the act and section 641 of The Insurance Department Act of 1921 (40 P. S. § 281).

*Credit involuntary unemployment insurance*—Credit unemployment insurance paid in the event of the debtor's unemployment due to no choice of the debtor.

*Credit life insurance*—Insurance as defined in section 2(b)(1) of the act.

*Credit life insurance with TPD*—Insurance on the life of a debtor paid under or in connection with a specific loan or other credit transaction in the event of the debtor's death or total and permanent disability.

*Credit unemployment insurance*—Insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is unemployed as defined in the group certificate or individual policy.

*Credit voluntary unemployment insurance*—Credit unemployment insurance paid in the event of the debtor's unemployment due to a choice made by the debtor.

*Creditor*—As defined in section 2(b)(3) of the act.

*Debtor*—As defined in section 2(b)(4) of the act.

*Decreasing term lease insurance amount*—The amount required to liquidate the lease obligation excluding the amount of any monthly lease payments paid at the beginning of a lease and excluding the residual value.

*Department*—The Insurance Department of the Commonwealth.

*Electronic rate book*—An electronic data system programmed and used solely for the calculation and computation of installment loans and calculation and computation of insurance amount, premium rates and refunds.

*Excess benefits*—The portion of the insurance benefit that exceeds the outstanding indebtedness.

*Fixed residual value financing*—The manner of financing a motor vehicle purchase whereby a buyer, who is listed as the owner on the title of a motor vehicle, agrees to select and perform one of the following options, at the conclusion of a predetermined schedule of installment payments made in substantially equal periods and in substantially equal amounts:

(i) Satisfying the balance of the contractual amount owing.

(ii) Refinancing any balance owing on the terms previously agreed upon at the original execution of the installment sales contract.

(iii) Surrendering the motor vehicle as agreed upon at the original execution of the installment sale contract.

*Full benefit period coverage*—Insurance coverage which provides protection for a benefit period equal to the shorter of the duration of disability or unemployment minus any elimination period and the full term of coverage remaining when the disability or unemployment benefits first become payable.

*Full term insurance coverage*—Insurance coverage for a benefit period equal to the term of the indebtedness remaining at the time coverage is elected.

*Grace period*—The period during which a premium may be paid after the premium due date.

*Identifiable charge*—The amount a creditor charges a debtor specifically for credit insurance. A differential in finance, interest, service or similar charges made to debtors who are in like circumstances, except for their insured or noninsured status, is considered an identifiable charge.

*Indebtedness*—The total amount payable by a debtor to a creditor in connection with a loan or other credit transaction.

(i) *Actual gross unpaid indebtedness*. The scheduled gross unpaid indebtedness plus any past-due installment payments and minus any prepaid installment payments.

(ii) *Actual net unpaid indebtedness*. The amount necessary to liquidate the actual unpaid indebtedness in a single sum excluding unearned interest, but including any prepayment penalty.

(iii) *Initial insured indebtedness*.

(A) If coverage is provided on a gross indebtedness basis, the sum of the installment payments under the contract of indebtedness as of the date the indebtedness is incurred, subject to any maximum dollar amount of coverage specified in the group policy and group certificate or individual policy.

(B) If coverage is provided on a net indebtedness basis, the amount of the indebtedness excluding the unearned interest under the contract of indebtedness as of the date the indebtedness is incurred, subject to any maximum dollar amount of coverage specified in the group policy and group certificate or individual policy.

(iv) *Scheduled gross unpaid indebtedness*. The sum of the scheduled remaining installment payments under the contract of indebtedness, including unearned interest.

(v) *Scheduled net unpaid indebtedness*. The amount necessary to liquidate the scheduled unpaid indebtedness in a single sum excluding unearned interest but including any prepayment penalty.

*Initial amount of decreasing lease insurance*—The excess of the amount of death benefit payable in the event of death of the lessee during the first month of the lease, over the amount of level lease insurance, as defined in this section. The term does not include the amount of the monthly lease payment paid at the beginning of the lease.

*Joint coverage*—Credit insurance coverage on any two or more persons who are jointly liable for repayment of an indebtedness or fulfillment of a lease obligation.

*Limited benefit period coverage*—Insurance coverage which provides protection for a benefit period equal to the shorter of the duration of disability or unemployment minus any elimination period and a period less than the full term of coverage remaining when the disability or unemployment benefits first become payable.

*Limited term insurance coverage*—Insurance coverage for a benefit period less than the term of the indebtedness remaining at the time coverage is elected. Insurance coverage terminates at the insured debtor's attained age as set forth in the group certificate or individual policy or when the truncated coverage terminates.

*Lockout*—The discharge of employes by their employer due to a labor dispute, including discharge as a result of an employer's dislike of employes' activities as a union, or the temporary closing of the place of employment by an employer without formally discharging the employes in

an effort to discourage union activities, gain acceptance of the employer's view or effect a labor compromise which is more favorable to the employer in comparison to the demands made by the employes.

*Loss ratio*—The incurred claims during the experience period divided by the actual earned premium during the experience period.

*Open end loan*—A credit plan which may be drawn upon by a debtor without renegotiating with the creditor.

*Physician*—A medical doctor, chiropractor or doctor of osteopathy.

*Prima facie premium rates*—The premium rates established by the Department and published in the *Pennsylvania Bulletin*. Prima facie premium rates shall be published in the *Pennsylvania Bulletin* by July 29, 1998, and thereafter as established by and referenced in §§ 73.106, 73.109 and 73.112 (relating to life insurance rate standards; accident and health insurance rate standards; and involuntary unemployment insurance rate standards).

*Prominent type*—Font or formatting techniques which differentiate selected text from other text. The term includes, for example, capital letters, contrasting color and underscoring.

*Producer*—An agent or broker.

*Residual payment*—The amount that shall be paid by the lessee at the end of the lease term if the lessee elects to purchase the property that is the subject of the lease.

*Single coverage*—Credit insurance coverage on one person who is liable for repayment of an indebtedness or fulfillment of a lease obligation.

*TPD*—Total and permanent disability.

*Term of insurance coverage*—The period during which a group certificate or individual policy is effective.

*Truncated coverage*—Credit insurance coverage as defined in this section that meets the requirements in §§ 73.106(11), 73.109(10) and 73.112(10), and provides a term of insurance coverage for a period that is shorter than the full term of the indebtedness remaining at the time the insurance coverage is elected. The term does not include credit insurance coverage which terminates on attainment of a specific age.

*Variable interest loan*—A loan which has an interest rate that may change during the term of the loan which causes a change in either the amount of the installment payment or the term of the loan.

#### **§ 73.104. Life insurance and life insurance with TPD benefit.**

(a) *Life benefit plan*. The prima facie premium rate standards referenced in § 73.106 (relating to life insurance rate standards) apply to a plan of credit life insurance benefits, if the plan provides the features in paragraphs (1)—(3) and, if applicable, paragraph (4). This plan shall be described in a group policy and group certificate or in an individual policy.

(1) Single life coverage or joint life coverage for all eligible debtors.

(2) A benefit payable upon death or upon TPD, if TPD coverage applies, subject to any maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, equal to any of the following:

(i) The actual gross or net unpaid indebtedness at the time of death or commencement of TPD, in the case of a closed end loan for a group policy of credit life insurance or credit life insurance with a TPD benefit.

(ii) The greater of the scheduled gross or net unpaid indebtedness, or the actual gross or net unpaid indebtedness, at the time of death or commencement of TPD, in the case of a closed end loan for an individual policy of credit life insurance or credit life insurance with a TPD benefit.

(iii) The actual net unpaid indebtedness at the time of death or commencement of TPD, in the case of an open end loan .

(3) A coverage period equal to the lesser of the following:

(i) The term of the indebtedness remaining at the time coverage is elected.

(ii) The term of the indebtedness remaining at the time coverage is elected to the time the insured debtor attains an age at which the group policy and group certificate or individual policy provides for coverage to terminate.

(iii) The term of the indebtedness remaining at the time coverage is elected until truncated coverage terminates.

(4) If TPD coverage is provided, a definition of TPD requiring that the debtor be totally and permanently and continuously unable to engage in any occupation, employment or activity for compensation or profit, for which the debtor is suited by education, training or experience, according to the certification of a physician or podiatrist. The physician or podiatrist's certification may be waived by the insurer if the debtor has suffered the permanent loss of sight of both eyes, or the severance of both hands, both feet or of one hand and one foot.

(b) *Alternate benefit plans.* Insurers may offer credit life insurance benefit plans and credit life insurance with TPD benefit plans that differ from the plan described in subsection (a). An alternate plan shall be described in a group policy and group certificate, or in an individual policy, and shall conform to the standards of section 7(b) of the act (40 P. S. § 1007.7(b)) and the applicable standards of section 6 of the Group Life Insurance Law (40 P. S. § 532.6). The premium rate standards of § 73.106 apply to alternate benefit plans.

**§ 73.105. Life insurance and life insurance with TPD benefit requirements.**

A plan of credit life insurance or credit life insurance with TPD benefit and a group policy and group certificate or an individual policy describing the plan, shall comply with the following:

(1) *Joint coverage.*

(i) If joint life coverage with or without TPD benefit is provided, a group certificate or individual policy providing joint life coverage with or without TPD coverage shall be issued. Insurers shall not issue two single life coverage group certificates or two single life individual policies.

(ii) The benefit payable in the case of simultaneous death or TPD of both insureds shall not exceed the benefit that would be payable if coverage were provided on only one debtor.

(iii) The group policy and group certificate or individual policy shall make provision for whom any excess benefit will be paid in the event of the simultaneous death of the joint insureds.

(2) *Continuation of coverage.* If joint life coverage with or without TPD benefit is provided, and coverage on one of the insured debtors is terminated or voided, or a death claim is denied, for any reason other than for the termination of the indebtedness, any remaining eligible debtor's coverage shall continue and an equitable adjustment of premium shall be made. The remaining eligible debtor's coverage shall continue under a single life coverage group certificate or individual policy.

(3) *Voiding coverage for ineligible age.* If a debtor exceeds the eligibility age for coverage and has correctly stated age information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right during the debtor's lifetime to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy.

(4) *Terminating coverage for ineligible age.* When premiums are payable monthly based on the actual monthly outstanding balance, if a debtor who exceeds the age at which coverage is to terminate under a group certificate or individual policy has correctly stated age information in an application signed by the debtor, and premiums continue to be erroneously charged to the debtor, the insurer has the right to terminate coverage as of the next billing date.

(5) *Reducing excess coverage.* If an identifiable charge is erroneously made to a debtor for an amount of coverage that exceeds the maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, the insurer has the right to reduce the amount of coverage to the appropriate amount specified in the group policy and group certificate or individual policy during the debtor's lifetime but only within 60 days from the date the identifiable charge is made to the debtor. If coverage is reduced, a refund shall be made of the difference between the actual amount charged and the appropriate amount that should have been charged.

(6) *Contestability.* A contestability provision may not be more restrictive than to provide that coverage on a debtor shall be incontestable after the group certificate or individual policy has been in force during the lifetime of the debtor for 2 years from the date of issue. Coverage shall be contested based only upon information contained in an insurance application signed by the debtor, a copy of which is furnished, not later than when coverage is contested, to the debtor, a secondary beneficiary or other claimant.

(7) *Equitable premium or benefit adjustment.* A provision specifying an adjustment of premiums or of benefits, or both, to be made if information relating to the age of a debtor has been fraudulently misstated shall be considered to be equitable if it places the debtor and the insurer in the position they would have been in had the age information been correctly stated. Adjustment may not be made unless the age information is contained in an application signed by the debtor, a copy of which is furnished, not later than the time the adjustment is made, to the debtor, a secondary beneficiary or other claimant.

(8) *Premium payment basis.*

(i) Premiums shall be payable by the debtor either on a monthly outstanding balance basis or on a single premium basis at issue. Single premium coverage may be written on closed end loans only if at least one of the following conditions applies:

(A) The term of the coverage is 75 months or less. However coverage written on lease transactions may exceed 75 months.

(B) The coverage is provided on a net unpaid indebtedness basis.

(ii) A group certificate or individual policy providing credit life insurance or credit life insurance with TPD benefit on a single premium net unpaid indebtedness basis shall contain a disclosure of the annual percentage rate used in the calculation of the insured indebtedness.

(9) *Renewal or refinancing.* With respect to the renewal or refinancing of an existing insured indebtedness, the effective date of coverage on the renewed or refinanced indebtedness shall be the date on which the insurer originally insured the debtor with respect to the indebtedness that is renewed or refinanced, to the extent of the amount and term of the indebtedness outstanding at the time of renewal or refinancing.

(10) *Truncated life coverage.*

(i) Truncated credit life insurance and truncated credit life insurance with TPD benefit may be provided only in connection with loans or credit transactions that are for a term greater than 60 months.

(ii) The truncated coverage period shall be at least 60 months.

(iii) If truncated coverage is elected by a debtor, at the time of election of the insurance coverage, the debtor shall be informed in writing of the term of the insurance coverage and that the coverage will terminate prior to the scheduled maturity date of the indebtedness.

(iv) A group certificate or individual policy providing truncated credit insurance coverage shall disclose both the term of the truncated insurance coverage and that the term of insurance coverage will terminate prior to the scheduled maturity date of the indebtedness. The termination disclosure shall appear in prominent print on the first page of the group certificate or individual policy.

(11) *Preexisting exclusion disclosure.* A group certificate or individual policy providing for a preexisting condition exclusion shall disclose the exclusion and its effects upon benefit payments. The preexisting condition exclusion disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

### § 73.106. Life insurance rate standards.

(a) *Prima facie rates.* Premium rates for credit life insurance and credit life insurance with TPD benefit, as described in § 73.104(a) (relating to life insurance and life insurance with TPD benefit), may not exceed the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*, unless higher premium rates are approved under § 73.122 (relating to deviated rates). Premium rates for benefits that differ from those benefits described in § 73.104(a) may not exceed premium rates that are actuarially consistent with the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*.

(b) *Symbols.* The symbols used in this section shall have the following meanings.

(1)  $E_t$  = amount at risk in month  $t$  per \$1 of initial insured indebtedness.

(2)  $i$  = 4.5%, consisting of an interest discount of 4% and a mortality discount of .5%.

(3)  $LSP_n$  = single premium prima facie premium rate per \$100 of a level amount of insured indebtedness.

(4)  $n$  = coverage period in months.

(5)  $O_p$  = monthly outstanding balance prima facie premium rate per \$1,000 of outstanding balance.

(6)  $SP_n$  = single premium prima facie premium rate per \$100 of initial insured gross indebtedness, as defined in § 73.103 (relating to definitions), repayable in  $n$  equal monthly installments.

(7)  $NSP_n$  = single premium prima facie premium rate per \$100 of initial insured net indebtedness, as defined in § 73.103, repayable in  $n$  equal monthly installments.

(c) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit life insurance or credit life with TPD benefit may not exceed the premium amount charged by the insurer, as computed at the time the charge to the debtor is determined.

(d) *Monthly outstanding balance rates.* If premiums are payable on a monthly outstanding balance basis, the monthly prima facie premium rate for credit life insurance on a single life shall be \$.705 per \$1,000 of outstanding balance, and shall be \$.844 per \$1,000 of outstanding balance for credit life insurance with TPD benefit on a single life.

(e) *Gross single premium rates for full term coverage period.*

(1) If premiums for decreasing insurance on the gross unpaid indebtedness for a full term coverage period are payable on a single premium basis, the single premium prima facie premium rates for credit life insurance on a single life and for credit life insurance with TPD benefit on a single life shall be calculated, except as provided in subsection (i), in accordance with the following formula:

$$SP_n = \frac{n + 1}{20 \left( 1 + \frac{.032n}{24} \right)} O_p$$

(2) Gross single premium rates for full term coverage period calculated in accordance with the formula in paragraph (1) are published in the *Pennsylvania Bulletin*, for single life coverage and for single life coverage with TPD benefit.

(f) *Gross single premium rates for limited term coverage period.* If premiums for decreasing insurance on the gross unpaid indebtedness for a limited term coverage period are payable on a single premium basis, the single premium rates for credit life insurance on a single life and for credit life insurance with TPD benefit on a single life may not exceed premium rates that are actuarially consistent with the single premium prima facie premium rates published in the *Pennsylvania Bulletin*, except as provided in subsection (i).

(g) *Net single premium rates.* If premiums for decreasing insurance on the net unpaid indebtedness for a full term or limited period coverage period are payable on a single premium basis, the single premium prima facie premium rates for credit life insurance on a single life and for credit life insurance with TPD benefit on a single life shall be calculated, except as provided in subsection (i), in accordance with the following formula:

$$NSP_n = \frac{1}{10 \left( 1 + \frac{.032n}{24} \right)} O_p \sum_{t=1}^n E_t$$

(h) *Level single premium rates.* If premiums are payable on a single premium basis for level term insurance, the single premium prima facie premium rates for credit life insurance on a single life shall be calculated, except as provided in subsection (i), in accordance with the following formula:

$$LSP_n = \frac{n}{10 \left( 1 + \frac{.048n}{24} \right)} Op$$

(i) *Alternative single premium formula.* Prima facie premium rates may be calculated for credit life insurance and credit life insurance with TPD benefit in accordance with the following formula:

$$SP_n = Op(1/10) \sum_{t=1}^{t=n} \left( \frac{1.0}{1 + \frac{i}{12}} \right)^{t-1} (E_t)$$

(j) *Joint rates.* Prima facie premium rates for credit life insurance on a joint life with or without TPD benefit shall equal 175% of the prima facie premium rates for a single life benefit plan which is identical to the joint life benefit plan.

(k) *Actuarially consistent rates.* For credit life insurance or credit life insurance with TPD benefit offered on any other basis, prima facie premium rates shall be actuarially consistent with the rate standards of subsections (d)—(i).

(l) *The adjustment of prima facie rates and loss ratio standards.* By July 20, 2001, and at least every 3 years thereafter, the Department will review the appropriateness of the prima facie premium rates referenced in this section based upon Commonwealth experience data for the preceding 3-calendar years. The nonclaim element of the prima facie premium rates will not be adjusted unless an adjustment is necessary under subsection (m). An adjustment to the prima facie premium rates will not be made if the change in prima facie premium rates so determined would be less than 5%. If an adjustment to the prima facie premium rates is indicated, the Department will publish the new prima facie premium rates in the *Pennsylvania Bulletin*. If an adjustment to the loss ratio standards is indicated, the Department will propose regulatory amendment to § 73.123 (relating to loss ratio standards) to reflect the change.

(m) *Review of non-claim elements.* By July 20, 2007, and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, the changes in the fixed and variable expenses and the reasonable profit margin for insurance companies writing credit life insurance in this Commonwealth. If this review indicates that a change in the nonclaim elements of the premium rates is necessary, the Department will propose a regulatory amendment to the loss ratio standards in § 73.123 and thereafter publish new prima facie premium rates in the *Pennsylvania Bulletin*.

**§ 73.108. A and H insurance requirements.**

A plan of credit A and H insurance and a group policy and group certificate or an individual policy describing such plan, shall comply with the following:

(1) *Joint coverage basis.* If joint A and H coverage is provided, it shall be provided either on the basis of each debtor being insured for 100% of the monthly disability

payment, or on the basis of each debtor being insured for a specified portion of the amount of the monthly disability payment, with the total of the portions equal to 100% of the monthly disability payment.

(2) *Joint contract.*

(i) If joint A and H coverage is provided, a group certificate or individual policy providing joint A and H coverage shall be issued. Insurers may not issue two single A and H coverage group certificates or two single individual policies.

(ii) The benefit payable in the case of simultaneous disability of both insureds may not exceed the benefit that would be payable if coverage were provided on only one debtor.

(3) *Continuation of coverage.* If joint A and H coverage is provided, and coverage on one of the insured debtors is terminated or voided for any reason other than for termination of the indebtedness, any remaining eligible debtor's coverage shall continue and an equitable adjustment of premium shall be made. The remaining eligible debtor's coverage shall continue under a single A and H coverage group certificate or individual policy.

(4) *Voiding coverage for ineligible employment.* If a gainful employment requirement is applicable, and a debtor who is not gainfully employed correctly stated employment status information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for a disability that commenced before the termination date.

(5) *Voiding coverage for ineligible age.* If a debtor exceeds the eligibility age for coverage and has correctly stated age information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for a disability that commenced before the termination date.

(6) *Terminating coverage for ineligible age.* When premiums are payable monthly based on the actual gross unpaid indebtedness, if a debtor who exceeds the age at which coverage is to terminate under a group certificate or individual policy has correctly stated age information in an application signed by the debtor, and premiums continue to be erroneously charged to the debtor, the insurer has the right to terminate coverage as of the next billing date. This action shall be without prejudice to any claim for a disability that commenced before the termination date.

(7) *Reducing excess coverage.* If an identifiable charge is erroneously made to a debtor for an amount of coverage that exceeds the maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, the insurer has the right to reduce the amount of coverage to the appropriate amount specified in the group policy and group certificate or individual policy, but only within 60 days from the date the identifiable charge is made to the debtor. If coverage is reduced, a refund shall be made of the difference between the actual amount charged and the appropriate amount that should have been charged.

(8) *Contestability.* A contestability provision may not be more restrictive than to provide that coverage on a debtor

shall be incontestable after the group certificate or individual policy has been in force during the lifetime of the debtor for 2 years from the date of issue. Coverage shall be contested only based upon information contained in an insurance application signed by the debtor, a copy of which is furnished, not later than when coverage is contested, to the debtor, a secondary beneficiary or other claimant.

(9) *Equitable premium or benefit adjustment.* A provision specifying an adjustment of premiums or of benefits, or both, to be made if information relating to the age of a debtor has been fraudulently misstated shall be considered to be equitable if it places the debtor and the insurer in the position they would have been in had the age information been correctly stated. An adjustment may not be made unless the age information is contained in an application signed by the debtor, a copy of which is furnished, not later than the time the adjustment is made, to the debtor, a secondary beneficiary or other claimant.

(10) *Renewal or refinancing.* With respect to the renewal or refinancing of an existing insured indebtedness, the effective date of coverage on the renewed or refinanced indebtedness shall be the date on which the insurer originally insured the debtor with respect to the indebtedness that is renewed or refinanced, to the extent of the amount and term of the indebtedness outstanding at the time of renewal or refinancing.

(11) *Truncated A and H coverage.*

(i) Truncated credit A and H insurance may be provided only in connection with loans or credit transactions that are for a term greater than 60 months.

(ii) The truncated coverage period shall be at least 60 months.

(iii) If truncated coverage is elected by a debtor, at the time of the election of the insurance coverage, the debtor shall be informed in writing of the term of the insurance coverage and that the coverage will terminate prior to the scheduled maturity date of the indebtedness.

(iv) A group certificate or individual policy providing truncated credit insurance coverage shall disclose both the term of the truncated insurance coverage and that the term of insurance coverage will terminate prior to the scheduled maturity date of the indebtedness. The termination disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

(12) *Preexisting exclusion disclosure.* A group certificate or individual policy providing for a preexisting condition exclusion shall disclose the exclusion and its effects upon benefit payments. The preexisting condition exclusion disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

**§ 73.109. A and H insurance rate standards.**

(a) *Prima facie A&H rates.* Premium rates for credit A and H insurance benefits, as described in § 73.107(a) (relating to A and H insurance benefits), may not exceed the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*, unless higher premium rates are approved under § 73.122 (relating to deviated rates). Premium rates for benefits that differ from those benefits described in § 73.107(a) may not exceed premium rates that are actuarially consistent with the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*.

(b) *Symbols.* The symbols used in this section shall have the following meanings:

(1)  $n$  = coverage period in months.

(2)  $Op_n$  = monthly prima facie premium rate per \$1,000 of gross unpaid indebtedness.

(3)  $SP_n$  = single premium prima facie premium rate per \$100 of initial insured gross indebtedness, as defined in § 73.103 (relating to definitions), repayable in  $n$  equal monthly installments.

(c) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit A and H insurance may not exceed the premium amount charged by the insurer, as computed at the time the charge to the debtor is determined.

(d) *Single premium rates for full benefit and full term periods.* If premiums are payable on a single premium basis for insurance with a full benefit period and a full term coverage period, the single premium prima facie premium rates for credit A and H insurance on a single life shall be as published in the *Pennsylvania Bulletin*.

(e) *Single premium rates for limited benefit and limited term periods.* If premiums are payable on a single premium basis for insurance with a limited term coverage period and a benefit period equal to the limited term coverage period, the prima facie premium rates shall be as published in the *Pennsylvania Bulletin*, for an installment period equal to the number of monthly installment payments in the limited term coverage period. The premium shall be determined by multiplying the prima facie premium rate by the monthly installment payment, by the number of months in the limited term coverage period, divided by 100.

(f) *Single premium rates for limited benefit and full or limited term periods.* If premiums are payable on a single premium basis for insurance with a limited benefit period for a full term or limited term coverage period, the single premium rates for credit A and H insurance on a single life may not exceed premium rates that are actuarially consistent with the single premium prima facie premium rates published in the *Pennsylvania Bulletin*.

(g) *Monthly balance premium rates for full benefit and full term periods.* If premiums are payable on a monthly basis for insurance with a full balance benefit period for a full term coverage period, the monthly prima facie premium rates for credit A and H insurance on a single life shall be as published in the *Pennsylvania Bulletin*. The monthly prima facie premium rates shall be calculated in accordance with the following formula:

$$Op_n = \frac{20 \left( 1 + \frac{.032n}{24} \right) SP_n}{n + 1}$$

(h) *Monthly premium rates for limited benefit period and limited term periods.* If premiums are payable on a monthly basis for insurance with a limited term coverage period and a benefit period equal to the limited term coverage period, the monthly prima facie premium rates shall be as published in the *Pennsylvania Bulletin* for an installment period equal to the number of monthly installment payments in the limited term coverage period. The monthly premium shall be determined by multiplying the prima facie premium rate by the monthly loan payment, by the remaining number of months in the limited term coverage period, divided by 1,000.

(i) *Monthly premium rates for limited benefit and full or limited term periods.* If premiums are payable on a

monthly basis for insurance with a limited benefit period for a full term or limited term coverage period, the monthly premium rates for credit A and H insurance on a single life may not exceed premium rates that are actuarially consistent with the monthly prima facie premium rates published in the *Pennsylvania Bulletin*

(j) *Joint rates.*

(1) When each debtor is insured for 100% of the monthly A and H payment, the prima facie premium rates for joint credit A and H insurance shall equal 180% of the prima facie premium rates for single A and H coverage.

(2) When each debtor is insured for a specific portion of the monthly disability payment, the prima facie premium rates for joint credit A and H insurance shall equal 100% of the prima facie premium rates for single A and H coverage.

(k) *Actuarially consistent rates.* For credit A and H insurance offered on any other basis, prima facie premium rates shall be actuarially consistent with the rate standards of subsections (d)—(i).

(l) *Adjustment of prima facie rates and loss ratio standards.* By July 20, 2001, and at least every 3 years thereafter, the Department will review the appropriateness of the prima facie premium rates referenced in this section based upon Commonwealth experience data for the preceding 3-calendar years. The nonclaim element of the prima facie premium rates may not be adjusted unless an adjustment is necessary under subsection (m). An adjustment to the prima facie premium rates will not be made if the change in prima facie premium rates so determined would be less than 5%. If an adjustment to the prima facie premium rates is indicated, the Department will publish the new prima facie premium rates in the *Pennsylvania Bulletin*. If an adjustment to the loss ratio standards is indicated, the Department will propose a regulatory amendment to § 73.123 (relating to loss ratio standards) to reflect the change.

(m) *Review of nonclaim elements.* By July 20, 2007, and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, the changes in fixed and variable expenses and the reasonable profit margin for insurance companies writing credit A and H insurance in this Commonwealth. If this review indicates that a change in the nonclaim elements of the premium rates is necessary, the Department will propose a regulatory amendment to the loss ratio standards in § 73.123 and thereafter publish new prima facie premium rates in the *Pennsylvania Bulletin*.

**§ 73.111. Involuntary and voluntary unemployment insurance requirements.**

A plan of credit involuntary unemployment insurance and a group policy and group certificate or an individual policy describing the plan shall comply with the following:

(1) *Joint coverage basis.* If joint unemployment coverage is provided, it shall be provided either on the basis of each debtor being insured for 100% of the monthly unemployment payment or on the basis of each debtor being insured for a specified portion of the monthly unemployment payment, with the total of these portions equal to 100% of the monthly unemployment payment.

(2) *Joint contract.*

(i) If joint unemployment coverage is provided, a group certificate or individual policy providing joint unemployment coverage shall be issued. Insurers may not issue

two single unemployment coverage group certificates or two single individual policies.

(ii) The benefit payable in the case of simultaneous unemployment of both insureds may not exceed the benefit that would be payable if coverage were provided on only one debtor.

(3) *Continuation of coverage.* If joint unemployment coverage is provided and coverage on one of the insured debtors is terminated or voided for any reason other than for termination of the indebtedness, any remaining eligible debtor's coverage shall continue and an equitable adjustment of premium shall be made. The remaining eligible debtor's coverage shall continue under a single unemployment coverage group certificate or individual policy.

(4) *Voiding coverage for ineligible employment.* If a debtor who is not gainfully employed correctly stated employment status information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for unemployment that commenced before the termination date.

(5) *Voiding coverage for ineligible age.* If a debtor exceeds the eligibility age for coverage and has correctly stated age information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for unemployment that commenced before the termination date.

(6) *Terminating coverage for ineligible age.* When premiums are payable monthly based on the actual gross unpaid indebtedness, if a debtor who exceeds the age at which coverage is to terminate under a group certificate or individual policy has correctly stated age information in an application signed by the debtor, and premiums continue to be erroneously charged to the debtor, the insurer has the right to terminate coverage as of the next billing date. This action shall be without prejudice to any claim for unemployment that commenced before the termination date.

(7) *Reducing excess coverage.* If an identifiable charge is erroneously made to a debtor for an amount of coverage that exceeds the maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, the insurer has the right to reduce the amount of coverage to the appropriate amount specified in the group policy and group certificate or individual policy, but only within 60 days from the date the identifiable charge is made to the debtor. If coverage is reduced, a refund shall be made of the difference between the actual amount charged and the appropriate amount that should have been charged.

(8) *Contestability.* A contestability provision may not be more restrictive than to provide that coverage on a debtor shall be incontestable after the group certificate or individual policy has been in force during the lifetime of the debtor for 2 years from the date of issue. Coverage shall be contested only based upon information contained in an insurance application signed by the debtor, a copy of which is furnished, not later than when coverage is contested, to the debtor, a secondary beneficiary or other claimant.



(9) *Equitable premium or benefit adjustment.* A provision specifying an adjustment of premiums or of benefits, or both, to be made if information relating to the age of a debtor has been fraudulently misstated shall be considered to be equitable if it places the debtor and the insurer in the position they would have been in had the age information been correctly stated. An adjustment may not be made unless the age information is contained in an application signed by the debtor, a copy of which is furnished, not later than the time the adjustment is made, to the debtor, a secondary beneficiary or other claimant.

(10) *Renewal or refinancing.* With respect to the renewal or refinancing of an existing insured indebtedness, the effective date of coverage on the renewed or refinanced indebtedness shall be the date on which the insurer originally insured the debtor with respect to the indebtedness that is renewed or refinanced, to the extent of the amount and term of the indebtedness outstanding at the time of renewal or refinancing.

(11) *Truncated unemployment coverage.*

(i) Truncated credit unemployment insurance may be provided only in connection with loans or credit transactions that are for a term greater than 60 months.

(ii) The truncated coverage period shall be at least 60 months.

(iii) If truncated coverage is elected by a debtor, at the time of the election of the insurance coverage, the debtor shall be informed in writing of the term of the insurance coverage and that the coverage will terminate prior to the scheduled maturity date of the indebtedness.

(iv) A group certificate or individual policy providing truncated credit insurance coverage shall disclose both the term of the truncated insurance coverage and that the term of insurance coverage will terminate prior to the scheduled maturity date of the indebtedness. The termination disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

(12) *Cancellation notice.* A group certificate or individual policy providing involuntary unemployment or voluntary unemployment insurance shall contain a disclosure that the benefit provided by the group certificate or individual policy is related to unemployment and that if the insured debtor retires or no longer plans to work, the insured debtor has the right to contact the insurer or creditor to cancel the insurance coverage. This disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

(13) *Proof of unemployment.* For involuntary unemployment coverage, proof of involuntary unemployment may not be limited to eligibility for unemployment compensation benefits.

**§ 73.112. Involuntary unemployment insurance rate standards.**

(a) *Prima facie involuntary unemployment rates.* Premium rates for credit involuntary unemployment insurance benefits, as described in § 73.110(a) (relating to involuntary unemployment insurance benefits), may not exceed the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*, unless higher premium rates are approved under § 73.122 (relating to deviated rates). Premium rates for benefits that differ from those benefits described in § 73.110(a) may not exceed premium rates that are actuarially consistent with the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*.

(b) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit involuntary unemployment insurance may not exceed the premium amount charged by the insurer, as computed at the time the charge to the debtor is determined.

(c) *Single premium rates for a 12-month benefit period and a full term coverage period.* If premiums are payable on a single premium basis for insurance with a 12-month benefit period for a full term coverage period, the single premium prima facie premium rates for credit involuntary unemployment insurance on a single life shall be as published in the *Pennsylvania Bulletin*.

(d) *Single premium rates for a 12-month benefit period and a limited term coverage period.* For insurance with a limited term coverage period and a 12-month benefit period, the single premium prima facie premium rates shall be the prima facie premium rates published in the *Pennsylvania Bulletin*, for an installment period equal to the number of monthly installment payments in the limited term coverage period. The single premium shall be determined by multiplying the prima facie rate by the monthly installment payment, by the number of months in the limited term coverage period, divided by 1,000.

(e) *Monthly premium rates for a 12-month benefit period and a full term coverage period.* If premiums are payable on a monthly basis for insurance with a 12-month benefit period for a full term coverage period, the monthly prima facie premium rates for credit involuntary unemployment insurance on a single life shall be as published in the *Pennsylvania Bulletin*.

(f) *Monthly premium rates for a 12-month benefit period and a limited term coverage period.* For insurance with a limited term coverage period and a 12-month benefit period, the monthly prima facie premium rates shall be as published in the *Pennsylvania Bulletin*, for an installment period equal to the number of monthly installment payments in the limited term coverage period. The monthly premium shall be determined by multiplying the prima facie rate by the monthly installment payment, by the remaining number of months in the limited term period, divided by 1,000.

(g) *Joint rates.*

(1) When each debtor is insured for 100% of the monthly unemployment payment, the prima facie premium rates for joint credit involuntary unemployment insurance shall equal 180% of the prima facie premium rates for single involuntary unemployment coverage.

(2) When each debtor is insured for a specific portion of the monthly unemployment payment, the prima facie premium rates for joint credit involuntary unemployment insurance shall equal 100% of the prima facie premium rates for single involuntary unemployment coverage.

(h) *Actuarially consistent rates.* For credit involuntary unemployment insurance on any other basis, prima facie premium rates shall be actuarially consistent with the rate standards of subsections (c)—(f).

(i) *Adjustment of prima facie rates and loss ratio standards.* By July 20, 2001, and at least every 3 years thereafter, the Department will review the appropriateness of the prima facie premium rates referenced in this section based upon Commonwealth experience data for the preceding 3-calendar years. The nonclaim element of the prima facie premium rates may not be adjusted unless an adjustment is necessary under subsection (j). No adjustment to the prima facie premium rates will be made if the change in prima facie premium rates so

determined would be less than 5%. If an adjustment to the prima facie premium rates is indicated, the Department will publish the new prima facie premium rates in the *Pennsylvania Bulletin*. If an adjustment to the loss ratio standards is indicated, the Department will propose a regulatory amendment to § 73.123 (relating to loss ratio standards) to reflect the change.

(j) *Review of nonclaim elements.* By July 20, 2007, and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, the changes in fixed and variable expenses, and the reasonable profit margin for insurance companies writing credit involuntary unemployment insurance in this Commonwealth. If this review indicates that a change in the nonclaim elements of the premium rates is necessary, the Department will propose a regulatory amendment to the loss ratio standards in § 73.123 and thereafter publish new prima facie premium rates in the *Pennsylvania Bulletin*.

**§ 73.113. Voluntary unemployment insurance rate standards.**

(a) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit voluntary unemployment insurance may not exceed the premiums charged by the insurer, as computed at the time the charge to the debtor is determined.

(b) *Premium rates based on loss ratio.* The premium rates shall be based on a loss ratio not less than the loss ratio standard in § 73.123 (relating to loss ratio standards).

(c) *Actuarial memorandum filing.* The insurer shall include, with the rate filing made under § 73.136(a) (relating to filing of forms and rates), an actuarial memorandum which contains the basis of the claim costs used in computing the premium rates.

(d) *Joint rates.*

(1) When each debtor is insured for 100% of the monthly unemployment benefit, the premium rates for joint credit voluntary unemployment insurance shall equal 180% of the premium rates for single voluntary unemployment coverage.

(2) When each debtor is insured for a specific portion of the monthly unemployment benefit, the premium rates for joint credit voluntary unemployment insurance shall equal 100% of the premium rates for single voluntary unemployment coverage.

(e) *Adoption of prima facie rates.* If, in the opinion of the Commissioner, there is sufficient credit voluntary unemployment insurance experience data in this Commonwealth, the Commissioner may establish and adopt prima facie premium rates for voluntary unemployment and procedures for adjusting the prima facie premium rates.

(f) *Review of nonclaim elements.* By July 20, 1997, and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, changes in fixed and variable expenses, and the reasonable profit margin for insurers writing credit voluntary unemployment insurance in this Commonwealth. If this review indicates that a change in the loss ratio standard is necessary, the Department will propose an appropriate regulatory amendment to § 73.123 to reflect the change.

**§ 73.115. Benefit exclusions.**

Exclusions may be contained in a credit insurance plan as provided in §§ 73.104(a), 73.107(a) and 73.110(a) (relating to life insurance and life insurance with TPD benefit; A and H insurance benefits; and involuntary unemployment insurance benefits).

(1) The following exclusions may also be contained in a life insurance plan or a life insurance with TPD benefit plan:

(i) Death due to suicide within 1 year of the effective date of coverage.

(ii) TPD due to intentionally self-inflicted injury.

(iii) A preexisting conditions exclusion due to a condition for which the insured debtor received medical advice, consultation, diagnosis or treatment from a physician or podiatrist within 6 months before the effective date of coverage and due to which death occurs or TPD commences within 6 months after the effective date of coverage. This exclusion applies only if and to the extent that the total amount of all insurance that would otherwise be subject to the preexisting conditions exclusion exceeds \$1,000.

(iv) For the application of the exclusions contained in subparagraphs (i)—(iii), the effective date of coverage for each portion of the insurance attributable to a different advance under an open end loan, is the date on which the advance or charge occurs, or if later, the date on which coverage is elected.

(2) The following exclusions may also be contained in an A and H insurance plan:

(i) Normal pregnancy.

(ii) Intentionally self-inflicted injury.

(iii) Nonscheduled aircraft flight.

(3) The following exclusions may also be contained in an involuntary unemployment insurance plan:

(i) Voluntary resignation of employment.

(ii) Voluntary leave of absence.

(iii) Voluntary forfeiture of salary, wages or income.

(iv) Retirement.

(v) Injury or disease.

(vi) Disability.

(vii) Strike or unionized labor dispute.

(viii) Discharge by employer for cause.

(ix) Involuntary unemployment for which severance pay is received by the debtor.

**§ 73.116. Age requirements.**

(a) *Debtor age provisions.* Plans of credit insurance as provided in §§ 73.104(a), 73.107(a) and 73.110(a) (relating to life insurance and life insurance with TPD benefit; A and H insurance benefits; involuntary unemployment insurance benefits) may provide for debtor age provisions not less favorable than any of the following:

(1) An age restriction making the debtor ineligible for coverage when one of the following applies:

(i) The debtor will have attained 65 years of age at the time the indebtedness is incurred.

(ii) The debtor will have attained 66 years of age on the scheduled maturity date of the indebtedness.

(2) A provision for coverage to terminate when the debtor attains a specified age not less than 66 years. If coverage is written on a single premium basis, the term of the insurance coverage on which the premium is based may not extend beyond the termination age.

(i) A debtor electing coverage that terminates when a specified age is attained shall be provided, at the time of election of insurance coverage, with a written disclosure specifying the age of the debtor at which the insurance will terminate.

(ii) A group certificate or individual policy providing coverage that terminates when a specified age is attained shall disclose the age of the debtor at which the insurance will terminate. The termination disclosure shall appear in prominent print on the first page of the group certificate or individual policy.

(b) *Eligibility determination using age.* An age restriction shall be used only to determine initial eligibility for coverage and may not be used as a basis for denying claims or terminating existing coverage, except as provided in subsection (a)(2) and in § 73.105 (3) and (4), § 73.108 (5) and (6) or § 73.111 (5) and (6).

**§ 73.119. Combination coverage rate.**

If an insurer combines two or more credit life, Credit A and H or credit unemployment insurance coverages which are provided under separate and distinct policy forms, and if the debtor may purchase only a package of these insurance coverages, the premium rate for the package shall be the sum of the separate approved premium rates for the applicable insurance coverages less a discount of 5% of the sum of the separate approved premium rates.

**§ 73.120. Composite term premium rate.**

Composite term premium rates may be used under the following conditions:

(1) The insurer shall include in the filing of the composite term premium rates a demonstration that the expected total premium to be collected by the insurer will not exceed the total premium that would be collected if term specific rates were charged.

(2) The composite term premium rates may not exceed by more than 10% any term specific rates within the composite term period.

**§ 73.126. Voluntary unemployment experience reports.**

The Commissioner may require, with a minimum of 6 months advance notice, that each insurer doing credit voluntary unemployment insurance business in this Commonwealth file a report of credit voluntary unemployment insurance written on a calendar year basis. The report shall follow the format specified for credit unemployment insurance of the Credit Insurance Experience Exhibit as required by the annual statement instructions and shall contain separate specific data for this Commonwealth, rather than an allocation of the company's countrywide experience.

**§ 73.130. Election of coverage and disclosure requirements.**

(a) *Separate purchase of coverages.* If more than one type of credit insurance coverage is offered for purchase in connection with an indebtedness and each coverage is provided under separate and distinct policy forms, the debtor shall be allowed to separately purchase each credit insurance coverage, unless the premium rate for a package policy is provided under § 73.119 (relating to combination coverage rate).

(b) *Election of coverage.* If an identifiable charge is made to the debtor for credit insurance coverage, no coverage may be provided unless the debtor is liable under the credit agreement and the coverage is elected and authorized by the proposed insured debtor in the insurance application. If joint life, joint life with TPD benefit, joint A and H, joint involuntary unemployment or joint voluntary unemployment coverage is offered, and an identifiable charge is made for the joint coverage, each proposed insured debtor shall be liable under the credit agreement, and shall elect the coverage by authorizing the insurance application. An insurer may require that only one of the joint debtors elect the credit insurance coverage if the following exist:

(1) The insurance application is mailed or electronically transmitted to the debtor and returned to the insurer or creditor by mail or electronically.

(2) The credit insurance application is completed after the application for the indebtedness is completed.

(c) *Single life designation.* In situations where two debtors are each liable for repayment of an indebtedness and insurance coverage on only one life is offered, both debtors shall be provided with the option to elect the coverage, if there is an identifiable charge to the debtor for the coverage. Only one of the debtors shall be provided with the opportunity to elect the single coverage if the following conditions are met:

(1) The insurance application is mailed or electronically transmitted to the debtor and returned to the insurer or creditor by mail or electronically.

(2) The credit insurance election is completed after the application for the indebtedness is completed.

(d) *Notice of proposed insurance.* With respect to section 6(4) of the act (40 P. S. § 1007.6(4)), the application and notice of proposed insurance shall be deemed to be prominently set forth in the financial instrument if set forth in a separate provision on the face or reverse side of the financial instrument in type at least equal in size and prominence to the type used for other provisions of the financial instrument.

**§ 73.134. Compensation of producers and creditors.**

(a) *Compensation limits.* Premium rates shall be presumed to be excessive if the compensation for writing and handling credit insurance paid to a creditor, producer or any affiliate, associate, subsidiary, director, officer, employe or other representative of the creditor or producer, exceeds:

(1) For credit life insurance and credit life insurance with TPD benefit, 27% of the prima facie premium rates referenced in § 73.106 (relating to life insurance rate standards) or 27% of the actuarially consistent premium rates for insurance for which prima facie rates are not published in the *Pennsylvania Bulletin*.

(2) For credit A&H insurance or involuntary unemployment insurance, 21% of the prima facie premium rates referenced in §§ 73.109 and 73.112 (relating to A&H insurance rate standards; and involuntary unemployment insurance rates standards) or 21% of the actuarially consistent premium rates for insurance for which prima facie rates are not published in the *Pennsylvania Bulletin*.

(b) *Additional compensation.* When a licensed producer, general producer, general agency or home office producer, having no direct or indirect affiliation or connection with the creditor, is involved in the solicitation of a credit

insurance policy, the compensation of 27% as provided in subsection (a) shall be increased to 30% and the compensation of 21% as provided by subsection (b) shall be increased to 25% provided that the entire amount or any part of additional compensation shall be used solely as commission for the licensed producer, general producer, general agency or home office producer involved in the solicitation. The creditor is prohibited from receiving indirectly or directly all or any portion of the additional 3% or 4% commission.

(c) *Compensation defined.* For purposes of this chapter, "compensation" means money or anything else of value paid or credited to or on behalf of any group policyholder, producer, or general producer or withheld by any group policyholder producer, broker or general producer within or outside this Commonwealth in relation to business produced or to be produced or written or to be written in this Commonwealth and paid or credited by or on behalf of the insurer or by any affiliate of the insurer or by another person. Compensation includes the following:

- (1) Commissions.
- (2) Fees, including administrative fees, service fees, consulting fees and expense fees.
- (3) Electronic data processing equipment used for purposes other than electronic rate books.
- (4) Electronic data processing services other than the programming of existing electronic data processing equipment used in lieu of rate books or charts.
- (5) Supplies, other than forms approved by the Commissioner and usual and customary claims and reporting forms and envelopes.
- (6) Rental equipment of any type provided by an insurer, its agent or any related person without charge of actual cost or at a charge less than the usual cost.
- (7) Advertising provided by an insurer, its agent or a related person without charge of actual cost or at a charge less than the usual cost.
- (8) Communication devices provided by an insurer, its agent or a related person without charge of actual cost or at a charge less than the usual cost.
- (9) Profit sharing plans.
- (10) Experience rating refunds and credits.
- (11) Dividends as provided in § 73.129 (relating to dividends).
- (12) Dividends received by a producer of credit insurance business who owns in part or whole a reinsurance company which assumes the credit insurance business from the direct insurer, if any of the following criteria are met:
  - (i) The dividend payment on each share of stock represents more than a reasonable return on the producer's capital investment.
  - (ii) The direct insurer has contractually guaranteed to reassume any losses sustained by the reinsurer on the ceded business.
- (13) Expense allowances or reimbursement.
- (14) Stock plans and bonuses.
- (15) Extension of credit.
- (16) Reimbursement for expenditures.

**§ 73.137. Compensating balances or special deposits.**

(a) *Definition.* Compensating balances or special deposit accounts shall include the following:

(1) The deposit of premiums or money to the account of the insurer or an affiliate of the insurer when the account is either noninterest bearing or bearing interest at a rate less than the current market rate. The rate of interest will be considered less than usual if a higher rate of interest could be earned by combining the account with one or more other accounts, unless there is a business reason unrelated to the credit insurance program for maintaining separate accounts.

(2) The remittance of premiums to the insurer after the expiration of the grace period, except as provided in § 73.132(b) (relating to collection of premiums), on a regular basis thereby resulting in an arrearage period which is constant.

(3) The retention of premiums by a producer to whom the financial institution remits premiums beyond a reasonable period of time needed for the producer to remit premiums to an insurer, if the delay is a continuing practice in the premium paying process.

(4) Any other practice which unduly delays receipt of premiums by the insurer on a regular basis, or which involves the use of the financial resources of an insurer for the benefit of a financial institution.

(b) *Illegal inducement.* The use of compensating balances or special deposit accounts in connection with a credit insurance program constitutes a violation of section 635 of The Insurance Department Act of 1921 (40 P. S. § 271), section 346 of The Insurance Company Law of 1921 (40 P. S. § 471) and section 5(a)(4) of the Unfair Insurance Practices Act (40 P. S. § 1171.5(a)(4)).

(c) *Premium basis.* The prohibition on compensating balances and special deposits applies regardless of whether premiums are due the insurer on the single premium basis or on the monthly outstanding balance premium basis.

(d) *Nonapplicability.* This section does not prevent an insurer from making deposits in a financial institution which deposits are not related to a credit insurance program.

**§ 73.138. Financial statement reserves.**

The following reserves for all credit insurance policies shall be maintained by insurers doing credit life insurance or credit A and H insurance business in this Commonwealth.

(1) The reserves for credit life insurance may not be less than the reserves as computed using the Commissioners 1980 Extended Term Mortality Table, using mortality rates applicable to male lives for insurance issued prior to or on or after July 20, 1998, with interest at the rate specified in section 301(c) of The Insurance Department Act of 1921 (40 P. S. § 7(c)).

(2) The reserves for single premium credit A and H insurance or TPD benefits may not be less than the mean of the amounts of unearned premium calculated from gross premiums in force on the following bases:

- (i) The pro rata basis.
- (ii) Rule of 78 basis.

(3) The reserves for monthly premium credit A and H insurance and TPD benefits may not be less than the amount of unearned premium calculated from gross premiums in force on the pro rata basis.

(4) The claim reserves for credit A and H insurance shall be calculated using a generally accepted actuarial method or other reasonable method acceptable to the Commissioner.

**§ 73.139. Credit insurance on open end loans.**

(a) *General requirements.* Credit insurance may be provided in connection with open end loans. This insurance is provided on the outstanding balance of the indebtedness, subject to any maximum dollar amount of coverage or limited benefit period specified in the group certificate or individual policy. If no indebtedness exists, the insurance amount shall be zero and shall remain so until an advance or charge occurs under the plan. This section supersedes other provisions of this chapter to the extent that the provisions would otherwise relate to credit insurance on open end loans.

(b) *Identification.* A credit insurance program designed for use with open end loans shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Symbols.* The symbols used in this section shall have the following meaning:

(1)  $i$  = actual monthly interest rate (APR/12).

(2)  $i'$  =  $(i + .0025)$ .

(3)  $n$  =  $\log(z/(z-i))/\log(1+i)$  rounded up to an integer.

(4)  $NFC$  = gross/net conversion rate for an open end loan with the monthly benefit equal to a minimum monthly payment that is based on a percentage of the current month's balance.

(5)  $z$  = minimum monthly payment expressed as a decimal fraction.

(d) *Life benefit.* The credit life insurance benefit shall be equal to the lesser of:

(1) The amount of the outstanding balance of the indebtedness at the time of death.

(2) The maximum dollar amount of coverage specified in the group certificate or individual policy.

(e) *TPD benefit.* The TPD benefit shall be equal to the lesser of:

(1) The amount of the outstanding balance of the indebtedness at the commencement of the TPD plus the amount any monthly interest accruing on the net unpaid indebtedness from the date TPD commences until the date the TPD benefit is paid.

(2) The maximum dollar amount of coverage specified in the group certificate or individual policy.

(f) *A and H and involuntary unemployment benefit.* The minimum monthly insurance benefit for A and H insurance and involuntary unemployment insurance shall be equal to the lesser of:

(1) The minimum loan payment for the month in which disability or unemployment commences, excluding indebtedness incurred after the disability or unemployment commences and repayments made during the month in which disability or unemployment commences.

(2) The maximum monthly dollar amount of coverage specified in the group certificate or individual policy.

(g) *A and H and involuntary unemployment premium rates.* If the A and H and involuntary unemployment premium rates are based on the net outstanding balance, the premium rates shall be determined as follows:

(1) If the benefit amount is based on a percentage of the current month's balance and the benefit is paid until the indebtedness existing at the time of disability or involuntary unemployment, including accrued interest, is repaid, the following adjustment shall be made:

(i) The monthly outstanding balance prima facie rates published in the *Pennsylvania Bulletin* shall be converted from rates to be applied to gross monthly outstanding balance, to rates to be applied to the net monthly outstanding balance. The following formula may be used:

$$NFC = (n/a_{ni'}) (Op_n)$$

(ii) Each creditor shall have its A and H and involuntary unemployment rate based on the creditor's minimum repayment schedule and current annual percentage rate. The insurer shall review the minimum monthly installment and annual percentage rate of each creditor at least annually. If there is a change in the minimum repayment percentage or the annual percentage rate, and the resulting premium rate is greater than the current premium rate, the insurer may adjust the rate. If the resulting rate is lower than the current premium rate, the insurer shall adjust the rate if the change results in a rate reduction of greater than 5%.

(iii) Either the actual interest rate used in calculating the loan or interest rate intervals may be used when converting the gross premium prima facie rates published in the *Pennsylvania Bulletin* in accordance with subparagraphs (i) and (ii). When interest intervals are used, the monthly interest rate "i" shall be set equal to the midpoint of the range. The interest rate intervals shall be set so as to include all interest rates that produce the same loan duration for a specified playback percentage. The insurer shall include with the premium rate filing, required by § 73.136, a complete description of the method and formulas used to determine the interest rate intervals.

(2) For a benefit plan that is different than the plan described in paragraph (1), the insurer shall include with the premium rate filing, a description of the method and formulas used to determine the coverage period and benefit period, and a description of the method and formulas used to adjust the gross outstanding balance rates for a full coverage period and a full benefit period to net outstanding balance rates for the appropriate coverage period and benefit period. The insurer shall include the actuarial justification of the method.

(h) *Furnishing of forms.* Forms required to be furnished to a debtor as evidence of coverage need be furnished only once for each open end loan and may remain in force until terminated.

(i) *Assumption of coverage.* If an existing group policy providing insurance coverage in connection with open end loans is assumed by another insurer, the assuming insurer shall issue a replacement certificate to each existing certificate holder.

(j) *Premium refund.* Refund of premiums is not required in the event of termination of the coverage, except with respect to the termination of credit A and H, credit involuntary unemployment or credit voluntary unemployment insurance as provided in § 73.127(a)(2) (relating to refunds).

**§ 73.140. Credit insurance on closed end variable interest loans.**

(a) *General requirements.* Credit insurance may be provided in connection with closed end variable interest loans. This section supersedes other provisions of this

chapter to the extent that the provisions would otherwise relate to credit insurance on closed end variable interest loans.

(b) *Identification.* A credit insurance program designed for use with closed end variable interest loans shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Disclosure.* If premiums are payable on a single premium basis and life insurance coverage is provided, the individual policy or group certificate shall contain a disclosure that the insurance benefit may end prior to the maturity date of the loan. If premiums are payable on a single premium basis and A and H, involuntary unemployment or voluntary unemployment insurance coverage is provided, the individual policy or group certificate shall contain a disclosure that the insurance benefits may not be sufficient to pay the entire amount of the periodic loan payment or may end prior to the maturity date of the loan. The disclosure shall appear in prominent type on the first page of the individual policy or group certificate.

(d) *Benefit amount.* Subject to any policy limitations, if premiums are payable on a single premium basis, the monthly A and H insurance benefit and the involuntary unemployment insurance benefit shall equal the amount of the original monthly installment payment. Subject to any policy limitations, if premiums are payable on a monthly outstanding balance basis, the monthly A and H and involuntary unemployment insurance benefits shall equal the amount of the monthly installment payment amount on the day disability or unemployment began.

(e) *Coverage term.* If premiums are payable on a single premium basis, the term of the insurance shall extend until the original scheduled maturity date of the indebtedness, unless coverage terminates earlier in accordance with the policy or certificate provisions. If the term of the insurance extends to the original scheduled maturity date of the indebtedness, it may be extended for an additional 2 months to cover delinquencies or extensions due to increased interest rates. If premiums are payable on a monthly basis, the term of the insurance shall extend until the loan is repaid, unless coverage terminates earlier in accordance with the policy or certificate provisions.

(f) *Refund.* A refund of any unearned premiums shall be made as provided in § 73.127 (relating to refunds) if the indebtedness is prepaid prior to the original scheduled maturity date of the indebtedness as a result of a decline in interest rates. The refund shall be based on the term and interest rate applicable at the inception of the loan and the actual elapsed term.

(g) *Premium determination.* If premiums are payable on a single premium basis, the premium shall be based on the expected amount and term of coverage, in consideration of the amount financed, the expected loan term and the interest rate applicable to the loan at the time the insurance is elected.

**§ 73.141. Credit insurance on lease transactions.**

(a) *General requirements.* Credit insurance may be provided in connection with lease transactions. This section supersedes other provisions of this chapter to the extent that the provisions would otherwise relate to credit insurance on lease transactions.

(b) *Identification.* Any credit insurance program designed for use with lease transactions shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Lease filing.* Insurers shall file a lease form and lease worksheet for each total monthly lease payment calculation method. An insurer, which has received approval of filed insurance forms, premiums and refund calculations for use with a particular monthly lease payment calculation method, may use the approved forms, premiums and refund calculations with any lease form providing for the same method. Approved insurance forms may be used with a different total monthly lease payment calculation method if the insurer files the lease form and receives approval of premium and refund calculations. The premium and refund calculations shall be consistent with the manner in which the newly filed total monthly lease payment is calculated.

(d) *Lease payment methodology.* Insurers shall include with the premium rate filing the methodology for calculating the actual monthly lease payment, including factors such as taxes, depreciation, interest, insurance premiums and service fees.

(e) *Coverage basis.* The decreasing credit life insurance benefit or credit life insurance with TPD benefit shall equal the decreasing term lease insurance amount, as defined in § 73.103 (relating to definitions). If the residual amount of a lease transaction is insured, the insurance shall be provided on a level term basis.

(f) *Benefit amount.* The monthly A and H insurance benefit and the involuntary unemployment insurance benefit shall equal the amount of each monthly lease payment, subject to any maximum monthly benefit specified in the group policy and group certificate or individual policy. No credit A and H or involuntary unemployment insurance may be provided on the residual amount.

(g) *Payment to beneficiary.* If the credit life or TPD proceeds are applied to continue lease payments, the difference between the sum of the remaining payments plus the amount of level insurance, if applicable, and the sum of the present value of the remaining payments plus the present value of the residual payment, if applicable, shall be paid to the named beneficiary or the estate of the debtor regardless of whether the benefit is paid to the creditor as a lump sum or in installments. The present value shall be calculated using an interest rate not less than 5%.

(h) *Single premium calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis, the single premium shall equal the sum of the following:

(1) The single premium for decreasing insurance with an amount of initial insured indebtedness equal to the initial amount of decreasing lease insurance, as defined in § 73.103, and with a number of equal monthly installments equal to the number of months in the lease term, less the number of monthly installments paid at the beginning of the lease.

(2) The single premium for level insurance with an amount of insurance equal to the amount of level lease insurance, as defined in § 73.103, and with a number of monthly installments equal to the number of months in the lease term.

(i) *Single premium formula filing.* Every insurer shall submit its formula for calculating the single premiums for the life, life with TPD, A and H, involuntary unemployment and voluntary unemployment insurance coverages consistent with the calculation of the monthly lease payment.

**§ 73.142. Credit insurance on fixed residual loans.**

(a) *General requirements.* Credit insurance may be provided in connection with motor vehicle fixed residual value financing. This section supersedes other provisions of this chapter to the extent that the provisions would otherwise relate to credit insurance on fixed residual loans.

(b) *Identification.* A credit insurance program designed for use with fixed residual value financing shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Filing requirement.* Every insurer shall file a fixed residual value financing loan form and the formula demonstrating the manner in which the actual installment payment will be calculated for each installment payment calculation method.

(d) *Level life coverage.* If the fixed residual value amount is insured, life insurance coverage shall be provided on a level term basis.

(e) *A and H and involuntary unemployment coverage.* The monthly A and H insurance benefit and the involuntary unemployment insurance benefit may not exceed the amount of each monthly installment payment. No credit A and H or involuntary unemployment insurance may be provided on the residual amount.

(f) *Single premium gross calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis, when the benefit is the gross unpaid indebtedness, the single premium shall equal the sum of the single premium for decreasing insurance with an amount of initial insured gross unpaid indebtedness equal to the sum of the schedule of installment payments and the single premium for level insurance with an amount of insurance equal to the fixed residual value.

(g) *Single premium net calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis, when the benefit is the net unpaid indebtedness, the single premium shall equal the sum of the single premium for decreasing insurance based on an initial amount financed minus an amount equal to the fixed residual value, and the single premium for level insurance with an amount of insurance equal to the fixed residual value.

(h) *Payment to beneficiary.* If the insurance benefit is the gross unpaid indebtedness, and if the life insurance or TPD proceeds are applied to continue the installment, the group policy and group certificate or individual policy providing the coverage shall provide that the difference between the sum of the remaining payments plus the amount of level insurance, if applicable, and the sum of the present value of the remaining payments plus the present value of the fixed residual value payment, if applicable, shall be paid to the named beneficiary or the estate of the debtor, regardless of whether the benefit is paid to the creditor as a lump sum or in installments. The present value shall be calculated using an interest rate of at least 5%.

**§ 73.143. Credit insurance on balloon loans.**

(a) *General requirements.* Credit insurance may be provided in connection with balloon loans. This section supersedes other provisions of this chapter to the extent that the provisions would otherwise relate to credit insurance on balloon loans.

(b) *Identification.* Any credit insurance program designed for use with balloon loans shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing for forms and rates).

(c) *Disclosure.* Every individual policy or group certificate shall contain a disclosure that neither the A and H nor the involuntary unemployment insurance benefit is provided on the balloon amount of the loan. The disclosure shall appear in prominent type on the first page of the individual policy or group certificate.

(d) *Benefit amount.*

(1) For credit life insurance or credit life insurance with TPD benefit, the balloon amount shall be included in determining the amount of gross unpaid indebtedness or net unpaid indebtedness.

(2) For credit A and H, involuntary unemployment or voluntary unemployment insurance, no monthly benefit may be provided on the balloon amount.

(e) *Life insurance single premium gross calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis when the benefit is the gross unpaid indebtedness, the single premium shall equal the sum of the single premium for the decreasing insurance with an amount of initial insured gross unpaid indebtedness equal to the actual amount of initial insured gross unpaid indebtedness minus the balloon amount and the single premium for level insurance with an amount of insurance equal to the balloon amount.

(f) *Life insurance single premium net calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis when the benefit is the net unpaid indebtedness, the single premium shall equal the sum of the single premium for the decreasing insurance based on the initial amount financed minus the balloon amount and the single premium for level insurance with an amount of insurance equal to the balloon amount.

[Pa.B. Doc. No. 98-447. Filed for public inspection March 20, 1998, 9:00 a.m.]

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

#### [40 PA. CODE CHS. 3, 5, 13 AND 15]

#### License Applications; Duties and Rights of Licensees; Promotion; Special Rules of Administrative Practice and Procedure Regarding Matters Before the Office of Administrative Law Judge

The Liquor Control Board (Board) under the authority of section 207(i) of the Pennsylvania Liquor Code (47 P. S. § 2-207(i)), adopts amendments to §§ 3.52, 5.91, 13.102 and 15.42.

The Board's regulations amended by this order will achieve the following:

Section 3.52 (relating to connection with other business) will prohibit licensees from conducting another business on the licensed premises without Board approval.

Section 5.91 (relating to required report) will require clubs to report a change of officers only at license renewal and a change of manager or steward on an annual basis at license renewal and at license validation.

Section 13.102 (relating to discount pricing practices) will delete the meal package exception to the "happy hour" restrictions and shorten the time frame for restaurants and hotels making arrangements for catered events to 24 hours from 48 hours.

Section 15.42 (relating to waiver of hearing or appeal) will eliminate the need for clubs and corporations to file a resolution with a waiver of hearing in citation cases.

*Comments*

Notice of proposed rulemaking was published at 27 Pa.B. 5430 (October 18, 1997), with a 30 day written public comment period. Written comments were received from the Independent Regulatory Review Commission (IRRC) and from two attorneys relative to the proposed addition of subsection (c) to § 7.7(c) (relating to approval of a transfer of license). The purpose of subsection (c) was to fix responsibility for violations occurring after the Board grants the license transfer but before actual conveyance of the business has taken place at settlement. As proposed, once the Board granted the license transfer, the conduct of the licensed establishment became the responsibility of the new licensee.

The attorneys expressed concerns regarding the operation of the licensed establishment having to cease while a hurried settlement was arranged. An argument was made that time was needed for adequate preparation for a closing, including funding for the transaction. A second argument was made relative to financing of the transaction not being approved before approval of the license transfer thereby making the proposed regulation "... inconvenient and impractical and not in the best interests of the parties involved in the transfer."

The Board responded that the expeditious approval of a license transfer and subsequent timely settlement has always been the expressed desire of licensees and applicants. Furthermore, although sales of alcoholic beverages by the party selling the licensed business must cease, the operation of a restaurant, hotel or golf course as the case might be, could continue. Moreover, the Board does not approve the transfer of a license unless it can be demonstrated to its Bureau of Licensing that proper financing is available to complete the transaction. Existing Board regulations require that the transferee exhibit a deed, lease or bill of sale for the premises and that the purchase price of the business, either in the form of cash or legal obligation as security for the purchase price, shall be held in escrow by an attorney or financial institution. (40 Pa. Code § 7.2).

IRRC agreed that the proposed language in § 7.7(c) is consistent with the Board's statutory authority and the Board's position that there can be only one licensee. IRRC expressed concern that the proposed subsection will cause unnecessary and unreasonable disruptions in the services that licensed businesses provide to their customers and that it may also place unreasonable responsibility on a

new licensee for Liquor Code violations at a business that it does not yet own or operate.

IRRC recommended that the Board revise the subsection and related provisions in the same chapter to allow for greater flexibility in license transfers. IRRC offered an example and encouraged an examination of alternatives that would provide for a smoother transition between old and new licensees.

After considering the recommendations of IRRC, the Board decided that the proposal to add § 7.7(c) should be withdrawn.

No other comments either in support of or in opposition to the proposed regulations were received by the Board during the public comment period.

*Fiscal Impact*

These final-form regulations will not impose additional costs on the regulated community, State or local governments.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 6, 1997, the Board submitted a copy of the notice of proposed rulemaking to IRRC and the Chairpersons of the House Committee on Liquor Control and the Senate Committee on Law and Justice for review and comment. These final-form regulations were submitted to the Chairpersons of the Senate Committee on Law and Justice and the House Committee on Liquor Control and IRRC on January 16, 1998.

These final-form regulations were deemed approved by the House Committee on Liquor Control and the Senate Committee on Law and Justice on February 5, 1998, and were approved by IRRC on February 13, 1998, in accordance with section 5.1(c) of the Regulatory Review Act.

*Contact Person*

Persons requiring an explanation of the final-form regulations, or information related thereto should contact Jerry Danyluk, Liquor Control Board, Room 401, North-west Office Building, Harrisburg, PA 17124-0001.

*Findings*

The Board finds that:

(1) Public notice of intention to adopt amendments to the administrative regulations as amended by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the final-form regulations set forth in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Board, acting under the enabling statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapters 3, 5, 13 and 15, are amended by amending §§ 3.52, 5.91, 13.102 and 15.42 to read as set forth at 27 Pa.B. 5430.



*(Editor's Note:* The proposal to amend § 7.7 has been withdrawn by the Board).

(b) The Board shall submit this order and 27 Pa.B. 5430 to the Office of the Attorney General for approval as to form and legality as required by law.

(c) The Board shall certify this order and 27 Pa.B. 5430 and deposit them with the Legislative Reference Bureau as required by law.

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

JOHN E. JONES, III,  
*Chairperson*

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 1185 (February 28, 1998).)

**Fiscal Note:** Fiscal Note 54-51 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 98-448. Filed for public inspection March 20, 1998, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE BOARD OF PSYCHOLOGY

[49 PA. CODE CH. 41]

### Sexual Intimacies

The State Board of Psychology (Board) proposes to amend § 41.1 (relating to definitions) and to adopt §§ 41.81—41.85 (relating to sexual intimacies) to read as set forth in Annex A.

#### *Background*

Under Ethical Principle 6(b) of the Code of Ethics for psychologists practicing in this Commonwealth, § 41.61, psychologists are advised that “[s]exual intimacies with clients are unethical.” Despite this clear pronouncement, complaints are filed against psychologists every year by consumers who suffer emotional harm by psychologists who violate this Ethical Principle.

In the past, psychologists have attempted to defend against prosecutions brought under Ethical Principle 6(b) by arguing that: (1) the psychologist/client relationship had terminated prior to the commencement of any sexual relationship; (2) the psychologist had ceased billing the client/patient throughout the duration of the sexual relationship; (3) the client/patient had initiated the relationship; and (4) the psychologist did not engage in “sexual intercourse” with the client/patient during the therapeutic relationship. The latter argument assumed that “sexual intimacies” within the meaning of Ethical Principle 6(b) was limited to “sexual intercourse.”

The proposed amendments seek to better protect consumers of psychological services and to provide guidance to the profession by defining the terms “client/patient,” “professional relationship,” “psychologist” and “sexual intimacies,” and by providing specific guidance to psychologists on issues relating to: (1) sexual intimacies with current client/patients, immediate family members of current client/patients, students, supervisees or research participants; (2) sexual intimacies with former client/patients or an immediate family member of a former client/patient; and (3) former sexual partners as client/patients. The proposed amendments also seek to put psychologists on notice that the consent of an individual to engage in sexual intimacies with the psychologist may not be a defense in any disciplinary proceeding brought under §§ 41.81—41.83, and that a psychologist who engages in conduct prohibited by the proposed amendments will not be eligible for placement into an impaired professional program in lieu of disciplinary or corrective action.

#### *Compliance with Executive Order 1996-1, Regulatory Review and Promulgation*

In compliance with Executive Order 1996-1, prior to drafting these proposed amendments, the Board extended an invitation to the following associations to participate in preliminary discussions relative to the proposed amendments: Delaware County Association of School Psychologists, Laurel Mountains Psychological Association, Hospital Association of Pennsylvania, Pennsylvania Psychological Association, Pennsylvania Mental Health Consumers Association, Association of School Psychologists of Pennsylvania, National Association of School Psychologists, Academy of Psychologists Engaged in Private Prac-

tice in the Lehigh Valley, Berks Area Psychological Society, Central Pennsylvania Psychological Association, Greater Pittsburgh Psychological Association, Harrisburg Area Psychological Association, Lancaster/Lebanon Psychological Association, Lehigh Valley Psychological Association, Mideast PA School Psychological Association, Northeastern PA Psychological Association, Northwestern PA Psychological Association, Philadelphia Society of Clinical Psychologists and the Philadelphia Neuropsychology Society.

These same associations were subsequently extended an opportunity to preliminarily review and comment on the Board’s draft regulatory proposal. In addition, a copy of the Board’s draft regulatory proposal was made available for comment to at least 450 attendees of the June 1997 Pennsylvania Psychological Association’s Annual meeting in Harrisburg.

In formulating this proposal, the Board reviewed and considered all comments and suggestions received by interested parties during the regulatory development process.

#### *Description of Proposed Amendments*

##### *§ 41.1 (relating to definitions).*

Definitions are proposed to be added to § 41.1 for the terms “client/patient,” “professional relationship,” “psychologist” and “sexual intimacies.” As proposed, the term “client/patient” would be defined to mean: A person, system, organization, group or family for whom a psychologist provides psychological services. In the case of individuals with legal guardians, including minors and legally incapacitated adults, the legal guardian shall be the client/patient for issues specifically reserved to the individual, such as confidential communications in a therapeutic relationship and issues directly affecting the physical or emotional safety of the individual, such as sexual or other exploitive dual relationships.

The term “professional relationship” would be defined to mean: A therapeutic relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between a psychologist and a client/patient and continuing thereafter until the last date of a professional service. If a psychologist sees a client/patient on an intermittent basis, the professional relationship shall be deemed to start anew on each date that the psychologist provides a professional service to the client/patient. Reference to “professional relationship” is found in proposed § 41.83 (relating to sexual intimacies with former client/patients or an immediate family member of a former client/patient). The definition is intended to provide guidance to psychologists on the issue of when a client/patient relationship terminates, if ever. As proposed, if a psychologist sees a client/patient on an intermittent basis, the professional relationship would be deemed to start anew on each date that the psychologist provides a professional service to the client/patient.

The proposal would define “psychologist” to mean a person who holds a license issued under the act to engage in the practice of psychology. Although the Professional Psychologists Practice Act (act) (63 P. S. §§ 1201.1—1218) empowers the Board to license and regulate psychologists, the term “psychologist” is not defined by the act.

Finally, the term “sexual intimacies” would be defined to include any romantic, sexually suggestive, sexually

demeaning or erotic behavior. Examples of this behavior includes but is not limited to, sexual intercourse, nontherapeutic verbal communications, inappropriate nonverbal communications, sexual invitations, soliciting a date from a client/patient, masturbating in the presence of a client/patient (or encouraging a client/patient to masturbate in the presence of the psychologist), exposure, kissing, inappropriate hugging or touching or any other inappropriate physical contact or inappropriate self-disclosure. The definition is intended to emphasize that "sexual intimacies" within the context of Ethical Principle 6(b) includes not only sexual intercourse but, also, any other type of inappropriate sexualized behavior or nontherapeutic touch.

*§ 41.81 (relating to prohibited conduct).*

Proposed § 41.81(a) addresses the issue of sexual intimacies between a psychologist and a current client/patient or an immediate family member of a current client/patient, such as, parent/guardian, child or spouse. Subsection (b) addresses sexual intimacies between psychologists and persons over whom they have current supervisory, evaluative or other authority.

As proposed, subsection (a) would outright prohibit an intimate relationship between a psychologist and a current client/patient or an immediate family member of a current client/patient. The sole goal of the therapeutic alliance is to help the patient. During the therapeutic relationship, trust, openness and empathy are promoted, dependency often develops and confidences are fostered. For sexual intimacies to intrude upon this relationship, distorts therapy, creates unrealistic expectations and shame in the patient, and exploits the patient's trust and dependency. Proposed subsection (a) seeks to reinforce the prohibition against sexual intimacies with clients announced in Ethical Principle 6(b), and to extend the prohibition to immediate family members of a current client/patient.

Ethical Principle 6(b) of the Code of Ethics, also directs psychologists to avoid relationships which might impair their professional judgment or increase the risk of exploitation. Consistent with this directive, proposed subsection (b) would prohibit sexual intimacies between psychologists and persons over whom they have current supervisory, evaluative or other authority. These persons would include students, supervisees or research participants.

*§ 41.82 (relating to former sexual partners as client/patients).*

Proposed § 41.82 addresses the issue of former sexual partners as client/patients. For reasons similar to those which support the outright ban of sexual intimacies with current client/patients, the proposal would prohibit psychologists from accepting as client/patients persons with whom they have engaged in sexual intimacies. This prohibition is consistent with a new provision added to the 1992 Ethics Code of the American Psychological Association.

*§ 41.83 (relating to sexual intimacies with former client/patients or an immediate family member of a former client/patient).*

Proposed § 41.83 addresses the issue of sexual intimacies with a former client/patient or an immediate family member of a former client/patient.

As proposed, subsection (a) would establish an absolute prohibition against this conduct for a period of at least 2 years following the termination of the professional relationship. The phrase "termination of the professional

relationship" is key. If a psychologist sees a patient on only a periodic basis, the 2 year period would not begin to run until the last date of professional service. Any professional contact or service thereafter, for example, telephone contacts, brief consults or providing psychological reports about the client/patient, would restart the 2-year period.

Proposed subsection (b) addresses behavior after 2 years. As proposed, following the passage of the 2-year period, psychologists who engage in sexual intimacies with former client/patients or immediate family members of former client/patients will have the burden of demonstrating that there has been no exploitation of the client/patient in light of all relevant factors including: (1) the amount of time that has passed since the professional relationship terminated; (2) the nature and duration of the therapy; (3) the circumstances of termination; (4) the client/patient's personal history, such as, unique vulnerabilities; (5) the client/patient's current mental status; (6) any statements or actions made by the psychologist during the course of therapy suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the client/patient; and (7) the likelihood of adverse impact on the client/patient and others.

The intent of subsection (b) is not to suggest that sexual intimacies between a psychologist and a former client/patient or immediate family member of a former client/patient are always acceptable after 2 years. On the contrary, the proposal is a very restrictive rule which contemplates that sexual involvement after 2 years would occur only under very limited circumstances. After 2 years, the onus would be on the psychologist who engages in the activity to demonstrate that there has been no exploitation of the client/patient in light of all relevant factors, including the seven enumerated factors in subsection (b).

The proposal outlined in § 41.83 is consistent with the Ethics Code of the American Psychological Association.

*§ 41.84 (relating to disciplinary proceedings).*

Proposed § 41.84 would address procedural issues in disciplinary proceedings before the Board.

As proposed, the section would be divided into three subsections, (a)—(c). Proposed subsection (a) would put psychologists on notice that the consent of an individual to engage in sexual intimacies with the psychologist may not be a defense in a disciplinary action brought under §§ 41.81—41.83. Courts have traditionally rejected these arguments on two grounds: (1) that consent in these instances cannot be voluntary or informed because it is affected by the powerful transference created by therapy; and (2) that as a matter of public policy, a patient cannot consent to unprofessional forms of treatment. Stromberg, Clifford D. and his colleagues of the law firm of Hogan & Hartson, "Physical Contact and Sexual Relations with Patients," *The Psychologist's Legal Handbook*, Chapter 8, § 8.07 (1988).

Proposed subsection (b) would similarly put psychologists on notice that, with the exception of information contained in a professional record, neither opinion evidence, reputation evidence nor specific instances of the past sexual conduct of an individual may be admissible in any disciplinary action brought under §§ 41.81—41.83. With one exception, this provision, as proposed, is consistent with the Pennsylvania's Rape Shield Law, 18 Pa.C.S.

§ 3104 (relating to evidence of victim's sexual conduct). The Rape Shield Law allows evidence of an alleged victim's past sexual conduct with the defendant when the consent of the victim is at issue. Proposed § 41.82 would prohibit a psychologist from accepting as a client/patient a person with whom he has engaged in sexual intimacies. Proposed § 41.84 would bar consent as a defense in any proceeding before the Board. Thus, the Rape Shield Law exception would not be germane to Board disciplinary proceedings.

Proposed subsection (c) would put psychologists on notice that in a disciplinary proceeding brought under §§ 41.81—41.83, the psychologist has the burden of proving that there has been no exploitation of the client/patient in light of all of the relevant factors enumerated under § 41.83(b)(1)—(7).

§ 41.85 (relating to impaired professional program).

Under section 18(b) of the act (63 P. S. § 1218(b)), the Board is empowered to defer and ultimately dismiss any types of corrective action that the Board may otherwise impose against a psychologist who violates the act or regulations of the Board, for an impaired professional. Proposed § 41.85 would put psychologists on notice that they would be ineligible for placement into an impaired professional program in lieu of disciplinary or corrective action for engaging in conduct prohibited by proposed §§ 41.81—41.83.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 10, 1998, the Board submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Committee on Professional Licensure and the Senate Committee on Consumer Protection and Professional Licensure. In addition to submitting the proposed amendments, the Board has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

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

*Fiscal Impact and Paperwork Requirements*

The proposed amendments should have no fiscal impact on the Commonwealth or its political subdivisions. Likewise, the proposed amendments should not necessitate any legal, accounting, reporting or other paperwork requirements.

*Statutory Authority*

The amendments are proposed under the authority of section 3.2(2) of the act (63 P. S. § 1203.2(2)).

*Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to Jackie Wiest Lutz, Counsel, State Board

of Psychology, 116 Pine Street, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking.

YVONNE E. KEAIRNS, Ph.D.,  
*Chairperson*

**Fiscal Note:** 16A-633. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 41. STATE BOARD OF PSYCHOLOGY  
GENERAL**

**§ 41.1. Definitions.**

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

\* \* \* \* \*

**[ Client ] Client/patient**—A person, system, organization, group or family for whom a psychologist provides psychological services. **In the case of individuals with legal guardians, including minors and legally incapacitated adults, the legal guardian shall be the client/patient for decision making purposes. The minor, legally incapacitated adult or other person actually receiving the service shall be the client/patient for issues specifically reserved to the individual, such as confidential communications in a therapeutic relationship and issues directly affecting the physical or emotional safety of the individual, such as sexual or other exploitive dual relationships.**

\* \* \* \* \*

**Professional relationship**—A therapeutic relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between a psychologist and a client/patient and continuing thereafter until the last date of a professional service. **If a psychologist sees a client/patient on an intermittent basis, the professional relationship shall be deemed to start anew on each date that the psychologist provides a professional service to the client/patient.**

\* \* \* \* \*

**Psychologist**—A person who holds a license issued under the act to engage in the practice of psychology.

\* \* \* \* \*

**Sexual intimacies**—Any romantic, sexually suggestive, sexually demeaning or erotic behavior. **Examples of this behavior include, but are not limited to, sexual intercourse, nontherapeutic verbal communications, inappropriate nonverbal communications, sexual invitations, soliciting a date from a client/patient, masturbating in the presence of a client/patient (or encouraging a client/patient to masturbate in the presence of the psychologist), exposure, kissing, inappropriate hugging or touching or any other inappropriate physical contact or inappropriate self disclosure.**

## SEXUAL INTIMACIES

## § 41.81. Prohibited conduct.

(a) Sexual intimacies between a psychologist and a current client/patient or an immediate family member of a current client/patient (for example, parent/guardian, child and spouse) are prohibited.

(b) Sexual intimacies with persons over whom psychologists have current supervisory, evaluative or other authority are prohibited. These persons include students, supervisees or research participants.

## § 41.82. Former sexual partners as client/patients.

Psychologists may not accept as client/patients persons with whom they have engaged in sexual intimacies.

## § 41.83. Sexual intimacies with former client/patients or an immediate family member of a former client/patient.

(a) Sexual intimacies between a psychologist and a former client/patient or an immediate family member of a former client/patient are prohibited for at least 2 years following the termination of the professional relationship, and then only under very limited circumstances.

(b) Following the passage of the 2-year period, psychologists who engage in sexual intimacies with former client/patients or immediate family members of former client/patients shall have the burden of demonstrating that there has been no exploitation of the client/patient in light of all relevant factors, including:

- (1) The amount of time that has passed since the professional relationship terminated.
- (2) The nature and duration of the therapy.
- (3) The circumstances of termination.
- (4) The client/patient's personal history (for example, unique vulnerabilities).
- (5) The client/patient's current mental status.

(6) Statements or actions made by the psychologist during the course of therapy suggesting or inviting the possibility of a posttermination sexual or romantic relationship with the client/patient.

(7) The likelihood of adverse impact on the client/patient and others.

## § 41.84. Disciplinary proceedings.

(a) The consent of an individual to engage in sexual intimacies with the psychologist may not be a defense in any disciplinary action brought under §§ 41.81—41.83 (relating to prohibited conduct; former sexual partners as client/patients; and sexual intimacies with former client/patients or an immediate family member of a former client/patient).

(b) With the exception of information contained in a professional record, neither opinion evidence, reputation evidence nor specific instances of the past sexual conduct of an individual may be admissible in any disciplinary action brought under §§ 41.81—41.83.

(c) In a disciplinary proceeding brought under §§ 41.81—41.83, the psychologist shall have the burden of proving that there has been no exploitation of the client/patient in light of all of the relevant factors enumerated under § 41.83(b)(1)—(7).

## § 41.85. Impaired professional program.

When the Board takes disciplinary or corrective action against a psychologist under section 8(a) of the act (63 P. S. § 1208(a)) for conduct prohibited by §§ 41.81—41.83 (relating to prohibited conduct; former sexual partners as client/patients; and sexual intimacies with former client/patients or an immediate family member of a former client/patient), the psychologist will not be eligible for placement into an impaired professional program in lieu of disciplinary or corrective actions.

[Pa.B. Doc. No. 98-449. Filed for public inspection March 20, 1998, 9:00 a.m.]

# STATEMENTS OF POLICY

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 69]

[M-971032]

### Electric Distribution Utility Rates, Rules, Regulations and Practices

The Pennsylvania Public Utility Commission (Commission) on December 18, 1997, adopted a proposed policy statement to state the Commission's interpretation of the effect of the enactment of Chapter 28 of the Public Utility Code upon existing or future rates, rules, regulations or practices of local distribution utilities and conformance with State policies, supervision and market power remediation requirements. The contact person is John Levin, Assistant Counsel, Law Bureau, (717) 787-5978.

*Commissioners Present:* John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson, Concurring in result; John Hanger; David W. Rolka; Nora Mead Brownell

Public Meeting held  
December 18, 1997

#### Proposed Policy Statement

*By the Commission:*

This proposed policy statement interprets the effect of 66 Pa.C.S. Chapter 28 and its provisions directing the establishment of a new, vibrant and effective competitive market in electricity generation in this Commonwealth by January 1, 2001 on those competitive issues which may be raised with respect to the rates, rules, regulations, conditions of service and practices of electric generation suppliers and electric distribution utilities.

With the passage of Chapter 28 on December 3, 1996, the General Assembly amended the Public Utility Code and established a comprehensive scheme for the restructuring of the Pennsylvania electric industry. Prior to the enactment of Chapter 28, electricity was provided by utilities which were essentially vertically integrated companies responsible for supplying generation, transmission and distribution of electricity to electricity customers within their service area. Interstate transmission rates and conditions of service were governed by the Federal Energy Regulatory Commission (FERC), under the Federal Power Act (16 U.S.C. §§ 791a—825r) while generation, intraState transmission and distribution services were regulated as to rates, terms and conditions by the Commission. Rates were generally determined by utilizing a traditional rate base/rate of return ratemaking methodology. The rate regulation in theory establishes just and reasonable rates and provides the regulated utility with an opportunity to recover its expenses and a fair return on its investment in public utility property devoted to the public service.

With the issuance of Order 888, Order No. 888, 61 FR 21,540 (May 10, 1996), FERC Stats. & Regs. ¶31,036 (1996), FERC restructured the transmission industry, opening it to equal and open access by anyone who might wish to transport electricity, setting the stage for the creation of a competitive market in electricity by anyone who had generation and wished to sell it. FERC also asserted jurisdiction over what were previously consid-

ered to be State regulated transmission facilities. In effect, FERC invited the states to establish a retail competitive market in electricity generation. Although Order 888 did not and could not direct states to create competitive energy markets within their borders, Pennsylvania was among the first states to do so. By creating a vibrant competitive market in electricity at the retail level, the General Assembly has adopted the position that competition yields greater benefits to the public than even the most diligent and careful rate regulation. At the same time, our Legislature recognized that transmission and distribution remain natural monopolies and will likely continue to be regulated in the traditional manner by the Commission.

An integral part of the Legislative scheme of Chapter 28 is its creation of certain rights and guarantees to customers and generation suppliers of equal, nondiscriminatory direct access to the transmission and distribution network. Another integral part of the scheme is the market power remediation provisions of 66 Pa.C.S. § 2811 (relating to market power remediation).

Essential to the Legislative scheme of Chapter 28 is the role that Federal public and private antitrust enforcement will play in the development of the new retail market. In essence, the Legislature has declared that many of the broad issues related to market power remediation will be the subject of public and private antitrust actions, 66 Pa.C.S. § 2811(a)—(c). We note that the Commission has relatively broad power to investigate and rule upon proposed mergers, consolidations, acquisitions or dispositions, 66 Pa.C.S. § 2811(e), and may entertain complaints by market participants regarding specific practices alleged to be in violation of the rights created by Chapter 28. At the same time, Chapter 28 has wrought fundamental changes in the Commission's authority to approve, oversee or sanction rates, rules, conditions of service or practices which are in violation of Chapter 28's Legislative scheme and which may also be in violation of the competition and antitrust laws of the United States.

Utilities and other entities comprehensively regulated by states have long been largely immune from the antitrust laws of the United States, owing to a defense known as the state action immunity doctrine.

This defense (which has a parallel for Federally regulated monopolies), traces from *Parker v. Brown*, 317 U.S. 341 (1943), and immunizes action by a state-regulated entity which would otherwise be a violation of the antitrust laws if the action is 1) under a legitimate state policy which is expressly stated and clearly articulated and 2) is actively supervised by the state. *California Retail Liquor Dealers v. Midcal Aluminum, Inc.*, 445 U.S. 97 (1980). A recent application of the doctrine to a Pennsylvania regulated utility may be found in a series of cases starting with *Yeager Fuel, Inc. v. Pennsylvania Power and Light Co.*, 804 F. Supp. 700 (E.D.Pa. 1992), aff'd in part, rev'd in part, 22 F.3d 1260 (3d Cir. 1994), on remand, 953 F.Supp. 617 (E.D.Pa. 1997).

It is the responsibility of utilities, in the first instance, to conform their rates, rules and practices to the laws of the Commonwealth and the United States. It should be recognized by all that the ground rules for regulation of electric utilities have been fundamentally altered by the enactment of Chapter 28. The proposed policy statement recognizes Chapter 28's effect upon the prior regulatory scheme and provides a way for utilities or others who

may wish to determine the effect of the changes to obtain an interpretation from the Commission as to whether contested or potentially contested rates, rules, regulations or practices are in conformance with the clearly articulated policies of the Commonwealth of Pennsylvania and are under continuing, active supervision.

Accordingly, under 66 Pa.C.S. §§ 501, 502, 504, 505, 506, 508, 701, 1301, 1304, 1501, 1502, 1505, 1701—1705, 2101—2107 and 2801—2811, and the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1201 et seq.) and the regulations promulgated thereunder at 1 Pa.Code §§ 7.1—7.4, we propose adoption of the policy statement to read as set forth in Annex A.

*Therefore, It Is Ordered that:*

1. A proceeding shall be initiated to consider the proposed policy statement in Annex A.

2. This order and Annex A shall be published in the *Pennsylvania Bulletin*. Interested persons may submit written comments, an original and 15 copies, to Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, and shall have 30 days from the date the order is published in the *Pennsylvania Bulletin* to submit comments. Commentors are strongly encouraged, if suggesting changes or additions to the proposed policy statement, to supply alternative interpretive language. A diskette containing the comments in electronic format should also be provided to the Commission.

3. A copy of this order and Annex A shall be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, all members of the Competitive Safeguards Working Group, all jurisdictional electric companies, all licensed electric providers and the Pennsylvania Electric Association.

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

JAMES J. MCNULTY,  
*Secretary*

**Fiscal Note:** 57-194. No fiscal impact; (8) recommends adoption.

#### **Annex A**

### **TITLE 52. PUBLIC UTILITIES**

#### **PART I. PENNSYLVANIA PUBLIC UTILITY COMMISSION**

##### **Subpart C. FIXED SERVICE UTILITIES**

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

### **POLICY AND SUPERVISION OVER ELECTRIC RATES, RULES, REGULATIONS AND PRACTICES**

#### **§ 69.421 Electric rates, rules, regulations and practices.**

(a) Utilities have long been subject to pervasive regulation by the Commonwealth with regard to their rates, rules, regulations and practices. With the enactment of 66 Pa.C.S. Chapter 28 (Act) (relating to restructuring of electric utility industry), the General Assembly has comprehensively restructured the electric industry and has decreed the establishment of an open and vibrant competitive market in electricity generation within this Commonwealth. While the Commission has certain obligations

and jurisdiction to enforce the rights and obligations of the provision of equal and nondiscriminatory direct access within this Commonwealth and to remediate excessive market power, the act provides that the General Assembly intends that much market power remediation litigation will be conducted in the courts of the United States through public and private actions.

(1) Utilities and other comprehensively State-regulated entities have long been largely immune from the antitrust laws of the United States, owing to a defense known as the "state action immunity" doctrine.

(2) This defense traces from *Parker v. Brown*, 317 U. S. 341 (1943), and immunizes action by a state-regulated entity which would otherwise be a violation of the antitrust laws if the action is pursuant to a legitimate state policy which is expressly stated and clearly articulated and is actively supervised by the state. *California Retail Liquor Dealers v. Midcal Aluminum, Inc.*, 445 U. S. 97 (1980). A recent application of the doctrine to a Pennsylvania regulated utility may be found in a series of cases starting with *Yeager Fuel, Inc. v. Pennsylvania Power and Light Co.*, 804 F. Supp. 700 (E.D.Pa. 1992), *aff'd in part, rev'd in part*, 22 F.3d 1260 (3d Cir. 1994), on remand, 953 F.Supp. 617 (E.D.Pa. 1997).

(3) It is the responsibility of utilities, in the first instance, to conform their rates, rules and practices to the laws of Pennsylvania and the United States. It should be recognized by all that the ground rules for regulation of electric utilities have been fundamentally altered by the enactment of the Act. This section recognizes the Act's change of public policy and provides a way for utilities or others who may wish to determine the effect of these changes to obtain an interpretation from the Commission as to whether specific rates, rules, regulations or practices are in conformance with the clearly articulated policies of the Commonwealth and are under continuing, active supervision.

(b) It is the responsibility of every electric utility to conform its tariffs, rates, rules, regulations or practices to the policy of the Commonwealth to create and promote the formation of a vibrant and effective competitive market in electric generation, and to provide equal and nondiscriminatory direct access to the transmission and distribution network in this Commonwealth.

(c) Existing or proposed tariffs, rates, rules, regulations or practices of electric distribution utilities that are, in any manner, repugnant to the right of equal and nondiscriminatory direct access or tend to unlawfully reduce competition in the retail and wholesale electric energy market in this Commonwealth are, within the meaning of the state action immunity doctrine, contrary to the policy of the Commonwealth and are not actively supervised by the Commission.

(d) Existing or proposed rates, rules, regulations or practices of electric generation suppliers are not prescribed, within the meaning of the state action immunity doctrine, under any policy of the Commonwealth nor does the Commonwealth or the Commission actively supervise these rates, rules, regulations or practices.

(e) A person may, by filing a petition for declaratory order in the manner stated in subsection (f), request that the Commission issue a declaratory order as to whether any tariff, rate, rule, regulation or practice of any electric distribution utility is pursuant to state policy and is

actively supervised by the Commission. Blanket requests or requests lacking specificity will not be entertained.

(f) Petitions for declaratory orders shall, in addition to complying with § 5.42 (relating to petitions for declaratory orders) contain the following:

(1) Specific identification of the tariff, rate, rule, regulation or practice sought to be declared as in compliance with the policies of the Commonwealth and subject to the active supervision of the Commonwealth.

(2) Detailed identification and evidence of policies of the Commonwealth relied upon and identification of all

evidence tending to establish active supervision by the Commonwealth.

(3) Identification of all known litigation, whether anticipated, pending or resolved, that involves the specific provision that is the subject of the application.

(4) Evidence of proof of service of the petition upon all parties or potential parties to the known regulation.

[Pa.B. Doc. No. 98-450. Filed for public inspection March 20, 1998, 9:00 a.m.]



# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Notice of Commission Meeting and Public Hearing

The Delaware River Basin Commission will hold a public hearing on Wednesday, March 25, 1998. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1:30 p.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

In addition to the subjects listed which are scheduled for public hearing, the Commission will also address the following: Minutes of the February 18, 1998 business meeting; announcements; General Counsel's Report; report on Basin hydrologic conditions; a resolution concerning appointments to the Commission's Estuary Model Peer Review Team; status of compliance: Evansburg Water Company; a resolution to amend DRBC's agreement with Hydro Qual, Inc. and public dialogue.

The subjects of the hearing will be as follows:

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

1. *Heritage-Steeplechase L.P. D-97-33 CP.* An application for approval of a groundwater withdrawal project to supply up to 4.39 million gallons (mg)/30 days of water to

the applicant's distribution system from new Well Nos. 1 through 3, and to limit the withdrawal limit from all wells to 4.39 mg/30 days. The project is located in Plumstead Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

2. *Pocono Mountain School District D-98-3 CP.* A project to modify the applicant's existing sewage treatment plants (STPs) which will continue to serve its junior and senior high schools in Paradise and Pocono Townships, Monroe County, PA. Currently, there are two STPs operating in combination that produce a single discharge of tertiary treated effluent to Swiftwater Creek in Pocono Township. The applicant proposes to modify the existing senior high school STP and eliminate the junior high school STP. The new STP will continue to produce tertiary treated effluent to be discharged at the same flow (0.0286 million gallons per day) by the existing outfall.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500 Ext. 221 concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary at (609) 883-9500 Ext. 203 prior to the hearing.

SUSAN M. WEISMAN,  
*Secretary*

[Pa.B. Doc. No. 98-451. Filed for public inspection March 20, 1998, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 10, 1998.

### BANKING INSTITUTIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-4-98	PSB Interim Bank, East Berlin, and the Peoples State Bank, East Berlin Surviving Institution— PSB Interim Bank, East Berlin, With a change in corporate title to The Peoples State Bank	East Berlin	Approved

The proposed merger will be effected solely to facilitate the acquisition of The Peoples State Bank, East Berlin, by Community Banks, Inc., Millersburg, a bank holding company.

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-97	Peoples Thrift Savings Bank Norristown Montgomery County	Bellevue Hotel 200 S. Broad St. Philadelphia Philadelphia County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-12-97	Patriot Bank Pottstown Montgomery County	Redner's Supermarket 703 S. West End Blvd. Quakertown Bucks County	Opened
2-23-98	Summit Bank Bethlehem Northampton County	Genuardi's Supermarket Jeffersonville Shopping County 1930 West Main Street Norristown Montgomery County	Opened
3-5-98	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 2510 Moreland Road Willow Grove Montgomery County	Authorization Surrendered

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-9-98	Northwest Savings Bank Warren Warren County	<i>To:</i> 4270 East Lake Road Erie Harborcreek Twp. Erie County  <i>From:</i> 4452 East Lake Road Erie Harborcreek Twp. Erie County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-27-98	First Commonwealth Bank Indiana Indiana County	2032 East Pleasant Valley Boulevard Altoona Blair County	Effective

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-452. Filed for public inspection March 20, 1998, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Neshaminy Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the Neshaminy Creek Watershed Conservation Plan (prepared for the Boroughs of Chalfont, Doylestown and New Britain and Doylestown Township) and is placing the portion of the Neshaminy Creek Watershed studied in the plan on the Pennsylvania Rivers Conservation Registry (Registry).

On November 5, 1997, Doylestown Township submitted the Neshaminy Creek Watershed Conservation Plan and other required information to gain Registry status.

After review of the Plan and other information, the DCNR has determined that PA Rivers Conservation Pro-

gram requirements have been satisfied and places the following on the Registry:

1. A portion of the Neshaminy Creek Watershed, located within the municipal boundaries of Chalfont Borough, New Britain Borough, Doylestown Borough and Doylestown Township, Bucks County.
2. All tributary streams within the Neshaminy Creek Watershed area that are located within the municipal boundaries of Chalfont Borough, New Britain Borough, Doylestown Borough, and Doylestown Township, Bucks County.

This action becomes effective March 21, 1998. Projects identified in the Neshaminy Creek Watershed Conservation Plan become eligible for implementation, development or acquisition grant funding through the PA Rivers Conservation Program.

A copy of the Final Plan is available for review at: Doylestown Township Municipal Building, 425 Wells

Road, Doylestown, PA 18901, (215) 348-9915; and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17105-8475, (717) 787-2316.

Maps and supporting data are on file at the Doylestown Township Municipal Building.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 98-453. Filed for public inspection March 20, 1998, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

---

#### APPLICATIONS

---

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

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

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

#### (Part I Permits)

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

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

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

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

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

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

---

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

---

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

#### **PA 0026182, Amendment No. 4. Sewage, Borough of Lansdale, One Vine Street, Lansdale, PA 19446.**

This application is for amendment of the Borough's NPDES permit to authorize the discharge from Outfall 003 (Ridge Road Pumping Station) under the conditions required for a combined sewer overflow. This is an existing discharge to an unnamed tributary to West Branch of Neshaminy Creek.

The receiving stream is classified for cold water fish, aquatic life, water supply and recreation.

The proposed effluent limitations for Outfall 003 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform	monitor/report	monitor/report
Total Residual Chlorine	monitor/report	monitor/report
pH (std units)	monitor/report	monitor/report

*Other Requirements*

The due date for submission of the Long Term CSO Control Plan has been revised from 30 months to 32 months after permit issuance.

The EPA waiver is not in effect.

**PA 0013005.** Industrial waste, **FiberMark, Inc.**, 45 North Fourth Street, Quakertown, PA 18951.

This application is for renewal of an NPDES permit to discharge cooling water from the FiberMark coating/printing and saturation process, located at North Fourth Street in Borough of Quakertown, **Bucks County**. This is an existing discharge to an Unnamed Tributary to Beaver Run (Licking Run).

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

The proposed effluent limits for Outfall 001, based on an average flow of 65,000 gallons per day 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		

*Other Conditions:*

The EPA waiver is in effect.

Authorization to discharge stormwater from Outfalls 002 and 003.  
Monitor water source for trichloroethylene and tetrachloroethylene.

**PA 0023949, Amendment No. 1.** Sewage, **Borough of Brookhaven**, 2 Cambridge Road, Brookhaven, PA 19015.

This application is for amendment of an NPDES permit to discharge treated sewage from Brookhaven Borough sewage treatment plant in Brookhaven Borough, **Delaware County**. This amendment reflects a change in the discharge location from Coeburn Run to Chester Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of .192 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	5		10
(11-1 to 4-30)	15		30
Total Residual Chlorine	0.5		1.0
Fecal Coliform	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 0054879.** Sewage, **William and Joan Elsing**, 46 Mega Way, Furlong, PA 18925.

This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant serving a single residential unit located in Wrightstown Township, **Bucks County**. This is an existing discharge to Neshaminy Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 400 gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia (as N)	20	40
Total Residual Chlorine	monitor/report	
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 2 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 0057380.** Sewage, **Dorothy A. Mylotte**, 3315 Chatham Place, Media, PA 19063.

This application is for issuance of an NPDES permit to discharge treated sewage from single family residence located in Upper Providence Township, **Delaware County**. This is a new discharge to unnamed tributary of Ridley Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(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)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

**PA 0050865.** Industrial waste, **Gessner Products Company, Inc.**, 241 North Main Street, Ambler, PA 19002-0389.

This application is for renewal of an NPDES permit to discharge cooling water from the Gessner Products Facility in Ambler Borough, **Montgomery County**. This is an existing discharge to Rose Valley Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.064 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		

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

**PA 0063754.** Industrial waste, SIC: 4941, **Pennsylvania-American Water Company**, 20 East Union Street, Wilkes-Barre, PA 18711.

This proposed action is for issuance of an NPDES permit to discharge treated process wastewater into Huntsville Reservoir in Dallas Township, **Luzerne County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Huntsville Reservoir in Dallas Township, Luzerne County.

The proposed effluent limits for Outfall 001, based on a design flow of 0.218 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30.0	60.0	
Total Aluminum	4.0	8.0	
Total Iron	2.0	4.0	
Total Manganese	1.0	2.0	
pH	6—9 std. units at all times		

The EPA waiver is in effect.

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

**PA 0028975.** Sewage, SIC: 4952, **Womelsdorf Sewer Authority**, 498 North Water Street, Womelsdorf, PA 19567-1108.

This application is for issuance of an NPDES permit for an existing discharge of treated sewage to Tulpehocken Creek, in Heidelberg Township, **Berks County**.

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

The proposed interim effluent limits for Outfall 001 for a design flow of 0.3 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	XXX	50
Total Suspended Solids	30	45	XXX	60
NH <sub>3</sub> -N	20	XXX	XXX	40
Total Phosphorus	1.0	XXX	XXX	2.0
Total Residual Chlorine	report	XXX	report	report
Dissolved Oxygen		minimum of 5.0 at all times from 6.0—9.0 inclusive		
pH		minimum of 5.0 at all times from 6.0—9.0 inclusive		
Fecal Coliforms (5-1 to 9-30)		200/100 ml as a geometric average		
(10-1 to 4-30)		100,000/100 ml as a geometric average		

The proposed final effluent limits for Outfall 001 for a design flow of 0.475 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	XXX	50
Total Suspended Solids	30	45	XXX	60
NH <sub>3</sub> -N	20	XXX	XXX	40
Total Phosphorus	1.0	XXX	XXX	2.0
Total Residual Chlorine	0.5	XXX	XXX	1.64
Dissolved Oxygen		minimum of 5.0 at all times from 6.0—9.0 inclusive		
pH		minimum of 5.0 at all times from 6.0—9.0 inclusive		
Fecal Coliforms (5-1 to 9-30)		200/100 ml as a geometric average		
(10-1 to 4-30)		100,000/100 ml as a geometric average		

The EPA waiver is in effect.

**PA 0087751.** Industrial waste, SIC: 3353, **Alumax Mill Products, Inc.**, 1480 Manheim Pike, Lancaster, PA 17604.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to an unnamed tributary of the Little Conestoga Creek, in Manheim Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 800 for a design flow of 0.08 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease	15.0		30.0
Total Zinc	1.0	2.0	2.5
Total Aluminum	4.2	8.4	10.5
Temperature		95°F as daily average	
Total Residual Chlorine	0.48		1.6
pH		6.0—9.0 standard units	

The proposed effluent limits for Outfall 801 for a design flow of 0.04 mgd are:

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Instantaneous Maximum (lbs/day)</i>
Total Suspended Solids	34.5	98.1	
Total Chromium	0.32	1.1	
Total Cyanide	0.21	0.7	
pH		7.0—10.0 standard units	

The proposed effluent limits for Outfalls 001—010 for stormwater:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		monitor and report	
COD		monitor and report	
Oil and Grease		monitor and report	
pH		monitor and report	
Total Suspended Solids		monitor and report	
Total Lead		monitor and report	
Total Chromium		monitor and report	
Total Copper		monitor and report	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Cadmium			monitor and report
Total Arsenic			monitor and report
Total Aluminum			monitor and report
Total Cyanide			monitor and report
Dissolved Iron			monitor and report
Total Zinc			monitor and report

The EPA waiver is in effect.

**PA 0014672.** Industrial waste, SIC: 3691 and 3341, **General Battery Corporation, Exide Corporation—Reading Smelter Division**, Spring Valley Road and Nolan Street, Laureldale, PA 19605.

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

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. The existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed interim effluent limits for Bernhart Creek from the industrial waste water treatment facility at Outfall 001 for a long term average flow of 0.298 mgd are:

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0—9.0 inclusive		
Total Antimony	2.05	4.6	monitor and report	monitor and report	XXX
Total Arsenic	1.33	3.31	monitor and report	monitor and report	XXX
Total Cadmium	monitor and report	monitor and report	0.27	0.54	0.68
Chromium VI	monitor and report	monitor and report	monitor and report	monitor and report	XXX
Total Copper	0.36	0.69	monitor and report	monitor and report	XXX
Total Lead	0.38	0.81	monitor and report	monitor and report	XXX
Total Zinc	1.0	2.43	monitor and report	monitor and report	XXX
Total Nickel	monitor and report	monitor and report	monitor and report	monitor and report	XXX
Total Iron	0.585	1.170	monitor and report	monitor and report	XXX
Total Aluminum	monitor and report	monitor and report	monitor and report	monitor and report	XXX
Total Phosphorus	monitor and report	monitor and report	monitor and report	monitor and report	XXX
NH <sub>3</sub> -N	XXX	XXX	20	40	40
Oil and Grease	11.5	18.7	15	30	30
Total Suspended Solids	67.2	140.9	30	60	75
Total Dissolved Solids	11,209	20,000	6,000	7,500	XXX
CBOD <sub>5</sub>	XXX	XXX	monitor and report	monitor and report	XXX
Dissolved Oxygen	XXX	XXX	monitor and report	monitor and report	XXX
MBAS	monitor and report	monitor and report	monitor and report	monitor and report	XXX
WETT-Fathead Minnow (Pimephales Promelas)	XXX	XXX	monitor survival	monitor growth	XXX
WETT-Caldoceran (Ceriodaphnia Dubia)	XXX	XXX	monitor survival	monitor reproduction	XXX

The proposed final effluent limits for Bernhart Creek from the industrial wastewater treatment facility at Outfall 001 for a long term average flow of 0.298 mgd are:

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0—9.0 inclusive		
Total Antimony	0.089	0.178	0.036	0.072	0.090
Total Arsenic	0.443	0.886	0.178	0.356	0.445
Total Cadmium	0.017	0.035	0.007	0.014	0.018
Chromium VI	0.092	0.184	0.037	0.074	0.093
Total Copper	0.089	0.178	0.036	0.072	0.090
Total Lead	0.032	0.064	0.013	0.026	0.033
Total Zinc	0.567	1.133	0.228	0.456	0.563
Total Nickel	1.19	2.38	0.479	0.958	1.198
Total Iron	0.585	1.17	monitor and report	monitor and report	XXX

	<i>Average</i>	<i>Maximum</i>	<i>Average</i>	<i>Maximum</i>	<i>Instantaneous</i>
Total Aluminum	monitor and report	monitor and report	monitor and report	monitor and report	XXX
Total Phosphorus	monitor and report	monitor and report	monitor and report	monitor and report	XXX
NH <sub>3</sub> -N	7.46	14.92	3.0	6.0	7.5
Oil and Grease	11.5	18.7	15	30	30
Total Suspended Solids	25	50	10	20	25
Total Dissolved Solids	2,485	4,970	1,000	2,000	2,500
CBOD <sub>5</sub>	25	50	10	20	25
Dissolved Oxygen	XXX	XXX	minimum of 5.0 at all times		
MBAS	monitor and report	monitor and report	monitor and report	monitor and report	XXX
WETT-Fathead Minnow (Pimephales Promelas)	XXX	XXX	monitor survival	monitor growth	XXX
WETT-Caldoceran (Ceriodaphnia Dubia)	XXX	XXX	monitor survival	monitor reproduction	XXX

The proposed final effluent limits for the Schuylkill River from the industrial wastewater treatment facility at Outfall 001 for a long term average flow of 0.298 mgd are:

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0—9.0 inclusive		
Total Antimony	3.073	6.146	monitor and report	monitor and report	XXX
Total Arsenic	1.358	2.716	monitor and report	monitor and report	XXX
Total Copper	0.559	1.118	0.225	0.450	0.563
Total Lead	0.500	1.000	monitor and report	monitor and report	XXX
Total Zinc	1.487	2.974	monitor and report	monitor and report	XXX
Total Iron	0.585	1.170	monitor and report	monitor and report	XXX
NH <sub>3</sub> -N	12	24	5.0	10	12.5
Total Dissolved Solids	11,209	20,000	6,000	7,500	7,500

**PA 0070319.** Industrial waste, SIC: 9224, **County of Berks/Reading-Berks Fire Training Center**, 895 Morgantown Road, R. D. 1, Reading, PA 19607.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Angelica Creek, in Reading City, **Berks County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.05 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total BTEX			
Benzene		monitor and report	
Toluene		monitor and report	
Ethylbenzene		monitor and report	
Xylene		monitor and report	
Oil and Grease	15		30

Appendix J stormwater parameters are included for Stormwater Outfall 002.

The EPA waiver is in effect.

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

**PA 0113972.** Sewerage, SIC: 4952, **Candlelight Inn, Inc.**, 587 Valley Road, Danville, PA 17821.

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

The receiving stream is classified for the following uses: cold water fishery, 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 Danville Borough Water Company located approximately 10 river miles downstream.



The proposed effluent limits for Outfall 001, based on a design flow of 0.00105 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
Total Cl <sub>2</sub> Residual	2.0		4.6
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.

**PA 0024325.** Sewerage, SIC: 4952, **Muncy Borough Municipal Authority**, 14 North Washington Street, Muncy, PA 17756.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to West Branch Susquehanna River in Muncy Borough, **Lycoming County**.

The receiving stream is classified for the following uses: warm 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 downstream potable water supply (PWS) considered during the evaluation is Pennsylvania American Water Company located at Milton, Northumberland County.

The proposed effluent limits for Outfall 001, based on a design flow of 1.4 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
Total Suspended Solids	30	45	60
Total Residual Chlorine	0.5		1.6
Fecal Coliform (5-1 to 9-30)		200 /100 ml as a geometric mean	
(10-1 to 4-30)		2,000 /100 ml as a geometric mean	
pH	6.0—9.0 at all times.		

*Other Conditions:* none

The EPA waiver is not in effect.

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

**PA 0038717.** Sewage, **John Ferrarelli**, P. O. Box 241, Indiana, PA 15701.

This application is for renewal of an NPDES permit to discharge treated sewage from the Pine Tree Mobile Home Park STP in Armstrong Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cheese 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 Cadogen Township Waterworks.

*Outfall 001:* existing discharge, design flow of .016 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	13			26
(11-1 to 4-30)	25			50
Fecal Coliform (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	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0217824.** Sewage, **YMCA of Pittsburgh**, 126 Nagle Road, Fombell, PA 16123-9414.

This application is for issuance of an NPDES permit to discharge treated sewage from Camp Kon-O-Kwee/Spencer STP in Marion Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Connoquenessing 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 Beaver Falls Municipal Authority on the Beaver River.

*Outfall 001:* new 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
Phosphorus (4-1 to 10-31)	2.0			4.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	100,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

*Other Conditions:*

The EPA waiver is in effect.

---

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

**PA 0091197.** Sewage. **High Meadows Sewer Service, Inc.**, 155 Blazing Star Drive, Butler, PA 16001.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Thorn Creek in Penn Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, 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 considered during the evaluation is the Zelenople Municipal Water Works on Connoquenessing Creek located at Penn Township, approximately 39.29 miles below point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of 0.030 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	2	4
(11-1 to 4-30)	6	12
Phosphorus (4-1 to 10-31)	2	4
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,400/100 ml as a geometric average	
Total Residual Chlorine (Interim)	XX	XX
(Final)	.28	.66
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0103896, Amendment No. 1.** Industrial waste, SIC: 4953, **County Landfill, Inc.**

This application is for amendment of an NPDES permit, to discharge treated industrial waste, septage, nonhazardous liquid waste to an unnamed tributary to Walley Run in Farmington Township, **Clarion County**. This is an existing discharge.

The receiving water is classified for the following uses: CWF, 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 considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 75 miles below point of discharge.

The proposed discharge limits for Outfall 001, based on a design flow of .03 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Vanadium	.099	.198	.25

## DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

### Applications under the Pennsylvania Clean Streams Law

#### (Part II Permits)

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

**1598405.** Sewerage. **West Goshen Sewer Authority**, 520 Veronica Road, West Chester, PA 19380. Application for the construction to upgrade the existing wastewater treatment facility located in West Goshen Township, **Chester County**.

**1598406.** Sewerage. **Stephen J. Castellan**, 112 Heather Hill Drive, Downingtown, PA 19335-1826. Application for the construction of a small flow sewage treatment plant with stream discharge to serve the Castellan residence located in Upper Uwchlan Township, **Chester County**.

**4698405.** Sewerage. **Abington Township**, 1176 Old York Road, Abington, PA 19001. Application for the construction of a new sanitary sewer extension located in Abington Township, **Montgomery County**.

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

**A. 6798404.** Sewage, submitted by **Newberry Township Municipal Authority**, 1915 Etters Road, Etters, PA 17319 in Newberry Township, **York County** to construct the Newberrytown Pumping Station and Force Main to serve the Newberrytown Area was received in the Southcentral Region on February 23, 1998.

**A. 6798405.** Sewage, submitted by **Glen Rock Sewer Authority**, P. O. Box 116, Glen Rock, PA 17327 in Shrewsbury Township, **York County** to construct additions and alterations to their existing wastewater treatment plant was received in the Southcentral Region on February 27, 1998.

**A. 0698401.** Sewage, submitted by **Municipal Authority of the Township of Spring, Berks County**, 2800 Shillington Road, Reading, PA 19608 in the Township of Spring, Berks County to construct a pumping station and sewer extension to serve Rosewood Hills and Cacoosing Meadows Recreation Area was received in the Southcentral Region on February 27, 1998.

**A. 3698401.** Sewage, submitted by **Lancaster Municipal Authority**, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17608-1599 in Lancaster Township, **Lancaster County** to construct the Grofftown Pump Station Expansion was received in the Southcentral Region on February 11, 1998.

**A. 6673058T-1 98-1.** Sewage, submitted by **Halifax Municipal Authority**, P. O. Box 443, Halifax, PA 17032 in Halifax Township/Halifax Borough, **Dauphin County** to construct additions and alterations to their existing wastewater treatment plant was received in the Southcentral Region on March 6, 1998.

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

**A. 3098401.** Sewerage. **Department of Conservation and Natural Resources, Bureau of State Parks, Ryerson State Park**, P. O. Box 8551, Harrisburg, PA 17105-8551. Application for the construction and operation of sewers and appurtenances, pump stations, sewage treatment plant, outfall and headwall located in the Township of Richhill, **Greene County** to serve the Ryerson Station Sewage Treatment Plant.

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

**WQM Permit No. 6298402.** Sewage, **David W. and Marcia J. Johnson**, SRSTP, R. R. 2, Box 2106, Russell, PA 16345. This project is for the construction of a single residence sewage treatment plant in Pine Grove Township, **Warren County**.

**WQM Permit No. 4398410.** Sewage, **Terrence J. and Patricia A. Collins**, SRSTP, 206 McCullough Rd., Sharpsville, PA 16150. This project is for the construction of a single residence sewage treatment plant in Jefferson Township, **Mercer County**.

**INDIVIDUAL PERMITS  
(PAS)**

---

**NPDES Individual**

---

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

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

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

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

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

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

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

**NPDES Permit PAS10-G307.** Stormwater. **John J. Ciccarone, Elk Creek Farms**, 908 Sheridan Drive, West Chester, PA 19382, has applied to discharge stormwater from a construction activity located in Penn Township, **Chester County**, to Big Elk Creek.

**NPDES Permit PAS10-G308.** Stormwater. **Francis Reardon**, 1505 Greenbarn Road, Paoli, PA 19301, has applied to discharge stormwater from a construction activity located in West Brandywine Township, **Chester County**, to an Unnamed Tributary to West Branch Brandywine Creek.

**NPDES Permit PAS10-G309.** Stormwater. **Liberty Property Trust**, 65 Valley Stream Parkway, Great Valley

Corporate Center, Malvern, PA 19355, has applied to discharge stormwater from a construction activity located in East Whiteland Township, **Chester County**, to Little Valley Creek.

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

*Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.*

**NPDES Permit PAS10Q151.** Stormwater. **Carmike Cinemas, Inc., Lamar Fields**, 1301 First Avenue, Columbus, GA 31902, has applied to discharge stormwater from a construction activity located in Hanover Township, **Lehigh County**, to Monocacy Creek.

**NPDES Permit PAS10Q152.** Stormwater. **The Frederick Group, Donald Frederick**, 1611 Pond Rd., Suite 201, Allentown, PA 18104, has applied to discharge stormwater from a construction activity located in the City of Allentown, **Lehigh County**, to Little Lehigh Creek.

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

*Mifflin County Conservation District, District Manager, Mifflin County CD, 20 Windmill Hill, Room 4, Burnham, PA 17009, (717) 248-4695.*

**NPDES Permit PAS-10-4502.** Stormwater. **Shady Grove Farm Partnership**, P. O. Box 187, Myerstown, PA 17067 has applied to discharge stormwater from a construction activity located in Wayne Township, **Mifflin County**, to Unnamed Tributary to Juniata River.

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

**NPDES Permit PAS10X088.** Stormwater. **Bureau of Abandoned Mine Reclamation**, P. O. Box 8476, Harrisburg, PA 17105 has applied to discharge water from a construction activity located in Washington Township and Murrysville, **Westmoreland County** to Steels Run.

**NPDES Permit PAS10X087.** Stormwater. **CNG Transmission**, 445 West Main Street, Clarksburg, WV 26301 has applied to discharge water from a construction activity located in Salem Township, **Westmoreland County** to Beaver Run.

## SAFE DRINKING WATER

---

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

---

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

**A. 0698502.** Public water supply. **Maxatawny Township Municipal Authority**, Maxatawny Township, **Berks County**. *Responsible Official:* Donald L. Miller, Chairperson, 663 Noble Street, Kutztown, PA 19530; *Type of Facility:* storage tank and pump station; *Consulting Engineer:* Christopher Falencki, P. E., Weiser Engineering Consultants, 425 Columbus Street, Wernersville, PA 19565.

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

**0287502-A1. Municipal Authority of Westmoreland County**, SW Corner of US Rte. 30, West and South Greengate Rd., Greensburg, PA 15601. Construction of a new raw water intake structure at the McKeesport Water Treatment Plant serving the City of McKeesport, **Allegheny County**.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

---

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

---

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

For further information concerning the content of a Notice of Intent to Remediate, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

*Southcentral Regional Office, Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Red Rose Commons Associates Property**, City of Lancaster and Manheim Township, **Lancaster County**. Red Rose Commons Associates, L. P., 350 Sentry Park, Building 630, Suite 300, Blue Bell, PA 19422, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs, lead, heavy metals, solvents, BTEX, PHCs and PAHs. 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 *Lancaster New Era and Intelligencer* on March 5, 1998.

**Former Alcoa Lancaster Works**, City of Lancaster and Manheim Township, **Lancaster County**. **Aluminum Company of America**, 1501 Alcoa Building, Pittsburgh, PA 15219, has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. 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 *Lancaster Intelligencer Journal* on March 2, 1998.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

---

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

---

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

*Northcentral Regional Office, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6525.*

**Howes Leather Corporation Sludge Lagoon, Curwensville Borough, Clearfield County.** Howes Leather Corporation, 101 Meadow Street, Curwensville, PA 16833 has submitted an amended Notice of Intent to Remediate groundwater and surface water contaminated with chloride, sodium, calcium, alkalinity and ammonia. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Clearfield Progress* on March 5, 1998.

## SOLID AND HAZARDOUS WASTE

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit I. D. No. 101247. Keystone Sanitary Landfill, Keystone Sanitary Landfill, Inc., P. O. Box 249, Dunmore, PA 18512.** A major permit modification for the gas management system at this municipal waste landfill, located in Dunmore and Throop Boroughs, **Lackawanna County.** This permit modification is only for new wells and a collection system to be installed in the Tabor site, the installation of the new vacuum blower and a booster compressor station. The application was received in the Regional Office on February 18, 1998 and was considered to be administratively complete on February 25, 1998.

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

**Application I. D. No. 100081. Southern Alleghenies Disposal Service, Inc., Park West Two, Suite 420, 2000 Cliff Mine Road, Pittsburgh, PA 15275.** Southern Alleghenies Landfill, R. D. 3, Box 310, Hollsopple, PA 15935. Application for a major permit modification to install a leachate evaporation system in Conemaugh Township, **Somerset County,** was submitted to the regional office on March 3, 1998.

## AIR POLLUTION

### OPERATING PERMITS

**Operating Permit applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**46-399-113: Ford Electronics & Refrigeration Corp.** (2750 Morris Road, Lansdale, PA 19446) for the operation of two selective soldering machines in Worcester Township, **Montgomery County.**

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

**35-310-031A: Scranton Materials, Inc.** (819 Newton Road, Scranton, PA 18504) for the operation of a stone crushing operation in Ransom Township, **Lackawanna County.**

**45-318-025B: Instrument Specialties Co., Inc.** (P. O. Box 650, Delaware Water Gap, PA 18327) for the operation of an electroplating operation in Delaware Water Gap Borough, **Monroe County.**

*Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587.*

**06-313-004D: IFS Industries, Inc.** (P. O. Box 1053, Reading, PA 19603) for the foundry supply manufacturing facility controlled by three fabric collectors in Reading, **Berks County.**

**06-319-020B: General Battery Corp.** (P. O. Box 14294, Reading, PA 19612-4294) for the secondary lead furnaces controlled by two afterburners, two fabric collectors, two venturi scrubbers and two spray scrubbers in Laureldale/Muhlenberg Township, **Berks County.** The No. 2 reverberatory is subject to 40 CFR 60, Subpart L, Standards of Performance for New Stationary Sources. These sources are subject to 40 CFR 52.21, Prevention of Significant Deterioration of Air Quality (PSD).

**06-319-046B: General Battery Corp.** (P. O. Box 14294, Reading, PA 19612-4294) for the material storage area controlled by three fabric collectors in Laureldale/Muhlenberg Township, **Berks County.** This source is subject to 40 CFR 63, Subpart X, National Emission Standards for Hazardous Air Pollutants for Source Categories.

**67-318-121: Tate Access Floors, Inc.** (P. O. Box 398, Red Lion, PA 17356) for three adhesive spray lines in Windsor Township, **York County.**

*Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.*

**49-318-033: Shumaker Industries, Inc.** (P. O. Box 206, Northumberland, PA 16857) for the operation of a concrete truck mixing drum shotblasting and surface coating operation in Northumberland Borough, **Northumberland County.**

**41-309-004: P Stone Incorporated** (P. O. Box 254, Jersey Shore, PA 17740) for the operation of an agricultural limestone production facility and associated air cleaning device (a fabric collector) in Limestone Township, **Lycoming County.**

**55-302-013: Cherry Hill Hardwoods, Inc.** (R. R. 1, Box 900, Richfield, PA 17086) for the operation of a wood-fired boiler in West Perry Township, **Snyder County.**

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

**PA-10-309A. Heckett Multi Serv Plant No. 16** (612 North Main Street, Butler, PA 16001) for the operation of a slag processing plant in Butler, **Butler County.**

**PA-25-028A. International Paper Company** (P. O. Box 10050, Erie, PA 16533) for the operation of a wood chipper in Erie, **Erie County.**

**PA-62-087A. OSRAM Sylvania Products Inc.** (816 Lexington Avenue, Warren, PA 16365) for the operation of a steam jacketed sludge dryer in Warren Borough, **Warren County.**

---

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

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and title V operating permits).

Copies of the Title V application, proposed permit and other relevant information are available for public inspection and additional information may be obtained by contacting the regional office noted.

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

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

*Southeast Regional Office: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Attn: Edward Brown, (610) 832-6242.*

**15-00013: Graphic Packaging Corporation** (2400 Continental Blvd., Malvern, PA 19355) located in Tredyfrin Township, **Chester County**. The facility is a manufacturer of various types of packaging. This is a major facility for volatile organic compounds (VOC) emissions. The main source of VOC emissions is a rotogravure press.

**TVOP 46-00068: Centennial Printing Corporation, King of Prussia Plant** (875 First Avenue, King of Prussia, PA 19406) located in Upper Merion Township, **Montgomery County**. This is a commercial printer facility operating five sheet fed offset presses in order to produce a high quality multicolor material for corporate report and product brochures. The facility utilizes inks, varnished, fountain solutions, and roller wash solutions and emits volatile organic compounds (VOC) emissions.

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Attn: Mark Wayner, (412) 442-4161.*

**TV-32-00129: Consolidated Natural Gas Transmission Inc.** (625 Liberty Avenue, Pittsburgh, PA 15222) for the Rochester Mills Station located in North Mahoning Township, **Indiana County**. The facility's majors include: natural gas compressor stations which emit major quantities of NOx.

---

**PLAN APPROVALS**


---

**Plan Approval applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**40-313-018A: HPG International, Inc.** (Crestwood Industrial Park, Oakhill Road, Mountaintop, PA 18707) for the modification of a plastic laminating operation in Wright Township, **Luzerne County**.

**48-309-063A: ESSROC Cement Corporation** (3251 Bath Pike, Nazareth, PA 18064) for the modification of a cement clinker handling system in Nazareth Borough, **Northampton County**.

**54-310-014B: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) for the modification of a stone crushing operation in Wayne Township, **Schuylkill County**.

*Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587.*

**06-1047A: Bradley Specialties Corp.** (P. O. Box 436, Shartlesville, PA 19554) for a fiberglass manufacturing operation in Upper Bern Township, **Berks County**.

**36-2017B: Conestoga Wood Specialties, Inc.** (P. O. Box 158, 245 Reading Road, East Earl, PA 17519) for modification of coating line No. 2 located in East Earl Township, **Lancaster County**.

**36-310-023E: Compass Quarries, Inc.** (47 McIlvanine Road, Paradise, PA 17562) for a rotary stone dryer controlled by a fabric filter located in Paradise Township, **Lancaster County**.

**67-2007A: Adhesives Research, Inc.** (P. O. Box 100, Glen Rock, PA 17327) for modification of surface coater permit conditions and application for emission reduction credits (ERCs) located in Springfield Township, **York County**.

**67-315-011: P. H. Glatfelter Company** (228 South Main Street, Spring Grove, PA 17362) for modification to the G-Coater located in Spring Grove Borough, **York County**.

**67-310-001E: York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405) for the installation of a baghouse on an existing crushing plant located in West Manchester Township, **York County**.

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

**PA 25-978A: National Fabricators and Machining, Inc.** (9209 West Main Road, North East, PA 16428) for construction of an 11 MMBTU/hr heat stress oven in Northeast, **Erie County**.

**PA 37-011B: Dairy Farmers of America, Inc.** (R. R. 1, P. O. Box 198, New Wilmington, PA 16142) for the installation of a spray dryer and associated particulate emission control system in New Wilmington Township, **Lawrence County**.

**PA 62-071B: United Refining Co.** (P. O. Box 780, Warren, PA 16365) for installation of a scrubber to remove H<sub>2</sub>S from the refinery's FCC unit in Warren, **Warren County**. The existing scrubber is being replaced.

**PA 20-232A: Meadville Plating Co., Inc.** (10775 Franklin Pike, Meadville, PA 16335) for the installation of

a packed bed scrubber and mesh pad system to control existing chrome plating tubes in West Mead Township, **Crawford County**. This source is subject to National Emission Standards for heat and decorative chromium electroplating (40 CFR Part 63, Subpart H).

**PA 24-124A: Pennsylvania Industrial Heat Treaters** (Access Rd., St. Marys, PA 15857) for construction of a continuous heat treating furnace with electrostatic precipitator control (1,400 lbs steel/hour), in St. Marys, **Elk County**.

**REASONABLY AVAILABLE CONTROL  
TECHNOLOGY  
(RACT)**

The Department of Environmental Protection (Department) will conduct a public hearing on Tuesday, April 21, 1998, beginning at 1 p.m. in the main floor conference room at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

The hearing is for the Department to accept testimony concerning its decision to approve, with conditions, a modification to Owens-Brockway Glass Container's (Route 219 North, Brockway, PA 15824) Plant #19, Crenshaw, Reasonably Available Control Technology (RACT) Operating Permit, No. OP 33-002. Owens-Brockway has applied to the Department, based on high maintenance and replacement costs, for revision of the operating permit, to remove the requirement for a NOx Continuous Emission Monitor (CEM). The CEM is used for showing compliance with NOx RACT emission limitations on Glass Melting Furnace A. Annual stack testing will be a condition of the revision, and will be required for NOx emission compliance monitoring.

The RACT Operating Permit was issued to meet the requirements under 25 Pa. Code §§ 129.91—129.95 (RACT), concerning the emissions of nitrous oxides (NOx), from various air contamination sources. The modified RACT proposal will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan. This facility is located in Jefferson County.

The proposed SIP revision does not adopt any new regulations. The revision incorporates the provisions and requirements contained in the RACT approval for this facility to comply with current regulations.

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

The public hearing will be held for the purpose of receiving comments on the above proposed modified operating permit, and the proposed SIP revisions. The public hearing is scheduled on April 21, 1998, 1 to 3 p.m., at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to present testimony at the hearing should contact Steve Curcio, Community Relations Coordinator, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6945 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations

to do so should contact Steve Curcio, Community Relations Coordinator, (814) 332-6945, or the Pennsylvania AT&T relay service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing but who wish to comment should provide written comments to Bob Huston, (814) 332-6940, Air Pollution Control Engineer, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494. Comments should be submitted within 30 days of the date of this publication notice.

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

## MINING

### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when neces-



sary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

*Coal Applications Received*

**56980102. Hoffman Mining, Inc.** (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine in Shade Township, **Somerset County**, affecting 92.7 acres, receiving stream unnamed tributaries to Oven Run to Stonycreek River. Application received February 23, 1998.

**32950105. SMP Boundary Revision, KMP Associates** (301 Salt Street, Saltsburg, PA 15681), the proposed 3.2 acre addition is located in Young Township, **Indiana County**, on the lands of George E. Gallagher, Jr. A total 1.0 acre of the total 3.2 acre addition is proposed for additional mining of the Pittsburgh coal seam. The remainder of the additional acreage is for the reclamation of an abandoned surface mine and for support activities. Total SMP acres goes from 22.0 to 25.2. The receiving streams for this operation are unnamed tributaries to Harpers Run and unnamed tributary to Nesbit Run. Application received February 27, 1998.

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

**02773005(T). Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application received to transfer permit currently issued to Pangersis Coal Company for a bituminous surface mine located in North Fayette Township, **Allegheny County**, affecting 104 acres. Receiving streams: unnamed tributaries to North Branch Robinson Run to Robinson Run, Chartiers Creek, to Ohio River. Application received: March 2, 1998.

**65950102R. Seven Sisters Mining Co., Inc.** (200 Rte. 22, P. O. Box 300, Delmont, PA 15625-0300). Renewal application received for operation and reclamation of a bituminous surface mine located in Upper Burrell Township, **Westmoreland County**. Receiving streams: unnamed tributaries to Pucketa Creek. Pucketa Creek. Renewal application received: March 4, 1998.

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

**17980901. R. B. Contracting** (R. R. 1, Box 13, Curwensville, PA 16833), commencement, operation and restoration of an incidental coal extraction permit in Knox Township, **Clearfield County** affecting 5.8 acres, receiving streams: unnamed tributary to Potts Run. Application received February 25, 1998.

**17980902. Moravian Run Reclamation Co., Inc.** (605 Sheridan Drive, Clearfield, PA 16830), commencement, operation and restoration of an incidental coal extraction permit in Bigler Township, **Clearfield County** affecting 12.6 acres, receiving streams: Alexander Run and Japling Run and unnamed tributary. Application received February 24, 1998.

**17980106. R. B. Contracting** (R. D. 1, Box 13, Curwensville, PA 16833), commencement, operation and restoration of a bituminous surface mine-auger permit in Lawrence Township, **Clearfield County** affecting 72.5 acres, receiving streams: unnamed tributary to Little Clearfield Creek. Application received March 4, 1998.

**17860140. Beth Contracting, Inc.** (R. D., Box No. 1, Glen Campbell, PA 15712), revision to an existing bituminous surface mine permit to apply biosolids (stabilized sewage sludge) to enhance vegetation, Beccaria Township, **Clearfield County** affecting 322 acres. Application received February 13, 1998.

**17860104. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine permit in Girard Township, **Clearfield County** affecting 255 acres, receiving streams: unnamed tributaries to Deer Creek, Deer Creek and an unnamed tributary to Buck Run to Buck Run to Deer Creek to the West Branch of the Susquehanna River to the Susquehanna River. Application received February 16, 1998.

**17803045. River Hill Coal Co., Inc.** (Kylertown, PA 16847), revision to an existing bituminous surface mine permit for placement of manufactured soil, Karthaus Township, **Clearfield County**. This soil consists of a mixture of fly ash, papermill sludge and tannery sludge. Application received February 24, 1998.

**17960107. Waroquier Coal Co., Inc.** (P. O. Box 128, Clearfield, PA 16830), transfer of an existing bituminous surface mine permit from Bermuda Triangle, Inc., Greenwood Township, **Clearfield County** affecting 40.7 acres, receiving streams: unnamed stream to West Branch Susquehanna River. Application received March 3, 1998.

**17950113. Waroquier Coal Co., Inc.** (P. O. Box 138, Clearfield, PA 16830), transfer of an existing bituminous surface mine permit from Bermuda Triangle, Inc., Greenwood Township, **Clearfield County** affecting 60.2 acres, receiving streams: unnamed tributary to Watts Creek, Watts Creek to Little Clearfield Creek to West Branch Susquehanna River. Application received March 3, 1998.

**17820129. Kasubick Brothers Coal Co.** (501 David Street, Houtzdale, PA 16651), revision to an existing bituminous surface mine permit for a change in land use from cropland to pastureland or land occasionally cut for hay, Woodward Township, **Clearfield County**. Application received March 4, 1998.

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

*Noncoal Permits Received*

**06980301. Temple Crushed Stone, Inc.** (110 Kutz Road, Temple, PA 19560-9556), commencement, operation and restoration of a quarry operation in Alsace Township, **Berks County** affecting 47.0 acres, receiving stream unnamed tributary to Bernhart Creek. Application received February 20, 1998.

**7773SM1-04. Pottstown Trap Rock Quarries, Inc.** (One Quarry Road, Douglasville, PA 19518), application

for stream variance to unnamed tributary to Schuylkill River in Douglass Township, **Berks County**. Application received February 20, 1998.

**7775SM12C3. Temple Crushed Stone, Inc.** (110 Kutz Road, Temple, PA 19560-9556), correction to an existing sandstone quarry in Alsace Township, **Berks County**, affecting 137.44 acres, receiving stream unnamed tributary to Laurel Run. Application received February 20, 1998.

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

### ENCROACHMENTS

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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), 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, (717) 826-5485.*

**E40-486.** Encroachment. **Enterprise Investments Limited Partnership**, 1550 Old Henderson Road, Suite N-246, Columbus, OH 43220. To place fill in 0.16 acre of PEM Wetlands for the purpose of constructing an expansion to the Conway Central Express Terminal. The project is located on the left side of Tamarac Road, approximately 2,000 feet west of the intersection of S. R. 0315 and S. R. 2020 (Fox Hill Road) (Pittston, PA Quadrangle N: 2.5 inches; W: 10.1 inches) in Plains Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**E45-349.** Encroachment. **Richard and Mary-Helen Boothby**, 612 West Hartwell Lane, Philadelphia, PA 19118. To place fill in a de minimis area of PFO wetlands less than or equal to 0.05 acre for the purpose of constructing an addition to an existing seasonal home. The project is located at Lot 77 in Pocono Lake Preserve on the southern side of Pocono Lake, approximately 1 mile southwest of the intersection of S. R. 0940 and

Township Road T580 (Blakeslee, PA Quadrangle N: 17.7 inches; W: 1.4 inches) in Tobyhanna Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

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

**E46-791.** Encroachment. **Bentwood Corporation**, 839 East Germantown Pike, Norristown, PA 19401. To construct the Bentwood Executive Campus, a business complex consisting of three office buildings, a hotel and a restaurant, which will impact 425 feet of an intermittent tributary to Stoney Creek (TSF) and 1.05 acres of adjacent wetlands. The proposal includes:

1. Placing fill in 400 linear feet of stream and 0.57 acre of wetlands (PEM) associated with the construction of parking areas, a stormwater collection system and roadway accesses to the site from Old Arch Road.
2. The construction of six stormwater outfall structures discharging to wetlands (PEM).
3. The dredging of 0.46 acre of wetland (POW).

This application also includes a request for an environmental assessment approval for a nonjurisdictional dam. The work will include the filling of 0.02 acre of wetlands (POW). This site is located at the northwest corner of the intersection of Germantown Pike and Arch Road (Lansdale, PA Quadrangle N: 2.2 inches; W: 7.7 inches) in East Norriton Township, **Montgomery County**.

**E15-567.** Encroachment. **Pickering Valley Landscape**, P. O. Box 950, Glen Moore, PA 19343. To maintain an exiting irrigation intake structure which is located along the northern bank of the East Branch of the Brandywine Creek on the Pickering Valley Landscape's property, situated (Wagontown, PA Quadrangle N: 19.25 inch; W: 8.5 inch) in West Nantmeal Township, **Chester County**.

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

**E217-277.** Encroachment. **PA Department of Transportation, District 8-0**, John Rautzahn, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure and to construct and maintain a box culvert with a normal span of 16 feet on a 27 degrees skew with an underclearance of 5 feet in the channel of an unnamed tributary to Cedar Run on SR 2014, Segment 0150, Offset 1935 (Simpson Ferry Road) located about 0.6 mile east from its intersection with US 15 (Lemoyne, PA Quadrangle N: 18.9 inches; W: 6.4 inches) in Lower Allen Township, **Cumberland County**.

**E21-279.** Encroachment. **Lower Allen Township**, Raymond Rhodes, 1993 Hummel Avenue, Camp Hill, PA 17011. To construct and maintain an 18-inch diameter storm sewer line and an outfall structure along the left bank and floodplain of the Yellow Breeches Creek in order to safely divert surface run-off into the creek located along McCormick Drive in Lisburn Village (Lemoyne, PA Quadrangle N: 7.19 inches; W: 5.7 inches) in Lower Allen Township, **Cumberland County**.

**E28-250.** Encroachment. **Freedom in Christ Church**, Donald Engle, P. O. Box 178, Scotland, PA 17254. To fill in 2.0 acres of wetlands in order to construct a community ball field located on the west side of Sycamore Grove Road (T-528) about 1.3 miles southwest of Green Village (Scotland, PA Quadrangle N: 18.75 inches; W: 16.25

inches) in Greene Township, **Franklin County**. The applicant is required to provide 2.0 acres of replacement wetlands.

**E31-142.** Encroachment. **Ronald Samuel, PA Department of Transportation, District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove an existing structure and to construct and maintain a twin cell reinforced concrete box culvert having two spans of 24.0 feet and rises of 7.5 feet in Warriors Mark Run for the purpose of highway maintenance located on SR 4013, Segment 0130, Offset 1242 in the Village of Huntingdon Furnace (Franklinville, PA Quadrangle N: 5.8 inches; W: 15.8 inches) in Franklin Township, **Huntingdon County**.

**E36-646.** Encroachment. **PA Department of Transportation, Engineering District 8-0**, John Rautzahn, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing inadequate and deteriorated bridge, construct and maintain a bridge having a clear span of 70 feet on a 60 degree skew, with an underclearance of 7 feet 3 inches across Little Muddy Run on SR 0897, Section 005, Segment 0420, Offset 2820. The structure will be a prestressed concrete adjacent box beam with a concrete deck and reinforced concrete abutments and wingwalls (Terre Hill, PA Quadrangle N: 18.75 inches; W: 9.25 inches) in East Cocalico and Brecknock Townships, **Lancaster County**.

**E36-647.** Encroachment. **Reverend Joseph Coyne, St. Catherine of Sienna Parish**, 15 E. Church Street, Quarryville, PA 17566. To construct and maintain a 15-inch outfall pipe with a concrete endwall and a riprap protection apron along the left downstream bank of a tributary to Stewart Run. The purpose of the outfall is to discharge stormwater from an onsite detention basin for a new church facility to be located on the east side of the Robert Fulton Highway (SR 222) (Wakefield, PA Quadrangle N: 2.5 inches; W: 3.5 inches) in East Drumore Township, **Lancaster County**.

**E36-648.** Encroachment. **Spring Glen Fresh Foods, Inc.**, Steve Piechockie, 314 Spring Glen Drive, Ephrata, PA 17522. To impact 0.11 acre of wetlands consisting of the filling for a proposed building expansion and including the excavation for a stormwater basin at the existing facility located along the south side of Spring Glen Drive (T-668) (Ephrata, PA Quadrangle N: 9.1 inches; W: 2.1 inches) in Ephrata Township, **Lancaster County**.

**E44-093.** Encroachment. **James Aumiller, Sr.**, 193 Sigler St., P. O. Box 368, Milroy, PA 17063. To construct and maintain a steel stringer bridge having a span of 21.0 feet and an underclearance of 7.0 feet across Treaster Run for the purpose of creating a private access drive for transporting timber located about 1.7 miles east by northeast of the village of Siglerville (Burnham, PA Quadrangle N: 6.2 inches; W: 0.4 inch) in Armagh Township, **Mifflin County**.

**E67-617.** Encroachment. **East Manchester Township**, John Brown, 5080 N. Sherman Street, Mount Wolf, PA 17347. To remove an existing structure and to construct and maintain a township vehicular bridge on Gut Road (T-949) over a tributary to the Susquehanna River located 1 mile south of Wago Road (York Haven, PA Quadrangle N: 12.9 inches; W: 6.8 inches) in East Manchester Township, **York County**.

**E67-618.** Encroachment. **Patrice Hartman, Northeastern York County Sewer Authority**, 175 Chestnut Street, Mt. Wolf, PA 17347. To remove 500 linear feet of an existing sanitary sewer main along Hartman Run and to construct and maintain 500 linear feet of 18-inch

diameter steel pipe to be supported by an existing retaining wall which will be rehabilitated with 120 linear feet of proposed concrete retaining wall in front of the existing wall. The remaining 380 feet will be supported with 14 concrete piers spaced 25 feet apart and mortored R-5 riprap. Embedded R-5 riprap to be placed along the opposite stream bank. The project is located behind the Northeastern York Wire facility west of Chestnut and Main Streets (York Haven, PA Quadrangle N: 12 inches; W: 11.6 inches) in Mount Wolf Borough, **York County**.

**E67-619.** Encroachment. **East Hopewell Township**, Jay Miler, 8916 Hickory Road, Felton, PA 17322. To construct and maintain approximately 60 linear feet of stream bank stabilization with gabions and/or riprap protection along the east side of an unnamed tributary to Rambo Run immediately upstream from the Church Street Ext. (T-570) bridge (Stewartstown, PA Quadrangle N: 10.8 inches; W: 5.6 inches) in East Hopewell Township, **York County**.

**E67-620.** Encroachment. **Edward Baker**, 585 Lioners Creek Road, Dallastown, PA 17313. To construct and maintain 30 linear feet of 60-inch diameter reinforced concrete pipe in Inners Creek for the purpose of providing a private drive for an existing farmhouse located north-east of the Honey Valley Road and Lioner Creek Road intersection (York, PA Quadrangle N: 3.0 inches; W: 5.8 inches) in York Township, **York County**.

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

**E12-106.** Encroachment. **Dept. of Conservation and Natural Resources**, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove the existing structure and to construct and maintain a single span prestressed concrete adjacent box beam bridge with a clear span of 16,824 millimeters and an inlet underclearance of 2,225 millimeters in Mix Run located on Red Run Road (Driftwood, PA Quadrangle N: 15.7 inches; W: 10.1 inches) in Gibson Township, **Cameron County**. Estimated stream disturbance is 36 meters of stream; wetland impact is 15 square meters; stream classification is high quality-cold water fishery.

**E59-357.** Encroachment. **Delmar Township Supervisors**, R. R. 5, Box 70A, Wellsboro, PA 16901. Remove an existing structure and to 1) construct, operate and maintain a single cell aluminized steel arch culvert to carry T-468 across Dantz Run; 2) realign 275.0 linear feet of Dantz Run to protect T-468 from flooding. The steel arch culvert shall be constructed with a span of 13 feet, rise of 8.3 feet and length of 48 feet: the realigned reach of the channel shall be constructed with channel bottom width of 15 feet and minimum side slopes 1 foot vertical to 3 feet horizontal. The project is located along the southern right-of-way of SR 0006 approximately 2 miles south of the intersection of T-468 and SR 0006 (Tiadaghton, PA Quadrangle N: 22.5 inches; W: 1.1 inches) in Delmar Township, **Tioga County**. As proposed, the project will not impact wetlands while impacting 275 feet of waterway; stream classification is cold water fishery.

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

**E02-1220.** Encroachment. **City of Clairton**, 551 Ravensburg Boulevard, Clairton, PA 15025-1297. To rehabilitate the existing Ravensburg Bridge over Peters Creek (TSF) and to construct and maintain a 24-inch, reinforced concrete outfall pipe in Peters Creek. The project is located along S. R. 2028 approximately 2,000 feet south of

its intersection with S. R. 0885 (Glassport, PA Quadrangle N: 8.9 inches; W: 2.7 inches) in the City of Clairton and Jefferson Borough, **Allegheny County**.

**E04-015.** Encroachment. **Cronimet Corporation**, 471 Railroad Street, Rochester, PA 15074. To operate, maintain and modify the existing docking facility in the channel along the right bank of the Ohio River (WWF). The project is located near River Mile 24.8, approximately 3,400 feet upstream from the Monaca-Rochester Bridge (Beaver, PA Quadrangle N: 13.3 inches; W: 3.5 inches) in East Rochester Borough, **Beaver County**.

**E65-685.** Encroachment. **Lakefront Properties, L. P.**, 772 Pine Valley Drive, Pittsburgh, PA 15239. To construct and maintain a 20-foot X 8-foot RC arch culvert 80 feet long in an unnamed tributary to Beaver Run (HQ-CWF) for the purpose of providing access to the property. To place and maintain fill in 2.76 acres of palustrine open water and emergent wetlands for the purpose of constructing an office park. The applicant proposes to create 1.14 acres of palustrine emergent wetlands onsite and to compensate 1.62 acres of additional wetland loss by contributing to the Wetland Replacement Fund. The project is located at southeast of S. R. 0022 and S. R. 0066 interchange (Slickville, PA Quadrangle N: 4.0 inches; W: 9.5 inches) in Salem Township, **Westmoreland County**.

#### ENVIRONMENTAL ASSESSMENT

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

*Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor; P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**D09-163EA.** Environmental Assessment. **Richard Lennox** (31 Low Bridge Lane, Malvern, PA 19355). To breach and remove a jurisdictional dam across a tributary to Tincum Creek (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 300 feet south of the intersection of Headquarters Road and Hollow Horn Road (Lumberville, PA-NJ Quadrangle N: 20.9 inches; W: 11.6 inches) in Tincum Township, **Bucks County**.

**D14-004EA.** Environmental Assessment. **Pennsylvania Fish and Boat Commission** (3532 Walnut Street, P. O. Box 67000, Harrisburg, PA 17106-7000). To breach and remove the Cabin Hill Dam across Spring Creek (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1,200 feet upstream of the confluence of Spring Creek and Bald Eagle Creek (Bellefonte, PA Quadrangle N: 11.70 inches; W: 5.25 inches) in the Borough of Milesburg, **Centre County**.

#### ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

##### (Part I Permits)

The Department of Environmental Protection (Department) has taken the following actions on previously

received permit applications and requests for plan approval and has issued the following significant orders.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, 400 Market Street, Second Floor, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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.

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.

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

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

**NPDES Permit No. PA0012190, Amendment No. 3.** Industrial waste. **Mueller Streamlined Co.**, 6799 Great Oaks Rd., Suite 200, Memphis, TN 38138-2572 is authorized to discharge from a facility located in Upper Gwynedd Township, **Montgomery County** to receiving waters named Wissahickon Creek.

**NPDES Permit No. PA0051535.** Sewage. **Kenneth S. Lord**, P. O. Box 244, Eagleville, PA 19408, is authorized to discharge from a facility located in Lower Providence Township, **Montgomery County**, to receiving waters named Perkiomen Creek.

**WQM Permit No. 4698402.** Sewage. **Upper Gwynedd-Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446. This project is for the construction and operation of sanitary sewer along Sunnyside Pike and Towamencin Avenue in Towamencin Township, **Montgomery County**.

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

**NPDES Permit No. PA-0061930.** Sewerage. **Golden Oaks Village, Inc.**, R. R. 5, Box 5199, 209 Executive Plaza, East Stroudsburg, PA 18301 is authorized to discharge from a facility located in Kidder Township, **Carbon County** to Black Creek.

**NPDES Permit No. PA-0062138.** Industrial waste. **LaRoche Industries, Inc.**, 1100 Johnson Ferry Road, NE, Atlanta, GA 30342 is authorized to discharge from a facility (ZCA—East Plant, P. O. Box 125, Palmerton, PA 18071) located in Palmerton Borough, **Carbon County** to Aquashicola Creek.

**NPDES Permit No. PA-0062782.** Industrial waste. **Farm & Home Oil Company**, Tank Farm Road, P. O. Box 146, Macungie, PA 18062 is authorized to discharge

from a facility located in Lower Macungie Township, **Lehigh County** to an Unnamed Tributary to Swabia Creek.

**NPDES Permit No. PA-0051811.** Industrial waste. **Lehigh County Authority**, P. O. Box 3348, Allentown, PA 18106 is authorized to discharge from a facility (Green Hills Water Company) located in South Whitehall Township, **Lehigh County** to an Unnamed Tributary to Little Cedar Creek.

**NPDES Permit No. PA-0070301.** Sewerage. **SPG, Inc.**, 139 Country Club Road, Northampton, PA 18067 is authorized to discharge from a facility (Whispering Hollow North Mobile Home Park) located in Moore Township, **Northampton County** to Hokendauqua Creek.

**NPDES Permit No. PA-0070483.** Industrial waste. **Grand Central Sanitary Landfill, Inc.**, 1963 Pen Argyl Road, Pen Argyl, PA 18072 is authorized to discharge from a facility located in Plainfield Township, **Northampton County** to an Unnamed Tributary of the Little Bushkill Creek and Waltz Creek.

**NPDES Permit No. PA-0012475.** Industrial waste. **GPU Generation, Inc.**, U. S. Route 9, P. O. Box 388, Forked River, NJ 08731 is authorized to discharge from a facility (Portland Generating Station) located in Upper Mount Bethel Township, **Northampton County** to the Delaware River.

**NPDES Permit No. PA-0063061.** Industrial waste. **Ashland Area Municipal Authority**, 501 North Chestnut Street, Ashland, PA 17921 is authorized to discharge from a facility located in Butler Township, **Schuylkill County** to an Unnamed Tributary to Little Mahanoy Creek.

**NPDES Permit No. PA-0061832.** Industrial waste. **Tamaqua Cable Products Corporation**, P. O. Box 347, Schuylkill Haven, PA 17972 is authorized to discharge from a facility located in the Borough of Schuylkill Haven, **Schuylkill County** to the Schuylkill River.

**Permit No. 4597406.** Sewerage. **King Arthur Room**, Box 271, Route 209, Sciota, PA 18354. Permit to construct and operate a small flow sewage treatment plant located in Hamilton Township, **Monroe County**.

**Permit No. 4597405.** Sewerage. **Pennsylvania Department of Conservation and Natural Resources**, P. O. Box 8451, Rachel Carson State Office Building, 400 Market Street, 8th Floor, Harrisburg, PA 17105. Permit to modify an existing sewage treatment plant, located in Pocono Township, **Monroe County**.

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

**NPDES Permit No. PA0007510.** Industrial waste. **International Paper Company Inc.**, P. O. Box 268, Lock Haven, PA 17745. Renewal permit granted to paper mill manufacturer with application to the EPA for treated effluent at plant located at Castanea Township, **Clinton County**.

**NPDES Permit No. PA0209511.** Sewerage. **Sullivan Township**, P. O. Box 84, Mainesburg, PA 16932. Applicant granted an NPDES permit to discharge treated sewage from their treatment plant serving the Sullivan Township, **Tioga County**.

**NPDES Permit No. PA0209546.** Sewerage. **Gerhard Scherffel**, R. D. 1, Box 247, Mansfield, PA 16933. Applicant granted an NPDES permit to discharge treated sewage from treatment facilities located at Charleston Township, **Tioga County**.

**NPDES Permit No. PA0113166.** Sewerage. **Lois Bausinger**, 67 Academy Road, Cogan Station, PA 17728. Applicant granted renewal permit for facility located at Hepburn Township, **Lycoming County**.

**NPDES Permit No. PA0043681-A1.** Sewerage. **Valley Joint Sewer Authority**, 1 South River Street, Athens, PA 18810. This amendment makes the NPDES permit consistent with the recently issued WQM Permit, which related the sewage treatment plant annual average flow. Location: Athens Township, **Bradford County**.

**NPDES Permit No. PA0115291.** Sewerage. **Borough of Snydertown**, 42 South Market Street, Snydertown, PA 17877. Renewal of their NPDES permit to discharge treated sewage from treatment plant serving Snydertown Borough. Location: Snydertown Borough, **Northumberland County**.

**WQM Permit 5591401-T2.** Transfer sewerage. **Glenn W. Holtzapple**, R. R. 5, Box 152, Selinsgrove, PA 17870. Transfer was granted to the applicant. Location is Monroe Township, **Snyder County**.

**WQM Permit 6098401.** Sewerage. **Ed Badeau**, Box 180, R. D. 1, Driftwood, PA 15832. Applicant approved to replace malfunctioning onlot septic system serving single family residence. Location is Portage Township, **Cameron County**.

**WQM Permit 1497408-T1.** Transfer sewerage. **Wayne Mowery, Jr.**, 1945 Halfmoon Valley Rd., Port Matilda, PA 16870. Transfer was granted to the applicant. Location is Halfmoon Township, **Centre County**.

**WQM Permit 5997406.** Sewerage. **Sullivan Township**, P. O. Box 84, Mainesburg, PA 16932. Applicant granted permission to construct and maintain a collection and treatment system to serve Sullivan Township, **Tioga County**.

**WQM Permit 5997506.** Sewerage. **Gerhard Scherffel**, R. D. 1, Box 247, Mansfield, PA 16933. Applicant granted permission to construct and maintain a small flow sewage treatment system for the dwellings located at Charleston Township, **Tioga County**.

**WQM Permit 1797404.** Sewerage. **Thomas and Yvonne Buck**, R. R. 1, Box 463, Morrisdale, PA 16858. Applicant granted permission to construct and maintain a small flow sewage treatment system for the dwellings located at Graham Township, **Clearfield County**.

**WQM Permit 1795408A29.** Sewerage. **Bradford Township/Haberl**, P. O. Box 79, Woodland, PA 16881. Pilot program has been approved to install treatment system to serve single family residence located at Bradford Township, **Clearfield County**.

**WQM Permit 1994201-A1.** Industrial waste. **Wise Foods Inc.**, 228 Raseley Street, Berwick, PA 18603. Permission to operate and maintain an additional 19 existing onsite stormwater infiltration wells located at the main processing plant. Location is Berwick Borough, **Columbia County**.

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

**NPDES Permit No. PA0002941.** Industrial waste. **West Penn Power Company**, doing business as **Allegheny River**, 800 Cabin Hill Drive, Greensburg, PA 15601 is authorized to discharge from a facility located at Hatfield's Ferry Power Station, Monongahela Township,

**Greene County** to Monongahela River (outfall 001—006, 009, 010 and 013), Little Whiteley Creek (Outfall 007 and Outfall 012).

**NPDES Permit No. PA0039489.** Sewage, **Garrett Borough Municipal Authority**, P. O. Box 218, 307 Municipal Road, Garrett, PA 15542 is authorized to discharge from a facility located at Garrett Borough STP, Garrett Borough, **Somerset County** to Casselman River.

**NPDES Permit No. PA0216178.** Sewage, **Cecil Township Municipal Authority**, Cecil Township Municipal Building, 3655 Millers Run Road, Cecil, PA 15321 is authorized to discharge from a facility located at Cherrybrook Sewage Treatment Plant, Cecil Township, **Washington County** to Unnamed Tributary of Chartiers Creek.

**Permit No. 0297413.** Sewerage, **South Fayette Township Municipal Authority**, P. O. Box 171, Morgan, PA 15064. Construction of sewer extension and appurtenances located in the Township of South Fayette, **Allegheny County** to serve the Millers Run Road Area.

**Permit No. 0397401.** Sewerage, **Canterbury Coal Company**, R. R. 1, Box 119, Avonmore, PA 15618. Construction of a sewage treatment plant located in the Township of Kiskiminetas, **Armstrong County** to serve the DiAnne Deep Mine—Shaft 2.

**Permit No. 5672403, Amendment No. 1.** Sewerage, **Jenner Area Sewer Authority**, P. O. Box 202, Jennertown, PA 15547. Construction of a belt filter press installation located in the Borough of Boswell, **Somerset County** to serve the Boswell STP.

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

**NPDES Permit No. PA0222470.** Sewage. **Lundberg Treatment Facility Association**, R. D. 1, Box 114, Brockway, PA 15824 is authorized to discharge from a facility located in Snyder Township, **Jefferson County** to Rattlesnake Creek.

**WQM Permit No. 2598402.** Sewage. **City of Erie**, 626 State Street, Erie, PA 16501-1128. This project is for the construction of relief sewers for the City's West Side interceptor and Liberty Street sewer in the City of Erie, **Erie County**.

**WQM Permit No. 2598405.** Sewage. **Millcreek Township Sewer Authority**, P. O. Box 8158, Erie, PA 16505-0158. This project is for the construction of the Beaver Run relief sewer in Millcreek Township, **Erie County**.

**WQM Permit No. 3398401.** Sewage. **Lundberg Treatment Facility Association**, R. D. 1, Box 114, Brockway, PA 15824. This project is for the construction and operation of a wastewater treatment facility in Snyder Township, **Jefferson County**.

**INDIVIDUAL PERMITS**

(PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G286	BK Campbell, Inc. 402 Bayard Road Suite 200 Kennett Square, PA 19348	New London Township Chester County	Ways Run

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10U083	Robert and Nancy Brynildsen P. O. Box 209 Bath, PA 18014	Northampton Co. Bath Borough and East Allen Township	Monocacy Crk.
PAS10S057	Pocono Int'l. Raceway, Inc. P. O. Box 500 Long Pond, PA 18334-0500	Monroe Co. Tunkhannock Twp.	Tobyhanna Crk.

**INDIVIDUAL PERMITS**

(PAR)

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

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

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

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

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

*General Permit Type—PAG-2*

<i>Facility Location</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
East Fallowfield Township Chester County	PAR10-G257	Gerald McKown 977 Broad Run Road West Chester, PA	Dennis Run	Southeast Regional Office 555 North Lane Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
East Marlborough Township Chester County	PAR10-G258	Stephen D. Cope, Jr., Inc. 920 Harmony Hill West Chester, PA	Unnamed Tributary to Pocopson Creek	Southeast Regional Office 555 North Lane Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Pocopson Township Chester County	PAR10-G259	Robert and Sharon Currie 580 West Creek Rd. West Chester, PA	Brandywine Creek	Southeast Regional Office 555 North Lane Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Middletown Township Chester County	PAR10-J112	Realen Homes 725 Talamore Drive Ambler, PA 19002	Chester Creek	Southeast Regional Office 555 North Lane Suite 6010, Lee Park Conshohocken, PA 19428 (610) 832-6131
Luzerne County Hazle Township	PAR10R139	Cranberry Env., Inc. 8 Hunter Rd. Hazleton, PA 18201	Black Creek	Luzerne CD (717) 674-7991
Lower Allen Township Cumberland County	PAR-10-H157	United Methodist Home for Children & Family Services 5120 Simpson Ferry Road Mechanicsburg, PA 17055	Cedar Run	Cumberland County CD 43 Brookwood Ave. Suite 4 Carlisle, PA 17013 (717) 240-7812
Lower Allen Township Cumberland County	PAR-10-H158	Vanguard Development Corp. Wesley Mews 413 Johnson Street, Suite 210 Jenkintown, PA 19406	Cedar Run	Cumberland County CD 43 Brookwood Ave. Suite 4 Carlisle, PA 17013 (717) 240-7812

<i>Facility Location</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
West Pennsboro Township Cumberland County	PAR-10-H159	Presbyterian Homes Inc. Green Ridge Village 210 Big Spring Road Newville, PA 17251	Big Spring Creek	Cumberland County CD 43 Brookwood Ave. Suite 4 Carlisle, PA 17013 (717) 240-7812
Silver Spring Township Cumberland County	PAR-10-H135	John Keener 105 Texaco Road Mechanicsburg, PA 17055	Trindle Spring Run	Cumberland County CD 43 Brookwood Ave. Suite 4 Carlisle, PA 17013 (717) 240-7812
Hamilton Township Franklin County	PAR-10-M148	Chambersburg Area School District 511 South Sixth Street Chambersburg, PA 17201	Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Strasburg Township Lancaster County	PAR-10-O-253	Metzler Home Builders 405 Hilltop Road Strasburg, PA 17579	Pequea Creek	Lancaster County CD 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Warwick Township Lancaster County	PAR-10-O293	JWB Partnership Jack Hartz 131 East Woods Drive Lititz, PA 17543	Lititz Run	Lancaster County CD 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Carrol Township York County	PAR-10-Y301	SK Tooling Jon Kinsley Box 131-AA Road Seven Valleys, PA 17360	UNT to Conewago Crk.	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
York City York County	PAR-10-Y299	Dallastown Middle and High Schools Dallastown Area School District 700 New School Lane Dallastown, PA 17313	UNT to Inners Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAR-10-Y279-R	Melbourne Manor J C P Inc. Paul Pisula 217 Frederick Street Hanover, PA 17313	UNT to West Branch Codorus Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

*General Permit Type—PAG-3*

<i>Facility Location</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Schuylkill County Ringtown Borough	PAR222210	JELD-WEN, Inc. dba WENCO of Pennsylvania 3303 Lakeport Blvd. P. O. Box 1329 Klamath Falls, OR 97601	Catawissa Creek	Northeast Regional Office, Regional Water Management Program Manager 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Union County White Deer	PAR804840	Con-Way Central Express XMI R. R. 1, Box 74 New Columbia, PA 17856	Susquehanna River	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

*General Permit Type—PAG-4*

<i>Facility Location</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Clearfield County Graham Township	PAG044985	Thomas and Yvonne Buck R. R. 1, Box 463 Morrisdale, PA 16858	Storm culvert to UNT of Moravian Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Clearfield County Bradford Township	PAG044995	Bonnie K. Haberl R. D. 2, Box 109 Clearfield, PA 16830	UNT to Moravian Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664



<i>Facility Location</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Clinton County Crawford Township	PAG044993	Andrew Semper R. D. 2, Box 325 Jersey Shore, PA 17740	UNT to Antes Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Snyder County Monroe Township	PAG044989	Glenn W. Holtzapple R. R. 5, Box 152 Selinsgrove, PA 17870	Unnamed tributary Susquehanna River	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Cameron County Portage Township	PAG044987	Ed Badeua R. D. 1 Drifting, PA 16834	Cowley Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Centre County Halfmoon Township	PAG044983	Wayne Mowery, Jr. 1945 Halfmoon Valley Rd. Port Matilda, PA 16870	Halfmoon Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Mercer County Jefferson Township	PAG048483	Robert A. Bain 470 Clay Furnace Rd. Sharon, PA 16146	Unnamed Tributary Magargee Run	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

*Northcentral Regional Office: Water Management Program Manager; 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-0530.*

*Location:* Portions of Naulton Road, Bailey Road, Peters Road, Ridge Avenue, Jo-Lin Area and the East Bridgeport Area in Pike Township, **Clearfield County** that are on the outskirts of Curwensville Borough.

*Project Description:* This sewage facilities plan update proposes that gravity sewers be extended to serve the Naulton Road area and that the other areas are to be managed by an onlot maintenance ordinance. The sewer extension will convey and treat the sewage at the existing Curwensville municipal sewer system. The Department's review of the sewage facilities update revision has not identified any significant negative environmental impacts resulting from this proposal.

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

*Location:* **West Manheim Township, York County**, 31 Fairview Dr., Hanover, PA 17331.

The plan is disapproved because West Manheim Township failed to address the remaining nine plan deficiencies identified in the Department's letter dated July 1, 1993. As discussed in the Department's August 1, 1997 letter, failure to respond within 60 days from the date of that letter would result in plan disapproval. No response was received from West Manheim Township. The plan deficiencies are listed as follows.

1. Please provide copies of all local ordinances, pertaining to Act 537 planning and land development, that will impact implementation of this proposed plan.

2. Please provide a copy of the 1984 Township On-Lot Disposal System (OLDS) Management Ordinance, including any subsequent revisions. Additionally, please provide documentation of the OLDS Ordinance implementation and program success to date.

3. Responses to your PNDI consistency request letter were omitted. Please provide responses to the PNDI consistency request letter.

4. The PHMC consistency request letter provided only the treatment site for their evaluation. Please provide PHMC consistency information for the proposed collection system.

5. A collection system was not included with this plan. Please provide a map of the proposed collection system layout, including pump stations. The Plan lists Exhibit 5 and the collection system map, however, no Exhibit 5 was included in any of the four Plan copies supplied to the Department.

6. Please provide a well sample analysis. The plan refers to Chapter V containing the desired analysis but no meaningful well sample analysis can be found in Chapter V. Specifically, the Department is concerned how the Township will utilize the elevated groundwater Nitrate-Nitrogen (5—10 ppm) levels to influence future new land subdivision planning modules proposing OLDS.

7. National wetlands mapping indicates the presence of wetlands in the project area, contrary to data on Exhibit 2. Please delineate the wetlands to verify their presence or absence. Following delineation, appropriately address this required consistency item.

8. Golf course design and the resulting impact on the proposed spray system is instrumental in the Department's review of the merits of this plan. With the extremely limited information provided thus far, it appears that land most likely conceptualized for development will be required for additional spray area. Your implementation schedule indicates that the golf course

design is complete. Please provide the spray field layout, development layout and sufficient golf course design information to enable an evaluation of this proposal.

9. Additional information is required concerning the proposed spray site, groundwater mounding study and actual project impact on local groundwater. A specific request for this information will be provided under separate correspondence from the Department's Hydrogeologist.

## SAFE DRINKING WATER

*This was originally published in the February 28, 1998 Pennsylvania Bulletin. The wrong county was typed in the description.*

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

*Northwest Regional Office, Regional Manager, 230 Chestnut Street, Meadville, PA, (814) 332-6899.*

**Permit No. 6297501.** Public water supply. **Sheffield Municipal Authority**, 20 Leather St., Sheffield, PA 16347. Construction permit was issued for the addition of a 3rd well known as the Center Street Well in Sheffield Township, **Warren County**.

*Type of Facility:* Community Water Supply

*Consulting Engineer:* Allan R. Vanderpoel, E & M Engineers and Surveyors, P. C., 24 Derrick Rd., Bradford, PA 16701.

*Permit to Construct Issued:* February 9, 1998

## HAZARDOUS SITES CLEANUP

**Under the Act of October 18, 1988**

### Notice of Industrial Sites Reuse Agreement General Rivet Site Warminster Township, Bucks County, PA

The Department of Environmental Protection (Department) proposes to finalize an industrial sites reuse agreement with the Mnop Group, Inc. (Mnop), 829 Edgewood Road, Yardley, PA. Mnop has completed obligations which are set forth in the agreement as administered by the Hazardous Sites Cleanup Program of the Department. This agreement will enable the reuse of the former General Rivet facility at 260 Ivyland Road, Warminster Township, Bucks County, PA (site). Under section 505 of the Hazardous Sites Cleanup Act, the Department removed hazardous substances and contaminated media from the site in 1993 and conducted environmental monitoring thereafter. Mnop has continued the monitoring program, and the terms of the proposed agreement provide for a covenant not to sue and contribution protection from the Department.

Copies of the agreement are in the possession of the Department and may be viewed at the Department's Southeast Field Office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, by contacting James Burke at (610) 832-6151. The Department will conduct a 60-day public comment period on the proposed agreement from the date of this notice. Comments may be submitted in written form to James Burke at the above address.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**Under Act 2, 1995**

### Preamble 3

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

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

For further information concerning the final report, contact the Environmental Cleanup Program in the Department's Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact Steve Curcio at (814) 332-6816. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department has received the following final report:

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

**Greater Erie Industrial Development Corporation**, former Mac Erie site, 1110 Walnut Street, **Erie County**, City of Erie, has submitted a Final Report to Remediate groundwater and soil contaminated with solvents and heavy metals. The report is intended to document remediation of the site to meet the Statewide health and background standard. A summary of the Final Report was reported to have been published in the *Erie Daily Times* and *Morning News* on January 23, 1998.

## SOLID AND HAZARDOUS WASTE

### LICENSE TO TRANSPORT HAZARDOUS WASTE

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

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

**Chemical Analytics, Inc.**, 29959 Beverly Road, Romulas, MI 48174; License No. **PA-AH 0584**; license issued March 5, 1998.

**Hi-Pro, Inc.**, 3650 Carpenter Road, Ypsilanti, MI 48197; License No. **PA-AH 0580**; license issued February 11, 1997.

**Par-Tech, Inc.**, 287 Lackawanna Drive, Andover, NJ 07821; License No. **PA-AH 0581**; license issued February 11, 1998.

**Speciality Transportation Services, Inc.**, 10214 North Mount Vernon Road, Shannon, IL 61078; License No. **PA-AH 0582**; license issued February 13, 1998.

**Waste Management Industrial Services, Inc.**, 6151 Executive Boulevard, Huber Heights, OH 45424; License No. **PA-AH 0583**; license issued February 20, 1998.

---

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

---

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

**Chemical Conservation Corporation**, 10100 Rocket Boulevard, Orlando, FL 32824; License No. **PA-AH 0518**; renewal license issued March 2, 1998.

**Chemical Leaman Tank Lines, Inc.**, 102 Pickering Way, Exton, PA 19341-0200; License No. **PA-AH 0030**; renewal license issued March 2, 1998.

**Freehold Cartage, Inc.**, P. O. Box 5010, Freehold, NJ 07728-5010; License No. **PA-AH 0067**; renewal license issued February 25, 1998.

**Henry Yeska & Son, Inc.**, 821 Georgetown Road, Nazareth, PA 18064; License No. **PA-AH 0051**; renewal license issued March 2, 1998.

**J.D.L. Leasing**, P. O. Box 7758, New Castle, PA 16107-7758; License No. **PA-AH S232**; renewal license issued February 23, 1998.

**Karlan Service, Inc.**, 187-201 East 7th Street, Paterson, NJ 07524; License No. **PA-AH 0519**; renewal license issued March 2, 1998.

**Malter-Hamilton Chemical Company**, P. O. Box 341, Darby, PA 19023-0341; License No. **PA-AH S128**; renewal license issued March 5, 1998.

**Maxwell Transport, Inc.**, 570 Struble Road, State College, PA 16801; License No. **PA-AH 0521**; renewal license issued February 17, 1998.

**Oldover Corporation**, P. O. Box 228, Ashland, VA 23005; License No. **PA-AH 0125**; renewal license issued March 2, 1998.

**S&D Environmental Services, Inc.**, 2 Gourmet Lane, Edison, NJ 08837; License No. **PA-AH 0464**; renewal license issued March 5, 1998.

**Schneider National Bulk Carriers, Inc.**, P. O. Box 2700, Green Bay, WI 54313; License No. **PA-AH 0524**; renewal license issued March 2, 1998.

---

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

---

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

**Consolidated Transportation, Inc.**, 23 Perrine Street, Auburn, NY 13021; License No. **PA-AH 0059** amended license issued March 2, 1998.

---

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

---

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

**Environmental Preservation Associates, Inc.**, 5290 West Coplay Road, Whitehall, PA 18052; License No. **PA-AH 0404**; license expired on February 28, 1998.

**Environmental Remediation Services, Inc.**, P. O. Box 351419, Jacksonville, FL 32235-1419; License No. **PA-AH 0452**; license expired on February 28, 1998.

**Evergreen Construction Co., Inc.**, 34 Williams Way, Bellingham, MA 02019; License No. **PA-AH S216**; license expired on January 31, 1998.

---

**Hazardous waste transporter license voluntarily terminated 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 hazardous waste.**

---

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

**Environmental Transportation Services, Inc.**, P. O. Box 36118, Oklahoma City, OK 73136; License No. **PA-AH 0311**; license terminated February 5, 1998.

---

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

---

**Solid waste 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.**

---

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

**Permit No. 100758. Harrisburg Energy, Materials, Recycling, & Recovery Facility, Harrisburg Authority**, (One Keystone Plaza, Suite 104, Front and Market Streets, Harrisburg, PA 17104). Application for addition of a transfer station to a site in City of Harrisburg, **Dauphin County**. Permit issued in the Regional Office March 5, 1998.

---

**PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE**

---

**INFECTIOUS OR CHEMOTHERAPEUTIC WASTE**

---

**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.**

---

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

**Albert Einstein Medical Center**, 5501 Old York Road, Philadelphia, PA 19141; License No. **PA-HC 0146**; renewal license issued March 5, 1998.

**Health Care Waste Services Corp.**, 8 Slater Street, Port Chester, NY 10573; License No. **PA-HC 0184**; renewal license issued February 11, 1998.

**Waste Management of Delaware Valley South A Division of Waste Management of Pennsylvania, Inc.**, 408 South Oak Avenue, Primos, PA 19018; License No. **PA-HC 0066**; renewal license issued February 12, 1998.

---

**Infectious and chemotherapeutic waste transporter license voluntarily terminated 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.**

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

**Waste Management of Pittsburgh, A Division of Waste Management of Pennsylvania**, 2097 Duss Avenue, Ambridge, PA 15003; License No. **PA-HC 0106**; license terminated January 28, 1998.

---

**License expired 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.**

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

**Mercy Hospital of Altoona dba Mercury Regional Health System**, 2500 Seventh Avenue, Altoona, PA 16602; License No. **PA-HC 0165**; license expired January 31, 1998.

## AIR POLLUTION OPERATING PERMITS

---

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

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

**35-312-008GP: Lopera Oil Co.** (41 River Street, Carbondale, PA 18407) for the construction and operation of a 10,000 gallon gasoline storage tank in Mayfield Borough, **Lackawanna County**.

**54-310-018GP: Commonwealth Environmental Systems, Inc.** (P. O. Box 249, Dunmore, PA 18512) for the construction and operation of a portable stone crushing plant in Foster Township, **Schuylkill County**.

---

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

*Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.*

**8-399-020B: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) for the minor modification of an operating permit to authorize the replacement of a filter press in Towanda Borough, **Bradford County**.

**8-313-038E: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) for the minor modification of an operating permit to authorize the use of a fabric collector to control the air contaminant emissions from a filter press during press cleaning in Towanda Borough, **Bradford County**.

**OP-59-0005: CNG Transmission Corporation** (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199) for the minor modification of an operating permit to add a 225 horsepower emergency generator, reestablish an engine operational restriction on a combined engine basis and reestablish all per year limitations in the permit as 12 consecutive month limitations at the Boom Station in Lawrence Township, **Tioga County**.

### PLAN APPROVALS

---

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

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

**45-318-025B: Instrument Specialties Co., Inc.** (P. O. Box 650, Delaware Water Gap, PA 18327) issued February 17, 1998, for the modification of an electroplating operation in Delaware Water Gap Borough, **Monroe County**.

**48-309-102: Keystone Cement Co.** (Route 329, P. O. Box A, Bath, PA 18014) issued February 20, 1998, for the construction of a clinker cooler in East Allen Township, **Northampton County**.

**52-310-003A: Dingmans Ferry Stone, Inc.** (P. O. Box 686, Dingmans Ferry, PA 18328) issued February 27, 1998, for the modification of a stone crushing operation in Delaware Township, **Pike County**.

*Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587.*

**05-310-016: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) issued February 25, 1998, for the modification of the portable limestone crushing plant—wash plant controlled by wet suppression at the Ashcom Quarry in Snake Spring Valley Township, **Bedford County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**06-3005A: Morton International, Inc.** (P. O. Box 15209, Reading, PA 19612-5209) issued February 25, 1998, for construction of the plastics manufacturing facility controlled by two fabric collectors at the Reading Plant in Reading, **Berks County**.

**38-310-017C: Carmeuse Pennsylvania, Inc.** (P. O. Box 160, Annville, PA 17003) issued February 25, 1998, for the installation of portable crushing plant controlled by wet suppression at the Millard Quarry in North Londonderry Township, **Lebanon County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

*Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.*

**17-303-006: Clearfield Asphalt and Construction Supply** (R. R. 1, Box 179, Curwinsville, PA 16833) issued on February 2, 1998, for the construction of a batch asphalt plant and associated air cleaning device (a fabric collector) in Lawrence Township, **Clearfield County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

**41-318-032A: Textron-Lycoming** (652 Oliver Street, Williamsport, PA 17701) denied on February 2, 1998, for the construction of a surface coating spray booth in the City of Williamsport, **Lycoming County**.

**8-399-030B: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) issued on February 4, 1998, for the construction of a phosphor furnace, unloading hood and associated air cleaning devices (fabric collector and HEPA filter) in Department 025, Building 5 in North Towanda Township, **Bradford County**.

**47-318-009: Aldan Industries, Inc.** (115 Woodbine Lane, Danville, PA 17821-0429) issued on February 5, 1998, for the construction of a fabric coating and curing operation and associated air cleaning device (a thermal oxidizer) in Mahoning Township, **Montour County**.

**18-318-013A: Pan Avis Realty Company d.b.a Avis America** (P. O. Box 420, Avis, PA 17721) issued on February 23, 1998, for the modification of a modular housing manufacturing operation (a 10.4 ton per year increase in allowable volatile organic compound emissions) in Pine Creek Township, **Clinton County**.

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

**PA10-319A: Main Steel Polishing Co., Inc.** (6 Whitney Drive, Harmony, PA 16037) issued March 3, 1998, for the installation of a steel polishing process at Jackson Township, **Butler County**.

**REASONABLY AVAILABLE CONTROL  
TECHNOLOGY  
(RACT)**

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

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

**OP-46-0070: Finnaren & Haley, Inc.** (901 Washington Street, Conshohocken, PA 19428) issued March 5, 1998, for the operation of a Facility VOC/NOx RACT in Whitmarsh Township, **Montgomery County**.

**OP-09-0027: Fres-Co System USA, Inc.** (3005 State Road, Telford, PA 18969) issued March 5, 1998, for the operation of a Facility VOC/NOx RACT in West Rockhill Township, **Bucks County**.

**MINING**

**APPROVALS TO CONDUCT COAL AND NONCOAL  
ACTIVITIES**

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean

Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

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

*Coal Permits Issued*

**11970104. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of a bituminous strip-auger mine in Blacklick and Jackson Townships, **Cambria County**, affecting 444.0 acres, receiving stream unnamed tributaries to and South Branch Blacklick Creek. Application received May 23, 1997; permit issued March 3, 1998.

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

**65860105R. M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Permit renewal issued for continued mining and reclamation of a bituminous surface mining site located in Donegal Township, **Westmoreland County**, affecting 369.0 acres. Receiving streams: unnamed tributaries to Four Mine Run and unnamed tributary to Jacob's Creek. Application received December 15, 1997. Permit renewal issued: February 23, 1998.

**03970107. Seven Sisters Mining Co., Inc.** (P. O. Box 300, 200 US Route 22, Delmont, PA 15626). Permit issued for commencement, operation and reclamation of a bituminous surface auger mine located in South Bend Township, **Armstrong County**, affecting 20.9 acres. Receiving streams: unnamed tributary to Fagley Run to Fagley Run to Roaring Run to Crooked Creek to the Allegheny River. Application received: October 6, 1997. Permit issued: March 4, 1998.

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

**17803045. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847), revision to an existing bituminous surface mine permit for a change in permit acreage from 139.0 to 150.8 acres, Karthaus Township, **Clearfield County**, receiving streams: unnamed tributary of Upper Three Runs, and Upper Three Runs, and unnamed tributary of Saltlick Run, and Saltlick Run to West Branch Susquehanna River to Susquehanna River. Application received September 4, 1997; permit issued February 19, 1998.

**17970113. Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), commencement, operation and restoration of a bituminous surface mine-auger permit in Bell Township, **Clearfield County** of the Susquehanna River. Application received August 19, 1997; permit issued March 2, 1998.

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

**54910205R. CLS Coal Company** (P. O. Box 81, Port Carbon, PA 17965), renewal of an existing coal refuse reprocessing operation in West Mahanoy Township,

**Schuylkill County** affecting 12.5 acres, receiving stream none. Renewal issued March 5, 1998.

*McMurray District Office*

**56841321. Miller Springs, Inc.** (300 East Main St., Suite 400, Lexington, KY 40507), to renew the permit for the Bird Mine in Stoneycreek and Conemaugh Townships, **Cambria and Somerset Counties**, water handling only, no additional discharges. Permit issued February 27, 1998.

**56851303. Rox Coal, Inc.** (P. O. Box 148, Friedens, PA 15541), to renew the permit for the Barbara No. 1 and No. 2 Mine in Stoneycreek Township, **Somerset County**, no additional discharges. Permit issued February 27, 1998.

**03901302. T.J.S. Mining, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774), to revise the permit for the TJS No. 1 Deep Mine in South Bend Township, **Armstrong County**, revision to add permit acreage, no additional discharges. Permit issued March 4, 1998.

**56841610. Penn Pocahontas Coal Co.** (P. O. Box 68, Boswell, PA 15531), to renew the permit for the Prep Plant No. 1 in Brothersvalley Township, **Somerset County**, no additional discharges. Permit issued March 4, 1998.

**30841307. Cyprus Emerald Resource Corp.** (P. O. Box 1020, 145 Elm Dr., Waynesburg, PA 15370), to revise the permit for the Emerald No. 1 in Franklin Township, **Greene County**, no additional discharges. Permit issued March 4, 1998.

**03841305. Keystone Coal Mining Corp.** (P. O. Box 729, Indiana, PA 15701), to revise the permit for the Emilie No. 1 and No. 2 Mine in Plumcreek Township, **Armstrong County**, no additional discharges. Permit issued March 4, 1998.

**56743704. Penn Pocahontas Coal Co.** (P. O. Box 68, Boswell, PA 15531), to renew the permit for the P.P.C. Refuse Site in Brothersvalley Township, **Somerset County**, reclamation only, no additional discharges. Permit issued March 4, 1998.

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

*Noncoal Permits Issued*

**36970301. Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506), commencement, operation and restoration of a quarry operation in Earl and Ephrata Townships, **Lancaster County** affecting 14.0 acres, receiving stream none. Permit issued March 3, 1998.

**8274SM6A2C4. Binkley & Ober, Inc.** (P. O. Box 7, East Petersburg, PA 17520), renewal of NPDES Permit No. PA0595349 in East Hempfield Township, **Lancaster County**, receiving stream Unnamed tributary to the Little Conestoga Creek. Renewal issued March 4, 1998.

**64900302C2. Ciccone Construction, Inc.** (R. R. 2, Box 1575, Honesdale, PA 18431), renewal of NPDES Permit No. PA0595047 in Palmyra Township, **Wayne County**, receiving stream unnamed tributary to Middle Creek. Renewal issued March 4, 1998.

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

*Industrial Minerals NPDES Permit Renewal Application Issued*

**4273SM6. Grannas Brothers Stone & Asphalt Co., Inc.** (P. O. Box 488, Hollidaysburg, PA 16648) renewal of

NPDES Permit No. PA0212555, Frankstown Township, **Blair County**, receiving streams unnamed tributary to Brush Creek. NPDES renewal application received December 9, 1997. Issued March 2, 1998.

**40A76SM9. Keystone Lime Company, Inc.** (P. O. Box 278, Springs, PA 15562) renewal of NPDES Permit No. PA0212491, Elk Lick Township, **Somerset County**, receiving streams Glade Run (High Point Lake) and Enos Run. NPDES renewal application received December 5, 1997. Issued March 2, 1998.

**40A76SM1. Keystone Lime Company** (P. O. Box 278, Springs, PA 15562), renewal of NPDES Permit No. PA0212521, Elk Lick Township, **Somerset County**, receiving stream unnamed tributary to Laurel Run. NPDES Renewal application received December 26, 1997. Issued March 2, 1998.

**4274SM7. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit No. PA0009822, Walker Township, **Huntingdon County**, receiving stream Crooked Creek. NPDES Renewal application received December 16, 1997. Issued March 2, 1998.

**4174SM2. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit No. PA0009814, Shade Township, **Somerset County**, receiving streams Laurel Run and Beaverdam Run. NPDES Renewal application received December 16, 1997. Issued March 2, 1998.

**4275SM14. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit No. PA0124532, Snyder and Warriors Mark Township, **Blair and Huntingdon Counties**, receiving streams Logan Spring Run; unnamed tributary to Little Juniata River, and to Little Juniata River. NPDES Renewal application received December 16, 1997. Issued March 2, 1998.

**0579201. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit No. PA0118583, Broadtop Township, **Bedford County**, receiving streams Six Mile Run. NPDES Renewal application received December 16, 1997. Issued March 2, 1998.

**4274SM28. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit No. PA0035408, Frankstown Township, **Blair County**, receiving streams unnamed tributary to New Creek. NPDES Renewal application received December 16, 1997. Issued March 2, 1998.

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

*General Small Noncoal Authorizations Granted*

**34970801. Robert L. Gibbons** (R. R. 1, Box 500, Haney Grove, PA 17035), commencement, operation and restoration of a small quarry operation in Tuscarora Township, **Juniata County** affecting 1.0 acre, receiving stream none. Authorization granted March 3, 1998.

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

### **ENCROACHMENTS**

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental

Assessment Approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

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

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

**E13-105.** Encroachment. **Kidder Township**, P. O. Box 576, Lake Harmony, PA 18624. To maintain an existing stone masonry arch bridge having a span of 26 feet with an underclearance of approximately 13.5 feet across Black Creek. This project is located at the intersection of Black Creek and Meckes Lane (T-520) approximately .7 mile south of S. R. 0940 (Hickory Run, PA Quadrangle N: 12.2 inches; W: 12.3 inches) in Kidder Township, **Carbon County**.

**E54-242.** Encroachment. **Township of East Union**, Schoolhouse Road, Sheppton, PA 18248. To remove the existing structure and to construct and maintain two 68-inch by 43-inch elliptical concrete pipes in the channel of Little Tomhicken Creek. This project is located along Township Road T-822, 2400 feet northwest of the intersection with SR924 (Nuremberg, PA Quadrangle N: 7.2 inches; W: 0.1 inch) in East Union Township, **Schuylkill County**.

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

**E01-184.** Encroachment. **Huntington Township**, Floyd Stevens, P. O. Box 247, York Springs, PA 17372. To remove the existing culverts and to construct and maintain two 72-inch by 48-inch corrugated metal squash pipe culverts in the channel of an unnamed tributary to Bermudian Creek on Blueberry Road (T-589) and Ballstown Road (T-587) located about 1 mile south of Gargol Village (Mount Holly Springs, PA Quadrangle N: 0.0 inch; W: 6.4 inches) in Huntington Township, **Adams**

**County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E01-187.** Encroachment. **Department of Conservation and Natural Resources, Bureau of Forestry, District 1**, Marcus Snyder, 400 Rachel Carson Building, P. O. Box 8451, Harrisburg, PA 17105. To remove the existing structure and to construct and maintain a single span bridge having a span of 35 feet with an underclearance of 5 feet across Carbaugh Run located downstream of Carbaugh Run Dam (Iron Spring, PA Quadrangle N: 22.2 inches; W: 10.5 inches) in Franklin Township, **Adams County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E22-377.** Encroachment. **Locust Lane Limited Partnership**, Norman DeSousa, P. O. Box 1176, Bala Cynwyd, PA 19004. To construct and maintain a bridge having a span of 36 feet and an underclearance of 5.5 feet for maintenance vehicles and pedestrians across the channel of a tributary to Nyes Run at a point approximately 300 feet upstream of its mouth (Harrisburg East, PA Quadrangle N: 8.8 inches; W: 3.1 inches) in Lower Paxton Township, **Dauphin County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E28-246.** Encroachment. **PA Department of Transportation, Engineering District 8-0**, John Rautzahn, 2140 Herr Street, Harrisburg, PA 17103. To remove an existing two span bridge, and to construct and maintain a single span concrete deck bridge having a 50 feet centerline span with 8 feet minimum underclearance on a 45 degree skew across Wilson Run on SR 4009, Section 002, Segment 0060, Offset 1182 Station 142+14 located about 2.2 miles southeast of Edenville Village (St. Thomas, PA Quadrangle N: 14.1 inches; W: 1.92 inches) in St. Thomas Township, **Franklin County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E36-634.** Encroachment. **High Associates, Inc.**, Thomas Smithgall, 1853 William Penn Way, P. O. Box 10008, Lancaster, PA 17605. To fill 1.67 acres of wetlands and to construct a 1.3 million square foot warehousing and distribution building, a recycling building, a truck dispatch building and associated site improvements. Construction and maintenance of a 6-inch sewer force main is authorized across about 160 feet of emergent wetlands to serve the facilities. The distribution center is located on a site near PA Turnpike Exit 21 and SR 1059 (Terre Hill, PA Quadrangle N: 16.3 inches; W: 9.9 inches) in East Cocalico Township, **Lancaster County**. The permittee is required to provide 1.70 acres of replacement wetlands. This permit also includes 401 Water Quality Certification.

**E38-116.** Encroachment. **County of Lebanon, Lebanon County Historical Society**, William Carpenter, 400 S. 8th Street, Lebanon, PA 17042. To perform restoration work on the Union Canal Tunnel portal (entrance) and remove sediment deposits from approximately 500 feet of existing canal to its original condition located on the north side of Tunnel Hill Road (SR 4002) (Lebanon, PA Quadrangle N: 18.2 inches; W: 12.0 inches) in North Lebanon Township, **Lebanon County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E44-089.** Encroachment. **Bryan Yeager**, 107 Academy Hill, Lewistown, PA 17044. To construct and maintain a single span, steel stringer bridge having a span of about



15 feet and an underclearance of about 3.7 feet across in Meadow Creek for the purpose of constructing a driveway to access private property located on the north side of Biddle Lane about 800 feet north of its intersection with Brower Road (T-389) (Alfarata, PA Quadrangle N: 11.5 inches; W: 10.7 inches) in Decatur Township, **Mifflin County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E67-583.** Encroachment. **Irvin Baughman**, 1400 Second Avenue, York, PA 17403. To place fill in 0.36 acre of wetlands associated with a 270 foot stream enclosure for the purpose of extending an existing runway at the Lazy "B" Ranch & Airport located east of Bull Road 1 mile north of Canal Road (Dover, PA Quadrangle N: 5.0 inches; W: 8.7 inches) in Conewago Township, **York County**. Permittee is responsible for creating 0.36 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

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

**E18-249.** Encroachment. **Larry R. Bason**, R. R. 2, Box 323B, Mill Hall, PA 17751. To construct and maintain a 24 foot by 14 foot open sided picnic pavilion on top of an existing concrete pad in the floodway of the West Branch of the Susquehanna River located 0.2 mile north on Stone Lane from its intersection with Coy Farm Road (Lock Haven, PA Quadrangle N: 5.4 inches; W: 12.8 inches) in Woodward Township, **Clinton County**. This permit was issued under section 105.13(e) Small Projects.

**E53-305.** Encroachment. **I. P. Timberlands Operating Co., Ltd.**, P. O. Box 190, Coudersport, PA 16915. To maintain two culvert pipes, one 6 foot in diameter and the other 6 foot 6 inches in diameter, in Nelson Run located 0.75 mile east of SR 44 and 0.25 mile south of the Sweden Township line (Ayers Hill, PA Quadrangle N: 19.8 inches; W: 6.5 inches) in Summit Township, **Potter 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.*

**E11-256.** Encroachment. **PA Department of Transportation**, 1620 Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure; to construct and maintain a single span bridge having a normal span of 31.5 feet and an underclearance of 7.0 feet across Clearfield Creek; to place and maintain fill in 0.11 acre of wetlands and to relocate and maintain approximately 100 feet of an unnamed tributary to Clearfield Creek for the purpose of improving transportation safety and roadway standards. This permit also authorizes the construction and maintenance of a temporary roadway crossing consisting of four 60-inch corrugated metal pipes in Clearfield Creek just downstream of the proposed bridge and the installation and maintenance of rock bank stabilization for a distance of 75 feet along Clearfield Creek and 125 feet along an unnamed tributary to Clearfield Creek upstream of the proposed bridge. Wetland loss will be compensated at a 1:1 ratio by advance wetland compensation at State Game Land No. 108. The project is located on S. R. 1005, approximately 150 feet north of its intersection with T-452 (Cresson, PA Quadrangle N: 20.1 inches; W: 14.7 inches) in Allegheny Township, **Cambria County**.

**E32-389.** Encroachment. **Boyd and Shriver, Inc.**, Rend Building, South 7th Street, Suites 4-6-8, Indiana,

PA 15701. To remove the existing structure and to construct and maintain two 30-foot long, 36-inch diameter CMP culverts (inverts depressed 6 inches) in Crooked Run (HQ-CWF) for the purpose of gaining access to gas wells. The project is located approximately 200 feet east of T-550 (Rochester Mills, PA Quadrangle N: 8.4 inches; W: 16.35 inches) in Grant Township, **Indiana County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E30-184.** Encroachment. **PA Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove the existing structure damaged by longwall mining and to construct and maintain a 1.0 foot depressed box culvert having a normal span of 14.0 feet and an underclearance of 4.0 feet in an unnamed tributary to Whiteley Creek located on S. R. 0019 approximately 0.5 mile south of its intersection with S. R. 2018 (Garards Fort, PA Quadrangle N: 8.5 inches; W: 16.2 inches) in Whiteley Township, **Greene County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

#### DAM SAFETY

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

*Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**D10-108.** Dam. **Madison Heights Associates** (215 Executive Drive, Suite 300, Cranberry Township, PA 16066). To construct, operate and maintain a dam located across a tributary to Brush Creek in Cranberry Township, **Butler County**. The proposed facility will provide recreation and stormwater detention for the proposed Madison Heights subdivision.

#### ENVIRONMENTAL ASSESSMENT

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

**D22-022.** Environmental Assessment. **York Haven Power Company** (c/o GPU/GENCO, 1001 Broad Street, Johnstown, PA 15906). To construct, operate and maintain a fish passage facility at the East Channel Dam of the York Haven Hydroelectric Facility for the purpose of restoring anadromous fish species to the Susquehanna River. The fish passage facility will consist of a 250 foot long vertical slot fish ladder located on the west end of the East Channel Dam, a 67 foot wide weir cut into the East Channel Dam, a 210 foot long permanent cofferdam with two slide gates located immediately upstream of the dam and weir, and a 140 foot wide and 120 foot long excavated channel located immediately downstream of the weir to facilitate fish movement to the ladder entrance. The project will impact approximately 1.5 acres of river channel. The East Channel Dam is located across the Susquehanna River at Threemile Island approximately 2,200 feet northwest of the intersection of State Route 441 and Engle Road (Middletown, PA Quadrangle N: 3.30 inches; W: 13.75 inches) in Londonderry Township, **Dauphin County**.



---

**SPECIAL NOTICES**


---

**Act 101 Section 902 Grants****Round 35**

<i>Applicant</i>	<i>Project Type</i>	<i>Award</i>
<i>Southeast Region</i>		
Bucks County	Recycling Education	\$747
Lower Makefield Township Bucks County	Leaf Spreader and Loader	\$31,500
Warwick Township Bucks County	Leaf Shredder and Loader	\$84,150
Chester County	Composting and Recycling Containers and Education Programs	\$142,029
Chester County	Compost Trommel and Staging Area Site Improvements	\$174,159
Downingtown Borough Chester County	Recycling Education Program, Collection Containers and Trucks, and Leaf Loader	\$68,907
Chester Township Delaware County	Leaf Collection Equipment	\$18,765
Haverford Township Delaware County	Leaf Collection Equipment	\$79,200
Nether Providence Twp. Delaware County	Leaf Collection Equipment	\$45,000
Swarthmore Borough Delaware County	Compost Turner	\$179,076
Cheltenham Township Montgomery County	Yard Waste Collection Truck, Chipper and Loader	\$159,120
Lower Merion Township Montgomery County	Recycling Collection Trucks	\$167,400
Lower Moreland Township Montgomery County	Leaf Collection Equipment	\$28,435
Upper Merion Township Montgomery County	Recycling Education Program	\$3,089
Upper Moreland Township Montgomery County	Recycling Collection Truck and Leaf Collector	\$114,271
Subtotals	14	\$1,295,848
<i>Northeast Region</i>		
Towamensing Township Carbon County	Materials Compaction Baler and Curbside Recycling Containers	\$22,156
City of Carbondale Lackawanna County	Recycling Collection Truck	\$22,500
Lackawanna County	Project Development for Facility Improvements, Facility Improvements and Compost Tub Grinder	\$1,952,386
Emmaus Borough Lehigh County	Recycling Education Program	\$11,700
Lehigh County	Compost Windrow Turner	\$288,000
North Whitehall Township Lehigh County	Recycling Education Program	\$144
Salisbury Township Lehigh County	Recycling Education and Leaf Collection Vehicle	\$13,449
Slatington Borough Lehigh County	Recycling Education and Curbside Recycling Containers	\$13,453
Newport Township Luzerne County	Recycling Education and Leaf Collection Vehicle	\$23,247

## NOTICES

1461

<i>Applicant</i>	<i>Project Type</i>	<i>Award</i>
Nuangola Borough Luzerne County	Drop-off Recycling Building	\$5,940
City of Wilkes-Barre Luzerne County	Recycling Collection Trucks and Education	\$157,631
City of Bethlehem Northampton County	Recycling Education, Collection Containers and Composting Site Improvements	\$155,797
Girardville Borough Schuylkill County	Yardwaste Collection Trailer	\$990
Honesdale Borough Wayne County	Recycling Education and Collection Containers	\$15,026
Wayne County	Backyard Composting Bins	\$2,655
Subtotals	15	\$2,685,074
<i>Southcentral Region</i>		
Adams County	Recycling Center Equipment	\$179,100
Reading City Berks County	Recycling Education, Curbside Recycling Bins and Leaf Collection Equipment	\$137,155
Shillington Borough Berks County	Leaf Collection Equipment	\$15,750
Blair County	Litter Prevention and Recycling Education Program	\$58,500
Camp Hill Borough Cumberland County	Leaf Collection Equipment	\$32,657
Cumberland County	Recycling Education Program	\$11,929
Newville Borough Cumberland County	Drop-off Recycling Center Equipment	\$10,890
South Middleton Township Cumberland County	Curbside Collection Equipment	\$3,994
Upper Allen Township Cumberland County	Recycling Education	\$5,350
Susquehanna Township Dauphin County	Leaf Collection Equipment and Composting Screen and Turner	\$190,890
Washington Township Franklin County	Recycling Center Equipment and Land Improvements	\$174,735
East Donegal Township Lancaster County	Recycling Education and Yardwaste Collection Truck	\$46,948
East Hempfield Township Lancaster County	Leaf Collection Equipment	\$84,420
City of Lancaster Lancaster County	Recycling Education and Leaf Collection Equipment	\$10,946
Manor Township Lancaster County	Compost Screener, Wood Recycling Equipment and Leaf Collection Equipment	\$157,954
City of Lebanon Lebanon County	Leaf Collection Equipment	\$27,000
Lebanon County	Recycling Education, Collection Containers and Compost Screener	\$114,120
Derry Township Mifflin County	Wood Recycling Equipment	\$17,370
Perry County	Recycling Education and Drop-off Center Equipment	\$872
East Manchester Township York County	Leaf Collection Education and Equipment	\$32,490
Hanover Borough York County	Drop-off Recycling Containers	\$21,330
West Manchester Twp. York County	Leaf Collection Equipment	\$13,680

## NOTICES

<i>Applicant</i>	<i>Project Type</i>	<i>Award</i>
York County	Compost Screener	\$72,117
Subtotals	23	\$1,420,197
<i>Northcentral Region</i>		
Bradford County	Recycling Education Program	\$4,500
College Township Centre County	Leaf Collection and Wood Recycling Equipment	\$40,808
Clearfield Borough Clearfield County	Repair/refurbish Recycling Collection Truck	\$4,590
Clearfield County	Recycling Education Program, Collection Containers, Backyard Composting Bins and Recycling Center Equip.	\$13,467
Clinton County	Compost Tub Grinder and Can Separator Motor	\$117,450
Bloomsburg Town Columbia County	Curbside Collection Containers	\$4,938
Lycoming County	Recycling Education and Drop-off Collection Containers	\$67,500
Northumberland Borough Northumberland County	Recycling Education, Drop-off Collection Containers and Recycling Center Improvements	\$23,497
Monroe Township Snyder County	Recycling Education and Collection Truck	\$9,225
Selinsgrove Borough Snyder County	Recycling Education Program and Leaf Collection Equipment	\$25,330
East Buffalo Township Union County	Recycling Education, Collection Containers and Recycling Center Improvements	\$75,684
Subtotals	11	\$386,989
<i>Southwest Region</i>		
Carnegie Borough Allegheny County	Recycling Education and Leaf Collection Equipment	\$33,300
Ferndale Borough Cambria County	Wood Recycling Equipment	\$20,893
City of Johnstown Cambria County	Public Place Recycling Containers	\$20,000
Richland Township Cambria County	Recycling Education and Leaf Collection Equipment	\$36,136
Upper Yoder Township Cambria County	Recycling Education and Leaf Collection Equipment	\$12,130
Connellsville Township Fayette County	Leaf Collection Truck	\$27,000
Fayette County	Recycling Education Program, Drop-off Collection Truck, Fork lift and Containers	\$121,500
Canonsburg Borough Washington County	Recycling Education and Leaf Collection Equipment	\$46,800
South Strabane Township Washington County	Recycling Education and Leaf Collection Equipment	\$38,488
Latrobe Borough Westmoreland County	Curbside Recycling Containers and Leaf Collection Truck	\$43,327
Rostraver Township Westmoreland County	Curbside Recycling Containers	\$5,400
Subtotals	11	\$404,974
<i>Northwest Region</i>		
Crawford County	Commerical/Institutional Recycling Containers and Waste Reduction Education	\$53,514

<i>Applicant</i>	<i>Project Type</i>	<i>Award</i>
West Mead Township Crawford County Erie County	Recycling Processing Center Equipment and Recycling Education Program	\$365,806
Harborcreek Township Erie County	Recycling Education Program	\$24,300
Harborcreek Township Erie County	Yard Waste Collection Truck	\$9,504
Venango Township Erie County	Recycling Center Equipment and Containment Walls	\$29,915
Waterford Borough Erie County	Wood Recycling Equipment	\$27,159
Jefferson County	Newsprint Chopper for Animal Bedding, Recycling Collection Containers, Recycling Education Program	\$53,317
City of Bradford McKean County	Curbside Recycling Truck, Recycling Center Equipment, Recycling Center Improvements, Recycling Education	\$81,544
McKean County	Newsprint Baler and Fluffer, Building Expansion	\$138,172
Mercer County	Curbside Recycling Trucks, Recycling Center Processing Equipment	\$190,136
City of Franklin Venango County	Curbside Recycling Containers, Backyard Composting Bins, Recycling Education Program	\$54,778
Subtotals	11	\$1,028,145
Total	85	\$7,221,227

[Pa.B. Doc. No. 98-454. Filed for public inspection March 20, 1998, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "January 1998 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1998.

#### *Ordering Paper Copies of DEP Technical Guidance*

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

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

#### *Final Technical Guidance—Substantive Revision*

DEP ID: 563-2112-212 Title: Evaluation and Approval of Land Use Changes for Surface Coal Mine Operations Description: This guidance specifies procedures and criteria for the evaluation and approval of land use changes as part of the surface coal mine permitting process. Effective Date: February 9, 1998 Page Length: 5 pages Location: Vol 12, Tab 52 Contact: Evan Shuster at (717) 783-8845

DEP ID: 563-2112-604 Title: Auger Mining Description: This guidance establishes administrative procedures for processing requests for auger mining and provides guidelines for the technical evaluation of auger mining proposals. Effective Date: February 9, 1998 Page Length: 5 pages Location: Vol 12, Tab 73 Contact: Evan Shuster at (717) 783-8845

#### *Final Technical Guidance—Minor Revision*

DEP ID: 563-2113-660 Title: Coal Refuse Disposal—Site Selection Description: This guidance explains in detail the site selection process which applies to new or expanded coal refuse disposal sites. Effective Date: February 23, 1998 Page Length: 12 pages Location: Vol 12, Tab 84a Contact: Evan Shuster at (717) 783-8845

#### *Draft Technical Guidance—New Guidance*

DEP ID: 393-0900-021 Title: UST/AST System Variances Description: This guidance provides the qualifying conditions for an underground or aboveground storage tank (UST/AST) variance; variance request criteria; application process; and the Department's review and approval process. Anticipated Effective Date: April 10, 1998 Deadline for Submittal of Comments: March 27, 1998 Contact: Glenn Rider at (717) 772-5599

DEP ID: 560-0600-106 Title: Industrial Minerals Memorandum of Understanding—PFBC Description: Addresses

the roles of the PFBC and DEP in the regulation of industrial mineral mining. Anticipated Effective Date: November 11, 1998 Deadline for Submittal of Comments: April 9, 1998 Contact: Evan Shuster at (717) 783-8845.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 98-455. Filed for public inspection March 20, 1998, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Income Limits for the Categorically Needy; Nonmoney Payment Medical Assistance Program

The Department of Public Welfare (Department) increased the income limits codified at 55 Pa. Code § 181.1(f)(1), (2) and (4) effective January 1, 1998.

The regulations at 55 Pa. Code § 181.1(f)(1), (2) and (4) establish that the income limits for the Categorically Needy Nonmoney Payment (NMP) Medical Assistance (MA) Program for aged, blind and disabled persons are based on the Federal benefit rate payable under Title XVI of the Social Security Act (42 U.S.C.A §§ 1381—1383c). Effective January 1, 1998, the Federal benefit rate was increased due to the Federal cost-of-living increase.

As required under 55 Pa. Code § 181.1(f), the Department revised the income limits for the Categorically Needy Nonmoney Payment Medical Assistance Program for aged, blind and disabled persons effective January 1, 1998. Those limits are set forth in Appendices A, B and D, which are recommended for codification in 55 Pa. Code Chapter 181. Appendix A is the Federal benefit rate plus the State supplement payable under Title XVI. Appendix B is 300% of the Federal benefit rate payable under Title XVI. Appendix D is the Federal benefit rate payable under Title XVI. Item 1 of Appendix D is 1/2 of the Federal benefit rate for one person. Item 2 of Appendix D is 1/2 of the Federal benefit rate for two persons.

Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (Voice users).

#### Appendix A

Categorically needy nonmoney payment monthly income limits for aged, blind and disabled categories effective January 1, 1998

1 Person	\$521.40
2 Persons	\$784.70

#### Additions effective January 1, 1998

TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code
20,27,40	11055	86	86704	86,AR	87798	30,60	99348	-	-
20,27,40	11056	86	86705	89,AR	88141	86	84520	-	-
20,27,40	11057	86	86706	60	90748	86,AR	87536	-	-
20,27	17003	86	86707	25,27,40	92997	86,AR	87797	-	-
10,25,27,40	56349	86	86708	25,27,40	92998	30,60	99350	-	-
10,20,27,40	67027	86	86803	25,27,40	93530	60	W9960	-	-

#### Appendix B

Categorically needy nonmoney payment monthly income limits for aged, blind, and disabled categories receiving skilled care, heavy care/intermediate services or intermediate care effective January 1, 1998

1 Person	\$1,482
----------	---------

#### Appendix D

Monthly Federal benefit rate effective January 1, 1998

1 Person	\$494
2 Persons	\$741

Percentages of monthly Federal benefit rate effective January 1, 1998

Item 1) 50% of Federal Benefit Rate for 1 person=\$247

Item 2) 50% of Federal Benefit Rate for 2 persons=\$370.50

FEATHER O. HOUSTOUN,  
Secretary

**Fiscal Note:** 14-NOT-166. No fiscal impact; (8) recommends adoption. Additional funds for this cost-of-living adjustment and increased income eligibility have been included in the Department of Public Welfare's budget.

[Pa.B. Doc. No. 98-456. Filed for public inspection March 20, 1998, 9:00 a.m.]

### Medical Assistance Program Fee Schedule Revisions; 1998 HCPCS Updates

The Department of Public Welfare announces effective January 1, 1998, that changes have been made to the Medical Assistance Program Fee Schedule as a result of implementing the 1998 updates to the Health Care Financing Administration Common Procedure Coding System (HCPCS). The Federally required updates add new procedure codes which are compensable beginning January 1, 1998.

#### Additions effective January 1, 1998, for Provider Types 05, 19

<i>Type of Service (TOS)</i>	<i>Procedure Code</i>
AM	L 1843

#### Changes to the Medical Assistance Program Fee Schedule for Provider Types 01, 03, 04, 07,10, 11, 12, 15, 16, 17, 20, 30, 43, 49 and 50:

TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code
10,20,27,40	57308	86	86804	25,27,40	93531	86	80049	-	-
86	83735	86	87340	25,27,40	93532	86	80051	-	-
86	87380	30,60	99349	25,27,40	93533	86	80058	-	-
86	87390	30,60	99347	86	80054	-	-	-	-

*End—Dated May 29, 1998—The procedure codes being deleted from the fee schedule as a result of those updates will not be compensable for services provided after May 29, 1998.*

TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code	TOS	Procedure Code
20,27	17100	60	A2000	86	80007	86	86295	20	G0051
20,27	17101	86	G0058	86	80008	86	86296	20	G0052
20,27	17102	86	G0059	86	80009	86	86299	20	G0053
20,27	17104	86	G0060	86	80010	86	86302	54, RD,57	G0062
20,27	17105	60,ES,PT	Q0103	86	80011	86	86303	RD, 57, 54	G0063
20,40,27	17200	60,ES,PT	Q0104	86	80012	86	86306	86	W1866
20,40	17201	60,ES,OT	Q0109	86	80016	86	86311	20,27,40	11050
53,58,RN	78726	60,ES,OT	Q0110	86	80018	86	87178		
53,58,RN	78727	20,40,27	11051	86	80019	86,AR	87179		
86	80002	OT	H5300	86	86287	89	88151		
86	80003	20,40,27	11052	86	86289	89	88157		
86	80004	20,27	17001	86	86290	30, 60, 70 PS	99351		
86	80005	20,27	17002	86	86291	30, 60, 70 PS	99352		
86	80006	20,27	17010	86	86293	30, 60, 70 PS	99353		

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

Price changes made to the Medical Assistance Fee Schedule are routinely included in carryforward budget estimates.

#### Contact Person

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

Persons with a disability may use the AT&T Relay Services by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users). Persons who require another alternative should contact Thomas Vracarich at (717) 783-2800.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-164. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 98-457. Filed for public inspection March 20, 1998, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application to Lease Property

Notice is hereby given that pursuant to Volume 67 Pa. Code Chapter 495, Section 495.4, Par. D; Rules and Regulations covering the Administration of the Provisions of Act No. 37, approved March 13, 1974, and Act 251, as amended November 17, 1982, amending Section 2002, Act of April 9, 1929, P.L. 177, (No. 175) known as the Administrative Code of 1929, an application has been made to the Pennsylvania Department of Transportation by:

The Pennsylvania Convention Center Authority

To Lease, with right to purchase, excess Penndot property, Legislative route 676, Section 11A, enclosed by 7th and 8th and Callowhill and Vine Streets.

This site is to be used as a parking and staging area for trucks and buses servicing the Convention Center.

Interested persons are invited to submit written comments, suggestions and/or objections to the approval of the application, within thirty (30) calendar days from the date of publication of this notice to: Andrew Warren, District Administrator, Engineering District 6-0, 200 Radnor Chester Road, St. Davids, PA 19087.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-458. Filed for public inspection March 20, 1998, 9:00 a.m.]

### Finding

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation is proposing a project to construct a new interchange on Route 28 between the full interchange at Springdale and the partial interchange at Creighton providing a direct connection to Tawney Run Road from Route 28. The Department of Transportation has received environmental clearance in the form of a Finding of No Significant Impact from the Division Administrator of the Federal Highway Administration.

No adverse environmental effect is likely to result from construction of the proposed interchange.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-459. Filed for public inspection March 20, 1998, 9:00 a.m.]

### Retention of Engineering Firms

#### Allegheny County Project Reference No. 08430AG2171

The Department of Transportation will retain an engineering firm for a multi-phase, specific project agreement to undertake environmental and preliminary engineering studies; and to complete final design, including preparation of bridge and roadway plans, specifications and estimates. This project is for the widening of S.R. 0286 with connections to existing roads and businesses on both sides of the road for an approximate length of 7.65 km (4.75 miles). This project is located approximately two (2) miles east of Monroeville and north of U.S. Route 22 on S.R. 0286 to approximately S.R. 4057 in Westmoreland County, north of the Allegheny/Westmoreland County line. The project is located in Plum Borough and the Municipality of Monroeville in Allegheny County and the Municipality of Murrysville in Westmoreland County. The design portion of this multi-phase project is expected to have an overall duration of approximately thirty (30) months with shorter, varying schedules for individual phases. The estimated construction cost of the new roadway is over \$20 million.

The selected firm will be required to provide a variety of services including the following: project administration; field surveys; utility coordination; H&H studies; geotechnical studies; preliminary right-of-way investigation; safety reviews; value engineering; environmental studies for environmental document preparation; Congestion Management System analysis; a public/public officials involvement program; alternative analyses; preliminary line, grade and typical section development; and preliminary type, size, and location submissions; final design activities including Final Step 9 and type, size, and location; drainage and highway lighting design; right-of-way plans; traffic control plans; erosion and sedimentation control plans; foundation submissions; structure designs; and preparation of a plans, specifications and estimates package.

The design of this project will be in metric units. Its funding will be 100% state.

The Department is seeking a moderate to large, multi-disciplined firm with environmental, geotechnical, highway design and structure design experience.

Letters of interest will be evaluated at the Engineering District 11-0 Office with emphasis on the following factors:

- a. Ability to package and present the letter of interest in accordance with the "General Requirements and Information" section.
- b. Specialized experience and technical competence of firm.
- c. Experience in preparation of environmental documents and public involvement.
- d. Public Involvement Coordinator/Public Presenter.
- e. Experience in highway design, small structure design, traffic analysis, geotechnical design and hydrological/hydraulic analysis and design.
- f. Past record of performance with respect to cost control, work quality, and ability to meet schedules.
- g. Workload.
- h. Listing of subconsultants.
- i. Other factors, if any, specific to the project.

Limits to the letter of interest submittal, in addition to the General Requirements and Information, are as follows:

- a. Resumes - ten total pages of resumes, one sided.
- b. Standard Form 255, Item 8 (Number of project descriptions which demonstrates the firm's competence) - five (5) project descriptions.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised projects.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Henry Nutbrown, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Attention Mr. Sean M. Henderson, P.E.

The District will announce the firms that have been shortlisted at an open public meeting to be held at Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017 at 10:00 a.m. on Friday, April 24, 1998. Please specify a contact person, phone number, and address in the letter of interest.

Any technical questions concerning the requirements for this project should be directed to Mr. Sean M. Henderson, P.E., District 11-0, at (412) 429-4926.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### General Requirements and Information

Firms interested in providing the above work and services are invited to submit two copies of a Letter of Interest are required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to: Mr. Charles W. Al-lwein, P.E., Chief, Consultant Selection Committee, 7th Floor, Forum Place 555 Walnut Street, P. O. Box 3060,

Harrisburg, Pennsylvania 17105-3060. Note: The Zip Code for express Mailing is 17101-1900

The Letter of Interest and required information must be received within twenty (20) calendar days of this Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 p.m. prevailing time of the twentieth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual, firm, or corporate which is permitted under the state law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The Act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each Letter of Interest must include the following information and the information packaged and presented in the following order:

1. Transmittal Letter (Maximum of two (2) 8 1/2" x 11" typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional Engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm.

2. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart must show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

The Standard Form 255 must be signed, dated, and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project.

Under Item 4 of this form, Column A must specify only the number of subconsultant personnel and Column B must specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant may include no more than one page each for Items 10 and 11.

If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, must accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the Letter of Interest, the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the



Bureau of Design and appropriate Engineering District/Central Office Bureau.

These Forms must be assembled with the prime's form first, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Form 255.

5. Workload Projection Graph (Not required for Construction Inspection Services)

Separate Workload Projection Graphs for the prime and each subconsultant shown in Item 6 of the Form 255 must be included and must indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graphs must be submitted for the office(s) where the work would be performed and must only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (For Construction Inspections Services, if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees must be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

Firms with out-of-state headquarters or corporations not incorporated in Pennsylvania must include, with each Letter of Interest, a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

8. Overhead Rates (one page)

A single page summary must indicate the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Accountant must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

9. Additional Information

Additional information, not to exceed ten (10) one sided 8 1/2" x 11" pages or five (5) double sided 8 1/2" x 11" pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solici-

tions requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-460. Filed for public inspection March 20, 1998, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### The County of Dauphin, Washington Township and the Upper Dauphin Area Citizens Action Committee v. DEP and Dauphin Meadows, Inc., Permittee; EHB Doc. No. 98-040-MR

The County of Dauphin, Washington Township and the Upper Dauphin Areas Citizens Action Committee has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Dauphin Meadows, Inc. for a facility in Washington Township, Dauphin County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under to 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 98-461. Filed for public inspection March 20, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for Plan Approval of a Merger by Bedford County Grange Mutual Insurance Company with Elk County Mutual Fire Insurance Company

Bedford County Grange Mutual Insurance Company, a Pennsylvania domiciled mutual fire insurance company, has submitted a plan of merger, whereby it proposes to merge with Elk County Mutual Fire Insurance Company, a Pennsylvania domiciled mutual fire insurance company. The survivor will be Bedford County Grange Mutual Insurance Company. The initial filing was received on March 4, 1998, and was made under requirements set forth under the Business Corporation Law of 1988, 15

Pa.C.S. §§ 1921 through 1932 and 15 P.S. §§ 21205—21207. Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the 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, or faxed to (717) 787-8557.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-462. Filed for public inspection March 20, 1998, 9:00 a.m.]

**Credit Life, Credit Accident and Health, and Credit Involuntary Unemployment Insurance Prima Facie Premium Rates**

The Insurance Department adopts the following prima facie premium rates for credit life, credit accident and health, and credit involuntary unemployment insurance. The prima facie premium rates are published in the *Pennsylvania Bulletin* in accordance with the requirements of 31 Pa. Code §§ 73.106(a), 73.109(a) and 73.112(a).

**Credit Life Prima Facie Premium Rates**

<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>
1	\$0.07
2	\$0.11
3	\$0.14
4	\$0.18
5	\$0.21
6	\$0.24
7	\$0.28
8	\$0.31
9	\$0.35
10	\$0.38
11	\$0.42
12	\$0.45
13	\$0.49
14	\$0.52
15	\$0.55
16	\$0.59
17	\$0.62
18	\$0.65
19	\$0.69
20	\$0.72
21	\$0.75
22	\$0.79
23	\$0.82
24	\$0.85
25	\$0.89
26	\$0.92
27	\$0.95
28	\$0.99
29	\$1.02
30	\$1.05

<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>
31	\$1.08
32	\$1.12
33	\$1.15
34	\$1.18
35	\$1.21
36	\$1.24
37	\$1.28
38	\$1.31
39	\$1.34
40	\$1.37
41	\$1.40
42	\$1.44
43	\$1.47
44	\$1.50
45	\$1.53
46	\$1.56
47	\$1.59
48	\$1.62
49	\$1.65
50	\$1.69
51	\$1.72
52	\$1.75
53	\$1.78
54	\$1.81
55	\$1.84
56	\$1.87
57	\$1.90
58	\$1.93
59	\$1.96
60	\$1.99
61	\$2.02
62	\$2.05
63	\$2.08
64	\$2.11
65	\$2.14
66	\$2.17
67	\$2.20
68	\$2.23
69	\$2.26
70	\$2.29
71	\$2.32
72	\$2.35
73	\$2.38
74	\$2.41
75	\$2.44
76	\$2.46
77	\$2.49
78	\$2.52
79	\$2.55
80	\$2.58
81	\$2.61
82	\$2.64
83	\$2.67
84	\$2.69
85	\$2.72
86	\$2.75
87	\$2.78
88	\$2.81
89	\$2.84
90	\$2.86
91	\$2.89
92	\$2.92
93	\$2.95
94	\$2.98
95	\$3.00

## NOTICES

<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>	<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>
96	\$3.03	161	\$4.70
97	\$3.06	162	\$4.73
98	\$3.09	163	\$4.75
99	\$3.11	164	\$4.77
100	\$3.14	165	\$4.80
101	\$3.17	166	\$4.82
102	\$3.20	167	\$4.84
103	\$3.22	168	\$4.87
104	\$3.25	169	\$4.89
105	\$3.28	170	\$4.91
106	\$3.30	171	\$4.94
107	\$3.33	172	\$4.96
108	\$3.36	173	\$4.98
109	\$3.39	174	\$5.01
110	\$3.41	175	\$5.03
111	\$3.44	176	\$5.05
112	\$3.47	177	\$5.08
113	\$3.49	178	\$5.10
114	\$3.52	179	\$5.12
115	\$3.55	180	\$5.15
116	\$3.57	181	\$5.17
117	\$3.60	182	\$5.19
118	\$3.62	183	\$5.21
119	\$3.65	184	\$5.24
120	\$3.68	185	\$5.26
121	\$3.70	186	\$5.28
122	\$3.73	187	\$5.30
123	\$3.76	188	\$5.33
124	\$3.78	189	\$5.35
125	\$3.81	190	\$5.37
126	\$3.83	191	\$5.39
127	\$3.86	192	\$5.42
128	\$3.88	193	\$5.44
129	\$3.91	194	\$5.46
130	\$3.94	195	\$5.48
131	\$3.96	196	\$5.51
132	\$3.99	197	\$5.53
133	\$4.01	198	\$5.55
134	\$4.04	199	\$5.57
135	\$4.06	200	\$5.59
136	\$4.09	201	\$5.62
137	\$4.11	202	\$5.64
138	\$4.14	203	\$5.66
139	\$4.16	204	\$5.68
140	\$4.19	205	\$5.70
141	\$4.21	206	\$5.72
142	\$4.24	207	\$5.75
143	\$4.26	208	\$5.77
144	\$4.29	209	\$5.79
145	\$4.31	210	\$5.81
146	\$4.34	211	\$5.83
147	\$4.36	212	\$5.85
148	\$4.39	213	\$5.88
149	\$4.41	214	\$5.90
150	\$4.44	215	\$5.92
151	\$4.46	216	\$5.94
152	\$4.48	217	\$5.96
153	\$4.51	218	\$5.98
154	\$4.53	219	\$6.00
155	\$4.56	220	\$6.02
156	\$4.58	221	\$6.04
157	\$4.61	222	\$6.07
158	\$4.63	223	\$6.09
159	\$4.65	224	\$6.11
160	\$4.68	225	\$6.13

<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>	<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>
226	\$6.15	44	\$1.79
227	\$6.17	45	\$1.83
228	\$6.19	46	\$1.87
229	\$6.21	47	\$1.91
230	\$6.23	48	\$1.94
231	\$6.25	49	\$1.98
232	\$6.27	50	\$2.02
233	\$6.29	51	\$2.05
234	\$6.31	52	\$2.09
235	\$6.33	53	\$2.13
236	\$6.35	54	\$2.17
237	\$6.38	55	\$2.20
238	\$6.40	56	\$2.24
239	\$6.42	57	\$2.27
240	\$6.44	58	\$2.31
		59	\$2.35
		60	\$2.38
		61	\$2.42
		62	\$2.46
		63	\$2.49
		64	\$2.53
		65	\$2.56
		66	\$2.60
		67	\$2.63
		68	\$2.67
		69	\$2.71
		70	\$2.74
		71	\$2.78
		72	\$2.81
		73	\$2.85
		74	\$2.88
		75	\$2.92
		76	\$2.95
		77	\$2.99
		78	\$3.02
		79	\$3.05
		80	\$3.09
		81	\$3.12
		82	\$3.16
		83	\$3.19
		84	\$3.23
		85	\$3.26
		86	\$3.29
		87	\$3.33
		88	\$3.36
		89	\$3.40
		90	\$3.43
		91	\$3.46
		92	\$3.50
		93	\$3.53
		94	\$3.56
		95	\$3.60
		96	\$3.63
		97	\$3.66
		98	\$3.69
		99	\$3.73
		100	\$3.76
		101	\$3.79
		102	\$3.83
		103	\$3.86
		104	\$3.89
		105	\$3.92
		106	\$3.96
		107	\$3.99
		108	\$4.02

**Credit Life with Total and Permanent Disability  
Prima Facie Premium Rates**

<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>
1	\$0.08
2	\$0.13
3	\$0.17
4	\$0.21
5	\$0.25
6	\$0.29
7	\$0.33
8	\$0.38
9	\$0.42
10	\$0.46
11	\$0.50
12	\$0.54
13	\$0.58
14	\$0.62
15	\$0.66
16	\$0.70
17	\$0.74
18	\$0.78
19	\$0.82
20	\$0.86
21	\$0.90
22	\$0.94
23	\$0.98
24	\$1.02
25	\$1.06
26	\$1.10
27	\$1.14
28	\$1.18
29	\$1.22
30	\$1.26
31	\$1.30
32	\$1.34
33	\$1.37
34	\$1.41
35	\$1.45
36	\$1.49
37	\$1.53
38	\$1.57
39	\$1.60
40	\$1.64
41	\$1.68
42	\$1.72
43	\$1.76

<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>	<i>No. of Equal Monthly Installments</i>	<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>
109	\$4.05	174	\$5.99
110	\$4.09	175	\$6.02
111	\$4.12	176	\$6.05
112	\$4.15	177	\$6.08
113	\$4.18	178	\$6.10
114	\$4.21	179	\$6.13
115	\$4.24	180	\$6.16
116	\$4.28	181	\$6.19
117	\$4.31	182	\$6.21
118	\$4.34	183	\$6.24
119	\$4.37	184	\$6.27
120	\$4.40	185	\$6.30
121	\$4.43	186	\$6.32
122	\$4.46	187	\$6.35
123	\$4.50	188	\$6.38
124	\$4.53	189	\$6.40
125	\$4.56	190	\$6.43
126	\$4.59	191	\$6.46
127	\$4.62	192	\$6.48
128	\$4.65	193	\$6.51
129	\$4.68	194	\$6.54
130	\$4.71	195	\$6.56
131	\$4.74	196	\$6.59
132	\$4.77	197	\$6.62
133	\$4.80	198	\$6.64
134	\$4.83	199	\$6.67
135	\$4.86	200	\$6.70
136	\$4.89	201	\$6.72
137	\$4.92	202	\$6.75
138	\$4.95	203	\$6.78
139	\$4.98	204	\$6.80
140	\$5.01	205	\$6.83
141	\$5.04	206	\$6.85
142	\$5.07	207	\$6.88
143	\$5.10	208	\$6.90
144	\$5.13	209	\$6.93
145	\$5.16	210	\$6.96
146	\$5.19	211	\$6.98
147	\$5.22	212	\$7.01
148	\$5.25	213	\$7.03
149	\$5.28	214	\$7.06
150	\$5.31	215	\$7.08
151	\$5.34	216	\$7.11
152	\$5.37	217	\$7.14
153	\$5.40	218	\$7.16
154	\$5.43	219	\$7.19
155	\$5.46	220	\$7.21
156	\$5.48	221	\$7.24
157	\$5.51	222	\$7.26
158	\$5.54	223	\$7.29
159	\$5.57	224	\$7.31
160	\$5.60	225	\$7.34
161	\$5.63	226	\$7.36
162	\$5.66	227	\$7.39
163	\$5.69	228	\$7.41
164	\$5.71	229	\$7.44
165	\$5.74	230	\$7.46
166	\$5.77	231	\$7.49
167	\$5.80	232	\$7.51
168	\$5.83	233	\$7.53
169	\$5.85	234	\$7.56
170	\$5.88	235	\$7.58
171	\$5.91	236	\$7.61
172	\$5.94	237	\$7.63
173	\$5.97	238	\$7.66

<i>No. of Equal Monthly Installments</i>		<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>				<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period</i>		<i>Retroactive Elimination Period</i>	
							14 Days	30 Days	14 Days	30 Days
239		\$7.68								
240		\$7.70								
<b>Credit Accident and Health Prima Facie Premium Rates</b>						56	\$3.86	\$3.04	\$4.19	\$3.55
<i>Single Premium Rate per \$100 of Initial Insured Gross Indebtedness</i>						57	\$3.88	\$3.05	\$4.21	\$3.56
						58	\$3.90	\$3.07	\$4.24	\$3.58
						59	\$3.94	\$3.09	\$4.27	\$3.61
						60	\$3.96	\$3.11	\$4.30	\$3.62
						61	\$3.98	\$3.12	\$4.33	\$3.65
						62	\$4.02	\$3.15	\$4.35	\$3.66
						63	\$4.04	\$3.17	\$4.39	\$3.69
						64	\$4.07	\$3.18	\$4.42	\$3.71
						65	\$4.10	\$3.21	\$4.45	\$3.74
						66	\$4.13	\$3.23	\$4.48	\$3.75
						67	\$4.15	\$3.24	\$4.50	\$3.77
						68	\$4.17	\$3.25	\$4.53	\$3.80
						69	\$4.21	\$3.28	\$4.56	\$3.81
						70	\$4.23	\$3.30	\$4.58	\$3.82
						71	\$4.25	\$3.31	\$4.61	\$3.85
						72	\$4.28	\$3.32	\$4.63	\$3.87
						73	\$4.30	\$3.34	\$4.66	\$3.88
						74	\$4.32	\$3.36	\$4.68	\$3.90
						75	\$4.35	\$3.39	\$4.70	\$3.92
						76	\$4.37	\$3.40	\$4.73	\$3.94
						77	\$4.40	\$3.42	\$4.75	\$3.95
						78	\$4.42	\$3.43	\$4.77	\$3.97
						79	\$4.44	\$3.45	\$4.80	\$3.98
						80	\$4.46	\$3.46	\$4.82	\$4.00
						81	\$4.49	\$3.49	\$4.84	\$4.03
						82	\$4.51	\$3.50	\$4.87	\$4.04
						83	\$4.53	\$3.51	\$4.89	\$4.06
						84	\$4.56	\$3.53	\$4.92	\$4.07
						85	\$4.58	\$3.55	\$4.94	\$4.09
						86	\$4.60	\$3.56	\$4.96	\$4.10
						87	\$4.63	\$3.58	\$4.98	\$4.13
						88	\$4.65	\$3.60	\$5.01	\$4.15
						89	\$4.67	\$3.61	\$5.03	\$4.16
						90	\$4.70	\$3.63	\$5.06	\$4.18
						91	\$4.72	\$3.64	\$5.08	\$4.19
						92	\$4.75	\$3.66	\$5.10	\$4.20
						93	\$4.76	\$3.67	\$5.11	\$4.21
						94	\$4.78	\$3.69	\$5.14	\$4.23
						95	\$4.80	\$3.71	\$5.16	\$4.25
						96	\$4.83	\$3.72	\$5.19	\$4.26
						97	\$4.85	\$3.73	\$5.21	\$4.28
						98	\$4.88	\$3.75	\$5.23	\$4.29
						99	\$4.89	\$3.76	\$5.24	\$4.30
						100	\$4.91	\$3.77	\$5.27	\$4.32
						101	\$4.94	\$3.79	\$5.29	\$4.33
						102	\$4.96	\$3.81	\$5.31	\$4.35
						103	\$4.98	\$3.82	\$5.34	\$4.37
						104	\$4.99	\$3.84	\$5.35	\$4.38
						105	\$5.01	\$3.87	\$5.37	\$4.39
						106	\$5.04	\$3.88	\$5.40	\$4.41
						107	\$5.05	\$3.89	\$5.41	\$4.42
						108	\$5.08	\$3.91	\$5.43	\$4.44
						109	\$5.10	\$3.93	\$5.46	\$4.46
						110	\$5.12	\$3.94	\$5.48	\$4.46
						111	\$5.15	\$3.94	\$5.49	\$4.48
						112	\$5.16	\$3.95	\$5.52	\$4.50
						113	\$5.19	\$3.97	\$5.54	\$4.51
						114	\$5.21	\$3.98	\$5.57	\$4.53
						115	\$5.23	\$4.00	\$5.58	\$4.54
						116	\$5.25	\$4.01	\$5.60	\$4.56
						117	\$5.27	\$4.03	\$5.62	\$4.57
						118	\$5.29	\$4.05	\$5.64	\$4.58

<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period</i>		<i>Retroactive Elimination Period</i>		<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period</i>		<i>Retroactive Elimination Period</i>	
	14 Days	30 Days	14 Days	30 Days		14 Days	30 Days	14 Days	30 Days
	119	\$5.30	\$4.06	\$5.65		\$4.60	182	\$6.52	\$4.92
120	\$5.32	\$4.07	\$5.68	\$4.61	183	\$6.54	\$4.94	\$6.90	\$5.49
121	\$5.35	\$4.09	\$5.70	\$4.63	184	\$6.57	\$4.95	\$6.92	\$5.50
122	\$5.36	\$4.10	\$5.72	\$4.64	185	\$6.57	\$4.97	\$6.93	\$5.52
123	\$5.39	\$4.12	\$5.74	\$4.66	186	\$6.59	\$4.99	\$6.95	\$5.54
124	\$5.39	\$4.13	\$5.75	\$4.67	187	\$6.62	\$5.00	\$6.98	\$5.55
125	\$5.42	\$4.14	\$5.77	\$4.69	188	\$6.63	\$5.02	\$7.00	\$5.56
126	\$5.43	\$4.16	\$5.79	\$4.70	189	\$6.65	\$5.03	\$7.02	\$5.56
127	\$5.45	\$4.18	\$5.81	\$4.72	190	\$6.68	\$5.04	\$7.03	\$5.58
128	\$5.47	\$4.19	\$5.82	\$4.73	191	\$6.69	\$5.06	\$7.05	\$5.59
129	\$5.49	\$4.19	\$5.85	\$4.73	192	\$6.72	\$5.07	\$7.08	\$5.60
130	\$5.51	\$4.20	\$5.87	\$4.75	193	\$6.73	\$5.09	\$7.10	\$5.62
131	\$5.53	\$4.21	\$5.89	\$4.76	194	\$6.75	\$5.10	\$7.11	\$5.64
132	\$5.55	\$4.24	\$5.90	\$4.78	195	\$6.77	\$5.10	\$7.14	\$5.65
133	\$5.57	\$4.25	\$5.93	\$4.79	196	\$6.79	\$5.12	\$7.15	\$5.66
134	\$5.58	\$4.26	\$5.94	\$4.80	197	\$6.81	\$5.13	\$7.17	\$5.68
135	\$5.61	\$4.28	\$5.96	\$4.82	198	\$6.82	\$5.15	\$7.19	\$5.69
136	\$5.63	\$4.29	\$5.99	\$4.84	199	\$6.84	\$5.16	\$7.21	\$5.71
137	\$5.65	\$4.30	\$6.00	\$4.85	200	\$6.86	\$5.18	\$7.22	\$5.73
138	\$5.67	\$4.32	\$6.03	\$4.87	201	\$6.88	\$5.19	\$7.25	\$5.74
139	\$5.69	\$4.34	\$6.05	\$4.88	202	\$6.91	\$5.21	\$7.27	\$5.75
140	\$5.70	\$4.35	\$6.06	\$4.89	203	\$6.92	\$5.22	\$7.27	\$5.77
141	\$5.73	\$4.36	\$6.08	\$4.89	204	\$6.95	\$5.24	\$7.30	\$5.79
142	\$5.75	\$4.38	\$6.11	\$4.91	205	\$6.97	\$5.25	\$7.33	\$5.79
143	\$5.76	\$4.39	\$6.12	\$4.92	206	\$6.98	\$5.27	\$7.34	\$5.81
144	\$5.79	\$4.41	\$6.14	\$4.94	207	\$7.01	\$5.27	\$7.36	\$5.81
145	\$5.81	\$4.42	\$6.17	\$4.95	208	\$7.02	\$5.28	\$7.39	\$5.82
146	\$5.82	\$4.44	\$6.18	\$4.97	209	\$7.04	\$5.29	\$7.40	\$5.85
147	\$5.85	\$4.44	\$6.21	\$4.98	210	\$7.06	\$5.31	\$7.43	\$5.86
148	\$5.86	\$4.46	\$6.22	\$5.00	211	\$7.08	\$5.33	\$7.45	\$5.87
149	\$5.89	\$4.46	\$6.24	\$5.01	212	\$7.10	\$5.34	\$7.46	\$5.89
150	\$5.90	\$4.48	\$6.25	\$5.03	213	\$7.13	\$5.36	\$7.48	\$5.90
151	\$5.92	\$4.50	\$6.28	\$5.04	214	\$7.14	\$5.37	\$7.50	\$5.92
152	\$5.93	\$4.51	\$6.28	\$5.06	215	\$7.16	\$5.39	\$7.52	\$5.93
153	\$5.95	\$4.53	\$6.31	\$5.07	216	\$7.19	\$5.41	\$7.54	\$5.95
154	\$5.97	\$4.54	\$6.33	\$5.09	217	\$7.21	\$5.41	\$7.57	\$5.96
155	\$5.99	\$4.56	\$6.35	\$5.11	218	\$7.21	\$5.43	\$7.58	\$5.98
156	\$6.02	\$4.57	\$6.37	\$5.11	219	\$7.24	\$5.44	\$7.60	\$5.99
157	\$6.04	\$4.59	\$6.40	\$5.13	220	\$7.25	\$5.46	\$7.61	\$6.00
158	\$6.05	\$4.60	\$6.41	\$5.15	221	\$7.28	\$5.48	\$7.64	\$6.02
159	\$6.07	\$4.60	\$6.44	\$5.15	222	\$7.29	\$5.48	\$7.65	\$6.04
160	\$6.10	\$4.61	\$6.46	\$5.16	223	\$7.31	\$5.50	\$7.67	\$6.05
161	\$6.10	\$4.63	\$6.47	\$5.18	224	\$7.33	\$5.52	\$7.68	\$6.07
162	\$6.13	\$4.65	\$6.49	\$5.19	225	\$7.35	\$5.52	\$7.71	\$6.07
163	\$6.16	\$4.66	\$6.51	\$5.21	226	\$7.38	\$5.54	\$7.74	\$6.08
164	\$6.17	\$4.68	\$6.53	\$5.22	227	\$7.39	\$5.56	\$7.74	\$6.10
165	\$6.19	\$4.69	\$6.55	\$5.24	228	\$7.41	\$5.56	\$7.77	\$6.10
166	\$6.21	\$4.70	\$6.57	\$5.24	229	\$7.44	\$5.58	\$7.80	\$6.12
167	\$6.22	\$4.72	\$6.59	\$5.26	230	\$7.44	\$5.60	\$7.81	\$6.14
168	\$6.25	\$4.73	\$6.61	\$5.27	231	\$7.47	\$5.60	\$7.84	\$6.15
169	\$6.27	\$4.74	\$6.63	\$5.29	232	\$7.49	\$5.62	\$7.85	\$6.17
170	\$6.29	\$4.77	\$6.64	\$5.30	233	\$7.51	\$5.64	\$7.86	\$6.18
171	\$6.31	\$4.78	\$6.67	\$5.32	234	\$7.52	\$5.66	\$7.89	\$6.20
172	\$6.32	\$4.79	\$6.68	\$5.34	235	\$7.55	\$5.66	\$7.92	\$6.21
173	\$6.34	\$4.81	\$6.70	\$5.35	236	\$7.56	\$5.68	\$7.92	\$6.23
174	\$6.36	\$4.83	\$6.72	\$5.37	237	\$7.59	\$5.70	\$7.95	\$6.23
175	\$6.39	\$4.84	\$6.74	\$5.38	238	\$7.61	\$5.71	\$7.97	\$6.24
176	\$6.39	\$4.85	\$6.75	\$5.40	239	\$7.63	\$5.72	\$7.99	\$6.26
177	\$6.42	\$4.85	\$6.78	\$5.40	240	\$7.65	\$5.74	\$8.02	\$6.27
178	\$6.44	\$4.87	\$6.81	\$5.42					
179	\$6.45	\$4.88	\$6.82	\$5.43					
180	\$6.47	\$4.90	\$6.84	\$5.44					
181	\$6.50	\$4.91	\$6.86	\$5.45					

**Credit Accident and Health Prima Facie Premium Rates**

Monthly Premium Rate per \$1,000 of Gross Unpaid Indebtedness					No. of Equal Monthly Installments	Non-Retroactive Elimination Period		Retroactive Elimination Period	
No. of Equal Monthly Installments	Non-Retroactive Elimination Period		Retroactive Elimination Period			14 Days	30 Days	14 Days	30 Days
	14 Days	30 Days	14 Days	30 Days					
					63	\$1.369	\$1.073	\$1.487	\$1.251
					64	\$1.358	\$1.063	\$1.476	\$1.238
					65	\$1.350	\$1.058	\$1.464	\$1.231
					66	\$1.340	\$1.048	\$1.455	\$1.218
					67	\$1.329	\$1.038	\$1.443	\$1.207
					68	\$1.319	\$1.029	\$1.431	\$1.200
					69	\$1.312	\$1.024	\$1.423	\$1.189
					70	\$1.303	\$1.015	\$1.412	\$1.177
					71	\$1.293	\$1.007	\$1.401	\$1.172
					72	\$1.284	\$0.998	\$1.391	\$1.162
					73	\$1.276	\$0.991	\$1.381	\$1.151
					74	\$1.267	\$0.983	\$1.370	\$1.142
					75	\$1.259	\$0.980	\$1.361	\$1.136
					76	\$1.249	\$0.973	\$1.352	\$1.127
					77	\$1.243	\$0.966	\$1.343	\$1.118
					78	\$1.235	\$0.959	\$1.334	\$1.110
					79	\$1.227	\$0.952	\$1.326	\$1.101
					80	\$1.220	\$0.946	\$1.317	\$1.093
					81	\$1.213	\$0.942	\$1.309	\$1.089
					82	\$1.206	\$0.936	\$1.301	\$1.080
					83	\$1.199	\$0.928	\$1.293	\$1.073
					84	\$1.192	\$0.924	\$1.286	\$1.065
					85	\$1.186	\$0.918	\$1.278	\$1.058
					86	\$1.180	\$0.912	\$1.271	\$1.050
					87	\$1.174	\$0.909	\$1.264	\$1.048
					88	\$1.167	\$0.905	\$1.257	\$1.041
					89	\$1.162	\$0.898	\$1.251	\$1.034
					90	\$1.156	\$0.894	\$1.245	\$1.028
					91	\$1.151	\$0.888	\$1.238	\$1.021
					92	\$1.146	\$0.884	\$1.232	\$1.015
					93	\$1.138	\$0.878	\$1.223	\$1.008
					94	\$1.133	\$0.874	\$1.218	\$1.003
					95	\$1.127	\$0.870	\$1.212	\$0.997
					96	\$1.123	\$0.866	\$1.206	\$0.991
					97	\$1.118	\$0.860	\$1.200	\$0.986
					98	\$1.114	\$0.856	\$1.195	\$0.980
					99	\$1.107	\$0.852	\$1.187	\$0.974
					100	\$1.102	\$0.847	\$1.182	\$0.970
					101	\$1.098	\$0.843	\$1.178	\$0.964
					102	\$1.093	\$0.840	\$1.172	\$0.959
					103	\$1.090	\$0.836	\$1.167	\$0.955
					104	\$1.083	\$0.832	\$1.161	\$0.950
					105	\$1.078	\$0.832	\$1.156	\$0.945
					106	\$1.075	\$0.828	\$1.151	\$0.940
					107	\$1.069	\$0.823	\$1.145	\$0.936
					108	\$1.066	\$0.821	\$1.140	\$0.932
					109	\$1.061	\$0.818	\$1.137	\$0.928
					110	\$1.058	\$0.814	\$1.132	\$0.922
					111	\$1.055	\$0.808	\$1.126	\$0.919
					112	\$1.049	\$0.804	\$1.122	\$0.915
					113	\$1.047	\$0.801	\$1.118	\$0.911
					114	\$1.043	\$0.798	\$1.115	\$0.907
					115	\$1.040	\$0.795	\$1.110	\$0.902
					116	\$1.036	\$0.792	\$1.105	\$0.900
					117	\$1.032	\$0.790	\$1.101	\$0.895
					118	\$1.028	\$0.787	\$1.098	\$0.891
					119	\$1.024	\$0.784	\$1.092	\$0.888
					120	\$1.020	\$0.781	\$1.090	\$0.884
					121	\$1.018	\$0.778	\$1.086	\$0.881
					122	\$1.013	\$0.776	\$1.081	\$0.878
					123	\$1.011	\$0.773	\$1.077	\$0.874
					124	\$1.005	\$0.770	\$1.073	\$0.871
					125	\$1.003	\$0.767	\$1.069	\$0.869
					126	\$0.999	\$0.766	\$1.065	\$0.864



<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period</i>		<i>Retroactive Elimination Period</i>		<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period</i>		<i>Retroactive Elimination Period</i>	
	14 Days	30 Days	14 Days	30 Days		14 Days	30 Days	14 Days	30 Days
	127	\$0.996	\$0.763	\$1.062		\$0.862	191	\$0.874	\$0.661
128	\$0.992	\$0.760	\$1.057	\$0.859	192	\$0.874	\$0.660	\$0.921	\$0.729
129	\$0.990	\$0.756	\$1.055	\$0.853	193	\$0.873	\$0.660	\$0.920	\$0.729
130	\$0.987	\$0.753	\$1.052	\$0.850	194	\$0.872	\$0.658	\$0.918	\$0.728
131	\$0.984	\$0.750	\$1.048	\$0.847	195	\$0.871	\$0.656	\$0.918	\$0.726
132	\$0.982	\$0.749	\$1.044	\$0.845	196	\$0.869	\$0.656	\$0.915	\$0.725
133	\$0.979	\$0.746	\$1.042	\$0.842	197	\$0.869	\$0.654	\$0.914	\$0.725
134	\$0.975	\$0.744	\$1.037	\$0.839	198	\$0.866	\$0.654	\$0.913	\$0.723
135	\$0.974	\$0.742	\$1.035	\$0.836	199	\$0.866	\$0.653	\$0.912	\$0.722
136	\$0.971	\$0.740	\$1.033	\$0.835	200	\$0.864	\$0.653	\$0.910	\$0.722
137	\$0.968	\$0.737	\$1.029	\$0.832	201	\$0.864	\$0.651	\$0.910	\$0.721
138	\$0.966	\$0.736	\$1.027	\$0.829	202	\$0.864	\$0.651	\$0.909	\$0.719
139	\$0.963	\$0.735	\$1.025	\$0.826	203	\$0.862	\$0.650	\$0.906	\$0.719
140	\$0.960	\$0.732	\$1.020	\$0.823	204	\$0.862	\$0.650	\$0.906	\$0.718
141	\$0.959	\$0.730	\$1.018	\$0.819	205	\$0.862	\$0.649	\$0.906	\$0.716
142	\$0.956	\$0.729	\$1.016	\$0.816	206	\$0.860	\$0.649	\$0.904	\$0.716
143	\$0.953	\$0.726	\$1.012	\$0.814	207	\$0.860	\$0.646	\$0.903	\$0.713
144	\$0.952	\$0.725	\$1.010	\$0.812	208	\$0.858	\$0.646	\$0.903	\$0.712
145	\$0.950	\$0.723	\$1.009	\$0.809	209	\$0.857	\$0.644	\$0.901	\$0.712
146	\$0.946	\$0.722	\$1.005	\$0.808	210	\$0.857	\$0.644	\$0.901	\$0.711
147	\$0.945	\$0.718	\$1.003	\$0.805	211	\$0.856	\$0.644	\$0.901	\$0.709
148	\$0.942	\$0.716	\$0.999	\$0.804	212	\$0.855	\$0.643	\$0.898	\$0.709
149	\$0.941	\$0.713	\$0.998	\$0.801	213	\$0.855	\$0.643	\$0.898	\$0.708
150	\$0.937	\$0.712	\$0.994	\$0.799	214	\$0.854	\$0.642	\$0.897	\$0.708
151	\$0.935	\$0.711	\$0.992	\$0.797	215	\$0.853	\$0.642	\$0.896	\$0.706
152	\$0.933	\$0.709	\$0.988	\$0.795	216	\$0.853	\$0.642	\$0.895	\$0.706
153	\$0.931	\$0.708	\$0.987	\$0.792	217	\$0.853	\$0.640	\$0.895	\$0.705
154	\$0.929	\$0.706	\$0.985	\$0.791	218	\$0.850	\$0.640	\$0.894	\$0.705
155	\$0.927	\$0.705	\$0.982	\$0.790	219	\$0.850	\$0.639	\$0.893	\$0.704
156	\$0.926	\$0.704	\$0.980	\$0.787	220	\$0.849	\$0.639	\$0.891	\$0.702
157	\$0.925	\$0.702	\$0.979	\$0.785	221	\$0.849	\$0.639	\$0.891	\$0.702
158	\$0.921	\$0.701	\$0.976	\$0.784	222	\$0.847	\$0.637	\$0.889	\$0.702
159	\$0.920	\$0.697	\$0.975	\$0.780	223	\$0.847	\$0.637	\$0.889	\$0.701
160	\$0.919	\$0.695	\$0.974	\$0.778	224	\$0.846	\$0.637	\$0.887	\$0.701
161	\$0.915	\$0.694	\$0.970	\$0.777	225	\$0.846	\$0.635	\$0.887	\$0.698
162	\$0.915	\$0.694	\$0.969	\$0.774	226	\$0.846	\$0.635	\$0.887	\$0.697
163	\$0.914	\$0.692	\$0.967	\$0.773	227	\$0.844	\$0.635	\$0.885	\$0.697
164	\$0.911	\$0.691	\$0.964	\$0.771	228	\$0.844	\$0.633	\$0.885	\$0.695
165	\$0.910	\$0.689	\$0.963	\$0.770	229	\$0.844	\$0.633	\$0.885	\$0.695
166	\$0.909	\$0.688	\$0.961	\$0.767	230	\$0.842	\$0.633	\$0.884	\$0.695
167	\$0.906	\$0.687	\$0.959	\$0.766	231	\$0.842	\$0.632	\$0.884	\$0.694
168	\$0.905	\$0.685	\$0.958	\$0.764	232	\$0.842	\$0.632	\$0.882	\$0.694
169	\$0.904	\$0.684	\$0.956	\$0.763	233	\$0.841	\$0.632	\$0.881	\$0.692
170	\$0.902	\$0.684	\$0.953	\$0.761	234	\$0.840	\$0.632	\$0.881	\$0.692
171	\$0.901	\$0.682	\$0.952	\$0.760	235	\$0.840	\$0.630	\$0.881	\$0.691
172	\$0.898	\$0.681	\$0.950	\$0.759	236	\$0.839	\$0.630	\$0.879	\$0.691
173	\$0.897	\$0.680	\$0.948	\$0.757	237	\$0.839	\$0.630	\$0.879	\$0.689
174	\$0.895	\$0.680	\$0.946	\$0.756	238	\$0.839	\$0.629	\$0.879	\$0.688
175	\$0.895	\$0.678	\$0.945	\$0.754	239	\$0.838	\$0.629	\$0.878	\$0.688
176	\$0.891	\$0.677	\$0.942	\$0.753	240	\$0.838	\$0.629	\$0.878	\$0.687
177	\$0.891	\$0.674	\$0.942	\$0.750					
178	\$0.890	\$0.673	\$0.941	\$0.749					
179	\$0.888	\$0.671	\$0.938	\$0.747					
180	\$0.887	\$0.671	\$0.937	\$0.746					
181	\$0.887	\$0.670	\$0.936	\$0.744					
182	\$0.885	\$0.668	\$0.934	\$0.743					
183	\$0.884	\$0.668	\$0.933	\$0.742					
184	\$0.884	\$0.667	\$0.931	\$0.740					
185	\$0.881	\$0.666	\$0.929	\$0.740					
186	\$0.880	\$0.666	\$0.928	\$0.739					
187	\$0.880	\$0.664	\$0.928	\$0.737					
188	\$0.878	\$0.664	\$0.926	\$0.736					
189	\$0.877	\$0.663	\$0.925	\$0.733					
190	\$0.877	\$0.661	\$0.923	\$0.732					

  

<b>Credit Involuntary Unemployment Prima Facie Premium Rates</b>			
Single Premium Rate Per \$100 of Initial Insured Gross Indebtedness			
<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period</i>	<i>Retroactive Elimination Period</i>	
	30 Days	30 Days	
12	2.29	3.29	
13	2.37	3.35	
14	2.45	3.38	
15	2.51	3.44	

<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>	<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>
16	2.56	3.49	81	2.93	4.06
17	2.60	3.54	82	2.93	4.06
18	2.63	3.57	83	2.93	4.06
19	2.66	3.60	84	2.93	4.06
20	2.69	3.63	85	2.94	4.07
21	2.73	3.66	86	2.94	4.07
22	2.76	3.69	87	2.94	4.07
23	2.78	3.72	88	2.94	4.07
24	2.79	3.73	89	2.94	4.07
25	2.79	3.75	90	2.94	4.07
26	2.81	3.76	91	2.94	4.07
27	2.82	3.76	92	2.94	4.07
28	2.82	3.79	93	2.94	4.07
29	2.85	3.80	94	2.94	4.07
30	2.85	3.82	95	2.94	4.07
31	2.85	3.82	96	2.94	4.07
32	2.85	3.83	97	2.95	4.08
33	2.85	3.85	98	2.95	4.08
34	2.85	3.87	99	2.95	4.08
35	2.85	3.89	100	2.95	4.08
36	2.85	3.89	101	2.95	4.08
37	2.86	3.90	102	2.95	4.08
38	2.86	3.90	103	2.95	4.08
39	2.86	3.90	104	2.95	4.08
40	2.86	3.91	105	2.95	4.08
41	2.86	3.93	106	2.95	4.08
42	2.86	3.93	107	2.95	4.08
43	2.86	3.93	108	2.95	4.08
44	2.86	3.93	109	2.96	4.10
45	2.86	3.94	110	2.96	4.10
46	2.87	3.94	111	2.96	4.10
47	2.87	3.94	112	2.96	4.10
48	2.87	3.94	113	2.96	4.10
49	2.87	3.94	114	2.96	4.10
50	2.87	3.94	115	2.96	4.10
51	2.87	3.94	116	2.96	4.10
52	2.87	3.95	117	2.96	4.10
53	2.87	3.95	118	2.96	4.10
54	2.88	3.95	119	2.96	4.10
55	2.88	3.95	120	2.96	4.10
56	2.88	3.95	121	2.98	4.11
57	2.88	3.95	122	2.98	4.11
58	2.88	3.95	123	2.98	4.11
59	2.88	3.96	124	2.98	4.11
60	2.88	3.96	125	2.98	4.11
61	2.93	4.03	126	2.98	4.11
62	2.93	4.03	127	2.98	4.11
63	2.93	4.03	128	2.98	4.11
64	2.93	4.03	129	2.98	4.11
65	2.93	4.03	130	2.98	4.11
66	2.93	4.03	131	2.98	4.11
67	2.93	4.03	132	2.98	4.11
68	2.93	4.03	133	2.99	4.13
69	2.93	4.03	134	2.99	4.13
70	2.93	4.03	135	2.99	4.13
71	2.93	4.03	136	2.99	4.13
72	2.93	4.03	137	2.99	4.13
73	2.93	4.06	138	2.99	4.13
74	2.93	4.06	139	2.99	4.13
75	2.93	4.06	140	2.99	4.13
76	2.93	4.06	141	2.99	4.13
77	2.93	4.06	142	2.99	4.13
78	2.93	4.06	143	2.99	4.13
79	2.93	4.06	144	2.99	4.13
80	2.93	4.06	145	3.00	4.17

<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>	<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>
146	3.00	4.17	211	3.11	4.39
147	3.00	4.17	212	3.11	4.39
148	3.00	4.17	213	3.11	4.39
149	3.00	4.17	214	3.11	4.39
150	3.00	4.17	215	3.11	4.39
151	3.00	4.17	216	3.11	4.39
152	3.00	4.17	217	3.14	4.41
153	3.00	4.17	218	3.14	4.41
154	3.00	4.17	219	3.14	4.41
155	3.00	4.17	220	3.14	4.41
156	3.00	4.17	221	3.14	4.41
157	3.00	4.21	222	3.14	4.41
158	3.00	4.21	223	3.14	4.41
159	3.00	4.21	224	3.14	4.41
160	3.00	4.21	225	3.14	4.41
161	3.00	4.21	226	3.14	4.41
162	3.00	4.21	227	3.14	4.41
163	3.00	4.21	228	3.14	4.41
164	3.00	4.21	229	3.15	4.45
165	3.00	4.21	230	3.15	4.45
166	3.00	4.21	231	3.15	4.45
167	3.00	4.21	232	3.15	4.45
168	3.00	4.21	233	3.15	4.45
169	3.04	4.26	234	3.15	4.45
170	3.04	4.26	235	3.15	4.45
171	3.04	4.26	236	3.15	4.45
172	3.04	4.26	237	3.15	4.45
173	3.04	4.26	238	3.15	4.45
174	3.04	4.26	239	3.15	4.45
175	3.04	4.26	240	3.15	4.45
176	3.04	4.26			
177	3.04	4.26			
178	3.04	4.26			
179	3.04	4.26			
180	3.04	4.26			
181	3.05	4.30			
182	3.05	4.30			
183	3.05	4.30			
184	3.05	4.30			
185	3.05	4.30			
186	3.05	4.30			
187	3.05	4.30			
188	3.05	4.30			
189	3.05	4.30			
190	3.05	4.30			
191	3.05	4.30			
192	3.05	4.30			
193	3.09	4.35			
194	3.09	4.35			
195	3.09	4.35			
196	3.09	4.35			
197	3.09	4.35			
198	3.09	4.35			
199	3.09	4.35			
200	3.09	4.35			
201	3.09	4.35			
202	3.09	4.35			
203	3.09	4.35			
204	3.09	4.35			
205	3.11	4.39			
206	3.11	4.39			
207	3.11	4.39			
208	3.11	4.39			
209	3.11	4.39			
210	3.11	4.39			

  

<b>Credit Involuntary Unemployment Prima Facie Premium Rates</b>		
Monthly Premium Rate Per \$1,000 Of Gross Unpaid Indebtedness		
<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>
12	3.583	5.139
13	3.450	4.868
14	3.321	4.592
15	3.196	4.390
16	3.074	4.199
17	2.954	4.019
18	2.836	3.846
19	2.730	3.692
20	2.634	3.551
21	2.547	3.424
22	2.467	3.299
23	2.386	3.193
24	2.303	3.079
25	2.218	2.982
26	2.155	2.884
27	2.089	2.786
28	2.021	2.709
29	1.971	2.630
30	1.910	2.563
31	1.854	2.487
32	1.801	2.422
33	1.751	2.367
34	1.704	2.310
35	1.659	2.261
36	1.617	2.204

<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>	<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>
37	1.577	2.155	102	0.645	0.893
38	1.539	2.103	103	0.645	0.893
39	1.503	2.054	104	0.645	0.893
40	1.469	2.007	105	0.645	0.893
41	1.436	1.973	106	0.645	0.893
42	1.405	1.930	107	0.645	0.893
43	1.376	1.890	108	0.645	0.893
44	1.347	1.851	109	0.589	0.815
45	1.320	1.814	110	0.589	0.815
46	1.294	1.778	111	0.589	0.815
47	1.269	1.744	112	0.589	0.815
48	1.246	1.711	113	0.589	0.815
49	1.223	1.680	114	0.589	0.815
50	1.201	1.649	115	0.589	0.815
51	1.180	1.620	116	0.589	0.815
52	1.159	1.592	117	0.589	0.815
53	1.140	1.565	118	0.589	0.815
54	1.121	1.539	119	0.589	0.815
55	1.102	1.514	120	0.589	0.815
56	1.085	1.490	121	0.544	0.751
57	1.068	1.467	122	0.544	0.751
58	1.052	1.444	123	0.544	0.751
59	1.036	1.423	124	0.544	0.751
60	1.020	1.402	125	0.544	0.751
61	0.938	1.292	126	0.544	0.751
62	0.938	1.292	127	0.544	0.751
63	0.938	1.292	128	0.544	0.751
64	0.938	1.292	129	0.544	0.751
65	0.938	1.292	130	0.544	0.751
66	0.938	1.292	131	0.544	0.751
67	0.938	1.292	132	0.544	0.751
68	0.938	1.292	133	0.506	0.700
69	0.938	1.292	134	0.506	0.700
70	0.938	1.292	135	0.506	0.700
71	0.938	1.292	136	0.506	0.700
72	0.938	1.292	137	0.506	0.700
73	0.811	1.122	138	0.506	0.700
74	0.811	1.122	139	0.506	0.700
75	0.811	1.122	140	0.506	0.700
76	0.811	1.122	141	0.506	0.700
77	0.811	1.122	142	0.506	0.700
78	0.811	1.122	143	0.506	0.700
79	0.811	1.122	144	0.506	0.700
80	0.811	1.122	145	0.474	0.659
81	0.811	1.122	146	0.474	0.659
82	0.811	1.122	147	0.474	0.659
83	0.811	1.122	148	0.474	0.659
84	0.811	1.122	149	0.474	0.659
85	0.717	0.993	150	0.474	0.659
86	0.717	0.993	151	0.474	0.659
87	0.717	0.993	152	0.474	0.659
88	0.717	0.993	153	0.474	0.659
89	0.717	0.993	154	0.474	0.659
90	0.717	0.993	155	0.474	0.659
91	0.717	0.993	156	0.474	0.659
92	0.717	0.993	157	0.446	0.625
93	0.717	0.993	158	0.446	0.625
94	0.717	0.993	159	0.446	0.625
95	0.717	0.993	160	0.446	0.625
96	0.717	0.993	161	0.446	0.625
97	0.645	0.893	162	0.446	0.625
98	0.645	0.893	163	0.446	0.625
99	0.645	0.893	164	0.446	0.625
100	0.645	0.893	165	0.446	0.625
101	0.645	0.893	166	0.446	0.625

<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>	<i>No. of Equal Monthly Installments</i>	<i>Non-Retroactive Elimination Period 30 Days</i>	<i>Retroactive Elimination Period 30 Days</i>
167	0.446	0.625	232	0.351	0.495
168	0.446	0.625	233	0.351	0.495
169	0.426	0.597	234	0.351	0.495
170	0.426	0.597	235	0.351	0.495
171	0.426	0.597	236	0.351	0.495
172	0.426	0.597	237	0.351	0.495
173	0.426	0.597	238	0.351	0.495
174	0.426	0.597	239	0.351	0.495
175	0.426	0.597	240	0.351	0.495
176	0.426	0.597			
177	0.426	0.597			
178	0.426	0.597			
179	0.426	0.597			
180	0.426	0.597			
181	0.406	0.572			
182	0.406	0.572			
183	0.406	0.572			
184	0.406	0.572			
185	0.406	0.572			
186	0.406	0.572			
187	0.406	0.572			
188	0.406	0.572			
189	0.406	0.572			
190	0.406	0.572			
191	0.406	0.572			
192	0.406	0.572			
193	0.391	0.550			
194	0.391	0.550			
195	0.391	0.550			
196	0.391	0.550			
197	0.391	0.550			
198	0.391	0.550			
199	0.391	0.550			
200	0.391	0.550			
201	0.391	0.550			
202	0.391	0.550			
203	0.391	0.550			
204	0.391	0.550			
205	0.376	0.531			
206	0.376	0.531			
207	0.376	0.531			
208	0.376	0.531			
209	0.376	0.531			
210	0.376	0.531			
211	0.376	0.531			
212	0.376	0.531			
213	0.376	0.531			
214	0.376	0.531			
215	0.376	0.531			
216	0.376	0.531			
217	0.364	0.511			
218	0.364	0.511			
219	0.364	0.511			
220	0.364	0.511			
221	0.364	0.511			
222	0.364	0.511			
223	0.364	0.511			
224	0.364	0.511			
225	0.364	0.511			
226	0.364	0.511			
227	0.364	0.511			
228	0.364	0.511			
229	0.351	0.495			
230	0.351	0.495			
231	0.351	0.495			

Questions or comments concerning this notice should be addressed to Dana Fulton, Actuarial Supervisor, 1311 Strawberry Square, Harrisburg, PA 17120, (717)787-2118.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-463. Filed for public inspection March 20, 1998, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

#### *Department of Community Affairs*

Home Rule Charter Amendment (November 4, 1997) for (City of Allentown), Lehigh County.

Home Rule Charter Amendment (November 4, 1997) for Lehigh County.

#### *Executive Board*

Resolution #CB-98-023, Dated, February 13, 1998. A Side Letter of Agreement between the Commonwealth of Pennsylvania and the Pennsylvania State Education Association, National Education Association, Local Associations at Thaddeus Stevens State School of Technology was signed to establish a limit on the extent of usage of adjunct instructors and an hourly rate to replace the current language in Article 15, Section 10.

#### *Governor's Office*

Manual M245.4—Policy for Personal Computers and Networks (PCS/LANs)—Dated January 7, 1998.

Management Directive No. 210.5—Records Management—Amended—January 26, 1998.

Management Directive No. 315.1—Calculation and Payment of Statutory Salaries—Amended—January 20, 1998.

Management Directive No. 505.22—State Employee Assistance Program—Amended—January 16, 1998.

Management Directive No. 505.25—Substance Abuse in the Workplace—Amended—January 16, 1998.

Management Directive No. 590.1—Labor Relations—Revision No. 1—Dated February 5, 1998.

Administrative Circular No. 98-2—Distribution of the 1998 Governor's Annual Work Force Report—Dated—January 20, 1998.

Administrative Circular No. 98-3—Distribution of the 1998-99 Commonwealth Budget—Dated—January 22, 1998.

Administrative Circular No. 98-4—Computation of Interest Penalties, Act 1982-266 Amended—Dated—January 22, 1998.

Administrative Circular No. 98-5—Calendar Bases, Calendar Refills, Diaries, and Date Books for 1999—Dated—February 2, 1998.

Administrative Circular No. 98-6—Services Provided by the Commonwealth Travel Center—Dated—February 10, 1998.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 98-464. Filed for public inspection March 20, 1998, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Allegheny County, Wine & Spirits Shoppe #0287, 728 Broadway, McKees Rocks, PA 15136-2226.

*Lease Expiration Date:* August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space fronting Broadway Avenue between Ninth and Sixth Streets in Stowe Township, McKees Rocks.

*Proposals due:* April 10, 1998 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 98-465. Filed for public inspection March 20, 1998, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing, Presubmission Schedule and Prehearing Conference for All Milk Marketing Areas Over-Order Premium

Under the Milk Marketing Law (31 P. S. § 700j-101 et seq.) the Milk Marketing Board (Board) will conduct a

public hearing for Milk Marketing Areas 1, 2, 3, 4, 5 and 6 on April 1, 1998, at 9 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning whether an adjustment should be made to the \$0.50 level of the over-order premium scheduled to go into effect May 1, 1998, under Official General Order A-895, as requested in petitions filed by the Pennsylvania Farm Bureau; Land O'Lakes, Inc.; DairyLea; Dairy Farmers of America; and Maryland and Virginia Milk Producers' Association.

The petitioners and Board staff are deemed to be parties for purposes of this hearing. Other interested persons as defined in section 801 of the Milk Marketing Law who wish to present testimony or exhibits, or both, at the hearing shall file with the Board on or before March 26, 1998, a written request to be included on the Board's list of parties.

(A) Each party shall file with the Board seven copies and serve on all other parties one copy of the following on or before March 30, 1998:

(1) A written designation identifying each witness who will testify on behalf of the party at the hearing, including identification of any witness who will testify as an expert.

(2) A statement of the subjects concerning which each witness will testify.

(3) A copy of each exhibit to be presented, including but not limited to financial statements, accounting statements, accounting schedules and economic statistics.

(4) A copy of each witness's prepared testimony if the testimony has been reduced to writing.

(B) Requests by parties for Board staff to provide data pertinent to this hearing shall be made in writing and received in the Board office on or before March 26, 1998.

(C) Parties shall have available in the hearing room at least 20 copies of the documents described in (A)(3) and (4) for the use of nonparties attending the hearing.

(D) Parties wishing the Board to take administrative notice of any document shall, when notice is requested, provide a copy of the document to each Board member and to all other parties. At least 20 additional copies shall be available for the use of nonparties attending the hearing.

(E) Presubmission of information concerning rebuttal testimony or exhibits is not required. However, parties wishing to present evidence shall at the hearing provide one copy of each rebuttal exhibit and one copy of each rebuttal witness's prepared testimony if the testimony has been reduced to writing to each Board member and to the other parties. At least 20 additional copies shall be available for the use of nonparties attending the hearing.

The Board may exclude witnesses, evidence or exhibits of a party who fails to comply with any requirements listed.

There will be a prehearing conference for all parties on March 31, 1998, in Room 110 of the Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA, beginning at 2 p.m.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110-9408. If individu-

als require this information in an alternate format, call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD Users).

O. FRANK DE GARCIA  
*Executive Secretary*

[Pa.B. Doc. No. 98-466. Filed for public inspection March 20, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service Without Hearing

**A-122250 F0008. The Peoples Natural Gas Company.** Application of The Peoples Natural Gas Company for a Certificate of Public Convenience authorizing its transfer of used and useful property to its affiliate, CNG Producing Company.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before April 6, 1998, under 52 Pa. Code (relating to public utilities).

*Applicant:* The Peoples Natural Gas Company

*Through and By Counsel:* Joseph J. Malatesta, Jr., Esq., Kevin J. McKeon, Esq., Malatesta, Hawke and McKeon, Harrisburg Energy Center, 100 North Tenth Street, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-467. Filed for public inspection March 20, 1998, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before April 13, 1998, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**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-00113081, F. 1, Am-A. Resources for Human Development, Inc., t/d/b/a Transit Solutions** (4333 Kelly Drive, Philadelphia, Philadelphia County, PA 19129-1758), a corporation of the Commonwealth of Pennsylvania—persons in group and party service between points in Delaware County, and within an airline distance of 5 statute miles of the limits of said county; subject to the following conditions: (a) That the transportation rendered is limited to economically challenged persons with an annual income defined under section 8 Housing Assistance Payments program at 24 C.F.R. 813.016; or to physically challenged persons with disabilities defined by paragraph 3 (b) of the United States Housing Act of 1937, and amended by section 621 of the Housing and Community Development Act of 1992; and (b) That transportation rendered is limited to school bus type vehicles with a seating capacity of 32 passengers or less, not including the driver, and without storage or cargo areas for luggage, and without restroom facilities: *so as to permit* the transportation of persons in group and party service, between points in the city and county of Philadelphia and the counties of Chester, Delaware and Montgomery and from points in said territory to points in Pennsylvania, and return; subject to the following conditions: (a) That the transportation rendered is limited to economically challenged persons with an annual income defined under section 8 Housing Assistance Payments Program at 24 C.F.R. 813.016; or to physically challenged persons with disabilities defined by paragraph 3 (b) of the United States Housing Act of 1937, and amended by section 621 of the Housing and Community Development Act of 1992; and (b) That transportation rendered is limited to school bus type vehicles with a seating capacity of 32 passengers or less, not including the driver, and without storage or cargo areas for luggage, and without restroom facilities. *Attorney:* Richard T. Mulcahey, Jr., Two Penn Center, Suite 1400, 1500 John F. Kennedy Boulevard, Philadelphia, PA 19102-1890

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-00112192, Folder 1, Am-A. Adam's Moving & Hauling, Inc.** (335 West Main Street, Suite 112, Norristown, Montgomery County, PA 19401), a corporation of the Commonwealth of Pennsylvania—the transportation of household goods, in use, (1) between points in the counties of Chester, Delaware and Montgomery that are located within an airline distance of 10 statute miles of the limits of the borough of Norristown, Montgomery County, and from said territory, to points in Pennsylvania; and (2) between points in the counties of Bucks and Montgomery that are located within an airline distance of 7 statute miles of the city and county of Philadelphia, and from said territory, to points in Pennsylvania. *Attorney:* Richard T. Mulcahey, Jr., Suite 1400, Two Penn Center, 1500 John F. Kennedy Boulevard, Philadelphia, PA 19102.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer of part of the rights as described under each application.**

**A-00114723. Michael M. Schaefer** (PO Box 532, West Elizabeth, Allegheny County, PA 15099)—household goods in use, from points in the county of Allegheny, to other points in Pennsylvania, and vice versa; which is to be a transfer of part of the rights authorized Lewinter Transfer Co., under the certificate issued at A-00095478, subject to the same limitations and conditions. *Attorney:* Henry M. Wick, Jr., 1450 Two Chatham Center, Pittsburgh, PA 15219-3427.

### Motor Carrier Applications—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 April 6, 1998.

- A-00114720 Snader Transporting, Inc.  
1302 B Main Street, Clarion, PA 16214
- A-00114721 Michael Hull, t/a Hull Excavating  
10841 Station Road, North East, PA 16428
- A-00114722 Duane T. Miller  
620 Wessner Road, Kutztown, PA 19530
- A-00114724 James Gruss, Sr., t/a J. Gruss Trucking  
131 Moss Lane, Johnstown, PA 15904
- A-00114725 Donald L. Eachus, Jr., t/a Laurel Mt. Trucking,  
P. O. Box 281, Donegal, PA 15628
- A-00114728 First Choice Courier, Inc.  
3143 Knights Road, Suite 3, Bensalem, PA 19020; Louis J. Carter, 7300 City Line Avenue, Philadelphia, PA 19151-2291
- A-00114727 Wayne E. Oldham  
357 Lovely Road, Alum Bank, PA 15522; Barry R. Scatton, 215 West Penn Street, Bedford, PA 15522
- A-00114726 Stanley Gillern, t/a Gillern Trucking Company  
343 Pear Street, Scranton, PA 18505
- A-00114719 Edward J. Kennedy, t/a E. Kennedy Trucking  
1234 Byberry Road, Bensalem, PA 19020
- A-00114718 Air Service Systems, Inc.  
P. O. Box 438, Clinton, PA 15026; William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383
- A-00114717 Aero Oil Company, A Div of Getty Properties Corp.  
230 Lincoln Way East, New Oxford, PA 17350; James D. Campbell, Jr., 3631 North Front Street, Harrisburg, PA 17110-1533

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-468. Filed for public inspection March 20, 1998, 9:00 a.m.]

### Telecommunications

**A-310084 F0002. GTE North Incorporated and Capital Telecommunications, Inc.** Joint Application of GTE North Incorporated and Capital Telecommunications, Inc. for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

GTE North Incorporated and Capital Telecommunications, Inc., by its counsel, filed on February 19, 1998, at the Pennsylvania Public Utility Commission, a Joint Application for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the application and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 20 days after the date of publication of this notice. Copies of the GTE North Incorporated and Capital Telecommunications, Inc. Joint Application are on file with the Pennsylvania Public Utility Commission and are available for public inspection. The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-469. Filed for public inspection March 20, 1998, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P.O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated for the following contract:

**Contract No. 92-012-RT91**—Redecking of Bridge WB-433 at M.P. 44.32 on the PA Turnpike in Allegheny Co., PA

*Bid Opening Date*—April 21, 1998, 11 a.m.

*Bid Surety*—5%

Plans, Specifications and Contract documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per set (Do not add State tax) by check or P. O. Money Order (no cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for a listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-470. Filed for public inspection March 20, 1998, 9:00 a.m.]

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building,



Harrisburg-East Interchange near Highspire, PA (Mailing Address: P.O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated for the following contract:

**Contract No. 94-004-FU08**—Structural demolition and/or removal for the Mon/Fayette Expressway in Washington and Allegheny Cos., PA

*Bid Opening Date*—April 14, 1998, 11 a.m.

*Bid Surety*—5%

Plans, Specifications and Contract documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per set (Do not add State tax) by check or P. O. Money Order (no cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

A mandatory prebid site review of the project will be made on March 26, 1998. The inspection party will meet at the office of the project's Construction Manager, Trumbull Corporation, 600 Park Avenue, Monongahela, PA 15063, (412) 258-9234 at 10 a.m., and will proceed to each site under the direction of authorized Commission personnel.

Contact the Purchasing Manager for a listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-471. Filed for public inspection March 20, 1998, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

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

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

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

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

### Reader's Guide

#### Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.
- ③ Contract Information
- ④ Department
- ⑤ Location
- ⑥ Duration
- ⑦ (For Commodities: Contact:) Vendor Services Section 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.  
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*

**Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340**

### Commodities

- 0023-03** Annual contract—Tax booklets.  
**Department:** Revenue  
**Location:** Various  
**Duration:** 08/01—07/31  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 2550-07** Annual contract Auto repair and maintenance Ford—no substitute (SP).  
**Department:** State Police  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 2550-09** Annual contract—Auto repair and maintenance GM—no substitute (SP).  
**Department:** State Police  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 2805-01** Annual contract—Engine parts—no substitute (DOT).  
**Department:** Transportation  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 4210-01** Annual contract—Fire extinguishers.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 7220-01** Annual contract—Matting, floor.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 7920-07** Annual contract—Scouring pads (WH).  
**Department:** General Services  
**Location:** Dauphin County, PA  
**Duration:** 06/01-05/31  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 7930-06** Annual contract—Laundry products/service.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 8405-02** Annual contract—Rainwear.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 8430-04** Annual contract—Shoes, canvas.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/15—07/14  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 8960-01** Annual contract—Water, drinking (Capitol Complex and 20 mile radius).  
**Department:** Capitol Complex  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 9110-01** Annual contract—Coal, anthracite.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 9110-02** Annual contract—Coal, bituminous.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 9120-03** Annual contract—Producer's gas (natural gas) DPW and Military Affairs.  
**Department:** Various  
**Location:** Various  
**Duration:** 09/01—08/31  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 9905-06** Annual contract—Reflective/nonreflective sheeting and accessories.  
**Department:** Various  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 9905-10** Annual contract—Light arrow boards, towed (DOT).  
**Department:** Transportation  
**Location:** Various  
**Duration:** 07/01—06/30  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 8504330** Accessories, vehicle—500 each mirror head, West Coast Conventional, heated.  
**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97—98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 1630117** Agricultural supplies—400 acres finished and applied liquid fertilizer to top dress 200 acres of alfalfa in two separate applications.  
**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA  
**Duration:** FY 97—98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199
- 1720117** Agricultural supplies—1 lot liquid fertilizer for corn.  
**Department:** Corrections  
**Location:** Correctional Industries, Graterford, Montgomery County, PA  
**Duration:** FY 97—98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1734307** Construction and building materials—1,700 each fence rails, split not sawn eleven foot (11'0") long, locust or white oak only, ends padded, thickness at tip to be 1/2" to 1" thickness, 12 inches from ends to be 1-1/2" to 2" sawn paddle OK; 2,400 each fence rails, split not sawn, eleven foot long, locust or white oak only ends not padded.

**Department:** Historical and Museum Commission  
**Location:** Morrisville, Bucks County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1866117** Construction and building materials—8 each exit doors 3.0 x 7.0 and frames; 3 each entrance doors, two doors 3.0 x 7.0 and one 6.0 x 7.0 frame; 1 each gym entrance doors, two doors 3.0 x 6.8 and 2.0 x 6.8 and 5.0 x 6.8 frame; 1 each dietary entrance door—2 doors 3.0 x 7.0 and 2.0 x 7.0 and 5.0 x 7.0 frame.

**Department:** Corrections  
**Location:** Waynesburg, Greene County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1889227** Construction and building materials—900 square yards bituminous surface course ID-2A complete in place; 350 each 2A stone in place.

**Department:** Fish and Boat Commission  
**Location:** Bellefonte, Centre County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**8234660** Construction, mining, excavating and highway maintenance equipment—4 each furnish and install crane on Department of Transportation owned paint supply trucks.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1712117** Electrical—260 each Luminaire Vandal Resistant 4 ft. light, 2 tube w/out lamps electronic energy saving balast for F32 T-8 lamps, manufacturer Lumax No. LUMVR 24048-E-TIPS.

**Department:** Corrections  
**Location:** Muncy, Lycoming County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**7313950** External doors—3 each doors, external, replacement, located in the Northwest Office Building, Harrisburg. Includes labor and material to remove and replace doors, frames and hardware.

**Department:** Liquor Control  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1826117** Hardware and abrasives—7 each electric lock, motorized, 2 limit switches for swinging door 120 VAC USP finish Folger Adam 56 M.L.L. to be used A, B, C, D, E, F, and G Block; 3 each electric lock hook bolt release for sliding door 120 VAC USP Finish, Folger Adam 52 H,B,R; to be used ATH, I, and M blocks; 7 each S door positioner switch, narrow jam USP finish Folger Adam 524NJ to be used A, B, C, D, E, F and G blocks; 14 each door pull US 26 Folger Adam No. 2 to be used A, B, C, D, E, F and G blocks; 10 each green lamps and holders 125 VAC (to be used as indicator lights for door position switch) I.D.I LED 1091 MS to be used ATA, B, C, D, E, F, G, H, I and M blocks; 10 each red lamps and holders 125 VAC (to be used as indicator lights for door position switch) I.D.I LED 1091 MS to be used ATA, B, C, D, E, F, G, H, I and M blocks; 30 each Paracentric keys (cuts to be specified by institution); 7 each fabricated 12 gauge security hollow metal lock mountings to match existing hollow metal frames to be used ATA, B, C, D, E, F and G blocks; 10 each pushbutton switch for mounting in console 120 VAC Allen Bradley 800T-A2D1 to be used ATA, B, C, D, E, F, G, H, I and M blocks.

**Department:** Corrections  
**Location:** Dallas, Luzerne County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1789157** Laboratory instruments and equipment—1 each five gallon stainless steel field test measure, complete with carrying case Seraphin Part No. EE55005G or equal; 1 each 20 litre stainless steel test measure complete with carrying case Seraphin Part No. EE550020L or equal; 1 each 10 gallon stainless steel bottom drain slicker plate test measure Seraphin Series H Part No. CSS10010G or equal; 1 each 25 gallon stainless steel bottom drain, narrow neck prover Seraphin Series M Part No. EMSS0025G or equal; 1 each 10 gallon stainless steel bottom drain. Narrow neck prover, drain valve and sign glass must be on the side opposite the drain to facilitate reading of the sight glass Seraphin Series M Part No. EMS0100G or equal.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1806357** Laboratory instruments and equipment—1 each Environmental Systems Corp. (ESC) dataloggers and software—no substitute.

**Department:** Environmental Protection  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1872117** Lighting fixtures, lamps and clocks—40 each 175 watt low bay metal halide fixture 120 volt Lumark No. MHEP-R22-175 TPPH or approved equal; 50 each 9 watt fluorescent luminaire 120 volt 12" square fixture w/prismatic refractor (clear) impact resistant lens fail safe No. FSP9W120 or approved equal; 20 each 36 watt fluorescent quad tube fixture 120 volt 15" round impact resistant lens fail safe No. QDUC-PP-36N-120 or approved equal; 20 each 7 watt fluorescent twin tube fixture 120 volt 11" round impact resistant lens fail safe No. TTTC-PP-7N-120-SCT or approved equal.

**Department:** Corrections  
**Location:** State Correctional Institution, Highlands, Somerset, Somerset County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**8504350** Lights, safety—500 each beacon, revolving light, rectangular housing Whelen No. R2DXPAR, Federal No. HLDMPA S.O. No. ETQHPM-P.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1856387** Lumber, millwork, plywood and veneer—180,000 bf white oak lumber, rough green, shall be National Hardwood Lumber Association "Common Dimension" grade or better (will accept red oak) size 2" x 4" x 12"; 27,000 bf white oak lumber, rough green shall be National Hardwood Lumber Association "Common Dimension" grade or better (will accept red oak) size 2" x 6" x 12"; 27,000 bf white oak lumber, rough green, shall be National Hardwood Lumber Association "Common Dimension" grade or better (will accept red oak) size 3" x 4" x 12"; 16,000 bf white oak lumber, rough green, shall be National Hardwood Lumber Association "Common Dimension" grade or better (will accept red oak) size 2" x 4" x 12"; 1,800 bf red oak lumber, rough green shall meet or exceed National Hardwood Lumber Association "Selects" grade size 2" x 10", material will be accepted in 8' to 12' lengths; 2,000 bf red oak lumber, rough green, shall meet or exceed National Hardwood Lumber Association "Selects" grade size 2" x 8"; materials will be accepted in 8' to 12' lengths.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Spring Mills, Montgomery County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1851117** Maintenance and repair shop equipment—1 each sliding table saw Model F-45 manufactured by Altendorf America.

**Department:** Correctional Industries  
**Location:** Camp Hill, Cumberland County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**8172670** Metal bars, sheets and shapes—16,750 lbs. fabricated structural steel and bolts (hot dipped galvanized); 28 each 7/8" diameter threaded anchor bolts, 1'-0" lg. w/hex nut and washers; 56 each 7/8" diameter ASTM A325 bolts 2 1/4" lg. w/hex nut and washers.

**Department:** Transportation  
**Location:** Bedford, Bedford County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**8202070** Metal bars, sheets and shapes—30,025 lbs. various fabricated steel; 648 each 3/4" diameter x 4" stud shear connectors, hot dipped galvanized; 44 each 7/8" diameter threaded anchor bolts 1'-0" lg. w/hex nut and washers; 272 each 7/8" diameter ASTM A325 bolts 2 1/4" lg. w/hex nut and washers.

**Department:** Transportation  
**Location:** Huntingdon, Huntingdon County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1713117** Motor vehicles, trailers and cycles—1 each latest model (1998 or 1999) heavy duty four wheel drive pickup truck.

**Department:** Corrections  
**Location:** Camp Hill, Cumberland County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1719207** Motor vehicles, trailers and cycles—2 each 1998 model motorcycles, Harley Davidson FLHYPI Electra Glide Police—no substitute.

**Department:** State Police  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1758357** Paper and printing—75M purchase of Storage Tank Registration Mailer Document.

**Department:** Environmental Protection  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**8183800** Paper and printing—250M 1998 truckers map.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1869117** Steam plant and drying equipment—2 each "Sound Off" acoustic cleaners consisting of 2 each Model CAT 25-230, 2 each 3/4" Dolmold valves and one each auto timer.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

**1690117** Textiles—75,000 square feet quarter lining splits, smooth finish, known as Grade No. 1 LN weight to be 2 1/2-3 oz. per square foot.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA  
**Duration:** FY 97-98  
**Contact:** Vendor Services: Fax request to (717) 787-0725 or call (717) 787-2199

---

## SERVICES

---

### Audio/Video—04

**80131** Pager signaling and maintenance service for Warren State Hospital. Complete terms and conditions may be obtained by contacting the hospital. Award to be made on an aggregate basis.

**Department:** Public Welfare  
**Location:** Warren State Hospital, 33 Main Drive, North Warren, Warren County, PA 16365-5000  
**Duration:** July 01, 1998—June 30, 2001  
**Contact:** BD Muntz, (814) 726-4496

### Computer Related Services—08

**SP-330634** Request for miscellaneous Elixsys Software Licenses including 1 year of maintenance and training for use with Xerox 4635 laser printers.

**Department:** Public Welfare  
**Location:** Room 32A Willow Oak Building, Harrisburg State Hospital, P. O. Box 2675, Harrisburg, PA 17105  
**Duration:** May 01, 1998—April 30, 1999  
**Contact:** Kathy A. King-McCarthy, Purchasing Agent, (717) 772-7119

**SP 334832** Magazine circulation software system, conversion of old files, installation, customizing, testing, training, maintenance support.

**Department:** Fish and Boat Commission  
**Location:** Headquarters Building, Harrisburg, Dauphin County, PA  
**Duration:** June 30, 1998  
**Contact:** Dennis Grove, (717) 657-4533

### Construction—09

**DGS A 304-4** Project title: Roof Gutter Replacement. Brief description: Removal of existing copper gutters and downspouts at rear of building. Install new 5" K-type gutters and 3" x 4" downspouts. General construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, April 8, 1998 at 2 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 502-25 (Rebid)** Project title: Boiler Renovations. Brief description: Renovation of coal stoker boiler plant includes replacement of one stoker, rebuilding the coal handling system, ash handling system on three 17000 No. HR boilers and replacement of boiler controls. Mechanical construction. Plans deposit: \$90 per set. Payable to: The Hillier Group. 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 to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: The Hillier Group, 1212 South Abington Road, Clarks Summit, PA 18411, (717) 586-1761. Bid date: Wednesday, April 15, 1998 at 1 p.m. A prebid conference has been scheduled for Monday, March 30, 1998 at 10:30 a.m. in the Conference Room of the Maintenance Building, Clarks Summit State Hospital, Clarks Summit, PA. Contact: Jerry Dreater, (717) 587-7246 or Fred Broberg, (717) 586-4000. All contractors who have secured plans and specifications are invited and urged to attend this prebid conference.

**Department:** General Services  
**Location:** Clarks Summit State Hospital, Clarks Summit, Lackawanna County, PA  
**Duration:** 310 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 552-72** Project title: Roof Repair/Replace—Southside Building. Brief description: Remove existing shingle roof and replace with new shingles. Remove existing brick chimneys to below roof level, cap and seal chimney openings and cover with sheathing and shingles. Existing stainless steel flashings shall remain and be reused. General construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, April 15, 1998 at 11 a.m.

**Department:** General Services  
**Location:** Polk Center, Polk, Venango County, PA  
**Duration:** 150 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 970-125** Project title: Construct P.O.V. Parking Area. Brief description: Construct approximately 2,200 square yards of bituminous paved parking, including drainage items. Miscellaneous construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, April 8, 1998 at 2 p.m.

**Department:** General Services  
**Location:** PAARNG Armory, Gettysburg, Adams County, PA  
**Duration:** 90 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Contract No. FDC-214-215** Removal of existing buildings (bathhouse and water treatment); rehabilitation of existing pool structure; construct sanitary collection and treatment system; construct bathhouse and sewage treatment control buildings; rehabilitate existing lifeguard station; modifications to existing water system; and onsite work. Work is located at Ryerson Station State Park.

**Department:** Conservation and Natural Resources  
**Location:** Richhill Township, Greene County, PA  
**Duration:** 300 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-214-311** All electrical work associated with the construction/renovation of several buildings and rehabilitation of swimming pool. Work is located at Ryerson Station State Park.

**Department:** Conservation and Natural Resources  
**Location:** Richhill Township, Greene County, PA  
**Duration:** 300 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-214-312** All HVAC and plumbing work associated with the construction/renovation of several buildings and rehabilitation of swimming pool. Work is located at Ryerson Station State Park.

**Department:** Conservation and Natural Resources  
**Location:** Richhill Township, Greene County, PA  
**Duration:** 300 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-309-320** Provide and install a domestic water system including piping, valves, fountains, hydrants, conduit and electrical components, well, submersible pump, control equipment, pressure tank, contact tank, chlorine feed pump and tank at Warriors Path State Park.

**Department:** Conservation and Natural Resources  
**Location:** Liberty Township, Bedford County, PA  
**Duration:** 90 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-311-317** Work consists of: erosion and sedimentation control measures; chain link fence (130 L. F.); 3/4" portable water line (150 L. F.); and all work necessary to rehabilitate a sewage lift station at Prince Gallitzin State Park.

**Department:** Conservation and Natural Resources  
**Location:** Chest and White Townships, Cambria County, PA  
**Duration:** 120 days  
**Contact:** Construction Management Section, (717) 787-5055

**Court Reporting—10**

**L&I-1-98** Stenographic court reporting services: Take notes of testimony at hearings to be held at various locations throughout the Commonwealth and provide verbatim transcripts of notes as requested. Hearings may be held in more than one location at the same time. The State Workmen's Insurance Fund requires the services of stenographers to take testimony of witnesses who are unable for hearings by deposition and provide verbatim transcripts of the notes of testimony for submission of evidence.

**Department:** Labor and Industry  
**Location:** Statewide  
**Duration:** July 1, 1998 through June 30, 2000 with one 2-year renewal  
**Contact:** Donna A. Sallie, Procurement Manager, (717) 787-2560

**Demolition—11**

**030-0284** Demolition and removal of dwellings and other buildings on five separate parcels. Each parcel will be bid separately. These properties are located along Route 15 in Blossburg Borough, Tioga County.

**Department:** Transportation  
**Location:** Tioga County, PA  
**Duration:** Thirty (30) days  
**Contact:** Joel K. Hart, (717) 368-4237

**Engineering Services—14**

**08430AG2171** A multiphase specific project agreement to provide preliminary engineering, environmental studies and final design for S. R. 0286, Section A06, Golden Mile Highway in Allegheny and Westmoreland Counties.

**Department:** Transportation  
**Location:** Engineering District 11-0  
**Duration:** Thirty-six (36) calendar months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**Food—19**

**38075** Milk 2%, in accordance with PA Spec. M-18, fresh, Type III pasteurized and homogenized, approximately 600 gallons per month; or any like item.

**Department:** Corrections  
**Location:** Quehanna Boot Camp, HC Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** April through December, 1998  
**Contact:** Janine E. Packard, Purchasing Agent I, (814) 765-0644, ext. 234

**9560** Oleo—margarine, 1 pound block size and ready patties. All items will be bid quarterly. All amounts are approximate for entire 8 month period. (Plus additional related items as required). 1 lb block—18,000 lbs.; ready patties—13,000 lbs.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9561** Eggs, shelled, frozen liquid and frozen whites (plus related items as required). To bid monthly.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9562** Ice cream novelties—Dixie cups, popsicles, sandwiches, plus additional related items as required. All items will be bid quarterly. Estimated requirements for entire 8 month period—3,000 boxes.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9563** Frozen vegetables—items listed as follows are to be bid quarterly—all amounts are approximate for the entire 12 month period (plus additional related items as required). Cauliflower—15,500 lbs.; broccoli—17,500 lbs.; brussel sprouts—15,500 lbs.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9564** Meat products—all items listed as follows will be bid monthly—all amounts are approximate for entire 12 month period (plus additional related items as required). Chicken quarters—23,000 lbs.; turkey bologna—5,700 lbs.; ground turkey—11,250 lbs.; turkey roll—2,300 lbs.; turkey salami—3,600 lbs.; chicken, whole—23,000 lbs.; turkey roasts—11,250 lbs.; beef frankfurters—7,900 lbs.; veal patties—3,400 lbs.; liver—8,900 lbs.; breaded fish—10,000 lbs.; cheese pizza—8,900 lbs.; fish fillet—12,000 lbs.; Italian sausage—5,500 lbs.; clams—2,300 lbs.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9565** Bread products—all items listed as follows will be bid monthly—all amounts are approximate for 12 month period (plus additional related items as required). White bread—60,000 loaves; rye bread—4,500 loaves; whole wheat bread—11,000 loaves; snowflake rolls—1,000 dozen; hamburger rolls—10,000 dozen; sub rolls—7,500 dozen; Italian bread—10,000 loaves; hot dog rolls—10,000 dozen.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9566** Cheese products—items listed as follows are to be bid quarterly—all amounts are approximate for the entire 12 month period (plus additional related items as required). Swiss cheese—12,000 lbs.; American cheese—14,000 lbs.; cheddar cheese—12,000 lbs.; provolone cheese—12,000 lbs.; mozzarella cheese—12,000 lbs.;

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9567** Dairy products—all items listed as follows will be bid semiannually—all amounts are approximate for entire 12 month period (plus additional related items as required). Milk, 2%—10,000 gallons; milk, skim—5,000 1/2 pint containers; milk, 2%—72,000 1/2 pint containers; cottage cheese—10,000 lbs.; sour cream—5,000 lbs.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voekler, Purchasing Agent, (717) 546-3171

**9568** Fresh fruits and vegetables—all items listed as follows will be bid monthly—all amounts are approximate for entire 12 month period (plus additional related items as required). Apples—65 cases; bananas—800 cases; cabbage—42,000 lbs.; carrots—30,000 lbs.; celery—650 cases; grapefruit—800 cases; lettuce—800 cases; onions—46,000 lbs.; oranges—800 cases; tomatoes—500 cases; potatoes—100,000 lbs.; cantaloupe—350 cases; watermelon—400 cases; honeydew—110 cases; pears—110 cases.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** W. Voeckler, Purchasing Agent, (717) 546-3171

**C-FS-001** Ice cream for the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-002** Frozen eggs for the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-003** Poultry and poultry products—chicken fryers, turkey roast, ground turkey, for the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-004** Eggs—shell, white, grade A, medium, Naturals, PA Spec. E-10, Eff. 05-01-74, 30 dozen per case. Item will be bid above or below top wholesale price as published in the Tuesday edition of the USDA Poultry Market News Egg Report for the week prior to the week delivery is made.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-005** Frozen items: vegetables, bakery products, entrees, pizza, and the like for the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-006** Noodles and pasta: This would be on an infrequent basis as these items presently fall under State Contract 8920-06. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-007** Produce: fresh fruits and vegetables, ready-to-use vegetables. Items to be bid monthly or as needed. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-008** Canned vegetables: This would be on an infrequent basis as these items are seasonally supplied by Correctional Industries. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-009** Bread and roll bases: including but not limited to half-n-half rye bread maker and flour conditioner, base; yeast, Bak-Krisp instant bread and roll base; half-n-half wheat bread base; and No. 20 dinner roll base. Items to be bid periodically. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-010** Fish and seafood: haddock and cod, breaded and unbreaded, minced clams, and other seafood as required by this institution. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-011** Processed meats: including but not limited to, turkey ham, turkey bologna, turkey salad, beef, Lebanon bologna, bacon, turkey franks, veal patties and pullman hams for the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-012** Vega-Jel desserts: all vegetable products. This would be on an infrequent basis as these items presently fall under State Contract 8920-06. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-013** Prepared foods: pastas including but not limited to, rellenos de papas and alcapurrias. This would be on an infrequent basis as these items presently fall under State Contract 8920-06. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

**C-FS-014** Beans, dry: PA Spec. B-72, Eff. 3/77, and Amend. No. 1 Eff. 6/79.; 100 lb. bags net weight including, but not limited to, lima, Type A, Extra No. 1, Type C, choice handpicked, Red Kidney, Type E, US No. 1. This would be on an infrequent basis as these items presently fall under State Contract No. 8920-06. For the period of March 1, 1998 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Chester, 500 East 4th Street, Chester, PA 19013  
**Duration:** March 1, 1998 through June 30, 1998  
**Contact:** Jackie Newson, Purchasing Agent II, (610) 447-3041

## Fuel Related Services—20

**Project No. 198** DEP certified underground storage tank. Inspector to inspect underground storage tanks at PA Army National Guard facilities, Statewide and verify compliance with State and Federal storage tank regulations.

**Department:** Military and Veterans Affairs  
**Location:** Building 0-47, Ft. Indiantown Gap, Annville, Lebanon County, PA 17003  
**Duration:** July 1, 1998—September 30, 1998  
**Contact:** Emma Schroff, (717) 861-8518

## Hazardous Material Services—21

**98-6** To provide service to transport and dispose of asbestos containing material generated at the State Correctional Institution at Waymart.

**Department:** Corrections  
**Location:** State Correctional Institution Waymart, Route 6, P. O. Box 256, Waymart, Canaan Township, Wayne County, PA 18472-0256  
**Duration:** July 1, 1998 to June 30, 2001  
**Contact:** Paul Savitsky, Budget Analyst, (717) 488-2509

**98-7** The contractor shall provide authorized service, personnel, testing equipment and tools necessary to repair, adjust, test, maintain or calibrate the automatic temperature control (ATC) system at the Waymart Institution.

**Department:** Corrections  
**Location:** State Correctional Institution Waymart, Route 6, P. O. Box 256, Waymart, Canaan Township, Wayne County, PA 18472-0256  
**Duration:** July 1, 1998 to June 30, 2001  
**Contact:** Paul Savitsky, Budget Analyst, (717) 488-2509

**98-540** Maintenance, repair and replacement of electrical facilities for overhead sign lighting throughout Monroe and Carbon Counties. Electrical foreman—100 hours; electrical foreman overtime—20 hours; journeyman—100 hours; journeyman overtime—20 hours; bucket truck—100 hours; estimated funds provided for materials—\$3,000. Bid package can be obtained upon request. Fax request to Linda Czarnecki, (717) 424-3985.

**Department:** Transportation  
**Location:** Monroe and Carbon Counties, PA  
**Duration:** One year with three 1-year renewals  
**Contact:** Mike Stolinski, (717) 424-3024

**98-541** Plumbing services at PennDOT facilities throughout Monroe County. Plumber—200 hours; plumber's helper—100 hours. All parts will be provided by PennDOT. Bid package can be obtained upon request. Fax request to Linda Czarnecki, (717) 424-3985.

**Department:** Transportation  
**Location:** Monroe County, PA  
**Duration:** One year with four 1-year renewals  
**Contact:** Steve Eitner, (717) 424-3024

**1200-98-001** Preventive maintenance—heating, ventilating and air conditioning (HVAC) systems. Preventive maintenance services on all equipment and associated devices related to the HVAC systems. The service company shall furnish all personnel, parts, materials, test equipment, tools and services.

**Department:** Transportation  
**Location:** District 12-0: Fayette (Uniontown), Greene (Waynesburg), Washington (Washington), Westmoreland (Greensburg), PA  
**Duration:** July 1, 1998 through June 30, 1999  
**Contact:** Liberty A. Hill, P.E., (724) 439-7361

**E-98** Vendor to perform electrical systems repairs.

**Department:** Military and Veterans Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** July 1, 1998 through June 30, 2001  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**Project No. KU98-18** Kutztown University is seeking qualified HVAC contractors for Student Union-piping modifications. Bid packages are available for a nonrefundable fee of \$35 from: Entech Engineering, Inc., 4 South Fourth Street, P. O. Box 32, Reading, PA 19603, (610) 373-6667, Fax (610) 373-7537. Bid packages are available March 23, 1998 through April 1, 1998. A prebid meeting has been scheduled for Wednesday, April 1, 1998 at 10 a.m. Bids will be received April 15, 1998 by 2 p.m., and opened on April 16, 1998 at 2 p.m.

**Department:** State System of Higher Education  
**Location:** Kutztown, PA 19530  
**Duration:** 60 days after Notice to Proceed  
**Contact:** Jeffrey W. Nelson, C.P.M., (610) 683-4602

**L&I-1-98** Electrical services: To be provided as needed and available on a 24-hour, 7 day per week basis. Any material to be of first quality. Unless otherwise stipulated, the hourly rate will be the same as on a 24-hour, 7 day per week basis. If the same rate will not apply, stipulate all exceptions. Subject to adjustment by reasons of new contracts in the trade. Material and parts to be at contractor's cost plus no more than 10%.

**Department:** Labor and Industry  
**Location:** Chester County Job Center, Coatesville 0104, 250 East Harmony Street, Coatesville, Chester County, PA 19320-5409  
**Duration:** October 1, 1998—September 30, 2002  
**Contact:** Douglas M. Schmidt, Manager, (610) 384-9393

**L&I-2-98** HVAC services: To be provided on an as needed basis and available 24 hours, 7 days per week. Materials and parts to be at contractors cost plus no more than 10%. Any material furnished is to be of first quality unless otherwise stipulated, the hourly rate will be the same as on a 24-hour, 7 day per week basis. If the same rate will not apply, stipulate all exceptions. Subject to adjustment by reasons of new contracts in the trade.

**Department:** Labor and Industry  
**Location:** Chester County Job Center, Coatesville 0104, 250 East Harmony Street, Coatesville, Chester County, PA 19320-5409  
**Duration:** October 1, 1998—September 30, 2002  
**Contact:** Douglas M. Schmidt, Manager, (610) 384-9393

**L&I-4-98** Plumbing services: To be provided as needed and available on a 24-hour, 7 day per week basis. Materials and parts to be at contractors cost plus no more than 10%. Any materials furnished to be of first quality. Unless otherwise stipulated, the hourly rate will be the same as on a 24-hour, 7 day per week basis. If the same rate will not apply, stipulate all exceptions. Subject to adjustment by reasons of new contracts in the trade.

**Department:** Labor and Industry  
**Location:** Chester County Job Center, Coatesville, 250 East Harmony Street, Coatesville, Chester County, PA 19320-5409  
**Duration:** October 1, 1998—September 30, 2002  
**Contact:** Douglas M. Schmidt, Manager, (610) 384-9393

**PR-98** Vendor to perform on-call repairs of plumbing systems located at Southeastern PA Veterans Center.

**Department:** Military and Veterans Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** July 1, 1998 through June 30, 2001  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

## Janitorial Services—23

**356414** Window cleaning services: To provide window cleaning services, contract includes cleaning inside and outside surfaces of all exterior windows, all doors, storm windows, front and rear entrance way glass. Vendor must visit site prior to bid opening.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105  
**Duration:** August 1, 1998 through November 30, 1998; a period of 4 months  
**Contact:** Jack W. Heinze, Purchasing Agent III, (717) 772-7435

**SP 336874** Sealed bids will be received at the Black Moshannon State Park Office, R. R. 1, Box 183, Philipsburg, PA 16866 until April 20 and then publicly opened and read. Specifications containing all pertinent information must be obtained from the park office. Clean six modern cabins, one to two times per week over a period of 4 years and 7 months.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of State Parks, Black Moshannon State Park, R. R. 1, Box 183, Philipsburg, PA 16866  
**Duration:** 4 years 7 months  
**Contact:** Black Moshannon State Park, (814) 342-5960

## Laundry/Dry Cleaning—25

**SP-367512** Furnish chemically treated dust mops and walk-off mats to Wine & Spirits Shoppes and Field Offices on a one for one exchange basis in the following counties: Crawford, Erie, Forest, Lawrence, Mercer, Venango, Warren, Clarion, Jefferson, Allegheny, Armstrong, Beaver, Butler, Fayette, Green, Indiana, Washington, Westmoreland, Cameron, Centre, Clearfield, Clinton, Elk, McKean, Potter, Bedford, Blair, Cambria, Fulton, Huntingdon, Mifflin, Somerset, Bradford, Columbia, Lycoming, Montour, Northumberland, Snyder, Sullivan, Tioga, Union, Adams, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Perry, York, Lackawanna, Pike, Susquehanna, Wayne, Wyoming, Berks, Carbon, Lehigh, Luzerne, Monroe, Northampton, Schuylkill, Bucks, Chester, Delaware, Montgomery and Philadelphia.

**Department:** Liquor Control Board  
**Location:** See above  
**Duration:** July 1, 1998—June 30, 2003  
**Contact:** Betty J. Goodling, (717) 787-6360

## Mailing Services—28

**97-6102-359** Contractor to provide daily (Monday through Friday) courier service among Office of Inspector General's offices in Harrisburg, Philadelphia, Wilkes-Barre and Pittsburgh. Return request to: Office of Inspector General, 300 North 2nd Street, 9th Floor, Harrisburg, PA 17101, Attn: Jane L. Benfer.

**Department:** Office of Inspector General  
**Location:** Harrisburg, Philadelphia, Pittsburgh, Wilkes-Barre, PA  
**Duration:** July 1, 1998 through June 30, 2001  
**Contact:** Jane L. Benfer, (717) 783-7756



**Medical Services—29**

**352530** Provide the services of psychiatric nurses as requested and required by the Norristown State Hospital. Persons supplied must be licensed and have at least 6 months experience in mental health nursing. Shift shall be for 8 hours and include weekends and holidays. Day shift: 7 a.m.—3:30 p.m.; evening shift: 3 p.m.—11:30 p.m.; night shift: 11:15 p.m.—7:15 a.m.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, Montgomery County, PA 19401  
**Duration:** July 1, 1998 through June 30, 2001  
**Contact:** Maria Jordan, (610) 313-1302

**H-5592** Neurological examinations and treatment by licensed physician. To receive specifications, send written request to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, Fax (610) 562-6025.

**Department:** Public Welfare  
**Location:** Hamburg Center, Hamburg, PA 19526  
**Duration:** June 1, 1998 to May 31, 2001  
**Contact:** Beverly O. Epting, Purchasing Agent, (610) 562-6031

**Property Maintenance—33**

**300937** Tree and stump removal: Provider will furnish all labor to professionally trim three trees, also the complete removal of one tree and six stumps of various sizes.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April 1, 1998 through June 30, 1998, a period of 4 months  
**Contact:** Jack W. Heinze, Purchasing Agent III, (717) 772-7435

**1050-09-01** Provide hydroseeder with materials, crew and traffic control to revegetate barren cut and fill slopes on State highways located in Jefferson County. This work is needed to stabilize erodible areas and prevent pollution of adjacent streams. To request a bid package, fax to (814) 938-8935, Attn: Mario Cardamone.

**Department:** Transportation  
**Location:** Within Jefferson County, PA  
**Duration:** 1 year contract with two 1-year renewals  
**Contact:** Mario Cardamone, (814) 938-6300

**CL-459** Renovations to Chandler Dining Hall, Clarion University of the State System of Higher Education is soliciting bids for major renovations to Chandler Dining Hall located on the main campus in Clarion, PA, to convert the food service to a food court configuration. Contracts to be awarded for: general, HVAC, plumbing, electrical and food service equipment supply and installation. Renovations include, but are not limited to: modifications to the food services and group dining areas; renovation of offices; improvements to the existing restrooms; installation of new restrooms; and exterior modifications. Plans are available from the architect: Wallace & Watson, Associates, 609 Hamilton Mall, Allentown, PA 18101-2189, (610) 437-4450. Plans cost: \$150 plus postage, nonrefundable, payable to the architects. Prebid conference: 1 p.m., April 7, 1998 in McEntire Maintenance Building, Wilson Avenue, Clarion, PA. Bids due: 1:30 p.m., April 22, 1998; Public Bid opening: 11 a.m., April 23, 1998.

**Department:** State System of Higher Education  
**Location:** Clarion University, Clarion, Clarion County, PA  
**Duration:** 120 days from Notice to Proceed  
**Contact:** Judy McAninch, Contract Manager, (814) 226-2240

**CPC 96-037** Conservation of existing first floor Moravian tile pavement and adjacent marble, including but not limited to the following: repair, cleaning and polishing of marble thresholds, step treads, column and torchere bases and baseboards; cleaning, repairing, regrouting, resetting, selectively replacing in kind, and maintenance and waterproof coating, of Moravian floor tiles; installation of floor mats; maintenance instruction of Commonwealth employees; (as an Add Alternate) 5-year maintenance program.

**Department:** Capitol Preservation Committee  
**Location:** Main Capitol Building, Harrisburg, Dauphin County, PA  
**Duration:** One year base contract; optional 5-year maintenance extension  
**Contact:** Ruthann Herbert-Kemper, Director/Susan Ellison, Comptroller, (717) 783-6484

**LH-SER-048** Construction of one softball field. The contractor shall provide all labor, equipment, materials and incidentals as required to complete this project. A site visit is required. Previous sportsfield experience is required. Complete bid packet 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:** Anticipated completion by June 30, 1998  
**Contact:** Elizabeth Nightingale, Purchasing Agent, (814) 445-6501, ext. 347

**L&I-2-98** Snow/ice removal services: To be provided for parking lot, driveway and sidewalks on an as needed basis when snow accumulation reaches 3" or more in parking lot and driveway and 1" or more for sidewalks. Services to include spreading of antiskid materials which is to be included in price quote. In the event of heavy snowfalls on weekends or holidays (6" or more) it may be necessary to plow on these occasions to assure that snow is removed on the first workday by 8 a.m. following the storm. Damage to parking lot surface, sidewalk, lawns to be repaired or replaced by the contractor.

**Department:** Labor and Industry  
**Location:** Coatesville 0104, Coatesville Job Center, 250 East Harmony Street, Coatesville, Chester County, PA 19320-5409  
**Duration:** October 1, 1998—September 30, 2002  
**Contact:** Douglas M. Schmidt, (610) 384-9393

**SP-341261** Remove and clean up existing roof shingles, dormer shingles, fascia, flashing and drip edge at the State Parks Region No. 3 Manager's home. Construct a new roofing system to include fiberglass shingles, eave and valley ice-dam protection. Install drip edge, new fascia and flashing. Existing dormers to include installation of fascia and corner boards.

**Department:** Conservation and Natural Resources  
**Location:** State Parks Region No. 3 Office, R. R. 2, Box 142C, Schellsburg, PA 15559  
**Duration:** Completion time—60 days after Notice to Proceed  
**Contact:** James L. Ross, (814) 733-9123

**Sanitation—36**

**SP 320569** Sealed bids will be received at Keystone State Park, R. D. 2, Box 101, Derry, PA 15627-9617, and then publicly opened and read. A bid opening date has not yet been set. To provide pit latrine/water treatment plant backwash lagoon pumping at Keystone State Park. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager at Keystone State Park.

**Department:** Conservation and Natural Resources  
**Location:** Keystone State Park, R. D. 2, Box 101, Derry, PA 15627-9617  
**Duration:** July 1, 1998 to December 31, 2002  
**Contact:** Keystone State Park, (724) 668-2939

**Vehicle/Heavy Equipment—38**

**98-5** The contractor will provide parts and services to repair electrical motors utilized at the State Correctional Institution in Waymart.

**Department:** Corrections  
**Location:** State Correctional Institution at Waymart, Route 6, P. O. Box 256, Waymart, Canaan Township, Wayne County, PA 18472-0256  
**Duration:** July 1, 1998 to June 30, 2001  
**Contact:** Paul Sayitsky, Budget Analyst, (717) 488-2509

**0870ERJD** Repair brake and transmission on a John Deere grader, Model 672A, 1983, articulated and all wheel drive.

**Department:** Transportation  
**Location:** 2105 Lincoln Highway East, Lancaster, Lancaster County, PA 17602  
**Duration:** One time repair  
**Contact:** Jeralyn L. Rettew, (717) 299-7621

**H-5591** Rental of aerial work platform. To receive specifications, send written request to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526. Fax (610) 562-6025.

**Department:** Public Welfare  
**Location:** Hamburg Center, Hamburg, PA 19526  
**Duration:** September 1, 1998 to August 31, 2001  
**Contact:** Beverly O. Epting, Purchasing Agent, (610) 562-6031

## Miscellaneous—39

**1997-BE-01** Management and operation of the Commission's Lake Erie Marinas (North East Marina, 11950 East Lake Road, North East, PA 16428 and Walnut Creek Marina, 241 Manchester Road, Fairview, PA 16415).

**Department:** Fish and Boat Commission  
**Location:** North East, PA and Fairview, PA  
**Duration:** Upon approval—December 31, 2002  
**Contact:** Dennis Grove, (717) 657-4533

**0840-Traffic Control SR-83** Furnish, install and remove all signs, lights and message boards indicated on a traffic control plan on SR-83 for a 10 day period. All requests for bid packages must be received by Fax at (717) 854-6773 (Attn: Vicki Mays) or telephone (717) 848-6230 8 a.m. to 4 p.m., Monday through Friday.

**Department:** Transportation  
**Location:** I-83 ± 4500 LF north of Exit 2, Springfield Township, York County, PA  
**Duration:** 15 day period (approximately)  
**Contact:** Vicki Mays, (717) 848-6230

**Project No. 97-18** Bidder/Newspaper Notification Services. The objective of this project is to provide construction proposal notification services to contractors, newspapers and others. Detailed requirements and an RFP are available upon request. Fax requests to Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** Bureau of Office Services, 555 Walnut Street, 8th Floor, Harrisburg, PA 17101-1900  
**Duration:** 36 months  
**Contact:** Tina Chubb, (717) 787-7001

**ME80034** Education intends to allocate and administer Title I Even Start Family Literacy funds to local educational agencies (LEA) and community-based organizations (CBO) within this Commonwealth. Estimated FY99 appropriation is \$4.9 million of which 95% is available for distribution to new and continuation projects. Minimum award will be \$75,000. All project funding is dependent upon receipt of Even Start Funds from U. S. Department of Education. Preproposal session will be held during '98 annual conference of the PA Association of Federal Program Coordinators, April 19–22, 1998 at Seven Springs Resort, Champion, PA. Funding applications are available by mailing/faxing a letter of intent, signed by the chief administrator (superintendent or executive director) not later than April 17, 1998 to PA Department of Education, Community and Student Services, Even Start Family Literacy Program, 333 Market Street, 5th Floor, Harrisburg, PA 17126-0333 or fax to (717) 783-6617. Applications must be received by 4 p.m., May 22, 1998.

**Department:** Education  
**Location:** Statewide (Title I School Attendance Areas)  
**Duration:** October 1, 1998–September 30, 1999  
**Contact:** Community and Student Services, (717) 772-2813

**RFP No. 1998-01** The Department of Aging is seeking to secure a contractor to provide clerical, logistical, subcontracting and onsite staffing to manage the Provision and Training to the PA Network of Area Agencies on Aging. Sealed proposals will be received by the Department until 3 p.m. on April 30, 1998. A preproposal conference will be held on April 9, 1998 in the 5th floor conference room at 555 Walnut Street, Harrisburg, PA 17101-1919. Interested bidders must request a copy of the RFP by calling (717) 783-3126.

**Department:** Aging  
**Location:** Statewide  
**Duration:** July 1, 1998 through June 30, 2000  
**Contact:** Patricia Lingle, (717) 783-3126

**SPC 356739** Print yearbooks for Scotland School for Veterans' Children: 128–135 pages; size 8 3/4 x 1 1/2; black ink; some color pages; binding is folded, collated, Smyth sewn with end leaves and head/tail band; printers required to give technical advice and information produce dummy layout and furnish layout sheets; copy submitted on computer disk; company to provide template. Proofs—school to receive two sets of proofs with halftones and copy inserted. Representative to meet with advisor and staff on regular schedule, no less than once per week. Gold embossed printed names on selected yearbooks.

**Department:** Military and Veterans Affairs  
**Location:** Scotland School for Veterans' Children, 3583 Scotland Road, Scotland, PA 17254-0900  
**Duration:** July 1, 1998 through June 30, 1999 with a 4-year renewal option through 2003  
**Contact:** Ronald J. Sheppard, Business Manager, (717) 264-7187, ext. 690

**Color Copying PSERS-COPY** The Public School Employees' Retirement System (PSERS) is soliciting bids for a color copying service for approximately 2,000 copies per month (paper sizes to include 8-1/2 x 11, 8-1/2 x 14 and 11 x 17). Two-day turnaround time is required on all projects. Pick-up and delivery of materials. Copying from computer diskette or hard copy. At least 20 lb. bond paper used on all projects. Resolution at least 400 dpi. To request a copy of bid specifications, please contact Ethel Straining at (717) 720-4606.

**Department:** Public School Employees' Retirement System  
**Location:** 5 North Fifth Street, Harrisburg, PA 17101  
**Duration:** July 1, 1998–June 30, 1999  
**Contact:** Ethel M. Straining, (717) 720-4606

[Pa.B. Doc. No. 98-472. Filed for public inspection March 20, 1998, 9:00 a.m.]

---

## DESCRIPTION OF LEGEND

---

- |  |   |
|--|---|
| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

GARY E. CROWELL,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of
1590117-01	03/03/98	Chemtick Coated Fab- rics, Inc.	10,400.00
8135-01	03/15/98	Packaging Specialties Unlimited	502,722.00
1524117-01	03/06/98	Essbar Equip- ment Co.	10,656.00
7313960-01	03/06/98	Jedco Paper Corp.	39,962.70
1407137-01	03/06/98	Wolffington Body Co., Inc.	44,935.00
8504170-01	03/06/98	Triple R Truck Parts, Inc.	10,712.50
1583117-01	03/06/98	Ragold Corpo- ration	42,250.00
1599077-01	03/06/98	The Female Health Co.	48,828.00
1365317-01	03/06/98	Winemiller Communica- tions	58,760.00
5850-01 Supplement No. 2 and 3	03/06/98	Integra	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Anixter/Belden Wire and Cable Co.	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Comp USA/ Belkin	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Comp USA/ Canon Com- puter Sys- tems	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Mid Atlantic Cable/ Comtran	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Comp USA/ King of Prussia	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Daly Comput- ers, Inc.	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Comp USA/ Digi Inter- national	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Eastman Kodak Co.	100,000.00

Requisition or Contract #	Awarded On	To	In the Amount Of
5850-01 Supplement No. 2 and 3	03/06/98	Mid Atlantic Cable/ Energy Tranforma- tion Systems	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Inacom/ Extended Systems	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Kingdom Com- puters	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	G. E. Capital	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Micron Elec- tronics, Inc.	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	NEC Com- puter Sys- tems	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Mid Atlantic Cable/ Network Cabinet Products	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	OCE-USA, Inc.	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	PIBH	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	RG Technolo- gies, Inc.	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Mid Atlantic Cable/Scope Communica- tion, Inc.	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Comp USA/ Syquest	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Comp USA/ Viking	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Xylan Corp.	100,000.00
5850-01 Supplement No. 2 and 3	03/06/98	Westrex Inter- national	100,000.00
9120-02 Supplement No. 1	03/06/98	Agway Petro- leum Corp.	4,765.40
9120-02 Supplement No. 1	03/06/98	Level Propane	19,170.00

## STATE CONTRACTS INFORMATION

Requisition or Contract #	Awarded On	To	In the Amount Of	Requisition or Contract #	Awarded On	To	In the Amount Of
9120-02 Supplement No. 1	03/06/98	Ferrellgas, Inc.	420.00	2599-01	03/06/98	Vehicle Main- tenance Pro- gram, Inc.	88,203.15
7810-01 RIP No. 2, Supple- ment No. 2	03/06/98	Mid Atlantic Products, Inc.	2,000.00	2599-01	03/06/98	Pep Boys	650.00
7810-01 RIP No. 2, Supple- ment No. 2	03/06/98	Ken J. Barrick Co.	2,000.00	6675-02 RIP No. 1	03/10/98	Topcon America Corp.	50,000.00
7810-01 RIP No. 2, Supple- ment No. 2	03/06/98	Columbia Cas- cade Com- pany	1,000.00	2610-01	03/16/98	Bridgestone/ Firestone, Inc.	50,000.00
6515-04	03/06/98	Red Line Med- ical Supply	60,411.72	2610-01	03/16/98	Goodyear Tire and Rubber Co.	100,000.00
6515-04	03/06/98	Jordan-Reses Home Health Care	19,005.24				
5999-01 Supplement No. 2	03/06/98	Wesco Distri- bution, Inc.	50,000.00				

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 98-473. Filed for public inspection March 20, 1998, 9:00 a.m.]