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PENNSYLVANIA BULLETIN

Volume 30

Number 14

Saturday, April 1, 2000 • Harrisburg, Pa.

Pages 1731—1862

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

No. 305, April 2000

PENNSYLVANIA



BULLETIN

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Pennsylvania Bulletin

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

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

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

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

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.

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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:

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2000.

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THE GENERAL ASSEMBLY

Recent Actions During the 2000 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2000 Regular Session.

2000 ACTS—ACTS 4 through 6 (numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2000-04	Mar. 17	SB824	PN901	60 days	Crimes Code (18 Pa.C.S.)—minors purchase, consumption, possession or transportation of liquor, malt or brewed beverages
2000-05	Mar. 17	SB1097	PN1652	Immediately	Conveyance—Commonwealth property in the City of Philadelphia and Allegheny, Columbia, Franklin, Lehigh and Montour counties
2000-06	Mar. 17	HB2057	PN2882	Immediately	Industrial Sites Environmental Assessment Act—performance-based loans and annual report

Effective Dates of Statutes

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

Advance Copies of Statutes

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

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

CARL L. MEASE,
Director Legislative Reference Bureau

[Pa.B. Doc. No. 00-553. Filed for public inspection March 31, 2000, 9:00 a.m.]

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Joint General Court Regulation; Trial and Orphans' Court Divisions; No. 2000-02

Procedure for the Appointment of a Guardian and Obtaining Approval to Provide Medical Treatment for Alleged Incapacitated Persons and Minors Subject to the Jurisdiction of the Orphans' Court Division

Emergency requests for court authorization to perform medical procedures on alleged incapacitated persons, and in some cases involving minors, are being made with increasing frequency. In order to protect the rights of all parties involved, and to clarify the procedure to be utilized in seeking judicial intervention, the Court has adopted the policy set forth hereunder.

1. *Necessity for Court Intervention.* A minor is not sui juris, and thus may not provide informed consent. A parent or guardian must provide the requisite consent to authorize the performance of any medical procedures on the minor. Conversely, an adult is deemed to be competent to authorize any medical procedure. Only where the competency of an adult is at issue must the appointment of a guardian be sought.

(a) *Adults.* The jurisdiction of the court of common pleas over the adjudications of incompetency and the appointment of guardians must be exercised through the Orphans' Court Division. See 20 Pa.C.S. § 711. In Philadelphia County, the Orphans' Court Division is the only appropriate Division through which the appointment, control and removal of the guardian of the person of any incapacitated person may be exercised. See 20 Pa.C.S. § 712(2). Thus, requests for leave to perform medical treatment, if necessary due to the individuals' inability to give informed consent, must be filed in the Orphans' Court, in conjunction with the request to appoint a guardian for the person.

(b) *Minors.* Minors may be subject to the jurisdiction of the Family Court Division as well as the Orphans' Court Division. The within Joint General Court Regulation only controls those instances where the request to appoint a guardian is filed in the Orphans' Court Division. The current practice in the Family Court Division is not changed.

2. *Place to File the Request.*

(a) *During Court Hours.* All Petitions for the purposes set forth herein shall be filed in the Orphans' Court Division, through the Clerk of Orphans' Court, 415 City Hall, Philadelphia, PA.

(b) *After Normal Court Hours.* In the event of an unforeseen emergency occurring after normal court hours, a petition may be filed with the weekly emergency Common Pleas Court Judge, appointed by the President Judge of the Court of Common Pleas, by contacting the City Hall Operator at (215) 686-5665 and asking for the Common Pleas Court Emergency Judge. The Emergency Judge shall be advised by the petitioner, counsel or the caller whether proceedings involving the adult or minor were commenced or are pending in any Court, and

whether the request raised with the Emergency Judge has been addressed in any tribunal. If the petition is accepted by the Emergency Judge, a hearing must be held by the Emergency Judge before an order or decree may be issued.

3. *Petition Requirements.*

(a) *During Court Hours.* The petition shall be filed in compliance with the Pennsylvania Orphans' Court Rules, the Philadelphia County Orphans' Court Rules, and the applicable provisions of the Probate, Estates and Fiduciaries Code, 20 Pa.C.S. 101 et seq. At Petitioner's request, the Orphans' Court may appoint a limited or plenary guardian as authorized by 20 Pa.C.S. § 5512.1, or an emergency guardian, as authorized by 20 Pa.C.S. § 5513.

(b) *During Non-Court Hours.* The weekly Emergency Judge, exercising the jurisdiction of the Orphans' Court Division, may appoint an emergency guardian as provided by 20 Pa.C.S. § 5513 provided that: the request is made after non-court hours; a petition, substantially as required in section (3) (a), is filed with the Emergency Judge; a hearing is held; and a determination is made that clear and convincing evidence exists which establishes that the person lacks capacity, is in need of an emergency guardian and the failure to appoint an emergency guardian will result in irreparable harm to the alleged incapacitated person. Any such appointment will be in effect until the next court day, and the petition and Decree issued by the Emergency Judge must be filed with the Clerk of the Orphans' Court, together with any other appropriate petition to extend the appointment, if necessary.

4. *Decree Appointing Guardian.* The Decree appointing the guardian shall set forth the guardian's powers, duties and liabilities.

5. *Effective Date.* This Joint General Court Regulation shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. Any Petition hereafter filed in the Trial Division seeking the relief set forth herein shall be administratively transferred to the Orphans' Court Division by the Prothonotary, or Civil Administration Clerks, and a notation shall be entered on the dockets that such transfer has been accomplished at the direction of the President Judge of the Court of Common Pleas as provided in this Regulation.

This General Court Regulation is promulgated in accordance with 20 Pa.C.S. §§ 711, 712(2), Pa. O.C. Rule 1.2 and Pa.R.Civ.P. No. 239. The original Joint General Court Regulation shall be filed with the Prothonotary in a docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas, and certified copies shall be submitted to the Clerk of Orphans' Court, the Civil Procedural Rules Committee, the Orphans' Court Procedural Rules Committee, the Administrative Office of Pennsylvania Courts, and the Legislative Reference Bureau. Copies of the Regulation shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District. The Joint General Court Regulation will also be posted on the First Judicial District's website at <http://courts.phila.gov>.

ALEX BONAVITACOLA,
President Judge

[Pa.B. Doc. No. 00-554. Filed for public inspection March 31, 2000, 9:00 a.m.]

PHILADELPHIA COUNTY

Joint General Court Regulation; Trial and Orphans' Court Divisions; No. 2000-03

Distribution of Business within the Court of Common Pleas Nonprofit Corporations

The Pennsylvania Rules of Judicial Administration provide that the Orphans' Court Division of a Court of Common Pleas shall herein determine certain matters dealing with Nonprofit Corporations. See Pa.R.J.A. No. 2156. However, in certain instances, disputes concerning Nonprofit Corporations cannot, or ought not, be heard in the Orphans' Court Division, but rather should be heard in the Trial Division. The within Joint General Court Regulation is designed to clearly set forth the types of matters to be heard by the two divisions of the Court of Common Pleas of Philadelphia County.

1. *Matters to be heard by the Orphans' Court Division.* All matters wherein a Nonprofit Corporation is a party shall be heard in the Orphans' Court Division provided that a stated purpose of the Nonprofit Corporation is charitable.

2. *Matters to be heard by the Trial Division.* All matters wherein a Nonprofit Corporation is a party shall be heard in the Trial Division provided that the stated purposes of the Nonprofit Corporation is noncharitable.

3. *Effective Date.* This Joint General Court Regulation shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

This General Court Regulation is promulgated in accordance with Pa.R.J.A. No. 2156, Pa.O.C. Rule No. 1.2 and Pa.R.Civ.P. No. 239. The original Joint General Court Regulation shall be filed with the Prothonotary in a docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas, and certified copies shall be submitted to the Clerk of Orphans' Court, the Civil Procedural Rules Committee, the Orphans' Court Procedural Rules Committee, the Administrative Office of Pennsylvania Courts, and the Legislative Reference Bureau. Copies of the Regulation shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District. The Joint General Court Regulation will also be posted on the First Judicial District's website at <http://courts.phila.gov>.

ALEX BONAVITACOLA,
President Judge

[Pa.B. Doc. No. 00-555. Filed for public inspection March 31, 2000, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LUZERNE COUNTY

Order Adopting the Reorganization and Renumbering of the Luzerne County Rules of Criminal Procedure; No. 63 Misc. 2000

Order

Now This 16th day of March, 2000, Luzerne County Rules of Criminal Procedure are hereby reorganized and renumbered as follows:

Rule [4] 102. Citing the Criminal Procedural Rules.

Rule [316] 122. Assignment of Counsel.

Rule [2002A] 202. Approval of Search Warrant Applications by Attorney for the Commonwealth, Local Option.

Rule [161] 301. Procedures for Accelerated Rehabilitative Disposition in Summary Cases Before the Minor Judiciary.

Rule [107] 507. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth-Local Option.

Rule [303] 571. Arraignment.

Rule [310] 580. Disposition of Pretrial Motions.

Rule [324] 588. Motion for Return of Property.

Rule [1409] 708. Probation, Intermediate Punishment or Parole.

It is further ordered that the District Court Administrator shall file seven (7) certified copies of this Rule with the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Criminal Procedural Rules Committee, one (1) certified copy to the Judicial Council of Pennsylvania Statewide Rules Committee, and one (1) copy to the Luzerne Legal Register for publication in the next issue.

It is further ordered that these local rules shall be kept continuously available for public inspection and copying in the Clerk of Court's Office.

By the Court,

JOSEPH M. AUGELLO,
President Judge

[Pa.B. Doc. No. 00-556. Filed for public inspection March 31, 2000, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Krzysztof L. Nowak, having been suspended from the practice of law in the State of New Jersey for a period of three months by Order of the Supreme Court of New Jersey dated July 15, 1999, the Supreme Court of Pennsylvania issued an Order dated March 13, 2000, that Krzysztof L. Nowak is suspended from the practice of law in this Commonwealth for a period of three months. In accordance with the Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
*Executive Director & Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 00-557. Filed for public inspection March 31, 2000, 9:00 a.m.]

SUPREME COURT

Schedule of Holidays for Year 2001 for Staffs of the Appellate Courts and the Administrative Office of Pennsylvania Courts; No. 217 Judicial Administration Doc. No. 1

Order

Per Curiam:

And Now, this 13th day of March, 2000, it is hereby ordered that the following paid holidays for calendar year 2001 will be observed on the dates specified below by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts:

January	1, 2001	New Year's Day
January	15, 2001	Martin Luther King, Jr. Day
February	19, 2001	Presidents' Day
April	13, 2001	Good Friday
May	28, 2001	Memorial Day (Observed)
July	4, 2001	Independence Day
September	3, 2001	Labor Day
October	18, 2001	Columbus Day (Observed)
November	6, 2001	Election Day
November	12, 2001	Veterans Day (Observed)
November	22, 2001	Thanksgiving Day
November	23, 2001	Day After Thanksgiving
December	25, 2001	Christmas Day

[Pa.B. Doc. No. 00-558. Filed for public inspection March 31, 2000, 9:00 a.m.]

Sessions of the Supreme Court of Pennsylvania for the Year 2001; No. 123 Appellate Court Rules Doc. No. 1

Order

Per Curiam:

And Now, this 13th of March, 2000, it is ordered that the argument/administrative sessions of the Supreme Court of Pennsylvania shall be held in the year 2001 as follows:

Philadelphia	January 29 through February 2
Pittsburgh	March 5 through March 9
Harrisburg	April 30 through May 4
Philadelphia (Administrative Session)	June 4
Pittsburgh	September 10 through September 14
Philadelphia	October 15 through October 19
Harrisburg	November 13 through November 16
Pittsburgh (Administrative Session)	December 4

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

[Pa.B. Doc. No. 00-559. Filed for public inspection March 31, 2000, 9:00 a.m.]

RULES AND REGULATIONS

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CHS. 168 AND 3040]

Subsidized Child Day Care Eligibility

The Department of Public Welfare (Department), by this order, adopts amendments to Chapters 168 and 3040 (relating to transitional child care; and subsidized child day care), under the authority of Articles II, IV and VII of the Public Welfare Code (62 P. S. §§ 201—211, 401—493 and 701—703), and Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), Pub. L. No. 104-193, known as the Child Care and Development Block Grant (CCDBG) (42 U.S.C.A. §§ 9858—9858q).

Proposed rulemaking is omitted because the amendments relate to Commonwealth grants and benefits. See section 204(1)(iv) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(1)(iv)) (CDL). In addition, proposed rulemaking is omitted as unnecessary and contrary to public interest because these changes increase benefits to many families who are eligible for the subsidized child care program and make additional families eligible upon publication on or after April 1, 2000. See section 204(3) of the CDL. Therefore, the Department finds proposed rulemaking as unnecessary and contrary to public interest. By omitting proposed rulemaking, many families will receive increased benefits sooner.

Purpose of Amendments

Chapter 168—These amendments will change certain sections of Chapter 168 relating to the determination of the family co-payment and the parent's verification of child care costs. The family's co-payment will not increase between redeterminations based solely on increases in income. The child care provider may submit an invoice directly to the County Assistance Office (CAO) for payment of child care costs instead of the provider submitting the invoice to the parent for submission with the parent's monthly reporting form. Both changes will permit more timely payment to child care providers participating in the Department's child care vendor payment system.

Chapter 3040—These amendments will change certain sections of Chapter 3040 by increasing the income limits for low-income families to qualify for a child care subsidy at initial application; revising the weekly co-payment schedule; changing the reporting requirements for former welfare and low-income working families; and increasing teen parents' access to subsidized child care.

Background

The current regulations for subsidized child care are codified in Chapters 168 and 3040. They became effective on February 1, 1999, and were amended effective February 1, 2000, at 29 Pa.B. 6242 (December 11, 1999). Chapter 168 establishes eligibility criteria for child care benefits for families who are receiving cash assistance benefits under the Temporary Assistance for Needy Families (TANF) Program. Chapter 3040 establishes eligibility criteria for families who formerly received cash assistance and for other low-income working families.

The regulations adopted at 29 Pa.B. 271 (January 1, 1999) effective February 1999 set forth the rules for a

coordinated child care system called Child Care Works. Child Care Works provides subsidized child care to families who receive TANF benefits, those transitioning off TANF, and low-income working families, by using similar rules and procedures to provide a continuum of child care benefits to these families. Child Care Works included elimination of the income disregard system for TANF families; elimination of the 12-month limit for child care benefits for former TANF families; increased co-payments for former TANF and low-income working families; and a lower income limit for families to receive subsidized child care. In addition, one of the Department's goals in implementing Child Care Works was to reduce the number of children of low-income working families on the Statewide waiting list and the time that eligible children spend on the waiting list before receiving subsidized child care.

Since some of the changes in Child Care Works reduced benefits to some low-income working families who were receiving subsidized child care, the Department made a commitment to monitor the impact of the subsidized child care eligibility regulations on all families receiving subsidized child care. After monitoring the impact of the regulations, the Department noted a reduction in the Statewide waiting lists and observed large increases in the number of children receiving a child care subsidy. Even with more children being served, the Department determined that it had adequate resources to make modest changes to the subsidized child care program without jeopardizing the progress made in meeting the needs of families who are eligible for subsidized child care or returning to long waiting lists. These changes were promulgated at 29 Pa.B. 6242.

The Department continued its monitoring efforts and determined that the demand for subsidized child care from eligible low-income working families has leveled off. Also, in all but a few counties, waiting lists were eliminated, resulting in children waiting no more than a few weeks to receive a subsidy. The stabilization of the demand for subsidized child care and reduction of the waiting lists resulted in more funds being available for the subsidized child care program to serve additional children or make program revisions, or both.

In addition to monitoring the impact of the subsidized eligibility regulations, the Department heard concerns from child care providers caring for children of TANF families that delays in the TANF payment system result in hardships to many child care providers. In reviewing the providers' concerns, the Department noted unintended consequences of waiting for monthly reporting income calculations for TANF families in order to determine the child care co-payment. These calculations are frequently delayed several months while CAO staff await complete information from TANF families. Since these monthly calculations result in changes to the family co-payment, which determines the payment to child care providers, the payments to providers are delayed. The Department determined that the stabilization of the amount of the family's co-payment will enable regulated providers participating in the Department's vendor payment system to be paid more quickly.

The Department determined that because the demand for subsidized child care has stabilized, there are adequate resources to provide benefits to more families in the subsidized child care program, expand the benefits to

families who are receiving subsidized child care, and still meet the child care needs of TANF, former TANF and low-income working families without substantially increasing the waiting lists.

To that end, the Department will:

- Expand the number of families who are eligible for subsidized child care by raising the income limit for families at initial application from 185% of the Federal Poverty Income Guidelines (FPIG) (\$25,678 for a family of three) to 200% of the FPIG (\$27,760 for a family of three).

The Department determined that resources are available to serve additional families with an income between 185% and 200% of the FPIG who are currently ineligible for subsidized child care. The Department selected 200% of the FPIG as the entry level for subsidized child care based on data from estimates of the number of families in the general population that will need and be eligible for subsidized child care. By increasing the income limit for initial eligibility for subsidized child care, the Department will be able to provide for a child care subsidy to approximately 10,500 additional children annually.

- Revise the standards for determining the amount of the co-payment by lowering the cap on the percentage of annual income a family would be required to pay as the co-payment, from 13.5% to 11.0% at 235% of the FPIG and from 10% to 8% at 100% of the FPIG. As a result, the weekly co-payment will decrease by \$5 to \$15 per week for nearly 90,000 families who are receiving subsidized child care and pay more than the minimum co-payment of \$5 per week. In addition, the Department is revising the co-payment structure by increasing the income brackets from \$1,650 to \$2,000 annually. Each increase in income which puts a family in a higher income bracket results in a \$5 per week increase in co-payment.

The Department is revising the co-payment schedule because it has the resources available to lower the co-payment amounts for families, which provides families with more available income to meet their living expenses. Also, the Department is revising the co-payment schedule so that a family is able to realize a larger increase in income without being assessed a higher weekly co-payment.

- Change the requirements for reporting increases in earned income to reduce the amount of time a parent spends in reporting changes and simplify the administrative process for eligibility agents. To accomplish this change, the Department has determined that an increase in earned income that does not reflect a change in employment for TANF families, former TANF families and low-income working families will not result in a higher co-payment until the next redetermination. However, if the parent reports a decrease in income and requests a reevaluation of the weekly co-payment, the eligibility agent will recalculate the amount of the co-payment based on the decrease in income. If the recalculation results in a decrease in the parent's co-payment, the decrease in co-payment will be implemented without a redetermination of the family's eligibility.

The Department is changing the income reporting requirement. The current regulations require parents to report each change in earned income, which may result in changes in their co-payment. The Department anticipates that eliminating the requirement to report every increase in earnings will reduce the time parents spend reporting changes to the eligibility agent and the administrative process of assessing and collecting co-payments. The new

regulations stabilize the co-payment amount in between redeterminations. This change, along with other procedural changes in the CAO, will result in more timely payments to child care providers who are participating in the Department's vendor payment system and who serve TANF children. The regulation change also simplifies the administrative process of assessing and collecting co-payments.

- Change the eligibility requirements for a teen parent living at home with her mother or father, or both. With this change, a teen parent can apply for subsidized child care for her child without her parents' cooperation in the eligibility process.

In February 1999, the Department changed the subsidized child care regulations for teen parents who were not receiving TANF benefits to mirror the eligibility requirements for TANF benefits. Those eligibility requirements required teen parents to remain in school and reside with a responsible adult. Those requirements also mandated consideration of the circumstances of the teen parent's parents to receive TANF benefits. The subsidized child care regulatory change in February 1999 produced unintended consequences. The Department did not anticipate that many grandparents would not cooperate in the eligibility determination process to allow their teen parent's child to receive subsidized child care. Since February 1999, the Department has noted a decrease in the number of teen parents who apply for and receive subsidized child care.

The change in these regulations allow for a teen parent to be determined eligible for a child care subsidy without the consideration of the income of the teen parent's parents and availability of the grandparents to provide child care while the teen parent pursues an education program. In addition, teen parent's parents do not need to comply with the 25-hour-per-week work requirement. The new regulations provide that when determining a teen parent's eligibility for child care subsidy, the eligibility agent will consider only the teen parent's circumstances.

The Department wants teen parents to stay in school to get their high school diploma or pursue a General Equivalency Diploma (GED). A teen parent who has child care is more likely to remain in school. An individual with a high school diploma or GED is more likely to be employed and more likely to obtain employment at higher pay than an individual who has not completed high school. A teen parent who stays in school is also less likely to have subsequent unplanned pregnancies. The Department is making the regulatory change to assure that teen parents have access to subsidized child care.

Purpose of the Final-Form Regulations

The purpose of the final-form regulations is to increase the initial income limits for a family to qualify for the subsidized child care program from 185% to 200% of the FPIG; to cap the percentage of annual income a family pays as the co-payment at 11%; to stabilize a family's co-payment between redeterminations by not reevaluating the family's co-payment with each increase in earned income; and to provide increased access to a child care subsidy for teen parents as they pursue a high school diploma or a GED.

Summary of Changes

There are two changes in Chapter 168: 1) the TANF parent is not required to verify child care costs on a monthly basis; and 2) a TANF parent's co-payment will

not increase during the period between eligibility redeterminations based solely on increases in income.

There are four changes in Chapter 3040: 1) an increase in the initial income eligibility limits from 185% of the FPIG to 200% of the FPIG for a family to qualify for the subsidized child care program; 2) a revised co-payment schedule that increases the income brackets between co-payment levels from \$1,600 to \$2,000 for each additional \$5 increase in co-payment and reduces the percentage of family income used to pay the assessed co-payment, which reduces the weekly co-payment for families; 3) stabilization of the family co-payment during the period between eligibility redeterminations, which is achieved by changing the requirement of the family to report increases in earned income not associated with a change in employment status; and 4) a change in the eligibility requirements for subsidized child care for teen parents who are completing high school or getting their GED and who are living with their parents.

Chapter 168

Verification Requirements

Current Regulations—The current regulations require child care costs to be verified monthly by the parent.

New Regulations—Section 168.41(3). The Department is deleting the word “parent,” which results in allowing verification of child care costs to be provided by the child care provider.

Co-payment Stabilization

Current Regulations—The current regulations state that actual income as reported on the monthly reporting form, for the prior month, is used to establish the co-payment for the following month; that the TANF grant is excluded as countable income when prospectively determining the co-payment; and actual income is used to calculate the co-payment for each month of retroactive benefits.

New Regulations—Section 168.74. The Department is revising this section to allow the co-payment to be stabilized between redeterminations. The Department is revising paragraph (1) to clarify that the TANF grant is excluded as countable income in the second month after the first pay is received, when determining the co-payment. The Department is adding language in paragraph (2) to provide that in the third month in which pay is received, the co-payment is calculated using anticipated income and the TANF grant adjusted for earnings. The co-payment will not change during the eligibility redetermination period unless a client reports a change in the client’s employment or the client requests a review of the co-payment amount. The Department is also revising this section to state that when a client requests retroactive child care benefits or the CAO authorizes retroactive child care benefits, the co-payment for each retroactive month will be determined using actual income in the month of application, rather than the actual income as reported on the monthly reporting form.

Chapter 3040

Income Limit

Current Regulations—Sections 3040.32(f) and 3040.63(c) (relating to financial eligibility; and calculating a co-payment) provide that a family is ineligible for child care subsidy at initial determination of eligibility if the annual family income exceeds 185% of the FPIG.

New Regulations—The Department is revising §§ 3040.32(f) and 3040.63(c) to provide that a family is ineligible for child care subsidy at initial determination of eligibility if the annual family income exceeds 200% of the FPIG.

Determining Eligibility of a Teen Parent

Current Regulations—Section 3040.28(1) now provides that when a minor parent applies for subsidized child care, the family composition used to determine eligibility includes the parents and siblings of the minor parent.

New Regulation—The Department is deleting § 3040.28(1)(ii) (relating to composition of a family). The family composition that will be used to determine eligibility for subsidized child care will be the same regardless of the age of the parent applying for child care subsidy. The word “minor” has been deleted throughout the chapter to coincide with the deletion of § 3040.28(1)(ii). These related deletions appear in § 3040.34(a)(1), (4) and (6); § 3040.38(a); § 3040.40(a) and (b); § 3040.52(d)(8) and Appendix A, Part II, D.

Note: There is no change in the requirement that a parent under age 18 must be pursuing a high school diploma or GED to qualify for a subsidy. The Department is adding § 3040.34 to permit parents age 18 to 22 to pursue a high school diploma and be eligible for subsidized child care.

Reporting Requirements

Current Regulation—The current regulation in § 3040.35(1) and (3) (relating to reporting changes) requires a parent to report a change in the amount of income from employment.

New Regulation—The Department is modifying the reporting requirements in § 3040.35(1) and (3) to provide that the parent need not report an increase in the amount of earned income if the parent did not change jobs and the child care needs remain the same.

Co-payments

Current Regulation—The current regulation in § 3040.63(a)(3) (relating to calculating a co-payment) provides that a family’s annual co-payment may not exceed 13.5% of the family’s annual income. Section 3040.63(a)(4) provides that the co-payment may not exceed 10% of the family’s annual income if that income is 100% or less of the FPIG. Section 3040.63(d) provides annual income limits of 185% of the FPIG at initial determination of eligibility and 235% of the FPIG at redetermination of eligibility. The co-payment in Appendix B is calculated in \$5 increments for each \$1,650 of annual income.

New Regulation—The new regulation provides for a revision in the co-payment schedule. Section 3040.63(a)(3) provides that if a family’s annual income exceeds 100% of the FPIG and does not exceed 235% of the FPIG, the co-payment may not exceed 11% of the family’s annual income. Section 3040.63(a)(4) provides that if a family’s annual income is 100% of the FPIG or less, the co-payment may not exceed 8% of the family’s annual income. Section 3040.63(d) provides that if the annual income for the family does not exceed 200% of the FPIG at initial determination of eligibility or does not exceed 235% of the FPIG at redetermination of eligibility and the family is otherwise eligible, the eligibility agent shall determine the co-payment by using Appendix B. The weekly co-payment in Appendix B is calculated in \$5 increments for each \$2,000 of annual income. The Department is also revising the co-payment chart at Appendix B to reflect these changes.

Additional Changes

The Department made stylistic revisions in §§ 3040.3, 3040.34(a)(3) and 3040.71(b)(2) (relating to definitions; nonfinancial eligibility; and general requirements regarding notification) to maintain consistency and form throughout the regulations.

*Fiscal Impact**Public Sector*

Commonwealth—The Department will realize an increase in costs to the subsidized child care program of \$20 million annually to implement the revisions to the current co-payment schedule, to increase the income limits at initial application for a family to qualify for subsidized child care and to increase the number of teen parents eligible for subsidized child care. The Department can make this change given the current funds available for subsidized child care and the additional \$20 million in the Governors Proposed Budget for Fiscal Year 2000-01. These funds will enable the Department to expand services by an additional 7,000 slots for subsidized care, which will serve an additional 10,500 children on an annual basis; to continue services to children receiving subsidy; and to assure that no children are terminated from subsidy because of lack of available funds.

Political Subdivisions—Local governments will not have increased costs due to these final-form regulations.

Private Sector

Child care providers who participate in the vendor payment system will receive more timely payments for TANF children,

Nearly 90,000 families will realize a decrease in their weekly co-payment amounts based on the new co-payment schedule. In addition, families will not realize increases in their co-payment as quickly when their annual income increases because the Department has expanded the income brackets from \$1,650 to \$2,000 annually for each \$5 increment in co-payment. Families who are not receiving TANF are relieved of their responsibility to report increases in earned income (unless there is a job change) prior to their next eligibility redetermination.

General Public

There will be a benefit to the general public. Approximately 10,500 children whose family income falls between 185% and 200% of the FPIG will be eligible for subsidized child care. Teen parents will be able to apply for subsidized child care without considering the circumstances of their parents. Teen parents who are eligible for subsidized child care will be able to continue their pursuit of a high school diploma.

Paperwork Requirements

The CAOs and the eligibility agents, who are Child Care Information Services (CCIS) agencies, will experience a temporary increase in paperwork because they will need to recalculate a co-payment for all families in the program upon adoption of this rulemaking. In addition, more families will be eligible for the subsidized child care program, which will result in the processing of additional applications and eligibility determinations.

There will also be some decrease in paperwork for those families that have a fluctuation in their earnings between redetermination dates because they will no longer be required to report increases in earned income within 10 days of the change occurring. This will lead to some decrease in paperwork for the CCIS agencies who will not

have to recalculate co-payments for those families between redetermination dates.

Effective Date

The amendments are effective upon publication.

Sunset Date

No sunset date applies to these amendments.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 Pa. S. § 745.5a(c)), on February 17, 2000, the Department submitted a copy of these final-omitted regulations to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Committee on Public Health and Welfare and the House Committee on Aging and Youth. On the same date, the final-omitted regulations were submitted to the Office of the Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

In accordance with section 5.1(d) and (e) of the Regulatory Review Act, these final-form regulations were deemed approved by the Committees on March 8, 2000, and were approved by IRRC on March 9, 2000.

Contact Person

The contact person for these final-omitted regulations is Kathryn J. Holod, Director, Bureau of Child Day Care Services, Bertolino Building, 4th Floor, Harrisburg, PA 17102, (717) 787-8691.

Findings

The Department finds that:

(1) Public notice of intention to adopt the administrative regulations by this order is omitted because the regulations relate to Commonwealth grants and benefits and is unnecessary and contrary to public interest under section 204(1)(iv) and (3) of the CDL and the regulations thereunder, 1 Pa. Code § 7.4(1)(iv) and (3).

(2) The adoption of these regulations in the manner provided in this order is necessary and appropriate for the administration and enforcement of the Public Welfare Code.

Order

The Department, acting under the Public Welfare Code, orders that:

(a) The regulations of the Department, 55 Pa. Code Chapters 168 and 3040, are amended by amending §§ 168.41, 168.74, 3040.3, 3040.28, 3040.32, 3040.34, 3040.35, 3040.38, 3040.40, 3040.52, 3040.63, 3040.71 and Appendices A and B, to read as set forth in Annex A to this order, with ellipses referring to the existing text of the regulations.

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

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

(d) This order shall take effect upon publication.

FEATHER O. HOUSTOUN,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 30 Pa.B. 1707 (March 25, 2000).)

Fiscal Note: 14-466. (1) General Fund;

	<i>Child Care Services (Federal)</i>		<i>Cash Grants Program (Federal)</i>	
(2) Implementing Year		1999-00 is \$ 8.20 million		\$1.99 million
(3) 1st Succeeding Year		2000-01 is \$32.7 million		\$7.97 million
2nd Succeeding Year		2001-02 is \$32.70 million		\$7.97 million
3rd Succeeding Year		2002-03 is \$32.70 million		\$7.97 million
4th Succeeding Year		2003-04 is \$32.70 million		\$7.97 million
5th Succeeding Year		2004-05 is \$32.70 million		\$7.97 million
<i>Child Care Services—State</i>		<i>Federal</i>	<i>Cash Grants—State</i>	<i>Federal</i>
(4) 1998-1999	\$57.545 million	\$109.873 million	\$259.688 million	\$537.333 million
1997-1998	\$47.717 million	\$101.627 million	\$373.388 million	\$500.059 million
1996-1997	\$48.309 million	\$ 74.539 million	\$523.236 million	\$496.892 million

(7) Child Care Services (Federal) and Cash Grants Program (Federal); (8) recommends adoption. Funds are available in the Department's budget to meet this increase in cost.

Annex A

TITLE 55. PUBLIC WELFARE

PART II. PUBLIC ASSISTANCE MANUAL

Subpart C. ELIGIBILITY REQUIREMENTS

CHAPTER 168. CHILD CARE

VERIFICATION

§ 168.41. Verification requirements.

The applicant or recipient is required, as a condition of eligibility, to cooperate in providing necessary information and verification to establish eligibility.

(1) Before authorizing the initial child care payment, the CAO will determine the following:

(i) Whether the child care is necessary to participate in a work-related activity.

(ii) The expected charge.

(iii) The date the service is needed by the participant.

(iv) The date that payment for the service is required under the provider's usual payment policy or practice.

(2) When the parent/caretaker provides verification to the CAO that indicates a change in eligibility, payment will be reduced, terminated or increased, as appropriate, upon issuance of appropriate notice to the parent/caretaker, in accordance with §§ 133.4 and 168.101 (relating to procedures; and appeal and fair hearing).

(3) Child care costs shall be verified monthly on a form specified by the Department or by a written statement signed by the provider or by a collateral contact by the CAO and the child care provider.

(4) A collateral contact will be used whenever necessary to ensure that payment is made in advance of the date that payment is required by the child care provider consistent with § 168.1(b)(3) (relating to policy on payment of child care). When a child care allowance is authorized based on a collateral contact with or by a written statement from the provider, verification of the charge for child care on a form specified by the Department shall be submitted to the CAO within 30 days of the first day child care costs were incurred. The CAO will assist the client, as needed, to obtain a completed verification form from the provider. Failure to provide verification within the specified time period could result in nonauthorization of the child care payment.

(5) Verification of factors other than cost relating to the need for child care shall consist of collateral contacts with, or written statements from, employers, prospective employers, physicians, licensed psychologists, school offi-

cial, training providers, or pay stubs. Information previously verified need not be reverified unless it is subject to change.

PAYMENT DETERMINATION

§ 168.74. Determining monthly child care co-payment.

The co-payment is determined for a month, based upon gross monthly income and budget group size, using the co-payment sliding fee scale in Chapter 3040, Appendix B. Gross monthly income is determined based on anticipated or actual amounts as determined in accordance with Chapter 183 (relating to income).

(1) The co-payment is waived for the calendar month in which the first pay is received or until the date of discontinuance due to a prospective determination of ineligibility, in accordance with § 168.71 (relating to monthly payment determination). In the second month, the co-payment is determined using anticipated income, excluding the TANF grant as countable income.

(2) In the third month, the co-payment is determined using anticipated income and the TANF grant adjusted for earnings. This co-payment is used prospectively until the next redetermination, or the client requests a review of the co-payment amount, or there is a change in employment.

(3) If retroactive benefits are requested, the co-payment for each retroactive month will be determined using the actual income in the month of application.

PART V. CHILDREN, YOUTH AND FAMILIES MANUAL

Subpart B. ELIGIBILITY FOR SERVICES

CHAPTER 3040. SUBSIDIZED CHILD DAY CARE ELIGIBILITY

INTRODUCTION

§ 3040.3. Definitions.

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

* * * * *

Education program—An elementary school, middle school or high school program including a General Equivalency Diploma (GED) program.

* * * * *

GENERAL REQUIREMENTS

§ 3040.28. Composition of a family.

For the purpose of determining eligibility for child care subsidy, the following rules apply:

(1) A family includes the following individuals who live together:

(i) The child for whom subsidized child care is requested, the child's parent/caretaker.

(ii) The parent's/caretaker's spouse or live-in companion.

(iii) Biological, step or adoptive minor siblings of the child who are under 18 years of age, are not emancipated by marriage or by the court, or 18 years of age or older but under 22 years of age who are enrolled in a post-secondary program leading to a degree or diploma and who are wholly or partially dependent upon the income of the parent/caretaker and spouse or live-in companion of the parent/caretaker.

(iv) Biological, step or adoptive minor children of the parent/caretaker or live-in companion, or both.

(2) A foster child may be counted as either a separate family or as part of the foster family.

(3) A family whose parent/caretaker transfers from TANF is exempt from including the parent's/caretaker's live-in companion in the family for 6 months starting the day after the date TANF benefits end.

(4) An individual may not be included in more than one family unless the individual is a child who is in a shared custody arrangement and both families are seeking subsidized child care.

ELIGIBILITY REQUIREMENTS

§ 3040.32. Financial eligibility.

(a) The parent/caretaker shall provide paystubs indicating gross earned income for any 4 consecutive weeks within the most recent 6-week period for employed family members.

(b) Family members unable to provide paystubs because of exceptional employment circumstances shall provide documentation of earned income as follows:

(1) If paystubs are not available at the time of application because the employed family member has not been employed for 4 weeks, written documentation of anticipated gross earned income from the employer is sufficient evidence of earnings. The documentation is satisfactory until, but not after, the family member is employed for 8 consecutive weeks, at which time the family member shall present the paystubs.

(2) If income is received in cash, written employer documentation of gross earned income for 4 consecutive weeks within the most recent 6-week period is sufficient documentation.

(c) The eligibility agent shall require, and the parent/caretaker shall provide, documentation of all unearned family income unless specifically excluded in Appendix A, Part III (relating to income exclusions). See Appendix A, Part I (relating to income inclusions) which lists the unearned income included when computing the adjusted monthly income.

(d) The parent/caretaker shall seek all available income listed in Appendix A, Part I, except cash assistance.

(e) The parent/caretaker shall document all income deductions listed in Appendix A, Part II (relating to income deductions).

(f) The family is ineligible for child care subsidy at initial determination of eligibility if the annual family income exceeds 200% of FPIG.

(g) The family is ineligible for child care subsidy at redetermination if the annual family income exceeds 235% of FPIG.

§ 3040.34. Nonfinancial eligibility.

(a) A family shall meet the following nonfinancial eligibility conditions at each determination and redetermination of eligibility:

(1) The child shall need child care which coincides with the hours of the adult family members' employment or parent's education program.

(2) Each adult family member shall work for wages equal to or more than minimum wage. When calculating minimum wage, tips are included with hourly wages. The following groups of employees are exempt from the minimum wage requirement:

(i) Laborers on a farm.

(ii) Individuals granted a subminimum wage exception by the Department of Labor and Industry.

(3) Each adult family member shall have had at least 4 weeks of employment within the most recent 6-week period and shall work the number of hours required as follows. The eligibility agent may average the hours of employment in the 4-week period.

(i) The adult family members shall work at least 25 hours per week.

(ii) A parent/caretaker who transfers to the subsidized child care program from the TANF program shall be employed. The parent/caretaker has 6 months from the date his TANF benefits end to meet the requirement in subparagraph (i).

(iii) A parent under 22 years of age who is attending high school is exempt from work requirements.

(4) A parent who is under 18 years of age and who has not graduated from high school and does not have a GED shall be enrolled in an education program and attend on a full-time basis. Documentation of enrollment and attendance shall be on a form prescribed by the Department.

(5) The child shall need subsidized child care to permit uninterrupted sleep time necessary for the parent/caretaker to continue employment. The parent/caretaker shall document that the work shift ends between the hours of 2 a.m. and 9 a.m.

(6) A parent/caretaker shall certify that each child receiving subsidized child care has received age-appropriate immunizations or that each child is exempt from the immunization requirement based on the exceptions listed in § 3040.11(f) (relating to provision of subsidy). If the child does not have age-appropriate immunizations and is not exempt from immunization, the parent/caretaker has 90 days to obtain immunizations for the child and certify that the child has age-appropriate immunizations.

(b) A parent-caretaker shall provide the following documentation of nonfinancial eligibility for family members at the initial determination of eligibility:

(1) Proof that all family members are citizens of the United States, or aliens lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law. Proof may include a birth certificate, voter's registration card or a document provided by immigration and naturalization service.

(2) A Social Security number, or evidence of application for a Social Security number, for each family member.

(3) Written approval by the county children and youth agency who has responsibility for the foster child that the foster child may receive subsidized child care.

(4) Proof of employment for all employed family members, which shall be submitted on a form prescribed by the Department.

(5) Proof of self-employment may include a notarized statement of self-employment, or a statement signed by the self-employed family member in the presence of the eligibility agent, for all self-employed family members. The statement shall list the hours and days of self-employment and how often income is received.

(6) Consent for release of information, signed by each family member 18 years of age or older, which permits the eligibility agent and the Department or the Office of the Inspector General to obtain verification of eligibility information provided by the parent/caretaker.

(7) Proof that action has been taken to establish paternity and a child support order against any absent parent on behalf of a child for whom subsidized child care is sought, unless there is good cause for failing to do so as set forth in § 187.23 (relating to requirements). Proof of cooperation may include a court order or documentation from the domestic relations office. For the purpose of determining eligibility for subsidized child care under this chapter, the eligibility agent shall complete the responsibilities of the CAO as described in § 187.23. The requirements for applicants and recipients of cash, under § 187.23, apply to applicants and recipients of subsidized child care.

(c) A parent/caretaker shall provide identification which contains a photograph of himself to the eligibility agent at any face-to-face interview. Acceptable documents include:

- (1) An employer identification card.
- (2) A driver's license.
- (3) A military photoidentification card.
- (4) A passport.
- (5) Other verifiable photoidentification.

§ 3040.35. Reporting changes.

The parent/caretaker shall report financial or non-financial changes in the family to the eligibility agent within 10-calendar days following the date of the change. The parent/caretaker shall report all changes including the following:

- (1) Employment or self-employment, including changes in the days and hours worked.
- (2) Training status.
- (3) Family income, excluding an increase of earned income from employment or self-employment that is not a result of a change in employment.
- (4) Continuation or completion of an education program.
- (5) Marital status.
- (6) Family composition.
- (7) Maternity leave.
- (8) Temporary disability status.

(9) Layoffs or strikes.

(10) Change of address.

(11) Custody arrangement or foster care placement under a court order.

§ 3040.38. Prospective employment or a prospective education program for new applicants.

(a) A family in which an adult member has prospective employment or the parent has prospective enrollment in an education program as defined in § 3040.3 (relating to definitions) may be eligible for subsidized child care if the following requirements are met:

(1) The employment or education program begins within 30-calendar days following the date of application.

(2) Written verification of prospective employment or a prospective education program is provided on a form as prescribed by the Department.

(b) Subsidy may not begin until the parent/caretaker or his spouse or live-in companion begins employment or an education program.

(c) Eight weeks following enrollment of a child whose family was determined eligible based on the parent's/caretaker's or his spouse's or live-in companion's prospective employment or enrollment in an education program, the parent/caretaker shall provide verification of employment or participation in the education program for that 8-week period. Verification shall be on a form prescribed by the Department.

(d) If the parent/caretaker will not receive a payment from employment for more than 30 days from the starting date of employment, eligibility is established based on the anticipated income as estimated by the employer. Until payment for employment is received, the family is assessed the minimum co-payment for a family of its size. When payment for employment is received, the parent/caretaker shall notify the eligibility agent. Upon receipt of the payment notice from the parent/caretaker, the eligibility agent shall:

- (1) Complete a partial redetermination of eligibility within 10 days.
- (2) Adjust the family co-payment, if applicable, within 20 days.

(e) A parent/caretaker who has exhausted all available TANF benefits and who has not yet obtained employment may have 30 consecutive calendar days of subsidized child care to seek employment. The parent/caretaker shall request subsidized child care within 90 days following the date that TANF benefits ended.

§ 3040.40. Child care subsidy available to attend training.

(a) A family may qualify for subsidized child care for the hours the adult family member, or the parent who has graduated from high school or has a GED, is participating in a training program, if the following conditions are met:

(1) The adult family member or the parent meets the employment or education requirements in §§ 3040.32—3040.34 (relating to financial eligibility; self-employment; and nonfinancial eligibility).

(2) The training program is accredited by a State or National board of examiners or recognized by the Department.

(3) The training program provides skills that improve the employability of the individual for a particular job.

(b) A child may receive up to 12 additional hours of subsidized child care to coincide with the instructional hours that the adult family member, or parent who has graduated from high school or who has a GED, participates in a recognized training program.

ELIGIBILITY DETERMINATION PROCESS

§ 3040.52. Eligibility agent responsibilities.

* * * * *

(d) *Suspended subsidy.* Child care subsidy may be suspended if a child is unable to attend the provider's child care program for more than 10 consecutive enrollment days and will be absent for no more than 90 consecutive calendar days. On the 91st day of consecutive absence, the child is no longer eligible for subsidy. Subsidy may be suspended for any of the following situations:

- (1) The child is visiting the noncustodial parent/caretaker.
- (2) The child is ill or hospitalized for 5 or more service days.
- (3) The child accompanies the parent/caretaker on a trip because of family illness or emergency, and the illness or emergency is documented.
- (4) The child remains at home with his parent/caretaker during family leave.
- (5) The child care provider is closed because of licensing requirements.
- (6) The child's needs cannot be met by the child care provider.
- (7) The child's needs cannot be met by the child care provider, and subsidized child care funds are not available for the child to receive service at an alternative provider.
- (8) The child's parent is on break from attendance at an education program.

* * * * *

CO-PAYMENT

§ 3040.63. Calculating a co-payment.

(a) The determination of a family co-payment considers the following:

- (1) The family size and income.
 - (2) The co-payment may not be less than \$5.
 - (3) The family's annual co-payment may not exceed 11% of the family's annual income.
 - (4) If the family's annual income is 100% of FPIG or less, the annual co-payment may not exceed 8% of the family's annual income.
- (b) The eligibility agent shall determine a family's adjusted monthly income as follows:

(1) Determine the gross monthly income by using documentation of 4 consecutive weeks of income from employment within the most recent 6-week period. Include other sources of income in Appendix A, Part I (relating to sources of earned or unearned income to be included). Following is the conversion method to determine gross monthly income:

Frequency of income

Daily

Weekly

Biweekly (every 2 weeks)

Semimonthly (twice a month)

Monthly

Quarterly

Annually

Lump sum income

Conversion method

Multiply the daily income by the number of work-days in a week, then multiply by 4.3

Multiply by 4.3

Divide by 2, then multiply by 4.3

Multiply by 2 for monthly gross income.

Use the figure given.

Divide by 3.

Divide by 12.

Divide by 12.

(2) Determine the amount of the monthly income deductions listed in Appendix A, Part II.

(3) Determine the adjusted monthly income by subtracting the total monthly deductions from the total gross monthly income.

(4) Convert the adjusted monthly income to annual income by multiplying the adjusted monthly income by 12.

(c) If at initial application, the annual income for the family exceeds 200% of the FPIG or if at redetermination the annual income for the family exceeds 235% of the FPIG, the family is not eligible for subsidized child care.

(d) If the annual income for the family does not exceed 185% of the FPIG at initial determination of eligibility or does not exceed 235% of the FPIG at redetermination and the family is otherwise eligible, the eligibility agent shall determine the co-payment by using the co-payment chart in Appendix B. The co-payment as set forth in Appendix B is calculated in \$5 increments for each \$2,000 of annual income.

(e) If a family has only one child who is enrolled in school, including kindergarten, and who receives a total of fewer than 5 hours daily of before or after-school care, the family shall pay one-half the weekly amount derived from the chart in Appendix B.

(f) If the co-payment is equal to or exceeds the weekly reimbursement rate for care or if the Department's weekly payment to the provider would be less than \$5, the family is not eligible for child care subsidy with that provider.

NOTIFICATION REQUIREMENTS

§ 3040.71. General requirements regarding notification.

(a) The eligibility agent shall notify the parent/caretaker in writing of the results of the eligibility determination. Notification shall occur within 30-calendar days following the date the eligibility agent receives a signed and dated application from the parent/caretaker. The eligibility agent shall determine the family ineligible if the parent/caretaker does not provide all verification required to determine eligibility within 30-calendar days.

(b) The eligibility agent shall notify the parent/caretaker in writing of an eligibility determination which renders the family eligible for subsidy. The notification shall include the following:

(1) The amount of the assessed co-payment.

(2) The parent/caretaker responsibility to report changes in eligibility requirements cited in § 3040.35 (relating to reporting changes).

(3) The parent's/caretaker's right to appeal the decision and information about how to appeal.

(c) On a written notice form prescribed by the Department, the eligibility agent shall notify each parent/caretaker of a determination or redetermination resulting in ineligibility for subsidized child care.

(d) At least 10-calendar days before the action that adversely affects eligibility or the amount of the co-payment is effective, the eligibility agent shall hand deliver or mail the adverse action to the parent/caretaker. The 10-day period begins on the day following the day the written notice is postmarked or hand delivered to the parent/caretaker. The adverse action requirements relating to an overpayment are found in subsection (g).

(e) If the 10-day period ends on a holiday or a day when the eligibility agent is not open for business, the next business day is considered the 10th day.

(f) The eligibility agent shall, by written notice to the parent/caretaker, confirm the parent's/caretaker's voluntary withdrawal of a child from subsidized child care.

(g) The eligibility agent shall notify the parent/caretaker in writing of an overpayment. The notification may also include a notice of adverse action if the overpayment affects the amount of the co-payment or results in suspension or termination. The notice shall include the following:

- (1) The reason for the overpayment.
- (2) The period of the overpayment.
- (3) The amount of the overpayment.
- (4) The repayment methods as listed in § 3040.93 (relating to repayment).

(5) The right to request a Departmental fair hearing on the overpayment amount.

APPENDIX A

EARNED OR UNEARNED INCOME TO BE INCLUDED, DEDUCTED AND EXCLUDED IN DETERMINING GROSS MONTHLY INCOME

* * * * *

PART II. INCOME DEDUCTIONS.

The following are deducted when determining adjusted monthly income:

A. Voluntary or court-ordered support paid by the parent/caretaker or a family member to a present or former spouse not residing in the same household.

B. Voluntary or court-ordered child support paid by the parent/caretaker or family member to a person not residing in the same household.

C. A medical expense not reimbursed through medical insurance which exceeds 10% of the family gross monthly income. The medical expense must have been incurred within the 90-day period prior to the date the parent/caretaker notifies the eligibility agent of that expense and there must be an expectation that the expense will continue to be incurred for the 6 months following the outset of the expense. Medical expenses are based on the monthly expenses or monthly payment plan, or both. Medical expenses include bills for doctors, hospital costs, dental services, health care premiums, institutional care, medications, prosthetic devices, durable medical equipment or mental health services.

PART III. INCOME EXCLUSIONS.

APPENDIX B

CO-PAYMENT CHART

FAMILY CO-PAYMENT SCALE

(BASED ON THE 2000 FEDERAL POVERTY INCOME GUIDELINES)

<i>Weekly Co-pay</i>	<i>Family Size: 1 Annual Income</i>		<i>Family Size: 2 Annual Income</i>		<i>Family Size: 3 Annual Income</i>	
\$5	Less than:	\$8,350	Less than:	\$9,250	Less than:	\$10,150
\$10	\$8,350.01	\$10,350	\$9,250.01	\$11,250	\$10,150.01	\$12,150
\$15	\$10,350.01	\$12,350	\$11,250.01	\$13,250	\$12,150.01	\$14,150
\$20	\$12,350.01	\$14,350	\$13,250.01	\$15,250	\$14,150.01	\$16,150
\$25	\$14,350.01	\$16,350	\$15,250.01	\$17,250	\$16,150.01	\$18,150
\$30	\$16,350.01	\$18,350	\$17,250.01	\$19,250	\$18,150.01	\$20,150
\$35	\$18,350.01	\$19,623	\$19,250.01	\$21,250	\$20,150.01	\$22,150
\$40			\$21,250.01	\$23,250	\$22,150.01	\$24,150
\$45			\$23,250.01	\$25,250	\$24,150.01	\$26,150
\$50			\$25,250.01	\$26,438	\$26,150.01	\$28,150
\$55					\$28,150.01	\$30,150
\$60					\$30,150.01	\$32,150
\$65					\$32,150.01	\$33,253
	200% FPIG	\$16,700	200% FPIG	\$22,500	200% FPIG	\$28,300

RULES AND REGULATIONS

<i>Weekly Co-pay</i>	<i>Family Size: 4 Annual Income</i>		<i>Family Size: 5 Annual Income</i>		<i>Family Size: 6 Annual Income</i>	
\$5	Less than:	\$11,050	Less than:	\$11,950	Less than:	\$12,850
\$10	\$11,050.01	\$13,050	\$11,950.01	\$13,950	\$12,850.01	\$14,850
\$15	\$13,050.01	\$15,050	\$13,950.01	\$15,950	\$14,850.01	\$16,850
\$20	\$15,050.01	\$17,050	\$15,950.01	\$17,950	\$16,850.01	\$18,850
\$25	\$17,050.01	\$19,050	\$17,950.01	\$19,950	\$18,850.01	\$20,850
\$30	\$19,050.01	\$21,050	\$19,950.01	\$21,950	\$20,850.01	\$22,850
\$35	\$21,050.01	\$23,050	\$21,950.01	\$23,950	\$22,850.01	\$24,850
\$40	\$23,050.01	\$25,050	\$23,950.01	\$25,950	\$24,850.01	\$26,850
\$45	\$25,050.01	\$27,050	\$25,950.01	\$27,950	\$26,850.01	\$28,850
\$50	\$27,050.01	\$29,050	\$27,950.01	\$29,950	\$28,850.01	\$30,850
\$55	\$29,050.01	\$31,050	\$29,950.01	\$31,950	\$30,850.01	\$32,850
\$60	\$31,050.01	\$33,050	\$31,950.01	\$33,950	\$32,850.01	\$34,850
\$65	\$33,050.01	\$35,050	\$33,950.01	\$35,950	\$34,850.01	\$36,850
\$70	\$35,050.01	\$37,050	\$35,950.01	\$37,950	\$36,850.01	\$38,850
\$75	\$37,050.01	\$39,050	\$37,950.01	\$39,950	\$38,850.01	\$40,850
\$80	\$39,050.01	\$40,068	\$39,950.01	\$41,950	\$40,850.01	\$42,850
\$85			\$41,950.01	\$43,950	\$42,850.01	\$44,850
\$90			\$43,950.01	\$45,950	\$44,850.01	\$46,850
\$95			\$45,950.01	\$46,883	\$46,850.01	\$48,850
\$100					\$48,850.01	\$50,850
\$105					\$50,850.01	\$52,850
\$110					\$52,850.01	\$53,698
	200% FPIG	\$34,100	200% FPIG	\$39,900	200% FPIG	\$45,700
<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>		<i>Family Size: 8 Annual Income</i>		<i>Family Size: 9 Annual Income</i>	
\$5	Less than:	\$13,750	Less than:	\$16,650	Less than:	\$17,550
\$10	\$13,750.01	\$15,750	\$16,650.01	\$18,650	\$17,550.01	\$19,550
\$15	\$15,750.01	\$17,750	\$18,650.01	\$20,650	\$19,550.01	\$21,550
\$20	\$17,750.01	\$19,750	\$20,650.01	\$22,650	\$21,550.01	\$23,550
\$25	\$19,750.01	\$21,750	\$22,650.01	\$24,650	\$23,550.01	\$25,550
\$30	\$21,750.01	\$23,750	\$24,650.01	\$26,650	\$25,550.01	\$27,550
\$35	\$23,750.01	\$25,750	\$26,650.01	\$28,650	\$27,550.01	\$29,550
\$40	\$25,750.01	\$27,750	\$28,650.01	\$30,650	\$29,550.01	\$31,550
\$45	\$27,750.01	\$29,750	\$30,650.01	\$32,650	\$31,550.01	\$33,550
\$50	\$29,750.01	\$31,750	\$32,650.01	\$34,650	\$33,550.01	\$35,550
\$55	\$31,750.01	\$33,750	\$34,650.01	\$36,650	\$35,550.01	\$37,550
\$60	\$33,750.01	\$35,750	\$36,650.01	\$38,650	\$37,550.01	\$39,550
\$65	\$35,750.01	\$37,750	\$38,650.01	\$40,650	\$39,550.01	\$41,550
\$70	\$37,750.01	\$39,750	\$40,650.01	\$42,650	\$41,550.01	\$43,550
\$75	\$39,750.01	\$41,750	\$42,650.01	\$44,650	\$43,550.01	\$45,550
\$80	\$41,750.01	\$43,750	\$44,650.01	\$46,650	\$45,550.01	\$47,550
\$85	\$43,750.01	\$45,750	\$46,650.01	\$48,650	\$47,550.01	\$49,550
\$90	\$45,750.01	\$47,750	\$48,650.01	\$50,650	\$49,550.01	\$51,550

RULES AND REGULATIONS

Weekly Co-pay	Family Size: 7 Annual Income		Family Size: 8 Annual Income		Family Size: 9 Annual Income	
	\$95	\$47,750.01	\$49,750	\$50,650.01	\$52,650	\$51,550.01
\$100	\$49,750.01	\$51,750	\$52,650.01	\$54,650	\$53,550.01	\$55,550
\$105	\$51,750.01	\$53,750	\$54,650.01	\$56,650	\$55,550.01	\$57,550
\$110	\$53,750.01	\$55,750	\$56,650.01	\$58,650	\$57,550.01	\$59,550
\$115	\$55,750.01	\$57,750	\$58,650.01	\$60,650	\$59,550.01	\$61,550
\$120	\$57,750.01	\$59,750	\$60,650.01	\$62,650	\$61,550.01	\$63,550
\$125	\$59,750.01	\$60,513	\$62,650.01	\$64,650	\$63,550.01	\$65,550
\$130			\$64,650.01	\$66,650	\$65,550.01	\$67,550
\$135			\$66,650.01	\$67,328	\$67,550.01	\$69,550
\$140					\$69,550.01	\$71,550
\$145					\$71,550.01	\$73,550
					\$73,550.01	\$74,143
	200% FPIG	\$51,500	200% FPIG	\$57,300	200% FPIG	\$63,100
Weekly Co-pay	Family Size: 10 Annual Income		Family Size: 11 Annual Income		Family Size: 12 Annual Income	
	\$5	Less than:	\$18,450	Less than:	\$19,350	Less than:
\$10	\$18,450.01	\$20,450	\$19,350.01	\$21,350	\$20,250.01	\$22,250
\$15	\$20,450.01	\$22,450	\$21,350.01	\$23,350	\$22,250.01	\$24,250
\$20	\$22,450.01	\$24,450	\$23,350.01	\$25,350	\$24,250.01	\$26,250
\$25	\$24,450.01	\$26,450	\$25,350.01	\$27,350	\$26,250.01	\$28,250
\$30	\$26,450.01	\$28,450	\$27,350.01	\$29,350	\$28,250.01	\$30,250
\$35	\$28,450.01	\$30,450	\$29,350.01	\$31,350	\$30,250.01	\$32,250
\$40	\$30,450.01	\$32,450	\$31,350.01	\$33,350	\$32,250.01	\$34,250
\$45	\$32,450.01	\$34,450	\$33,350.01	\$35,350	\$34,250.01	\$36,250
\$50	\$34,450.01	\$36,450	\$35,350.01	\$37,350	\$36,250.01	\$38,250
\$55	\$36,450.01	\$38,450	\$37,350.01	\$39,350	\$38,250.01	\$40,250
\$60	\$38,450.01	\$40,450	\$39,350.01	\$41,350	\$40,250.01	\$42,250
\$65	\$40,450.01	\$42,450	\$41,350.01	\$43,350	\$42,250.01	\$44,250
\$70	\$42,450.01	\$44,450	\$43,350.01	\$45,350	\$44,250.01	\$46,250
\$75	\$44,450.01	\$46,450	\$45,350.01	\$47,350	\$46,250.01	\$48,250
\$80	\$46,450.01	\$48,450	\$47,350.01	\$49,350	\$48,250.01	\$50,250
\$85	\$48,450.01	\$50,450	\$49,350.01	\$51,350	\$50,250.01	\$52,250
\$90	\$50,450.01	\$52,450	\$51,350.01	\$53,350	\$52,250.01	\$54,250
\$95	\$52,450.01	\$54,450	\$53,350.01	\$55,350	\$54,250.01	\$56,250
\$100	\$54,450.01	\$56,450	\$55,350.01	\$57,350	\$56,250.01	\$58,250
\$105	\$56,450.01	\$58,450	\$57,350.01	\$59,350	\$58,250.01	\$60,250
\$110	\$58,450.01	\$60,450	\$59,350.01	\$61,350	\$60,250.01	\$62,250
\$115	\$60,450.01	\$62,450	\$61,350.01	\$63,350	\$62,250.01	\$64,250
\$120	\$62,450.01	\$64,450	\$63,350.01	\$65,350	\$64,250.01	\$66,250
\$125	\$64,450.01	\$66,450	\$65,350.01	\$67,350	\$66,250.01	\$68,250
\$130	\$66,450.01	\$68,450	\$67,350.01	\$69,350	\$68,250.01	\$70,250
\$135	\$68,450.01	\$70,450	\$69,350.01	\$71,350	\$70,250.01	\$72,250
\$140	\$70,450.01	\$72,450	\$71,350.01	\$73,350	\$72,250.01	\$74,250

RULES AND REGULATIONS

<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>		<i>Family Size: 11 Annual Income</i>		<i>Family Size: 12 Annual Income</i>	
\$145	\$72,450.01	\$74,450	\$73,350.01	\$75,350	\$74,250.01	\$76,250
\$150	\$74,450.01	\$76,450	\$75,350.01	\$77,350	\$76,250.01	\$78,250
\$155	\$76,450.01	\$78,450	\$77,350.01	\$79,350	\$78,250.01	\$80,250
\$160	\$78,450.01	\$80,450	\$79,350.01	\$81,350	\$80,250.01	\$82,250
\$165	\$80,450.01	\$80,958	\$81,350.01	\$83,350	\$82,250.01	\$84,250
\$170			\$83,350.01	\$85,350	\$84,250.01	\$86,250
\$175			\$85,350.01	\$87,350	\$86,250.01	\$88,250
\$180			\$87,350.01	\$87,773	\$88,250.01	\$90,250
\$185					\$90,250.01	\$92,250
\$190					\$92,250.01	\$94,250
					\$94,250.01	\$94,588
	200% FPIG	\$68,900	200% FPIG	\$74,700	200% FPIG	\$80,500

[Pa.B. Doc. No. 00-560. Filed for public inspection March 31, 2000, 9:00 a.m.]

PROPOSED RULEMAKING

BOARD OF CLAIMS

[61 PA. CODE CH. 899]
Rules of Procedure

The Board of Claims (Board), under 72 P. S. §§ 4651-1—4651-10 and section 204(1) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(1)), intends to amend its rules of procedure, §§ 899.101—899.702, by final order, proposed rulemaking omitted.

The rules of procedure govern practice before the Board. The amendment will add a new rule which will provide that no motions for posthearing relief may be filed.

Interested persons may obtain a copy of the amendment from the Board of Claims, 200 North Third Street, Suite 700, Harrisburg, PA 17101-1518, or by contacting Connie Rode at (717) 787-3325, and may submit comments or suggestions within 15 days of the publication of this notice in the *Pennsylvania Bulletin*.

DAVID C. CLIPPER,
Chief Administrative Judge

[Pa.B. Doc. No. 00-561. Filed for public inspection March 31, 2000, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 51, 53, 61, 93 AND 97]

Administration; Commission Property; Fishing and Boating

The Fish and Boat Commission (Commission) proposes to amend Chapters 51, 53, 61, 93 and 97 (relating to administrative provisions; Commission property; seasons, sizes and creel limits; registration and numbering; and operator provided equipment). The Commission is publishing these amendments as a notice of proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The proposed amendments relate to the release of documents and records, restrictions on Commission property, fishing and boating.

A. Effective Date

The proposed amendments, if approved on final rulemaking, will go into effect upon publication of an order adopting the amendments in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on the proposed amendments, contact Laurie E. Shepler, Assistant Counsel, (717) 657-4546, P. O. Box 67000, Harrisburg, PA 17106-7000. This proposal is available electronically through the Commission's Web site (<http://www.fish.state.pa.us>).

C. Statutory Authority

The proposed amendments to § 51.9 (relating to release of documents and records) are published under the statutory authority of section 3 of the Right to Know Law (65 P. S. § 66.3) and section 506 of The Administrative Code

of 1929 (71 P. S. § 186). The proposed amendments to §§ 53.4, 53.10, 53.11, 53.15 and 53.18 are published under the statutory authority of section 741 of the code (relating to control of property). The proposed amendment to § 61.1 (relating to Commonwealth inland waters) is published under the statutory authority of section 2102 of the code (relating to rules and regulations). The proposed amendments to §§ 93.4 and 93.17 (relating to certificate of registration; and registration of abandoned boats) are published under the statutory authority of section 5122 of the code (relating to registration, licenses, permits, plates and statistics). The proposed amendments to § 93.110 (relating to boats that are junked, destroyed, lost, stolen or abandoned) are published under the statutory authority of section 5325 of the code (relating to rules and regulations). The proposed amendments to § 97.3 (relating to sound producing devices) are published under the statutory authority of section 5123 of the code (relating to general boating regulations).

D. Purpose and Background

The proposed amendments are designed to update, modify and improve Commission regulations relating to the release of documents and records, Commission property, fishing and boating. The specific purpose of the proposed amendments is described in more detail under the summary of proposal. The Commission's Boating Advisory Board (Board) considered the amendments relating to boating and recommended that the Commission approve the publication of a notice of proposed rulemaking containing the changes.

E. Summary of Proposal

(1) *Section 51.9 (relating to the release of documents and records)*. The Commission's staff routinely receives and processes requests for release of documents and other information in Commission files. Sometimes these requests are made under the Right-to-Know Law (act) (65 P. S. §§ 66.1—66.4). The act contains a very specific definition of the term "public record." This definition has been given a liberal interpretation by the courts, but it is clear that many, if not most, documents in the Commission's files do not meet the statutory definition. Moreover, most law enforcement records are specifically excluded in that they would disclose the institution, progress or results of agency investigations. In addition to documents that meet the statutory definition of "public record," the Commission ordinarily has provided access to other documents, including correspondence with entities and individuals outside Commonwealth government, on request.

One of the issues that arises in dealing with requests for access to documents relates to fees for copying them. Under the act, requesters have the right to inspect, examine and copy public records subject to reasonable restrictions, but there is no requirement for agencies to make copies of records and send them to requesters. To follow more systematic procedures for the release of documents, the Commission has proposed the amendments to read as set forth at Annex A.

(2) *Sections 53.4, 53.15 and 53.18 (relating to limiting access to Commission property; Commission lakes or access areas under special time regulations; and additional restrictions)*. A recent review by Commission staff has revealed some overlap in the Commission's property regulations in §§ 53.4, 53.15 and 53.18. Therefore, the Commission proposes consolidating these regulations into one regulation (§ 53.4) and deleting §§ 53.15 and 53.18.

(3) *Sections 53.10 and 53.11 (relating to vehicles; and off-highway vehicles and snowmobiles).* The act of November 3, 1999 (P. L. 447, No. 41) (Act 41), which became effective on January 1, 2000, amended, among other things, the penalty provision of section 741 of the code. In light of this amendment, staff revisited the Commission's regulations relating to vehicles on Commission property. Commission staff also have received legislative inquiries regarding the legality of the use of registered all terrain vehicles (ATVs) on Commission property. In an effort to clarify the Commission's intent with regard to the use of vehicles on Commission property, the Commission proposes the amendments to §§ 53.10 and 53.11 to read as set forth at Annex A.

(4) *Section 61.1 (relating to Commonwealth inland waters).* A recent review of this regulation has revealed that a housekeeping correction is warranted. Therefore, the Commission proposes to amend this section to read as set forth at Annex A.

(5) *Section 93.4 (relating to certificate of registration).* One of the more common violations of the boating regulations is operating without the required registration certificate onboard. Often this is simply an oversight as the boater has left the certificate in the car, at the cottage or at home on the kitchen table. Commission policy is that citations usually are not issued when it is reasonable that the certificate is most likely available, just not on-board. An officer, however, must still be shown proof that the registration is valid. Current procedure requires that the owner produce an original certificate within a certain number of days for inspection by the officer. This sometimes causes inconvenience for both the officer and the violator as they arrange for verification.

The regulations provide a mail-in procedure for persons who are caught fishing without displaying a license. This procedure has been very successful and has resulted in greater efficiency and use of officer time. The Commission proposes to implement a similar procedure for boat registration certificates by adding a new subsection to § 93.4 to read as set forth at Annex A.

(6) *Sections 93.17 and 93.110 (relating to registration of abandoned boats; and boats that are junked, destroyed, lost, stolen or abandoned).* Although these regulations, as currently written, allow the Commonwealth, its agencies and political subdivisions to register or acquire title to any boat abandoned on areas under their ownership, the regulations do not extend to the Federal government and do not allow these entities to avail themselves of the salvor process. Therefore, the Commission proposes amending these sections to read as set forth at Annex A.

(7) *Section 97.3 (relating to sound producing devices).* As currently written, the requirement for sound producing devices contained in this section is different and, in some ways, inconsistent with the Federal Inland Navigation Rules. The purpose of sound producing devices is to allow motorboats to make the sound signals required by the Federal Navigation Rules. Boaters in this Commonwealth seldom use sound signals on small inland lakes and rivers. According to the Federal Inland Navigation Rules, the technical specifications for whistles and bells are only applicable to boats greater than 12 meters in length. Less than 400 of the 350,000 boats registered in this Commonwealth are 12 meters in length or greater. The current requirement in subsection (b)(1) is not complete, and the term bell is not defined in the Commission's regulations.

The current regulations go further than the Federal regulations by requiring unpowered vessels such as ca-

noes and kayaks to carry a mechanical means of making a sound signal. The Commission has received many complaints from unpowered boat owners (particularly boat livery operators) that this requirement places an inappropriate burden on paddlers and on businesses renting small, unpowered boats. There is little, if any, evidence that this requirement resolves a safety issue or that sound producing devices serve any real purpose on unpowered boats. Finally, the definitions in subsection (a) serve no purpose for regulating sound producing devices or providing useful information to the boating public.

The Commission proposes that § 97.3 be amended to remove those provisions that are inconsistent with the Federal rules, to add a general statement about the applicability of the Federal rules in this Commonwealth and to add a provision concerning sound device requirements for unpowered boats to read as set forth at Annex A.

F. Paperwork

The proposed amendments will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

The proposed amendments will have no adverse fiscal impact on this Commonwealth or its political subdivisions. The proposed amendments to § 51.9 will impose modest costs on the private sector and the general public in that those who request copies of public records and other documents in the Commission's files will be charged 25¢ per letter or legal size page for such copies, \$1 per page or the actual cost of reproduction (whichever is greater) for oversize copies (in excess of legal size), \$2 for handling, plus the actual cost of postage or shipping. The other proposed amendments will impose no new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed amendments to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically at "regulations@fish.state.pa.us." A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,
Executive Director

Fiscal Note: 48A-105. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter A. PRELIMINARY PROVISIONS

§ 51.9. Release of documents and records.

(a) **Consistent with the act of June 21, 1957 (P. L. 390, No. 212), known as Right-to-Know Law (65 P. S.**

§§ 66.1—66.4) and section 324 of the code (relating to Commission records), the Commission will make public records contained in its files available to citizens of this Commonwealth for inspection and examination at reasonable times and will allow requesters to make extracts and copies of the records subject to reasonable restrictions to safeguard the records and reasonable procedures on the time and place for making copies and extracts.

(b) Requests for release of public records contained in Commission files shall be made in writing and submitted to Executive Director, Pennsylvania Fish and Boat Commission, Post Office Box 67000, Harrisburg, Pennsylvania 17106-7000.

(c) If a photocopier or reproduction device under the control of the Commission is used to copy information released under this section, the requester will be charged 25¢ per letter or legal size page for the copies. If the Commission copies oversize pages (in excess of legal size), the charge will be \$1 per page or the actual cost of reproduction, whichever is greater. If the Commission mails copies of documents copied under this section to the requester, the requester will be charged \$2 for handling, plus the actual cost of postage or shipping. The charges shall be payable in advance by check or money order made payable to "Pennsylvania Fish and Boat Commission." The Commission may waive copy charges and mailing charges for good cause or in the public interest. When the total copying, handling and mailing charges for a request are \$10 or less, collection ordinarily will be waived.

CHAPTER 53. FISH AND BOAT COMMISSION PROPERTY

§ 53.4. Limiting access to Commission property and other restrictions.

(a) Commission-owned or -controlled property, including Commission lakes and access areas, may be closed to the public during hours as the Executive Director may direct. The Executive Director will publish a notice in the *Pennsylvania Bulletin* and will cause the hours to be posted at the site. Time restrictions imposed under this subsection will be effective upon publication in the *Pennsylvania Bulletin* and when posted at the site. It is unlawful for any person to enter or remain upon [the] Commission property during the times it is closed to public use, without the express written consent of the Executive Director or a designee.

* * * * *

(c) The Executive Director may impose additional restrictions on the use of Commission property, including prohibitions on use or possession of beer and alcoholic beverages and restrictions on fires at times and for periods as the Director deems appropriate for the protection and management of Commission-owned or -controlled property. The Executive Director will publish a notice in the *Pennsylvania Bulletin* and will cause the additional restrictions to be posted at the site. Additional restrictions imposed under this subsection will be effective upon publication in the *Pennsylvania Bulletin* and when posted at the site. It is unlawful to violate restrictions imposed by the Executive Director on behalf of the Commission under this subsection.

§ 53.10. Vehicles.

(a) *Registration required.* [A vehicle] Vehicles properly registered in conformity with 75 Pa.C.S. (relating to the Vehicle Code) [is], except all terrain vehicles (ATVs), are permitted on Commission-owned or -controlled property on those areas that are open to vehicular traffic, such as roadways, driveways, launch ramps and designated parking areas.

(b) *Prohibited vehicle operations.* It is unlawful to operate a vehicle on Commission property as follows.

* * * * *

(5) In a manner not in conformity with posted traffic control signs or devices.

(6) On forest lands, grass areas, wetlands and lands under cultivation.

(7) On frozen lakes, ponds, rivers and streams.

(c) *Parking regulations.* It is unlawful to park a vehicle on Commission property except in a designated parking area. It is unlawful to park in an area designated for handicapped parking unless the vehicle clearly displays a disability plate or disability parking placard.

§ 53.11. Off-highway vehicles and snowmobiles.

(a) *General rule.* Except as provided in subsection (c), the use of off-road motorized vehicles [which are not registered and which are capable of off-highway use], including trail bikes, Tote Gotes, all terrain vehicles (ATVs), air cushioned vehicles, track vehicles, hydrofoils and the like, is prohibited on Commission-owned or -controlled property.

(b) It is unlawful to operate a snowmobile on Commission-owned or -controlled property except in areas designated for use by the Executive Director and so posted. The Commission will maintain a list of areas when use is permitted. In those areas where use of snowmobiles is permitted, the following conditions apply:

* * * * *

(4) The operation of snowmobiles on frozen lakes, ponds, rivers and streams is prohibited.

(c) *Persons with disabilities.*

* * * * *

[(3)] (d) As used in this [subsection] section, the term, "off-road motorized vehicle," means a motorized vehicle specifically designed for this use. The term does not include a vehicle licensed or registered for on-road use, such as a 4 by 4 sport utility vehicle and the like.

§ 53.15. [Commission lakes or access areas under special time regulations] (Reserved).

[The Executive Director may designate Commission lakes and access areas to be closed to public use during certain times. The Executive Director will publish a notice of designation in the *Pennsylvania Bulletin* and will cause the hours to be posted at the site. It is unlawful to enter upon or remain in Commission property during the posted hours when it is closed to the public without the express written consent of the Executive Director or his designee.]

§ 53.18. [Additional restrictions] (Reserved).

[The Executive Director may impose additional restrictions on use of Commission property, including but not limited to, time restrictions, prohibitions on use or possession of beer and alcoholic beverages, and restrictions on fires at times and for periods as he deems appropriate for the protection and management of Commission-owned or -controlled property. Additional restrictions imposed under this section will be effective when posted at the site. It is unlawful to violate restrictions imposed by the Executive Director on behalf of the Commission under this section.]

Subpart B. Fishing

CHAPTER 61. SEASONS, SIZES AND CREEL LIMITS

§ 61.1. Commonwealth inland waters.

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
HERRING****	Open year-round	No minimum	50

**** Note: Unlawful to take, catch or kill American shad, hickory shad and alewife and blueback herring (collectively known as river herring) in Susquehanna River and its tributaries. See §§ 61.4 and 61.7.

Subpart C. Boating

CHAPTER 93. REGISTRATION AND NUMBERING

Subchapter A. REGISTRATION OF BOATS

§ 93.4. Certificate of registration.

(e) Boating without a certificate of registration onboard.

(1) When a resident of this Commonwealth is found operating a boat without the required certificate of registration onboard and claims that the boat is validly registered, the apprehending officer shall give the operator 7 days to produce the original certificate.

(2) If it is inconvenient for the operator to produce the certificate in person, the officer may permit the operator to mail the original certificate to the officer for verification. The operator shall provide a stamped self-addressed envelope for the return of the certificate. If the officer permits the operator to mail the original certificate to the officer, the officer shall provide the operator with a receipt or other documentation allowing continued operation of the boat during the period the original certificate is not in possession.

(3) If the operator fails to send the original certificate within the 7-day period, the officer shall institute summary proceedings against the operator in the manner prescribed by law.

§ 93.17. Registration of abandoned boats.

(b) Boats abandoned on private property. Subject to the following, a landowner, his lessee or his agent may register a boat that has been abandoned on his land or the waters immediately adjacent to his land for at least 3 months.

* * * * *

[(7) The Commonwealth, its agencies and political subdivisions may register any boat abandoned on areas under their ownership by proceeding in the manner set forth in this section.]

(c) Boats abandoned on [Commonwealth] public property or waters. A person finding a boat abandoned on [the waters of this Commonwealth (not private property)] public property or waters—that is, property or waters under the ownership or control of the Commonwealth, its agencies and political subdivisions or the Federal Government—shall notify the Commission of the description and location of the boat as well as the date on which it was found. A person may notify the Commission by completing Form PFBC-R3, "Notice of Abandoned Boat Found on Commonwealth Waters" and mailing the form to the Commission.

(1) The Commission may take possession of a boat abandoned on [the waters of this Commonwealth] public property or waters or may authorize a salvor to take possession provided the salvor complies with these provisions, is a vehicle salvage dealer as defined in 75 Pa.C.S. § 1337 (relating to use of "Miscellaneous Motor Vehicle Business" registration plates), and holds a current, valid certificate of authorization issued by the Department of Transportation under 75 Pa.C.S. § 7302 (relating to certification of authorization).

* * * * *

(8) The Commonwealth, its agencies and political subdivisions and the Federal Government may register any boat abandoned on areas under their ownership or control by proceeding under subsection (b) or may follow the procedure in this subsection.

§ 93.110. Boats that are junked, destroyed, lost, stolen or abandoned.

* * * * *

(b) Acquiring title to boats abandoned on private property.

* * * * *

[(9) The Commonwealth, its agencies and political subdivisions may acquire title to any boat abandoned on areas under their ownership by proceeding in the manner set forth in this subsection.]

(c) Acquiring title to boats abandoned on [Commonwealth] public property or waters.

(1) A person finding a boat abandoned on [the waters of this Commonwealth (not private property)] public property or waters—that is, property or waters under the ownership or control of the Commonwealth, its agencies, political subdivisions or the Federal Government—shall notify the Commission of the description and location of the found boat as well as the date on which it was found.

(2) The Commission may take possession of a boat abandoned on [the waters of this Commonwealth]

public property or waters or may authorize a salvor to take possession if the salvor complies with this section, is a vehicle salvage dealer as defined in [section 1337 of the code] 75 Pa.C.S. § 1337 (relating to use of ["miscellaneous motor vehicle business"] Miscellaneous Motor Vehicle Business registration plates) and holds a current, valid certificate of authorization issued by the Department of Transportation under [section 7302 of the code] 75 Pa.C.S. § 7302 (relating to certification of authorization).

* * * * *

(9) The Commonwealth, its agencies and political subdivisions and the Federal Government may acquire title to any boat abandoned on areas under their ownership or control by proceeding under subsection (b) or may follow the procedure in this subsection.

CHAPTER 97. OPERATOR PROVIDED EQUIPMENT

§ 97.3. Sound producing devices.

(a) [Definitions. The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Danger signal—A signal of five or more blasts. It is used to warn other boats of a potential danger.

Whistle—A sound signaling appliance capable of producing a sound.

(b) *Equipment for sound signals.*

(1) A vessel of 12 meters (39.4 feet) or more in length shall have a whistle and a bell.

(2) A vessel of less than 12 meters (39.4 feet) in length shall carry some mechanical means of making a sound signal audible for a distance of 1/2 mile. This device may be either hand, mouth or power operated. An athletic coaches whistle is an acceptable sound producing device.

(3) Sound signaling devices shall be readily accessible to the operator or a passenger of the boat.]

Motorboats 12 meters or more in length. A motorboat 12 meters (39.4 feet) or more in length shall carry sound producing devices as prescribed by the Inland Navigation Rules Act of 1980 (33 U.S.C.A. §§ 2001—2073).

(b) *Motorboats less than 12 meters.* A motorboat less than 12 meters (39.4 feet) in length shall carry some mechanical means of making a sound signal. This device may be hand, mouth or power operated. An athletic coach's whistle is an acceptable sound producing device for small motorboats.

(c) *Unpowered boats.* Unpowered boat operators are required to have some means of making an efficient oral or mechanical sound signal that can be heard by another boat operator in time to avoid a collision.

(d) *Device accessibility.* Sound signaling devices shall be readily accessible to the operator of the boat.

[Pa.B. Doc. No. 00-562. Filed for public inspection March 31, 2000, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Environmental Protection

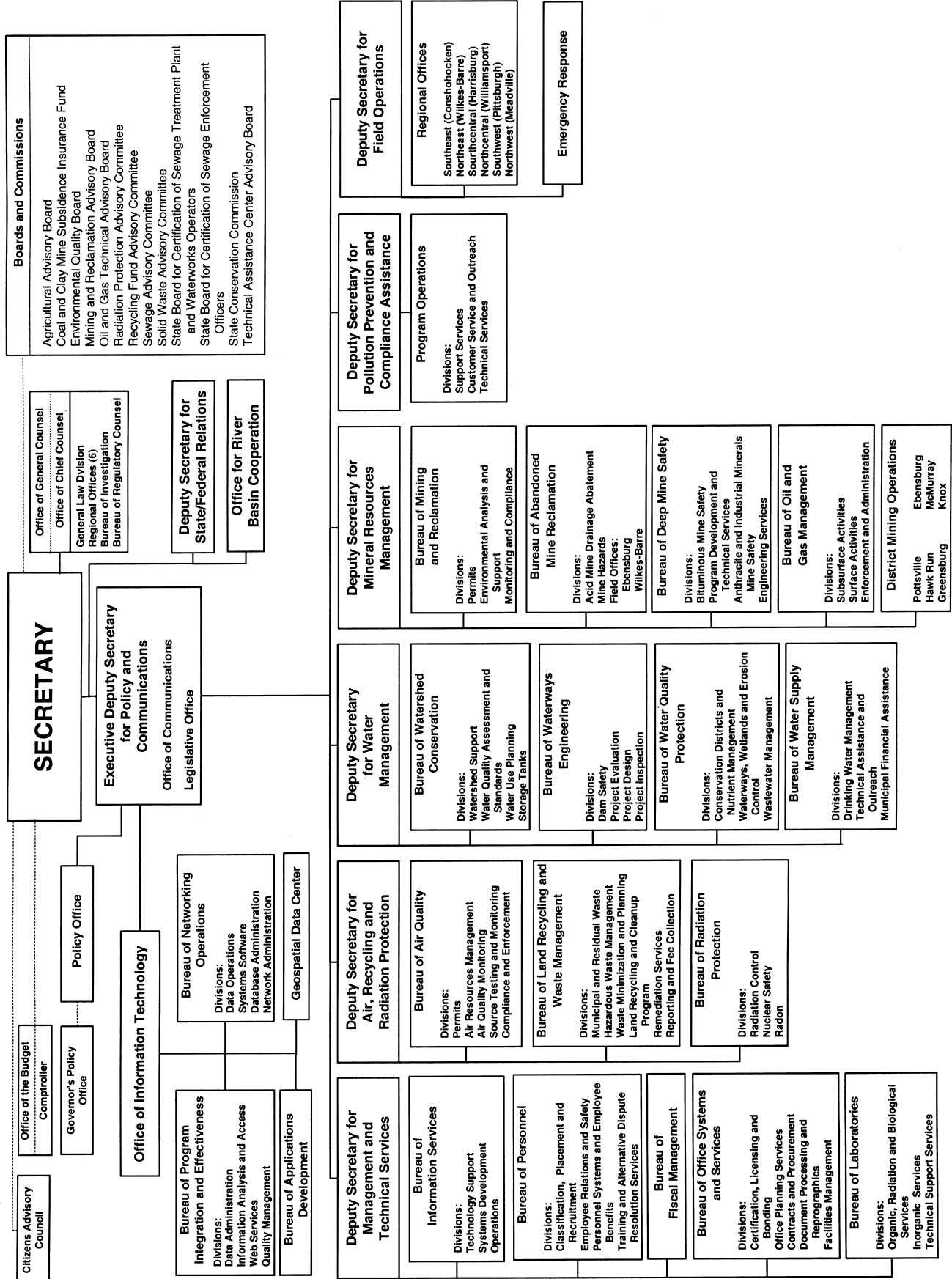
The Executive Board approved a reorganization of the Department of Environmental Protection effective March 15, 2000.

The organization chart at 30 Pa.B. 1761 (April 1, 2000) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 00-563. Filed for public inspection March 31, 2000, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION



Title 237—JUVENILE RULES

JUVENILE COURT JUDGES' COMMISSION

[237 PA. CODE CH. 301]

Hearing Procedures

The juvenile court hearing is the central incident in the execution of 42 Pa.C.S. Chapter 63 (relating to Juvenile Act). The attitudes and decisions of judges, as conveyed through the hearing, greatly influence the attitudes and practices of probation officers, police and social agencies, as well as those of the general community.

The function of the juvenile court hearing is to determine jurisdiction, the facts of the case, and the most appropriate disposition of the matter.

However, the juvenile court hearing is modified by the fact that the subjects of these hearings are children, and by the philosophy of juvenile court law which embodies the special concern of society for children, the belief that children should be separate from the process of criminal law, and the conviction that society's welfare can be best served by their rehabilitation rather than their punishment.

The juvenile court administrative judge shall ensure that policies and procedures are in place to aid the child, the child's parents and the crime victim in understanding the hearing process.

This statement of policy shall take effect upon publication in the *Pennsylvania Bulletin*.

JAMES E. ANDERSON,
Executive Director

(*Editor's Note:* A statement of policy of the Juvenile Court Judges' Commission is added in 237 Pa. Code §§ 301.1—301.8, 301.21—301.27 and 301.41—301.48 to read as set forth in Annex A.

Fiscal Note: 23-SOP-2. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 237. JUVENILE RULES

PART II. STANDARDS

CHAPTER 301. HEARING PROCEDURES

INITIATION OF HEARINGS

Sec.	
301.1.	Initiation of hearing process.
301.2.	Petition.
301.3.	Time for hearing.
301.4.	Child in detention or shelter.
301.5.	Child not detained or sheltered.
301.6.	Appearance at hearing required.
301.7.	Subpoena as requiring attendance of witnesses.
301.8.	Priority for child in detention or shelter.

CONDUCT OF HEARINGS

301.21.	Due process.
301.22.	District attorney to represent Commonwealth.
301.23.	Record of Proceedings.
301.24.	Public excluded from hearings.
301.25.	Counsel.
301.26.	Waiver of right to counsel.
301.27.	Conflict of interest with child.

PHASES OF THE HEARING ON THE PETITION

301.41.	Three phases of hearing.
301.42.	Jurisdiction.
301.43.	Evidence on the petition.
301.44.	Findings.
301.45.	Finding of delinquency.
301.46.	Finding of need for treatment, supervision or rehabilitation.
301.47.	Discharge and dismissal.
301.48.	Disposition.

INITIATION OF HEARINGS

§ 301.1. Initiation of hearing process.

The hearing process shall be formally initiated by the filing of a petition, as provided in 42 Pa.C.S. Chapter 63 (relating to Juvenile Act), which shall be entitled "in the interest of . . . , a minor," and shall be captioned and docketed as provided by general rule.

§ 301.2. Petition.

The petition may be brought by any person, shall be verified, and shall set forth plainly:

(1) The facts which bring the child within the jurisdiction of the Court and 42 Pa.C.S. Chapter 3 (relating to Juvenile Act), a statement that it is in the interest of the child and the public that the proceedings be brought and, if delinquency is alleged, that the child is in need of treatment, supervision or rehabilitation.

(2) The name, age and address of the child on whose behalf the petition is brought.

(3) The names and addresses, if known, of the parents, guardian or custodian and of the spouse, if any, of the child.

(4) Whether the child is presently in detention or shelter care, and, if so, the location of the facility where the child is in placement, and the time the child was taken into custody.

§ 301.3. Time for hearing.

After a petition has been filed alleging a child to be dependent or delinquent, the court shall fix a time for a hearing thereon.

§ 301.4. Child in detention or shelter care.

When a petition is filed alleging a child to be dependent or delinquent, and the child is in detention or shelter care, the hearing on the petition shall be held within 10 days after the filing of the petition. The child may be detained or kept in shelter care for an additional single period not to exceed 10 days when the Court, at a hearing, makes the determinations and findings required under 42 Pa.C.S. § 6335 (relating to release or holding of hearing).

§ 301.5. Child not detained or sheltered.

When a petition is filed alleging a child to be dependent or delinquent and the child is not in detention or shelter care, the hearing on the petition shall be held within 90 days after the filing of the petition.

(1) With the approval of the Court, this period may be extended, in a delinquency case, upon the agreement of the Commonwealth and the child. An extension may also be granted by the Court, in a dependency or delinquency case, when reasonable cause is shown for an extension. An extension granted by the Court shall be for a specific period of time.

(2) If a petition is reinstated alleging a child to be delinquent who is failing to fulfill the terms and conditions of a consent decree under 42 Pa.C.S. § 6340 (relating to consent decree), the hearing on the petition shall be held within 90 days of the reinstatement of the petition, subject to the conditions for extension of time set forth for hearings on new petitions.

§ 301.6. Appearance at hearing required.

(a) The Court shall direct the issuance of a summons to the parents, guardian or other custodian, or guardian ad

litem and other persons the Court identifies as necessary parties to the proceeding, requiring them to appear at the hearing.

(b) The summons shall also be directed to the child if he is 14 years of age or older or is alleged to be delinquent and a copy of the petition shall accompany the summons.

§ 301.7. Subpoena as requiring attendance of witnesses.

Upon application of a child, parent, guardian, custodian, probation officer, district attorney or other party to the proceedings, the Court shall issue, or may on its own motion issue, subpoenas requiring attendance of witnesses and production of papers at any hearing under 42 Pa.C.S. Chapter 63 (relating to Juvenile Act).

§ 301.8. Priority for child in detention or shelter.

In scheduling hearings under 42 Pa.C.S. Chapter 63 (relating to the Juvenile Act), priority shall be given to children in detention or shelter care.

CONDUCT OF HEARINGS

§ 301.21. Due process.

(a) The Court shall hear all cases without a jury in an informal but orderly manner which guarantees due process.

(b) The atmosphere of the hearing should encourage the maximum participation of all concerned. It should be evident that it is the intent of the judge to determine the facts of the case and provide a forum that is consistent with the public interest and is intended to arrive at a disposition that provides balanced attention to the protection of the community, imposition of accountability for offenses committed and development of competencies to enable the child to become a responsible and productive member of the community.

§ 301.22. District attorney to represent Commonwealth.

The district attorney shall represent the Commonwealth in delinquency proceedings.

§ 301.23. Record of proceedings.

Juvenile court proceedings shall be recorded by an official court reporter.

§ 301.24. Public excluded from hearings.

The general public shall be excluded from the juvenile court hearing process.

(1) Only the parties, their counsel, witnesses, the victim, counsel for the victim, other persons accompanying a party or a victim and other persons the Court finds have a proper interest in the proceeding or in the work of the Court may be admitted.

(2) The general public may not be excluded from any hearing pursuant to a petition alleging delinquency as follows:

(i) When the child was 14 years of age or older at the time of the alleged conduct and the conduct would be considered a felony if committed by an adult.

(ii) When the child was 12 years of age or older at the time of the alleged conduct and the conduct would constitute one or more of the following offenses if committed by an adult:

(A) Murder.

(B) Voluntary manslaughter.

(C) Aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to aggravated assault).

(D) Arson as defined in 18 Pa.C.S. § 3301(a)(1) (relating to arson and other related offenses).

(E) Involuntary deviate sexual intercourse.

(F) Kidnapping.

(G) Rape.

(H) Robbery as defined in 18 Pa.C.S. § 3701(a)(1)(i), (ii) or (iii) (relating to robbery).

(I) Robbery of motor vehicle.

(J) Attempt or conspiracy to commit any of the offenses in this paragraph.

(iii) Notwithstanding anything in this section, the proceedings shall be closed upon, and to the extent of, any agreement between the child and the attorney for the Commonwealth.

(iv) The Court at any disposition proceeding shall have discretion to maintain the confidentiality of mental health, medical or juvenile institutional documents or juvenile probation reports.

§ 301.25. Counsel.

(a) If a child appears for hearing without counsel, the Court shall ascertain whether that child knows of the right to be provided counsel by the Court if the child is unable to obtain counsel.

(b) The Court may continue the proceeding to enable a party to obtain counsel.

§ 301.26. Waiver of right to counsel.

A child may not waive his right to counsel unless the child has had the opportunity to consult with an interested and informed adult. The adult must be one who is primarily interested in the welfare of the accused child and aware of those fifth and sixth amendment rights guaranteed to the child.

§ 301.27. Conflict of interest with child.

When the interests of the parent, guardian or custodian may be in conflict with the interests of the child, or when the interests of two or more parties to a proceeding may conflict, separate counsel shall be provided.

PHASES OF THE HEARING ON THE PETITION

§ 301.41. Three phases of hearing.

The hearing on the petition shall be divided into three phases:

(1) The determination of jurisdiction.

(2) The adjudication of the issue.

(3) Disposition.

§ 301.42. Jurisdiction.

The Court shall in all cases initially determine whether the juvenile court has jurisdiction to hear the matter which has been petitioned for hearing.

§ 301.43. Evidence on the petition.

(a) Once it has been determined that the Court has proper jurisdiction over the matter before it and has assured that the child is fully aware of all constitutional rights, the Court shall entertain evidence on the petition.

(b) At any time after the filing of a petition and before the entry of an adjudication order, the Court, on proper motion, may suspend the proceedings and enter a consent decree continuing the child under supervision in the

child's own home under terms and conditions negotiated with the probation department and agreed to by all parties affected.

§ 301.44. Findings.

(a) After hearing the evidence on the petition, the Court shall make and file its findings as to whether the acts ascribed to the child were committed by him if the petition alleged delinquency; or, if dependency was alleged, whether the child is a dependent child.

(b) If the Court finds that the child is not a dependent child or that the allegations of delinquency have not been established, it shall dismiss the petition and order the child discharged from any detention or restriction which has been previously ordered.

§ 301.45. Finding of delinquency.

A finding that the child committed the acts by reason of which the child was alleged to be delinquent shall be made only on proof beyond a reasonable doubt, while a finding that a child is dependent shall be based on clear and convincing evidence.

§ 301.46. Finding of need for treatment, supervision or rehabilitation.

(a) When there is a finding that the child committed a delinquent act, the Court shall proceed immediately, or at a postponed hearing, to hear evidence as to whether the child is in need of treatment, supervision or rehabilitation and therefore delinquent, and to make and file its findings thereon.

(b) In the absence of evidence to the contrary, evidence of the commission of acts which constitute a felony shall be sufficient to sustain a finding that a child is in need of treatment, supervision or rehabilitation.

§ 301.47. Discharge and dismissal.

If the Court finds that the child is not in need of treatment, supervision or rehabilitation, it shall dismiss the proceeding and discharge the child from any detention or other previously ordered care.

§ 301.48. Disposition.

If the Court finds that a child is dependent, the Court shall proceed immediately or at a postponed hearing to make proper disposition of the case.

[Pa.B. Doc. No. 00-564. Filed for public inspection March 31, 2000, 9:00 a.m.]

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION Abbreviated Dispute Resolution Process

The following is Appendix E to the Pennsylvania Public Utility Commission's (Commission) Global Order of September 30, 1999, Docket Nos. P-00991648 and P-00991649 as amended November 5, 1999. Appendix E sets forth a new Abbreviated Dispute Resolution Process to address the disputes of competing telecommunications carriers in an expedited fashion so as to prevent adverse impact on consumers. The process is limited to disputes involving the action or inaction of a telecommunications entity that (1) allegedly affects the ability of an entity to provide a telecommunications service or group of related services to its customer; (2) allegedly compromises the ability of a party to provide uninterrupted service; (3)

allegedly is anticompetitive; (4) contains allegations of predatory pricing; or (5) involves collocation space limitation disputes. All parties to the above-referenced dockets advocated the same Abbreviated Dispute Resolution Process which is now being published for public comment. File comments at Docket Nos. P-00991648 and P-00991649 to the Pennsylvania Public Utility Commission Secretary's Bureau within 14 days of the date of publication in the *Pennsylvania Bulletin*. The filing address is James J. McNulty, Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. The contact person regarding this matter is Elizabeth H. Barnes, (717) 772-5408.

Appendix E

XIX. Abbreviated Dispute Resolution Process.

The success of local competition in Pennsylvania is dependent on the efficiency and effectiveness of carrier interconnection in providing quality service at reasonable rates to customers. Given the fact that in addition to interconnecting with each other, carriers are also competing with each other, it is possible that disputes will arise which require expedited resolution by the Commission to prevent adverse impact on consumers. Recognizing that our current mediation, arbitration and emergency relief regulations may not address the specific needs of telecommunications competitors, we are persuaded at the request of both petitions to develop an alternative Abbreviated Dispute Resolution Process (ADRP). It will be published as interim guidelines, subject to review in 1 year. The ADRP is an asset to both the parties and the Commission in that it balances the need for the parties to be heard with the necessity that certain issues be decided quickly. The process is described in full detail as follows.

1. The Abbreviated Dispute Resolution Process described in the following will be limited to disputes which involve action or inaction of a telecommunications entity that (1) allegedly affects the ability of an entity to provide a telecommunications service or group of related services to its customer; (2) allegedly is anticompetitive; or (3) involves collocation space limitation disputes. Before a petition is referred to the ADRP, the petitioning party (a "Party or Parties") must engage in good faith negotiations with the answering party with respect to the dispute in question for at least 30 calendar days.

2. A Party directly involved in a dispute as defined in paragraph 1 that cannot be resolved through good faith negotiations may file a Petition for Resolution of Disputed Issues (Dispute Resolution Petition) with the Commission. If possible, such petitions should be submitted jointly by both parties. The Petition shall be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Office of Trial Staff (Public Advocates), and, if it is not a joint petition, upon the opposing party. As part of the ADRP, the petitioning party must provide detailed evidence that it has engaged in such good faith negotiations.

3. Any Party filing a Dispute Resolution Petition may also request an interim ruling on whether the party is entitled to relief pending the resolution of the merits of the dispute. The purpose of this procedure is to provide an interim remedy when the dispute compromises the ability of a party to provide uninterrupted service, unreasonably precludes the provisioning of scheduled service, contains allegations that a proposed tariff involves predatory pricing, or involves collocation space limitation.

a. Any requests for an interim ruling shall be filed at the same time and in the same document as the Dispute

Resolution Petition. A Dispute Resolution Petition that includes a request for interim relief need not allege that the petitioning party has engaged in good faith negotiations for at least 30 days; provided, however, that petitions that omit allegations of 30 days of good faith negotiations pursuant to this subparagraph shall be dismissed without prejudice if the request for interim relief is denied. The petitioning party shall give 24 hours notice to its opposing party prior to filing a request for interim relief.

b. A Dispute Resolution Petition that includes a request for an interim ruling shall include the phrase "Request for Interim Ruling" in the heading and shall clearly identify and set forth the specific grounds supporting the request for interim relief pending the resolution of the dispute, including a statement of the potential harm that may result if interim relief is not provided. A Dispute Resolution Petition that includes a request for interim ruling shall be verified by affidavit and served by hand-delivery, or by facsimile with telephonic confirmation of receipt, on the same day as the pleading is filed with the Commission. The certificate of service filed with the Dispute Resolution Petition shall state how the petitioning party has complied with this service requirement.

c. Within 3 business days of the filing and service of a Dispute Resolution Petition that includes a request for interim ruling, the Arbitrator assigned to the dispute pursuant to the ADRP shall conduct a hearing to determine whether interim relief should be granted during the ADRP. The Arbitrator will notify the parties of the date and time of the hearing by facsimile within 24 hours of the filing of a complaint and request for interim ruling. The Parties should be prepared to present their positions and evidence on factors including, but not limited to, the type of service requested, the economic and technical feasibility of providing that service, and the potential harm that may result if interim relief is not provided. The Arbitrator will issue an interim ruling on the request based on the evidence provided at the hearing within 24 hours of the close of the hearing and will notify the parties by facsimile of the ruling. In reaching a decision on interim relief, the Arbitrator may base his or her decision on whether the party has provided ample information to allow a full evaluation of the merits of the case. The petitioning party carries the burden of proof. The interim ruling will be effective throughout the dispute resolution proceeding until a final decision is issued pursuant to the ADRP. If the request for interim ruling is denied and the Dispute Resolution Petition contains the detailed evidence of 30 days of good faith negotiations as previously described in paragraph 1, the dispute resolution proceeding shall proceed under the procedures set forth herein. If the request for interim ruling is denied and the Dispute Resolution Petition does not contain such evidence, the petition shall be dismissed without prejudice and refiled only after a 30-day negotiation period.

4. The Parties will be the primary participants in the ADRP. The Public Advocates may participate in the proceeding but may not conduct formal discovery and are precluded from opposing the voluntary withdrawal of a Dispute Resolution Petition due to consummation of a settlement between the Parties. Each Dispute Resolution Petition will be assigned a separate docket number by the Commission's Secretary.

5. All Dispute Resolution Petitions will be assigned by the Commission to principal Arbitrators with subject matter expertise, designated as having continuing jurisdiction to resolve the above referenced disputes.

6. The Parties shall submit a joint filing, if possible, within 5 business days of the filing of a Dispute Resolution Petition which clearly and concisely sets forth the dispute between the parties and includes as an attachment all relevant documentation material to resolution of the dispute. The filings will be served on the Public Advocates and on the opposing party if not joint.

7. Within 14 calendar days of the filing of a Dispute Resolution Petition, a conference will be scheduled and held among the Parties, the participating Public Advocates and the Arbitrator.

8. At the conference, which will not be conducted as an evidentiary hearing, the Parties shall and the participating Public Advocates may informally present their positions to the Arbitrator and, with the assistance of the Arbitrator, shall attempt to resolve their differences. The conference will be open to the public, shall be transcribed and shall be subject to the traditional proprietary safeguards.

9. If differences remain at the close of the conference, the Arbitrator may issue an informal decision from the bench which resolves the dispute. If the Arbitrator determines not to issue an informal bench decision, the Arbitrator will issue an informal decision resolving the dispute within 5 business days of the conference. In either case, the Arbitrator's informal decision will be filed in the document file.

10. There will be a 5 business day appeal period to the Commission following issuance of the Arbitrator's informal decision. If no party or Public Advocate files an appeal within that time, the informal decision will become a final Commission order as evidenced by a Secretarial letter. The informal process is ended by an informal decision which either becomes a final Commission order by operation of law or, if appealed, is followed by a formal de novo hearing before an Administrative Law Judge who renders an Initial Decision.

11. If a matter is settled by the Parties at any point in the informal proceedings described previously, including during the 5-day appeal period, the Parties will have the choice of filing the settlement with the Commission for approval or withdrawing the Dispute Resolution Petition. This provision shall supersede the provisions of 52 Pa. Code §§ 5.94 and 1.82.

12. If the Parties choose to seek Commission approval of a settlement agreement, the Parties will file a joint petition for adoption of the settlement agreement with the Commission. The Public Advocates and any certified CLEC may file a response to the joint petition within 10 calendar days. An Administrative Law Judge will then issue an Initial Decision addressing the settlement petition within 15 calendar days of the filing of the petition.

13. Interested parties may file exceptions to the Initial Decision within 7 business days of issuance. Reply exceptions must be filed within 5 business days after the exceptions are filed. If no timely exceptions are filed and if two Commissioners do not "call up" the matter within 15 days of issuance, the Initial Decision will become a final order by operation of law. If timely exceptions are filed, the matter will be assigned to the Office of Special Assistants for preparation of a recommendation for Commission consideration at the earliest possible Public Meeting.

14. The filing of an appeal to an informal decision under paragraph 10 will commence de novo review of a Dispute Resolution Petition.

15. The filing of an appeal under paragraph 10 shall not automatically stay the Arbitrator's informal decision. Any party to the proceeding may file a motion for stay of the informal decision with the Commission's Secretary and provide a copy to the Office of Administrative Law Judge. Only if the motion is approved will the informal decision be stayed during the pendency of the appeal.

16. Upon the filing of an appeal under paragraph 10, interested parties other than the Parties may intervene, in the case of the Public Advocates, or seek intervention, in the case of other parties, in the proceedings.

17. De novo review shall consist of the conduct of an evidentiary hearing on the dispute. The presiding ALJ will conduct a hearing and issue an Initial Decision resolving the dispute within 30 calendar days of the filing of the appeal unless the ALJ extends the time frame for good cause shown recognizing an expeditious result is in the public's interest.

18. Participating parties may file exceptions to the Initial Decision of the ALJ within 7 business days of issuance. Reply exceptions must be filed within 5 business days after exceptions are filed.

19. If no exceptions are filed and if two Commissioners do not "call up" the matter within 15 days of issuance, the Initial Decision of the ALJ will become a final order by operation of law.

20. If exceptions are filed, the matter will be assigned to the Office of Special Assistants for preparation of a recommendation for Commission consideration at the earliest possible Public Meeting.

21. With the exception of 52 Pa. Code §§ 5.94 and 1.82, this dispute resolution process is not intended to replace or preclude any other remedies or procedures otherwise available to any of the parties, and a party's participation in this dispute resolution process shall not be considered a waiver of any available substantive or procedural rights.

22. This ADR process shall be posted as Interim Guidelines in the *Pennsylvania Bulletin* and shall be subject to review after a period of 1 year from the date of entry of this Order.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-565. Filed for public inspection March 31, 2000, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 23]
Processing Petitions

The Environmental Quality Board (Board) is soliciting public comments on proposed revisions to its policy for processing petitions. The policy is being amended to clarify a number of sections, particularly with respect to petitions for the redesignation of streams under Chapter 93 (relating to water quality standards) of the Depart-

ment of Environmental Protection's (Department) regulations and The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

Summary of the Amendments

§ 23.1. Petitions.

This section is amended to clarify the information that petitioners must submit to meet the completeness requirements of the policy. Paragraph (5) contains the data submission requirements necessary for stream redesignation petitions. These requirements more closely reflect the provisions of the antidegradation regulations in 25 Pa. Code Chapter 93. Adding this information in § 23.1 negates the need for Appendix A, which has been deleted. In addition, the text of § 23.9 (relating to special procedures) is updated and relocated as new subsection (b).

§ 23.3. Notification.

Section 23.3 has been revised to clarify that the Department's determination that a petition is inappropriate for submittal to the Board is based on the petition not meeting each of the three conditions in § 23.2 (relating to Departmental review).

§ 23.6. Notice of acceptance and Department report.

This section adds language pertaining to the Department's responsibility to publish notice of acceptance of a petition in the *Pennsylvania Bulletin* within 30 days from the date of acceptance by the Board. Paragraph (1) clarifies the steps the Department will take in preparing an evaluation report for those petitions that are not stream petitions, and it maintains the 60-day time period for preparation of the report. Paragraph (2) is new and applies to stream redesignation petitions. It indicates that the Department will publish notice of its intent to assess the waters subject to the evaluation before a draft evaluation report is prepared. There is no time requirement for preparation of a draft evaluation report because the period of assessment for each stream will vary depending upon the amount of data that will need to be collected.

§ 23.8. Board consideration.

Section 23.8 clarifies that the Department will prepare a recommendation based on its report and any comments received from the petitioner following the petitioner's 30-day review opportunity on the report. The section further clarifies that the recommendation will be in the form of a proposed rulemaking if a change to a regulation is recommended. The proposed rulemaking is to be developed for Board consideration within 6 months from the date the report was mailed to the petitioner. If no change to a regulation is recommended, the Department will present its recommendation to the Board at the first meeting that is held at least 45 days after the Department has mailed its report to the petitioner.

Copies of the Proposal

For further information or copies of the proposed amendments, contact from Sharon K. Freeman, Regulatory Coordinator, Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301), (717) 787-4526. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) and request that the call be relayed. The proposal is available electronically through the Department's website <http://www.dep.state.pa.us>.

Public Comments

Comments, suggestions or objections regarding the proposed amendments may be sent to Sharon Freeman at the previously-noted address or electronically at RegComments@dep.state.pa.us. A subject heading of the proposal and return name and address should be included in each transmission. If an acknowledgment of the comments is not received by the sender within 2 days, the

comments should be resubmitted to ensure receipt. Comments must be received by May 1, 2000. Comments submitted by facsimile will not be accepted.

JAMES M. SEIF,
Chairperson

[Pa.B. Doc. No. 00-566. Filed for public inspection March 31, 2000, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Guidelines for Distribution of Crop Insurance Assistance Funds under Act 57

The Department of Agriculture (Department) hereby gives notice that pursuant to the authority granted it under section 5102(b) (3 P. S. § 2250.5102(b)) of Act 57 of 1999, known as The Drought, Orchard and Nursery Indemnity and Flood Relief Act (act) it has created the Pennsylvania Crop Insurance Program (State Program). The act allotted \$5.6 million to the Department to help eligible Pennsylvania producers purchase Federal crop insurance.

The act established the application procedures and eligibility criteria which are reiterated in the State Program. In addition, the act directed the Department to supplement eligible producers in an amount up to 10% of the cost of their Federal crop insurance premiums and the total amount of all related fees for the years 2000 and 2001. The funds available for the State Program are limited to the \$5.6 million allotted by the act. Therefore, if sufficient funds are not available to provide for up to 10% of the cost of the Federal crop insurance premiums and the total amount of all related fees for eligible producers, the act directs the Department to distribute the funds on a prorata basis.

The act authorizes the State program for the years 2000 and 2001 only. All funds for the State Program must be encumbered by June 30, 2001, unless otherwise authorized. The statutory language establishing the State Program is self-executing. The following restates the statutory procedures and standards under which crop insurance assistance will be awarded under the State Program, outlines the general administration of the State Program, and provides references to sources of further information or assistance.

Authority: The Department of Agriculture (Department) under the authority granted it under section 5102(b) (3 P. S. § 2250.5102(b)) of Act 57 of 1999, known as The Drought, Orchard and Nursery Indemnity and Flood Relief Act (3 P. S. § 2250.101 et seq.) has created the Pennsylvania Crop Insurance Assistance Program (State Program). The State Program has been developed and will be administered through a Memorandum of Understanding with the United States Department of Agriculture, Federal Crop Insurance Corporation (FCIC) and insurance providers approved to underwrite Federal crop insurance policies under the Federal Crop Insurance Act (7 U.S.C.A. § 1501 et seq.), individual contracts between the Department and the approved insurance providers and these guidelines.

Purpose: The purpose of the State Program is to provide financial assistance to eligible Pennsylvania producers to help defray the cost of purchasing Federal crop insurance for crop years 2000 and 2001. The purchase of Federal crop insurance is a condition of receiving Federal crop loss assistance under the 1999 Federal Crop Disaster Program and crop insurance assistance under the State Program.

Definitions: The following definitions are consistent with those contained in the act and are listed for clarity and as a service to the applicant.

Crop. An eligible crop defined by the United States Department of Agriculture-Farm Service Agency for the 1999 Federal Crop Disaster Program.

Department. The Department of Agriculture of the Commonwealth.

Eligible Producer. Under the Federal Crop Disaster Program, a person that:

(1) Operated a farm in this Commonwealth which suffered a crop loss of at least 35% due to the drought of 1999; and

(2) Is engaged in the business of producing crops within this Commonwealth.

Federal Crop Disaster Program. The United States Department of Agriculture-Farm Service Agency 1999 Crop Disaster Program.

State Program. The Pennsylvania Crop Insurance Assistance Program established under section 5102(b) of the act.

USDA. The United States Department of Agriculture.

USDA-FSA. The United States Department of Agriculture-Farm Service Agency.

A. Assistance Program: The following criteria address the State Program:

I. General: The State Program will provide financial assistance to eligible Pennsylvania producers to help defray the cost of purchasing Federal crop insurance for crop years 2000 and 2001.

(a) **Eligibility.** The act appropriates \$5,600,000 to the Department to provide crop insurance assistance to eligible producers as defined in the act. To be eligible for the State Program, a Pennsylvania producer must meet the eligibility criteria of the act, purchase Federal crop insurance and qualify for assistance under the Federal Crop Disaster Program. A copy of the *Pennsylvania Crop Insurance Assistance Program* fact sheet which, presents an overview of the State Program is attached hereto as "Exhibit A" and made a part of these guidelines. The State Program eligibility criteria are based on criteria established by the Federal Crop Disaster Program. Pennsylvania producers who meet the eligibility requirements of the act and qualify under the Federal Crop Disaster Program will be eligible to receive assistance under the State Program. The Department will determine a producer's eligibility for crop insurance assistance under the State Program based on the criteria established by the act, these guidelines and the information contained in the producer's approved Federal Crop Disaster Program application and eligibility information released to the Department by the USDA-FSA.

(b) **Payment.** The act directs the Department to supplement eligible producers in an amount up to 10% of the cost of their crop insurance premiums and the total amount of all related fees. The \$5,600,000 available under the State Program is in addition to any assistance available under the Federal Crop Disaster Program or the Federal Crop Insurance Act. At the close of the sign up period for the Federal Crop Disaster Program and upon a determination of all eligible producers under the State Program, the Department will provide a list of eligible

producers to the FCIC. The FCIC will compile information regarding each eligible producer's crop insurance premium costs. The Department will make payment in an amount equal to up to 10% of the cost of all eligible producers' crop insurance premiums to FCIC. Each eligible producer's crop insurance billing statement will be reduced by an amount equal to up to 10% of that producer's gross premium cost. In addition, the Department will pay all related fees associated with an eligible producer's crop insurance policy. Payment for the fees will be made to the approved insurance company underwriting the eligible producer's crop insurance policy. The approved insurance company will deduct such fees from the eligible producer's crop insurance policy or if the eligible producer has already paid the fees, the approved insurance company will reimburse the eligible producer for those fees.

II. *Funds Available Basis.* There are limited funds available for the State Program. Crop insurance assistance payments under the State Program will be distributed to the extent funds are available. State Program crop insurance assistance payments will be distributed at the discretion of the Department under the criteria established by the Federal Crop Disaster Program, the act, the terms of the Memorandum of Understanding and the contracts entered into between the Department, the FCIC and the approved insurance providers and these guidelines. If sufficient funds are not available to provide for up to 10% of the cost of the crop insurance premiums and the total amount of all related fees, the Department will prorate the available funds among the eligible producers.

III. *Applications.*

(a) *Application.* The application procedure is the same as that for the Pennsylvania Drought Relief Program. A producer wishing to participate in the State Program must apply, in person, at a county USDA-FSA office, sign up for the Federal Crop Disaster Program and agree to purchase Federal crop insurance for crop years 2000 and 2001.

(b) *Waiver of confidentiality form.* When filling out an application for assistance under the Federal Crop Disaster Program, a producer must also fill out and sign a state "Drought Relief Program Application and Waiver of Confidentiality Form" (form). The form was developed by the Department, in consultation with the USDA, and distributed to all USDA-FSA offices in the Commonwealth. A copy of the form is attached hereto as "Exhibit B" and made a part of these guidelines. The form authorizes the USDA and the Department to share the producer's eligibility information for purposes of administering the State Program and serves as the producer's application for crop insurance assistance under the State Program. (Important Note: The producer's signatures on the form must appear exactly as it appears on all USDA forms. The USDA will only release information to the Department if the signature appearing on the form matches the legal entity appearing on all USDA forms. Without this information the Department will be unable to process a producer's application for crop insurance assistance under the State Program.)

IV. *Eligibility criteria.*

(a) *Sign-up Period.* The State Program will follow the Federal Crop Disaster Program sign-up schedule, which began December 13, 1999, and ended February 25, 2000.

(b) *Eligible producer.* To be eligible for crop insurance assistance under the State Program a producer must:

1) Meet the eligibility criteria of and be approved to receive assistance under the Federal Crop Disaster Program.

2) Purchase Federal crop insurance for crop years 2000 and 2001.

3) Meet the definition of an "Eligible Producer" under the act.

4) Properly fill out and sign a state "Drought Relief Program Application and Waiver of Confidentiality Form."

5) Have applied for a Federal Crop Disaster Program grant and submitted the proper documentation to USDA-FSA by February 25, 2000.

(c) *Review and processing of applications.* Upon receipt of the "Drought Relief Program Application and Waiver of Confidentiality Form" and all necessary approval and eligibility information from the USDA-FSA, the Department will review and determine the applicants eligibility. The approved applicants' information will be forwarded to FCIC. FCIC will compile information regarding each eligible producer's crop insurance premium costs and the Department will pay FCIC an amount equal to up to 10% of the cost of the eligible producer's crop insurance premium costs.

(d) *Approval Power.* An application for crop insurance assistance under the State Program may be approved, approved with special conditions or rejected in accordance with the general conditions and criteria established by the act and these guidelines. The Department shall have final approval and denial authority with regard to all State Program crop insurance assistance applications.

V. *Notice of Disposition of Application.* After the Federal Crop Disaster Program and the Federal crop insurance sign up periods close and upon receiving and reviewing all applications, the Department will render a decision approving, approving with special conditions or denying each application. Applicants will be notified in writing of the Department's final decision. This notice will be sent by regular mail to the address indicated by the applicant on the application form.

VI. *Payment schedule.* The Department will make a payment directly to FCIC for all producers approved for crop insurance assistance under the State Program. The payment will cover up to 10% of the cost of the approved producer's crop insurance premium. Each eligible producer's crop insurance billing statement will be reduced by an amount equal to up to 10% of that producer's gross premium cost. In addition, the Department will pay all related fees associated with an eligible producer's crop insurance policy. Payment for the fees will be made to the approved insurance company underwriting the eligible producer's crop insurance policy. The approved insurance company will deduct such fees from the eligible producer's crop insurance policy or if the eligible producer has already paid the fees, the approved insurance company will reimburse the eligible producer for those fees.

VII. *Additional Information.* Additional information regarding the State Program may be obtained by contacting the Department at (717) 787-4737 or by logging on to the Department's website at www.pda.state.pa.us.

SAMUEL E. HAYES, Jr.,
Secretary

EXHIBIT A

Fact Sheet

Pennsylvania Crop Insurance Assistance Program*Overview*

The Commonwealth of Pennsylvania has created a Crop Insurance Assistance Program to help defray part of the cost of purchasing crop insurance in 2000 and 2001. The purchase of crop insurance is a condition for receiving federal crop loss assistance under the 1999 Federal Crop Disaster Program (1999 CDP).

The \$5.6 million state program is in addition to any crop insurance assistance available under the federal Crop Insurance Program (CIP).

Who is Eligible?

Pennsylvania farmers who experienced a minimum of 35% crop loss and who are eligible for the 1999 CDP.

How Do I Apply?

The application procedure is the same as that for the Pennsylvania Drought Relief Program. To be considered, farmers must apply in person at the county USDA-FSA office and meet the eligibility criteria for the 1999 CDP. In addition, farmers must sign a PA Department of Agriculture (PDA) Drought Relief Program Application and Waiver of Confidentiality form, available at the county USDA-FSA office.

How Will My Payment be Determined?

If you qualify for a Crop Disaster Program payment under the federal program, PDA will provide a payment directly to the USDA-Risk Management Agency. The payment will cover up to 10% of the cost of the gross premium for crop insurance where applicable, plus the total amount of all related fees. If sufficient funds are not available to provide for up to 10% of the cost of the insurance premiums and the total amount of the related fees, the PA Department of Agriculture will prorate the available funds among the eligible producers.

What are the Eligibility Criteria?

The Pennsylvania program will follow the same eligibility criteria as the USDA-FSA 1999 CDP. Farmers must have a minimum of 35% crop loss to qualify.

When is the Sign-up Period?

The Pennsylvania program will follow the USDA-FSA 1999 CDP sign-up, which began December 13, 1999, and ends February 25, 2000. The insurance assistance remains available to eligible producers until the 2000 crop year sign-up period closes, which is approximately March 15 for most major crops. Check with your crop insurance agent regarding your specific crop closing dates.

Where Can I Obtain Additional Information?

For additional information regarding this state program, contact the PDA at (717) 787-4737 or our website at www.pda.state.pa.us.

January 15, 2000

EXHIBIT B

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF AGRICULTURE

December 13, 1999

DROUGHT RELIEF PROGRAM
APPLICATION AND WAIVER OF CONFIDENTIALITY FORM

Dear Producer:

Under Act 57 of 1999, known as The Drought, Orchard and Nursery Indemnity and Flood Relief Act, the Commonwealth of Pennsylvania has created an emergency drought relief program in the form of crop loss assistance for producers who suffered crop loss due to the drought of 1999. To be considered, you must apply to the USDA-FSA and meet the eligibility criteria for the federal 1999 Crop Disaster Program. In addition, you must complete and sign this application, which authorizes the USDA-FSA to share your eligibility information with the Commonwealth of Pennsylvania, Department of Agriculture (PDA). If you qualify for a grant under the federal program, PDA will use the eligibility information to calculate your state crop loss assistance. The amount of your state grant, if any, will not exceed 75% of the amount you receive under the federal program. Payment of grant money under the Commonwealth's emergency drought relief program will be mailed directly to the address listed on the USDA-FSA eligibility records received by the PDA.

The United States Department of Agriculture and its agents and instrumentalities (USDA), gathered information as part of its administration of the 1999 Crop Disaster Program (1999 CDP) authorized by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000, and the Omnibus Consolidated Appropriations Act, 2000.

I, _____, hereby authorize USDA to release to the Commonwealth of Pennsylvania, Department of Agriculture, the following information gathered by USDA as part of the 1999 CDP:

- 1. The data contained on Forms CCC-547, CCC-547A; CCC-547B; and CCC-547C;
2. The amount of money disbursed to me by USDA under the 1999 CDP; and
3. Any other information the Commonwealth of Pennsylvania, Department of Agriculture requests for the purpose of administering its drought relief program and my application thereunder.

I understand that I am authorizing the release of information under the Privacy Act (5 USC § 552a).

(IMPORTANT NOTE—Your signature and all other information required below must appear exactly as it appears on all USDA forms. If it does not, the USDA will not release your information and the PDA will be unable to process your application for grant funds under the Commonwealth's emergency drought relief program.)

(Please type or print clearly.)

Name _____ County _____

Address _____ Soc. Security No. _____

_____ Phone Number _____

Signature

Date

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 21, 2000.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
3-20-00	NBT Bancorp, Inc., Norwich, New York, to Acquire 100% of the Voting Shares of Pioneer American Holding Company Corp., Carbondale, PA	Norwich, NY	Approved

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-15-00	Somerset Interim Bank Somerset Somerset County	Somerset	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-17-00	Hollidaysburg Trust Company Hollidaysburg Blair County	1402 Logan Avenue Tyrone Blair County	Filed
3-20-00	Sun Bank Selinsgrove Snyder County	814 Westminster Dr. Williamsport Lycoming County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-15-00	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	<i>To:</i> Route 13 and Simpson Street Eddystone Delaware County <i>From:</i> 1936 MacDade Boulevard Woodlyn Delaware County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-17-00	Lafayette Ambassador Bank Easton Northampton County	1605 West Broad St. Bethlehem Lehigh County	Approved
3-17-00	The Drovers & Mechanics Bank York York County	Mt. Rose Avenue and Albemarle Street York York County	Approved
3-21-00	First Columbia Bank & Trust Co. Bloomsburg Columbia County	Route 42 North Numidia Columbia County	Approved

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
3-16-00	East Penn Bank Emmaus Lehigh County	To increase the number of authorized shares of common stock from 20,000,000 shares to 40,000,000 shares; to increase the number of authorized shares of preferred stock from 8,000,000 shares to 16,000,000 shares; and to change the par value of the common and preferred stock from \$1.25 to \$0.625 per share and thereby causing a two-for-one stock split.	Approved and Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 00-568. Filed for public inspection March 31, 2000, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

Following the 30-day comment period, the Water Management Program Managers 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 Field 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 proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

PA 0217481. Industrial waste, SIC: 5541, **Consolidated Truck Stops, Inc.**, P. O. Box 487, Claysville, PA 15323.

This application is for the renewal of an NPDES permit to discharge treated ground water and stormwater from the Consolidated Truck Stops facility located in Donegal Township, **Washington County**.

The following effluent limitations are proposed for discharge to receiving waters, Dutch Fork classified as a High Quality fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is at the Pennsylvania and West Virginia State Border.

Outfall 001: existing discharge, design flow of 0.0036 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report	monitor and report			
TSS			30		60
Oil and Grease			15		30
CBOD ₅			25		50
Total Iron			3.5		7.0
BTEX*			0.1		0.25
Ethylbenzene			monitor and report		monitor and report
Toluene			monitor and report		monitor and report
Xylenes			monitor and report		monitor and report
pH	between 6.0 and 9.0 at all times				

*Total BTEX shall be measured as the sum of Benzene, Ethylbenzene and Toluene.

Outfall 002: existing discharge, design flow of 0.0072 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report	monitor and report			
TSS			30		60
Oil and Grease			15		30
CBOD ₅			25		50
Total Iron			3.5		7.0
BTEX*			0.1		0.25
Ethylbenzene			monitor and report		monitor and report
Toluene			monitor and report		monitor and report
Xylenes			monitor and report		monitor and report
pH	between 6.0 and 9.0 at all times				

*Total BTEX shall be measured as the sum of Benzene, Ethylbenzene and Toluene.

Outfall 004 and 005: existing discharge, design flow of N/A mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report	monitor and report			
TSS			monitor and report		monitor and report
Oil and Grease			monitor and report		monitor and report

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD ₅			monitor and report		monitor and report
Total Iron			monitor and report		monitor and report
Aluminum			monitor and report		monitor and report
Total Petroleum Hydrocarbons			monitor and report		monitor and report

Outfall 010: existing discharge, design flow of N/A mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report	monitor and report			
TSS			monitor and report		monitor and report
Oil and Grease			monitor and report		monitor and report
CBOD ₅			monitor and report		monitor and report
Total Iron			monitor and report		monitor and report
Aluminum			monitor and report		monitor and report
Total Petroleum Hydrocarbons			monitor and report		monitor and report

Outfall 003, 006, 007, 008, 009 and 011: existing discharge, design flow of N/A mgd.

Discharge consists solely of uncontaminated stormwater runoff

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

Other Conditions:

The EPA waiver is in effect.

PA 0218286. Industrial waste, SIC: 1629, **J. A. Jones/Traylor Brothers, Inc.**, J. A. Jones Drive, Charlotte, NC 28287.

This application is for issuance of an NPDES permit to discharge treated process water and stormwater from the Leetsdale Casting Facility in Leetsdale Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is ARCO Chemical Company, located in Monaca, Beaver County 15.0 miles below the discharge point.

Outfall 101: new discharge, design flow of 0.003 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30.0		60.0
Total Dissolved Solids			monitor and report		
Lead			monitor and report		
Arsenic			monitor and report		
Chromium			monitor and report		
Sulfate			monitor and report		
Oil and Grease			15.0		30.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Outfall 201: interim discharge from construction activities.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids					60.0
Lead			monitor and report		
Arsenic			monitor and report		
Chromium			monitor and report		
TPH			monitor and report		
Oil and Grease			monitor and report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: new discharge, design flow of 0.07 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			30.0		60.0
Lead			monitor and report		
Arsenic			monitor and report		
Chromium			monitor and report		
Iron			monitor and report		
Aluminum			monitor and report		
Manganese			monitor and report		
TPH			monitor and report		
Oil and Grease			15.0		30.0
Organic Priority Pollutants			monitor and report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: new discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	This discharge shall consist solely of those sources previously monitored at Internal Monitoring Points 101 and 201. not less than 6.0 nor greater than 9.0				

PA 0090905. Sewage, **Kittanning Associates**, R. D. 1, Box 27-C, Route 422 East, Kittanning, PA 16201.

This application is for renewal of an NPDES permit to discharge treated sewage from Kittanning Care Center STP in Manor Township, **Armstrong County**.

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

Outfall 001: existing discharge, design flow of .015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2			4
(11-1 to 4-30)	5			10
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0097764. Sewage, **Judith K. Folwarczny**, R. D. 4, Box 2380, Mt. Pleasant, PA 15666-9043.

This application is for renewal of an NPDES permit to discharge treated sewage from the Judith K. Folwarczny Sewage Treatment Plant in Mt. Pleasant Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Shupe Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Westmoreland County Municipal Authority—McKeesport on the Youghiogheny River.

Outfall 001: existing discharge, design flow of 0.09 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2			4
(11-1 to 4-30)	4.5			9.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.09			0.21
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0028428. Sewage. **Borough of Brockway**, 501 Main Street, Brockway, PA 15824.

This application is for renewal of an NPDES Permit to discharge treated sewage to Toby Creek in Brockway Borough, **Jefferson County**. This is a minor 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Western PA American Water Company on the Clarion River located at Clarion, approximately 45 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 based on a design flow of 0.400 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	18,100/100 ml as a geometric average		
Total Residual Chlorine (Interim)	monitor and report		
(Final)	1		3.2
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0104213. Sewage, **Peaceful Rest Home, Inc.**, 3472 County Line Road, Cochranon, PA 16314.

This application is for renewal of an NPDES Permit, to discharge treated sewage to an unnamed tributary to Foulk Run in French Creek Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Franklin General Authority on French Creek located at Franklin, approximately 12 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.0072 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	
CBOD ₅	25	50
TSS	30	60
Ammonia Nitrogen (5-1 to 10-31)	8	16
(11-1 to 4-30)	24	48
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
pH	6.0 to 9.0 at all times	

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

PA 0036412. Sewage, **Tel Hai Retirement Community Inc.**, P. O. Box 190, Honey Brook, PA 19344.

This application is for renewal of an NPDES permit to discharge treated sewage from Tel Hai Retirement Community STP in Honey Brook Township, **Chester County**. This is an existing discharge to Two Log Run.

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 55,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	28	56
Ammonia (as N) (5-1 to 10-31)	2.9	5.8
(11-1 to 4-30)	8.7	17.4
NO ₂ -N and NO ₃ -N (5-1 to 10-31)	27	54
(11-1 to 4-30)	23	46
Phosphorus (as P) (4-1 to 10-31)	1.9	3.8
Total Residual Chlorine (issuance thru year 2)	0.8	2.0
(year 3 thru expiration)	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

Other Conditions:

The EPA waiver is in effect.

Conditions for future permit modification.

Effective disinfection.

PA 0057886. Industrial waste, **Mushroom Canning Company**, 401 Birch Street, Kennett Square, PA 19348.

This application is for issuance of an NPDES permit to discharge cooling water from Mushroom Canning Company in Kennett Township, **Chester County**. This is a new discharge to East Branch Red Clay Creek.

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

The effluent limits for Outfall 001 based on an average flow of 80,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	monitor and report	monitor and report	monitor and report
Total Suspended Solids	monitor and report	monitor and report	monitor and report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N	monitor and report	monitor and report	monitor and report
Fecal Coliform	# 200/100 ml		
Total Residual Chlorine	0.5	1.0	1.2
Dissolved Oxygen	minimum of 3.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

<i>Temperature</i>	<i>Daily Average °F</i>	<i>Instantaneous Maximum °F</i>
January 1-June 30	110°	110
July 1-July 31	87°	110
August 1-December	110°	110

Other Conditions:

- The EPA waiver is in effect.
- Conditions for Future Permit Modification.
- Effective Disinfection.
- Thermal Requirements.
- TRC Requirement.
- No Chemical Additives.

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

PA 0070271. SIC: 4952, Sewage, **Maidencreek Township Authority**, P. O. Box 529, Blandon, PA 19510-0529.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to Willow Creek, in Ontelaunee Township, **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, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed Interim effluent limits for Outfall 001 for a design flow of 0.45 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 9-30)	20	30	40
(10-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	7.5	—	15
(11-1 to 4-30)	20	—	40
Total Residual Chlorine	monitor and report	—	XXX
Total Copper	monitor and report	XXX	XXX
Dissolved Oxygen	minimum of 6.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliforms	200/100 ml as a geometric average		
(5-1 to 9-30)	2,000/100 ml as a geometric average		
(10-1 to 4-30)			

The proposed Final effluent limits for Outfall 001 for a design flow of 0.80 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 9-30)	7	10	14
(10-1 to 4-30)	14	20	28
Total Suspended Solids	10	15	20
NH ₃ -N			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Total Residual Chlorine	0.17		0.55
Total Copper	0.021		0.042
Dissolved Oxygen	minimum of 6.0 at all times		
pH	from 6.0 to 9.0 inclusive		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

PA 0053091. SIC: 2033, Industrial waste, **Giorgio Foods, Inc.**, P. O. Box 96, Temple, PA 19560.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Willow Creek, in Maiden creek Township, **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, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough Authority located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.5 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		XXX
pH	6.0 to 9.0 at all times		
Total Suspended Solids	30	60	75
Total Dissolved Solids	1,000	2,000	2,500
Total Residual Chlorine	0.17	XXX	0.55
Dissolved Oxygen	minimum of 5.0 at all times		
CBOD ₅	10	20	25
NH ₃ -N			
(5-1 to 9-30)	1.5	3.0	3.5
(10-1 to 4-30)	4.5	9.0	11.0
Fecal Coliform (5-1 to 9-30)	200	XXX	XXX
(10-1 to 4-30)	2,000	XXX	XXX
Color (P. C.)	XXX	100	100
Temperature	as required each month		

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

The EPA waiver is in effect.

PA 0087106. SIC: 8661, Sewage, **Freedom Valley Worship Center**, 2218A York Road, Gettysburg, PA 17325.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary of Swift Run, in Straban Township, **Adams 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, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Wrightsville Water Supply Company intake located on the Susquehanna River in Wrightsville, York County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.001 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N	monitor and report	XXX
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	33,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

PA 0081451. SIC: 8211, Sewage, **Red Lion Area School District** (Clearview Elementary School), 696 Delta Road, Red Lion, PA 17356.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary to West Branch Toms Run, in Chanceford Township, **York County**.

The receiving stream is classified for trout stocking, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Bainbridge Navy Training Center located in Bainbridge, Maryland. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.005 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	7	14
(11-1 to 4-30)	21	42
Total Phosphorus	2	4
Total Residual Chlorine	0.5	1.7
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,200/100 ml as a geometric average	

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

The EPA waiver is in effect.

PA 0027910. SIC: 5171, Industrial waste, **Gulf Oil Limited Partnership**, Altoona Terminal, 90 Everett Avenue, Chelsea, MA 02150-2337.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to a drainage ditch to Burgoon Run, in Allegheny Township, **Blair County**.

The receiving stream is classified for trout stocking fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was United Water Company located in Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine			
Petroleum Hydrocarbons	XXX	monitor and report	XXX

Best Management Practices to control the discharge of Total Residual Petroleum Hydrocarbons from the storage tank dike areas are required for Outfalls 002 through 006.

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

The EPA waiver is in effect.

PA 0021237. SIC: 4952, Sewage, **Newport Borough Municipal Authority**, 231 Market Street, Newport, PA 17074.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Juniata River, in Newport Borough, **Perry County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was United Water located in Susquehanna Township, Dauphin County. The discharge is not expected to impact any potable water supply.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Total Residual Chlorine	1.5	—	2.5
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 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		

Outfalls 002 and 003 are Combined Sewer Overflows (CSOs) that are to be reported when they occur. CSO requirements can be found in Part C II.

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

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0035823	Saunders Park 5909 Little Cove Rd. Mercersburg, PA 17236-9409	Franklin County Warren Township	Little Cove Creek	TRC
PA0032506	DCNR Reeds Gap State Park 1405 N. Lancaster Valley Rd. Milroy, PA 17063-9517	Mifflin County Armagh Township	Honey Creek	TRC
PA0086274	Saxton Congregational of Jehovah's Witness R. D. 1, Box 92 Saxton, PA 16678	Bedford County Liberty Township	Sugar Camp Run	TRC
PA0053104	Frank T. Perano Pleasant Hills MHP Box 278 King of Prussia, PA 19406	Berks County Tilden Township	Tributary of Schuylkill River	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the name, address and telephone number of the protester, identification of the plan or application to which the protest is

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

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

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

A. 1300201. Industrial waste. **Lehighon Electronics, Inc.**, Post Office Box 328, Lehighon, PA 18235-0328. Application for replacement of a wastewater treatment plant, located in Mahoning Township, **Carbon County**. Application received in the Regional Office March 15, 2000.

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

A. 0683201, Amendment 00-1. Industrial waste submitted by **Glen-Gery Corporation**, 423 South Pottsville Pike, Shoemakersville, PA 19555, Perry Township, **Berks County** to provide clean-out of impoundment and ground water well installation and monitoring was received in the Southcentral Region office on March 15, 2000.

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

WQM Permit No. 4600410. Sewerage. **Upper Salford Township**, P. O. Box 100, Salfordville, PA 18958-0100. Applicant is requesting approval for the construction and operation of a sewage treatment plant to serve the Upper Salford Township Park located in Upper Salford Township, **Montgomery County**.

WQM Permit No. 0900403. Sewerage. **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. Applicant is requesting approval for the construction and operation to expand the Green Street WWTP located in Doylestown Borough, **Bucks County**.

WQM Permit No. 1500406. Sewerage. **TAD Facilities, Ltd.**, 628 Old Telegraph Road, Coatesville, PA 19320. Applicant is requesting approval for the construction and operation to modify and serve TAD Facilities STP (formerly Spring Run Estates) located in West Caln, **Chester County**.

WQM Permit No. 1500407. Sewerage. **Westtown Township**, P. O. Box 79, Westtown, PA 19395. Applicant is requesting approval to expand the Westtown Chester Creek WWTP located in Westtown Township, **Chester County**.

WQM Permit No. 1500408. Sewerage. **Brandywine Hospital and Trauma Center**, 201 Reeceville Road, Coatesville, PA 19320. Applicant is requesting approval for the construction and operation to install a new pump station to serve Brandywine Hospital located in Caln and West Brandywine Townships, **Chester County**.

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

A. 0400201. Industrial waste, **C & C Marine Maintenance, Co.**, P. O. Box 610, Dunlevy, PA 15432. Application for the construction and operation of a barge washing treatment system to serve the Georgetown Landing located in Georgetown Borough, **Beaver County**.

A. 6500201. Industrial waste, **Allegheny Energy Supply Company LLC**, 800 Cabin Hill Drive, Greensburg, PA 15601. Application for the construction and operation of a waste treatment facility to serve Harrison City located in Penn Township, **Westmoreland County**.

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

WQM Permit No. 2500404. Sewerage, **William A. Jr. and Sandra M. Thornton**, 14200 State Route 226, Albion, PA 16401. This project is for the construction of a Single Residence Sewage Treatment Plant in Conneaut Township, **Erie County**.

WQM Permit No. 2000405. Sewerage. **Malcolm P. and Susan E. Christhilf**, 11059 Shadeland Road, Springboro, PA 16435. This project is for the construction of a Single Residence Sewage Treatment Plant in Spring Township, **Crawford County**.

WQM Permit No. 4300402. Sewerage, **James Stevenson**, 149 Columbia Avenue, Greenville, PA 16125. This project is for the construction of a Single Residence Sewage Treatment Plant in Salem 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 Regional Office or County Conservation District Office indicated as the responsible office within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. Comments reviewed within this 30-day permit will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the 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 County Conservation District Office or the Department's Regional Office noted above the application.

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

Northcentral Regional Office: Regional Water Management Program Manager, 208 W. 3rd St., Suite 101, Williamsport, PA 17701, (717) 327-3574.

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

NPDES Permit PAS10F088. Stormwater, **Trotter Farm**, Carl Bankert, S&A Custom Built Homes, 501 Rolling Ridge Dr., State College, PA 16801 has applied to discharge stormwater from a construction activity located in Halfmoon Township, **Centre County** to Halfmoon Creek.

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

NPDES Permit PAS10F089. Stormwater, **Grays Woods Main Tract**, Daniel Hawbaker, Grays Woods Partnership, 325 W. Aaron Dr., State College, PA 16803 has applied to discharge stormwater from a construction activity located in Halfmoon and Patton Townships, **Centre County** to Unt. Buffalo Run and Spruce Creek.

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 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 PAS10Q195. Stormwater, **Chanco Development Corp.**, Ken Mizerny, 1465 State Highway 31, Annandale, NJ 08801, has applied to discharge stormwater from a construction activity located in Weisenberg Township, **Lehigh County**, to Lyon Creek, HQ-CWF, MF.

Northampton County Conservation District, District Manager, Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

NPDES Permit PAS10U129. Stormwater, **Henry Lubsen**, 824 Eighth Ave., Bethlehem, PA 18018, has applied to discharge stormwater from a construction activity located in Bushkill Township, **Northampton County**, to Bushkill Creek, HQ-CWF.

Northampton County Conservation District, District Manager, Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

NPDES Permit PAS10U130. Stormwater, **Dale Nauman**, 2311 Easton Ave., Bethlehem, PA 18017, has applied to discharge stormwater from a construction activity located in Bushkill Township, **Northampton County**, to Bushkill Creek, HQ-CWF.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 657-4707.

Cumberland County Conservation District, District Manager, Cumberland County CD, 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013, (717) 240-7812.

NPDES Permit PAS-10-H090. Stormwater, **Zamias Services, Inc.**, 300 Market Street, Johnstown, PA 15901 has applied to discharge stormwater from a construction activity located in Carlisle Borough, **Cumberland County**, to Letort Spring. (EV)

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-G411. Stormwater, **Vintage Development Company**, 63 Chestnut Road, Paoli, PA 19301, has applied to discharge stormwater from a construction activity located in Malvern Borough and Willistown Township, **Chester County**, to Crum Creek (HQ).

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, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.

Permit No. 0799502. Public water supply, **Tyrone Borough**, Snyder Township, **Blair County**. *Responsible Official:* Alfred Drayovitch, Jr., Borough Manager, 1100 Logan Avenue, Tyrone, PA 16686. *Type of Facility:* Construction for a 350,000-gallon storage tank and a 14-inch water transmission main to serve the proposed Vail Industrial Park Water System. *Consulting Engineer:* Joseph Keller, PE, Keller Engineers, Inc., P. O. Box 61, Hollidaysburg, PA 16648. Application received: December 27, 1999.

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

A. 4200501. Public water supply, **Hazel Hurst Water Association**, P. O. Box 197, Hazel Hurst, PA 16733. This proposal involves the drilling of a new well located in the ballfield area of Hazel Hurst near Marvin Creek; treatment building and water storage reservoir located 2,500 feet south of Route 6 near Chambers Street; and main transmission line in Hazel Hurst Township, **McKean County**.

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

A. 0900501. Public water supply, **Warminster Municipal Authority**, 415 Gibson Avenue, Warminster, PA 18974. This proposal involves the construction of a new wellhouse, installation of an air stripping tower, replacement of an existing well pump and chlorination system in Warminster Township, **Bucks County**.

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

A. 1000501. Public water supply, **Kirby Litzenberg, Owner**, High View Estates, 1734 Oneida Valley Road, Karns City, PA 16041. This proposal involves the permitting of the water system that services the mobile home park in Washington Township, **Mercer County**.

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

2600502. **Nemacolin Woodlands Resort**, 1001 Lafayette Avenue, Farmington, PA 15437. Installation of Well #4 serving the Nemacolin Woodlands Resort, Wharton Township, **Fayette 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—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 the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as 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 or suspected 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, or who receives approval of a special industrial area remediation 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. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(l)(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 standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified below proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, 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 the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

Southcentral Regional Office: Environmental Cleanup Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

Adamson Tank Company Site (formerly), Providence Township, **Lancaster County**. Beaver Valley Enterprises LLC, c/o Weavers Mulch, 3190 Strasburg Road, Coatesville, PA 19320 has submitted a Notice of Intent to Remediate site soils contaminated with solvents, PCBs, BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal* on February 2, 2000.

Marty's Transmission Shop, Monroe Township, **Cumberland County**. BL Companies LLC, 2407 Park Drive, 1st Floor, Harrisburg, PA 17110 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX, PHCs, 1,3,5-Trimethylbenzene; n-Propylbenzene; 1,2,4-Trimethylbenzene; and p-isopropylbenzene. The applicant proposes to remediate the site to meet a combination of the site-specific and Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* during the week of March 13, 2000.

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

North Shore Property, City of Pittsburgh, **Allegheny County**. Frank M. Berchin, 98 Vanadium Road, Bridgeville, PA 15017 and Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 have submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals, solvents, PHCs and PAHs. The applicant proposes to remediate the site to meet the special industrial area requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on February 28, 2000.

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

Chester Waterfront Redevelopment Project Site, City of Chester, **Delaware County**. Robin A. Hoy, PECO Energy Company, 2301 Market Street, P. O. Box 8699, Philadelphia, PA 19101-8699, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet background and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *Delaware County Daily Times* on March 3, 2000.

Former Emilee Atlee Residence, Haverford Township, **Delaware County**. Thomas J. Biel, Environmental Products & Services, Inc., 7635 Edgcomb Drive, Liverpool, NY 13088, has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Inquirer* on March 8, 2000.

**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 or close solid waste processing or disposal area or site.

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

A 100944. Chester County Solid Waste Authority (7224 Division Highway, Narvon, PA 17555-9505). Application for major modification for Leachate Recirculation for a site in Caernarvon and Salisbury Townships, **Lancaster County** and Honey Brook Township, **Chester County**. Application determined to be administratively complete in the Regional Office March 10, 2000.

**AIR QUALITY
OPERATING PERMITS**

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

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

06-05068A: Scranton Altoona Terminals Corp. (P. O. Box 2621, Harrisburg, PA 17105) for a bulk gasoline terminal controlled by internal floating roofs and a vapor recovery system in Sinking Spring, **Berks County**. Some of the sources are subject to 40 CFR Part 60, Subparts Kb and XX—Standards of Performance for New Stationary Sources.

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

OP-11-000411: Concurrent Technologies Corp. (100 CTC Drive, Johnstown, PA 15904) for operation of organic coating operation at Environmental Technology Facility in Richland Township, **Cambria County**.

OP-30-00130: Bruceton Petroleum Co., Inc. (1768 Mileground, Morgantown, WV 26505) for operation of petroleum distribution at PA Division in Franklin Township, **Greene County**.

OP-63-00885: Cooper Craus-Hinds, Inc. (P. O. Box 579, Country Club Road, Meadowlands, PA 15347) for operation of stamping and die casting at Meadow Lands Facility in Chartiers Township, **Washington County**.

OP-63-00624: Golden Eagle Construction Co. (P. O. Box 945, Uniontown, PA 15401) for operation of asphalt manufacturing at Eighty Four Plant in North Strabane Township, **Washington County**.

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

PA-10-047E: Mine Safety Appliances Co. (1420 Mars Evans City Road, Evans City, PA 16033) for operation of a venturi scrubber in Forward Township, **Butler County**.

PA-10-300B: Spang and Co., Magnetics Division (796 East Butler Road, Butler, PA 16003) for operation of and automated paint line and integrated curing oven in East Butler Borough, **Butler County**.

PA-20-040A: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) for operation of an automatic molding system in Vernon Township, **Crawford County**.

PA-20-040B: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) for operation of a sand handling system in Vernon Township, **Crawford County**.

PA-24-126A: U. S. Resistor, Inc. (1016 Delaun Road, St. Marys, PA 15857) for operation of a batch cold cleaning machine in St. Marys, **Elk County**.

PA-42-182B: Allegheny Store Fixtures, Inc. (57 Holley Avenue, Bradford, PA 16701) for operation of a paint booth in Bradford Township, **McKean County**.

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements and Title V operating permits).

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

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

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

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

23-00030: Swarthmore College (500 College Avenue, Swarthmore, PA 19081-1397) in Swarthmore Borough, **Delaware County**. The facility's major emission points include: 14 boilers and 10 emergency generators which emit major levels of nitrogen oxides (NOx).

09-00037: CMS Gilbreth (3001 State Road, Croydon, PA 19021) in Bristol Township, **Bucks County**. The facility's major emission points include: flexographic and rotogravure printing presses, electroplating operations and air pollution control devices which emit major levels of volatile organic compounds (VOCs).

46-00036: Ford Electronics & Refrigeration LLC (2750 Morris Road, Lansdale, PA 19446) in Worcester Township, **Montgomery County**. The facility's major emission points include: six wave soldering machines, five selective soldering machines, a coil soldering-servo

and an in-line package machine which emit major levels of volatile organic compounds (VOCs) and nitrogen oxides (NOx).

46-00041: Jefferson Smurfit Corp. (U.S.) (1035 Longford Road, Phoenixville, PA 19460) in Upper Providence Township, **Montgomery County**. The facility's major emission points include: six sheetfed, non-heatset, offset lithographic presses, two boilers, an emergency generator, and a finishing department which emit major levels of volatile organic compounds (VOCs).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

66-00001: Procter & Gamble Paper Products Co. (P. O. Box 32, Mehoopany, PA 18629) in Washington Township, **Wyoming County**. The facilities operate a paper manufacturing facility and primarily emit nitrogen oxides (NOx), sulfur oxides (SO₂), carbon monoxide (CO) and volatile organic compounds (VOCs).

54-00006: CIN CAP VI, LLC (US Route 209, P. O. Box 312, Tremont, PA 17981) in Frailey Township, **Schuylkill County**. The facilities major source of emissions are from one fluidized bed boiler that primarily emits nitrogen oxides (NOx) and sulfur oxides (SO₂).

48-00005: Hercules Cement Co. (501 Center Street, Stockertown, PA 18083) in Stockertown Borough, **Northampton County**. The facilities major sources of emissions include two dry process kilns that primarily emit nitrogen oxides (NOx) and sulfur oxides (SO₂).

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

TVOP-55-00001: Sunbury Generation, LLC (677 Baeton Road, Green Bay, WI 54304) for operation of a steam electric generating station in Shamokin Dam Borough, **Snyder County**. The facility's major sources include: six multi-fuel (coal, coke and #2 oil) fired boilers [four 525 MMBtu/hr boilers, one 1,100 MMBtu/hr boiler and one 1,360 MMBtu/hr boiler], two diesel fired combustion turbines, two diesel fired startup generators and coal and ash handling and storage operations. The facility has the potential to emit major quantities of Nitrogen Oxides (NOx), Sulfur Oxides (SOx), Particulate Matter <10 micrometers (PM₁₀), carbon monoxide (CO), Hazardous Air Pollutants (HAPs) and Volatile Organic Compounds (VOCs). As a result of these potential emissions, the facility is a major stationary source as defined in Title 1, Part D of the Clean Air Act Amendments. The facility is therefore subject to Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The facility is also subject to all applicable requirements of the Reasonably Available Control Technology (RACT).

TVOP-47-00001: PP&L, Inc., Montour SES (2 North Ninth Street, Allentown, PA 18101) for operation of a steam electric generating station in Derry Township, **Montour County**. The facility's major sources include: two coal fired boilers (7100 MMBtu/hr each), two turbines, two oil fired startup boilers, three diesel generators, fuel storage tanks and coal and ash processing and storage operations. The facility has the potential to emit major quantities of Nitrogen Oxides (NOx), Sulfur Oxides (SOx), Particulate Matter <10 micrometers (PM¹⁰), carbon monoxide (CO), Hazardous Air Pollutants (HAPs) and Volatile Organic Compounds (VOCs). As a result of these potential emissions, the facility is a major stationary source as defined in Title 1, Part D of the Clean Air Act Amendments. The facility is therefore subject to Title V

permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The facility is also subject to all applicable requirements of the Reasonably Available Control Technology (RACT).

Proposed Approval of Equivalency Operating Permits; Public Hearing

The City of Philadelphia, Department of Public Health, Air Management Services, will conduct a public hearing on Tuesday, April 18, 2000, which was originally scheduled for Wednesday, January 26, 2000, in the Auditorium of the Medical Examiners Office, Spelman Building, 321 University Avenue, beginning promptly at 6 p.m. and continuing to 8 p.m. or the conclusion of testimony. The hearing is being held to receive comments from the public on the proposed approval, by the Department, of an Equivalency Operating Permit, related to emissions of Volatile Organic Compounds (VOC), for the facility listed.

E-95-027: Model Finishing (4949 Cottman Avenue, Philadelphia, PA 19136) VOC emission limits have been established for affected emission sources at the facility.

The operating permit will be issued under 25 Pa. Code § 129.51(a)(6) as equivalency for the requirements of 25 Pa. Code § 129.52. With the authority under Title 25 of the Pennsylvania Code, Philadelphia Code Title 3 and Air Management Regulation XIII AMS will issue this permit to address the potential deficiencies of the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. The Final Equivalency Operating Permit will be submitted to the Department of Environmental Protection and the United States Environmental Protection Agency as formal revision to the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Thomas Huynh at (215) 685-7572.

Anyone interested in testifying on the proposals at the public hearing is requested to call or write AMS (as indicated above) to be placed on the hearing agenda. It is also requested that written copies of testimony be provided for the hearing record. All written comments on the proposal must be received by AMS by April 18, 2000, in order to be considered.

Persons with a disability, who desire to attend the public hearing and may require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact AMS at (215) 685-7572 to discuss how the Department may accommodate their needs.

Proposed Approval of Sulfur Dioxide Operating Permits; Public Hearing

The City of Philadelphia, Department of Public Health, Air Management Services, will conduct a public hearing on Tuesday, April 18, 2000, which was originally scheduled for Wednesday, January 26, 2000, in the Auditorium of the Medical Examiners Office, Spelman Building, 321 University Avenue, beginning promptly at 6 p.m. and continuing to 8 p.m. or the conclusion of testimony. The hearing is being held to receive comments from the public on the proposed approval, by the Department, of Sulfur Dioxide Operating Permits, related to emissions of Sulfur Dioxide (SO₂), for the facilities listed:

SO2-95-039: Sunoco, Inc. (R&M) (3144 Passyunk Avenue, Philadelphia, PA 19145) SO₂ emission limits have been established for combustion sources at the facility.

SO2-95-006: PECO Energy Co—Schuylkill Generating Station (2800 Christian Street, Philadelphia, PA

19146) SO₂ emission limits have been established for combustion sources at the facility.

SO2-95-002: Trigen Energy (2600 Christian Street, Philadelphia, PA 19146) SO₂ emission limits have been established for combustion sources at the facility.

SO2-95-002A: Grays Ferry Cogeneration Partnership (2600 Christian Street, Philadelphia, PA 19146) SO₂ emission limits have been established for combustion sources at the facility.

The operating permits will be issued as corrective action of potential exceedances of the National Ambient Air Quality Standards for Sulfur Dioxide shown in modeling analysis conducted during the review of the Philadelphia Naval Shipyard PSD Permit in 1996. With the authority under Title 25 of the Pennsylvania Code, Philadelphia Code Title 3 and Air Management Regulation XII AMS will issue these permits to address the potential deficiencies of the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. Final Sulfur Dioxide Operating Permits will be submitted to the Department of Environmental Protection and the United States Environmental Protection Agency as formal revisions to the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Thomas Huynh at (215) 685-7572.

Anyone interested in testifying on the proposals at the public hearing is requested to call or write AMS (as indicated above) to be placed on the hearing agenda. It is also requested that written copies of testimony be provided for the hearing record. All written comments on the proposals must be received by AMS by April 18, 2000, in order to be considered.

Persons with a disability, who desire to attend the public hearing and may require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact AMS at (215) 685-7572 to discuss how the Department may accommodate their needs.

PLAN APPROVALS

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Offices identified in this notice. Persons interested in reviewing

the application files should contact the appropriate regional office to schedule an appointment.

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

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

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

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

PA-46-0096: Georgia-Pacific Corp. (600 Righters Ferry Road, Bala Cynwyd, PA 19004) for modification of a flexographic printer and gluer in Lower Merion Township, **Montgomery County**.

09-312-033GP: Hines Color (6071 Durham Road, Pipersville, PA 18947) for construction of a hot water boiler in Plumstead Township, **Bucks County**.

PA-46-0026B: Global Packaging, Inc. (Brower and Montgomery Avenue, Oaks, PA 19456) for construction of a flexographic printing press in Upper Dublin Township, **Montgomery County**.

SMOP-46-00134: Hill School, The (Chestnut and Grant Streets, Pottstown, PA 19464) for construction of a Synthetic Minor Operating Permit in Pottstown Borough, **Montgomery County**.

PA-09-0128: East Coast Sign Advertising (5058 Route 13 North, Bristol, PA 19007) for modification of paint spray booths in Bristol Township, **Bucks County**.

PA-46-0191A: Merck & Co., Inc. (Sumneytown Pike, West Point, PA 19486) for construction of a 100 KW Emergency Generator in Upper Gwynedd Township, **Montgomery County**.

PA-46-0031A: SmithKline Beecham Research Co. (450 Cresson Road, Oaks, PA 19426) for installation of two emergency generators in Upper Providence Township, **Montgomery County**.

OP-09-0022: Cleveland Steel Container Corp. (350 Mill Street, Quakertown, PA 18951) for modification of a fountain solution in Quakertown Borough, **Bucks County**.

15-312-034GP: West Chester University (University Avenue, West Chester, PA 19383) for installation of a boiler in West Chester Borough, **Chester County**.

PA-46-0202: NanoSystems Elan Pharmaceuticals Tech. (3000 Horizon Drive, King of Prussia, PA 19406) for installation of an emergency electric generator in Upper Merion Township, **Montgomery County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

54-310-014C: Pennsy Supply (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105) for construction of an air classifier at the existing crushing plant at 2225 Fair Road in Wayne Township, **Schuylkill County**.

40-310-027A: Pikes Creek Sand & Stone, Inc. (P. O. Box 330, Sweet Valley, PA 18656) for modification of a stone crushing plant in Lehman Township, **Luzerne County**.

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

22-03037: Consolidated Scrap Resources, Inc. (P. O. Box 1761, 1616 North Cameron Street, Harrisburg, PA 17105) for installation of a metal shredder at a metal reprocessing yard in the City of Harrisburg, **Dauphin County**.

22-05006A: Harsco Gas and Fluid Control (Taylor Wharton Cylinders, 1001 Herr Street, Harrisburg, PA 17105-2365) for modification to the painting operations at City of Harrisburg, **Dauphin County**.

22-310-016: Hempt Bros., Inc. (P. O. Box 278, Camp Hill, PA 17011) for construction of a secondary impactor crusher controlled by a wet suppression system at its Steelton Quarry in Steelton Borough, **Dauphin County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

28-03031: E. Z. Dumper Products (P. O. Box 31, Waynesboro, PA 17268) for construction of two paint spray booths controlled by dry filters in Washington Township, **Franklin County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

OP-49-0014A: Jeraco Industries, Inc. (135 Sodom Road, Milton, PA 17847-9762) for construction of three fiberglass truck cap spray booths in Milton Borough, **Northumberland County**.

14-313-040: Rutgers Organics Corp. (201 Struble Road, State College, PA 16801) for construction of a chemical process facility (Product 042) in College Township, **Centre County**.

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

PA-11-289A: OMG Americas (101 Bridge Street, Johnstown, PA 15902) for operation of copper alloy furnace at the Johnstown Plant in Johnstown, **Cambria County**.

PA-11-498A: Pet After Life Services (316 Allen Street, Portage, PA 15946) for operation of animal furnace in Portage Township, **Cambria County**.

PA-32-297B: Creps Unite Publications (1163 Water Street, P. O. Box 746, Indiana, PA 15701) for modification of a web offset lithographic press at the Christy Park Drive Facility in White Township, **Indiana County**.

PA-32-349A: I-22 Processing Inc. (One Energy Place, Suite 2200, Latrobe, PA 15650) for operation of railcar dump in Burrell Township, **Indiana County**.

PA-56-276A: PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541) for operation of batch asphalt plant at Pine Hill Plant in Brothersvalley Township, **Somerset County**.

PA-63-110E: Corning Consumer Products Co. (100 8th Street, Charleroi, PA 15022) for operation of Tank 56 at Charleroi Plant in Charleroi Borough, **Washington County**.

PA-63-110D: Corning Consumer Products Co. (100 8th Street, Charleroi, PA 15022) for operation of Tank 61 at Charleroi Plant in Charleroi Borough, **Washington County**.

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

PA-10-021G: Indspec Chemical Co. (133 Main Street, P. O. Box 307, Petrolia, PA 16050) for construction of a resin hold tank at a Title V Facility in Petrolia Borough, **Butler County**.

42-399-013C: Temple-Inland Forest Products Corp., Mt. Jewett Particleboard Facility (R. D. 1, Hutchins Road, Mt. Jewett, PA 16740) for installation of an additional fabric collector to system 15/15A which was previously permitted as 42-399-013B at a Title V Facility in Sergeant Township, **McKean County**.

PA-42-158A: Temple-Inland Forest Products Corp., Mt. Jewett Particleboard Facility (R. D. 1 Hutchins Road, Mt. Jewett, PA 16740) for installation of an additional fabric collector to System 17 at a Title V Facility in Sergeant Township, **McKean County**.

REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

Proposed Approval of Reasonably Available Control Technology Plans and Permits; Public Hearing

The City of Philadelphia, Department of Public Health, Air Management Services, will conduct a public hearing on Tuesday, April 18, 2000, which was originally scheduled for Wednesday, January 26, 2000, in the Auditorium of the Medical Examiners Office, Spelman Building, 321 University Avenue, beginning promptly at 6 p.m. and continuing to 8 p.m. or the conclusion of testimony. The hearing is being held to receive comments from the public on the proposed approval, by the Department, of Reasonably Available Control Technology (RACT) plans and permit amendments, related to emissions of nitrogen oxides (NOx) and volatile organic compounds (VOCs), submitted by the facilities listed:

PLID 01501: Sunoco, Inc. (R&M) (3144 Passyunk Avenue, Philadelphia, PA 19145) Sunoco shall install ultra-low NOx burners on six combustion sources and use combustion tuning on all other heaters and boilers. Sunoco shall follow good combustion practices to reduce NOx from its FCCU. Sunoco shall utilize a fugitive emissions leak detection and repair program for a tank farm and related piping. Sunoco shall utilize a monitoring/inspection and maintenance-monitoring program for VOC fugitive emissions from cooling towers.

PLID 01533: O'Brien Cogeneration—Northeast (O'Brien—NE) (Northeast Water Pollution Control Plant, 3900 Richmond Street, Philadelphia, PA 19137) O'Brien—NE is proposing to amend the previously issued RACT plan approval. The monitoring program for the diesel and gas engines no longer includes compression ratio as one of the operating parameters (determined

impractical and ineffective). A semiannual routine maintenance program, including the completion of a Generator Set Evaluation Report form, has been added for each engine.

PLID 01534: O'Brien Cogeneration—Southwest (O'Brien—SW) (Southwest Water Pollution Control Plant, 8200 Enterprise Avenue, Philadelphia, PA 19153) O'Brien—SW is proposing to amend the previously issued RACT plan approval. The monitoring program for the diesel and gas engines no longer includes compression ratio as one of the operating parameters (determined impractical and ineffective). A semiannual routine maintenance program, including the completion of a Generator Set Evaluation Report form, has been added for each engine.

PLID 01561: Aldan Rubber Co. (Aldan) (2701 East Tioga Street, Philadelphia, PA 19134) Aldan shall control VOC emissions from the Mixing Churns and Spread Coaters by using a Carbon Adsorber Unit.

PLID 02052: Sun Chemical (Sun) (3301 Hunting Park Avenue, Philadelphia, PA 19129) Sun shall place lids on all mixing tanks, excluding water based and paste inks. Covers will be placed over all storage vessels, except during filling and removing the contents, excluding water based and paste inks. Vapor return lines shall be used on the storage tanks when a delivery tank truck is equipped with a vapor return line connection.

PLID 02197: SBF Communication Graphics (SBF) (3747 Ridge Avenue, Philadelphia, PA 19132) SBF shall use material substitution for inks, fountain and cleaning solutions to reduce VOC emissions from the printing operations.

PLID 02255: Smith-Edwards-Dunlap Co. (2867 East Allegheny Avenue, Philadelphia, PA 19134) Smith-Edwards-Dunlap, Company is proposing to amend the previously issued RACT plan approval. Smith-Edwards-Dunlap, Company shall now use cleaning solutions that are less than 30% by weight as applied or contain a VOC composite partial vapor pressure less than 10 mm Hg at 68°F. The use of cleaning solutions not meeting either of these conditions is permitted provided that the quantity used does not exceed 55 gallons over any 12-month rolling period.

PLID 02260: Graphic Arts, Inc. (4100 Chestnut Street, Philadelphia, PA 19104) Graphic Arts, Inc. is proposing to amend the previously issued RACT plan approval. Graphic Arts, Inc. shall now use cleaning solutions that are less than 30% by weight as applied or contain a VOC composite partial vapor pressure less than 10 mm Hg at 68°F. The use of cleaning solutions not meeting either of these conditions is permitted provided that the quantity used does not exceed 55 gallons over any 12-month rolling period.

PLID 03679: Braceland Brothers, Inc. (7625 Suffolk Avenue, Philadelphia, PA 19153) Braceland Brothers, Inc. shall use material substitution for inks, fountain and cleaning solutions to reduce VOC emissions from the printing operations.

PLID 07721: Pearl Pressman Liberty (912 North Fifth Street, Philadelphia, PA 19123) Pearl Pressman Liberty is proposing to amend the previously issued RACT plan approval. Pearl Pressman Liberty shall now use cleaning solutions that are less than 30% by weight as applied or contain a VOC composite partial vapor pressure less than 10 mm Hg at 68°F. The use of cleaning solutions not meeting either of these conditions is permitted provided that the quantity used does not exceed 55 gallons over any 12-month rolling period.

ted provided that the quantity used does not exceed 55 gallons over any 12-month rolling period.

The RACT proposals have been submitted under requirements of Title 25 of the Pennsylvania Code, Chapter 129, Stationary Sources of NOx and VOCs (129.91—129.95). Final RACT plan and permit approval actions will be submitted to the Department of Environmental Protection and the United States Environmental Protection Agency as formal revisions to the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality.

Copies of the proposals and other supporting information are available for public inspection at the offices of Air Management Services (AMS), 321 University Avenue, Philadelphia, PA 19104. For further information, please contact Thomas Huynh, Chief of Source Registration at (215) 685-7572.

Anyone interested in testifying on the proposals at the public hearing is requested to call or write AMS (as indicated above) to be placed on the hearing agenda. It is also requested that written copies of testimony be provided for the hearing record. All written comments on the proposals must be received by AMS by April 18, 2000, in order to be considered.

Persons with a disability, who desire to attend the public hearing and may require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact AMS at (215) 685-7572 to discuss how the Department may accommodate their needs.

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (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 such certification.

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

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

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

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

Coal Applications Received

65840103. M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701). Application received to revise permit to change the postmining land use from forest land to agricultural land at an existing bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 133.5 acres. Receiving streams: Stony Run to Conemaugh River. Application received: March 7, 2000.

65960105. M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701). Application received to revise permit to change the postmining land use from forest land to agricultural land at an existing bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 165.6 acres. Receiving streams: unnamed tributary to Stony Run and Stony Run. Application received: March 7, 2000.

02950102. Robinson Coal Company (200 Neville Rd., Neville Island, PA 15225). Renewal application received for continued reclamation of a bituminous surface mine located in Robinson and North Fayette Townships, **Washington and Allegheny Counties**, affecting 100.7 acres. Receiving streams: one unnamed tributary to North Branch of Robinson Run. Renewal application received: March 10, 2000.

02890106. Robinson Coal Company (200 Neville Rd., Neville Island, PA 15225). Renewal application received for continued reclamation of a bituminous surface mine located in North Fayette Township, **Allegheny County**, affecting 104.0 acres. Receiving streams: North Branch of Robinson Run to Robinson Run to Chartiers Run. Renewal application received: March 10, 2000.

65880113. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717-7961). Renewal application received

for operation and reclamation of a bituminous surface auger mine located in Derry Township, **Westmoreland County**, affecting 133.3 acres. Receiving streams: unnamed tributaries of Conemaugh River and unnamed tributaries of McGee Run. Renewal application received: March 13, 2000.

63823037. Bologna Coal Company (Box 271, Burgettstown, PA 15021). Renewal application received for continued reclamation of a bituminous surface mine located in Jefferson Township, **Washington County**, affecting 206.52 acres. Receiving streams: unnamed tributary to Scotts Run to Cross Creek to the Ohio River. Renewal application received: March 14, 2000.

65840117. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717-7960). Renewal application received for continued reclamation of a bituminous surface mine located in Salem Township, **Westmoreland County**, affecting 134.45 acres. Receiving streams: unnamed tributary to Beaver Run. Renewal application received: March 15, 2000.

03990110. Milestone Crushed, Inc. (521 South Street, Clarion, PA 16214). Application received for commencement, operation and reclamation of a bituminous surface mine located in Redbank Township, **Armstrong County**, proposed to affect 81.9 acres. Receiving streams: unnamed tributaries to Redbank Creek to Redbank Creek and Redbank Creek to the Allegheny River. Application received: March 14, 2000.

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

56673133. Permit Renewal for reclamation only, **Soberdash Coal Company** (R. D. 2, Box 55A, Dunbar, PA 15431), for continued restoration of a bituminous surface mine in Black Township, **Somerset County**, affecting 507.6 acres, receiving stream unnamed tributary to Wilson Creek; to Wilson Creek and to Weimer Run. Application received March 14, 2000.

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

54850107R3. Lone Eagle Coal Company, Inc. (P. O. Box 210, Seltzer, PA 17974), renewal of an existing anthracite surface mine operation in Foster Township, **Schuylkill County** affecting 59.93 acres, receiving stream—none. Application received March 16, 2000.

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

32733708. Pennsylvania Mines Corporation (P. O. Box 367, Ebensburg, PA 15931), to renew the permit for the Greenwich #1 coal refuse disposal area in Green and Susquehanna Townships, **Indiana and Cambria Counties** to renew an existing coal refuse disposal permit and modify the surface water monitoring plan at the site, no additional discharges. Application received March 1, 2000.

63831302. Eighty Four Mining Co. (P. O. Box 284, Eighty Four, PA 15330), to revise the permit for the Mine No. 84 in Amwell Township, **Washington County** to add 20 acres to the surface permit area and NPDES 019 at Hallam Air Shaft with seven boreholes and E & S Controls, NPDES 019, tributary to Redd Run. Application received March 6, 2000.

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

Noncoal Applications Received

13000301. Alliance Sand Company (51 Tannery Road, Somerville, NJ 08876), commencement, operation

and restoration of a quarry operation in Lower Towamensing Township, **Carbon County** affecting 50.0 acres, receiving stream—Sleepy Hollow Run. Application received March 9, 2000.

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

37940305. Troy Sand & Gravel, Inc. (R. R. 2, Box 226B, Golf Course Road, Volant, PA 16156). Transfer of an existing sand and gravel permit operation in Plain Grove Township, **Lancaster County** affecting 35.5 acres. Receiving streams: One unnamed tributary to Taylor Run. Transfer from Donald Temple. Application received March 14, 2000.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval, and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

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

E02-1300. Encroachment. **Municipality of Penn Hills**, 12245 Frankstown Road, Penn Hills, PA 15235. To construct and maintain a stream enclosure consisting of a pipe arch culvert having a span of 79 inches with an underclearance of 68 inches in the channel of an unnamed tributary to Plum Creek (WWF) to provide access to a proposed maintenance facility located on the south side of Leechburg Road, approximately 900 feet east from the intersection of Leechburg Road and Sentry Avenue (Braddock, PA Quadrangle N: 20.4 inches; W: 6.4 inches) in the Municipality of Penn Hills, **Allegheny County**.

E63-484. Encroachment. **Cherry Valley Lake Development Corporation**, P. O. Box 273, Atlasburg, PA 15004. To construct and maintain an arch culvert having a span of 21.3 feet with an underclearance of 7.8 feet in the channel of Raccoon Creek (WWF) to provide access for the Cherry Lake Residential Development located just

downstream from the Cherry Valley Reservoir (Midway, PA Quadrangle N: 15.3 inches; W: 11.4 inches) in Mount Pleasant Township, **Washington County**.

E65-755. Encroachment. **Premier Hospitality Group**, 2801 Freeport Road, Pittsburgh, PA 15238. To place and maintain fill in 0.1163 acre of wetlands (PEM) and to construct 0.117 acre (PEM) of replacement wetlands for the purpose of developing a motel. The project is located off of S. R. 3093 and Bair Boulevard (Mount Pleasant, PA Quadrangle N: 16.9 inches; W: 1.8 inches) in New Stanton Borough, **Westmoreland County**.

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

E46-862. Encroachment. **Blue Route Industrial Center, Inc.**, 600 Old Elm Avenue, Conshohocken, PA 19428. To relocate approximately 2,700 linear feet of an intermittent segment of Plymouth Creek (WWF) and associated flood plain and to construct and maintain approximately 2,140 linear feet of new channel associated with the proposed Blue Route Industrial Center. This site is located approximately 5,000 feet southwest from the intersection of Ridge Pike and Alanwood Road, Norristown, PA Quadrangle; beginning at N: 16.35 inches; W: 8.7 inches and ending at N: 15.0 inches; W: 8.6 inches) in Plymouth Township, **Montgomery County**.

E23-395. Encroachment. **Harper Associates**, P. O. Box 384, Ridley Park, PA 19078-0384. To construct and maintain the following activities associated with the Ridley Shopping Center;

1) To extend and maintain the downstream side of an existing 10-foot × 5-foot stream enclosure by 990 linear feet in and along an unnamed tributary to Little Crum Creek.

2) To enclose and maintain 320 linear feet of an unnamed tributary to Little Crum Creek to facilitate stormwater management improvements.

3) To place fill in 0.24 acre of wetlands.

The site is located approximately 500 feet southeast of the intersection of MacDade Blvd. and Monte Vista Avenue, Lansdowne, PA USGS Quadrangle (N: 2.0 inches; W: 10.8 inches) in Ridley Township, **Delaware County**. The applicant proposes to construct 0.5 acre of replacement wetlands.

E46-861. Encroachment. **Lower Salford Township**, 474 Main Street, Harleysville, PA 19438. To enlarge an existing pond to serve as a stormwater management facility and to reroute stream flow through the proposed basin which will eliminate 125 linear feet of open channel along an unnamed tributary to the West Branch of Skippack Creek (TSF). This site is located at the proposed Lower Salford Township Municipal Building Facility located off of Sumneytown Pike (SR 0063) and Kulp Road (Perkiomenville, PA Quadrangle N: 4.9 inches; W: 0.5 inch) in Lower Salford Township, **Montgomery County**.

E15-638. Encroachment. **Southeast Chester County Refuse Authority**, P. O. Box 221, Kennett Square, PA 19348-2215. To place and maintain 640 linear feet of 12-inch perforated pipe and associated fill in an unnamed perennial tributary of the East Branch of White Clay Creek (CWF) and 0.11 acre of adjacent wetlands (PSS). This work will function as a "french drain" to facilitate the South Area expansion of the Southeastern Chester County Refuse Authority (SECCRA) Landfill. Work also includes modification to an existing non-jurisdictional dam and associated 0.48 acre of reservoir (POW). The

project is located approximately 2,500 feet southeast of the intersection of Waller Road and Gap-Newport Road (SR 0041) (West Grove, PA-DEL Quadrangle N: 20.9 inches; W: 12.8 inches) in London Grove Township, **Chester County**. The applicant proposes to compensate for adverse impacts to the wetlands and other regulated waters of the Commonwealth by constructing 640 linear feet of replacement stream channel, 046 acre of wetland and 1.03 acre reservoir (POW) as a mitigative measure.

E09-798. Encroachment. **Warrington Township**, 852 Easton Road, Warrington, PA 18976. To construct and maintain a low flow pedestrian footbridge spanning 33 feet across an unnamed tributary of the Little Neshaminy Creek (WWF, MF). This bridge will be constructed to facilitate a trail system at the Bradford Dam Park. The site is located approximately 2,750 feet north of the intersection of County Line Road and Park Road, (Ambler, PA USGS Quadrangle N: 19.9 inches; W: 5.4 inches) in Warrington Township, **Bucks County**.

Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E40-542. Encroachment. **Edward Lukashewski**, R. R. 2, Box 177, Wapwallopen, PA 18660. To operate and maintain an existing peat mining operation in 9.9 acres of (PFO) wetlands. The project, known as the Lukashewski Peat Mining Project, is located on the north side of St. Mary's Road, immediately northeast of the Hollenback/Dorrance Township boundary line (Sybertsville, PA Quadrangle N: 16.8 inches; W: 6.6 inches), Dorrance Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E40-543. Encroachment. **Andrew Kopczynski**, 51 Sterling Avenue, Dallas, PA 18612. To impact approximately 1.7 acres of PEM/SS wetlands for the purpose of constructing an access road and stormwater detention basin associated with the proposed Amber Woods 20-lot residential subdivision. The project is located on the southeast side of Township Road T812 (Jackson Road), approximately 0.2 mile west of the intersection of T812 and T795 (Kingston, PA Quadrangle N: 10.0 inches; W: 16.2 inches), Jackson Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E40-546. Encroachment. **Mark and Deborah Sobeck**, R. R. 3, Box 192, Pole 210, Lakeside Drive, Harveys Lake, PA 18618-9404. To modify and maintain an existing pile supported boat dock and boat house in Harveys Lake. The modified dock will have a surface area of approximately 1,425 S. F. and will extend 50 feet front the shore. The project is located at Pole 210 approximately 0.4 mile east of the intersection of S. R. 0415 and S. R. 1055 (Harveys Lake, PA Quadrangle N: 5.2 inches; W: 7.3 inches), Harveys Lake Borough, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E45-389. Encroachment. **Fifth Street Corporation**, 711 Sarah Street, Stroudsburg, PA 18360. To construct and maintain a 30-inch diameter stormwater outfall structure along Big Meadow Run (HQ-CWF). The project is associated with a 41-lot residential subdivision known as Fifth Street Corporation—Section A (Albert Tract) and is located northwest of the intersection of Horizon Drive and Edgement Road (Stroudsburg, PA Quadrangle N: 21.5 inches; W: 11.9 inches), Stroud Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

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

E01-212. Encroachment. **Mark Burkhead**, PA Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure, construct and maintain a reinforced concrete box culvert having a 7.0 meters span with a 1.576 meters underclearance in Mud Run (WWF) on SR 0094-Section 009 (Hampton, PA Quadrangle N: 17.06 inches; W: 10.94 inches) in Huntington Township, **Adams County**.

E01-213. Encroachment. **Mark Burkhead**, PA Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure, construct and maintain a reinforced concrete box culvert having a span of 6.0 meters and an underclearance of 1.86 meters with concrete baffles in Mud Run (WWF) on SR 0094, Section 009 (Hampton, PA Quadrangle N: 20.5 inches; W: 12.35 inches) in Latimore Township, **Adams County**.

E05-282. Encroachment. **Dixie Tew**, 3001 Teaberry Road, Bedford, PA 15522. To construct a single span timber foot bridge, having a span of 13 feet and a minimum underclearance of 3.0 feet, across an unnamed tributary to Shobers Run (HQ-CWF) located just off Teaberry Road about 0.5 mile east of its intersection with SR 0220 (Rainsburg, PA Quadrangle N: 15.4 inches; W: 7.7 inches) in Bedford Township, **Bedford County**.

E21-306. Encroachment. **TEPPCO**, 71—73 Denison Parkway, Corning, NY 14830. To remove an existing exposed gas line and to construct and maintain a 6-inch gas line under the bed and across the channel of the Conodoguinet Creek at a point 3,700 feet upstream of Bernheisel Bridge Road (Wertzville, PA Quadrangle N: 3.5 inches; W: 4.2 inches) in Middlesex Township, **Cumberland County**.

E21-307. Encroachment. **Mark Burkhead**, PA Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To relocate the channel and to impact 0.18 acre of wetlands adjacent to a tributary to Yellow Breeches Creek at a point along Route 15 approximately 900 feet south of the Route 114 intersection for the purpose of improving the Route 15/Lisburn Road interchange (Mechanicsburg, PA Quadrangle N: 6.5 inches; W: 0.5 inch) in Upper Allen Township, **Cumberland County**.

E28-275. Encroachment. **Ralph Michael**, 3300 Hill Road, Greencastle, PA 17225. To construct and maintain a 6-foot wide × 100-foot span fabricated wood superstructure footbridge with an average underclearance of 8-foot across the Conococheague Creek. The footbridge will rest on concrete abutments set on each bank and have wooden end ramps for access to adjacent farmlands on the east side of the stream located about 7,000 feet downstream of SR 16 (Williamson, PA Quadrangle N: 6.6 inches; W: 3.0 inches) in Antrim Township, **Franklin County**.

E31-158. Encroachment. **PA Department of Transportation**, Engineering District 9-0, 1620 Juniata Street, Hollidaysburg, PA 16648. To remove an existing single span bridge and to construct and maintain a single span, prestressed concrete I-beam bridge, having a clear normal span of 112.8 feet and an average underclearance of 23.9 feet across Aughwick Creek located 60 feet downstream of the existing bridge on SR 0103-001, Section 002, Segment

090, Offset 0060, Sta 54+88.00 (Aughwick, PA Quadrangle N: 20.2 inches; W: 11.8 inches) in Shirley Township, **Huntingdon County**.

E31-159. Encroachment. **PA Department of Transportation**, Engineering District 9-0, 1620 Juniata Street, Hollidaysburg, PA 16648. To remove an existing two span bridge and to construct and maintain a three span I-Beam Bridge having left and right clear spans of 109.8 feet each, a center span of 137.3 feet with a minimum underclearance of 24.1 feet and to place fill temporarily in 0.03 acre of associated wetlands located on SR 0655, Section 002 located at Mapleton Depot (Mount Union, PA Quadrangle N: 3.6 inches; W: 9.0 inches) in Mapleton Borough and Brady Township, **Huntingdon County**.

E36-688. Encroachment. **Mark Burkhead**, PA Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure, construct and maintain a reinforced precast concrete box culvert having a 20 foot clear span with a 3.5-foot underclearance in a tributary channel to the Little Conestoga Creek (TSF) on SR 3017, Segment 0250, Offset 1167 (Safe Harbor, PA Quadrangle N: 21 inches; W: 4.7 inches) in Manor Township, **Lancaster County**.

E44-098. Encroachment. **PA Lions Beacon Lodge Camp, Inc.**, Janet Snyder, 114 SR 103 South, Mount Union, PA 17066. To repair or replace failed existing gabion baskets in and along about 1,300 linear feet of stream channel at various locations and to remove about 230 cubic yards of debris and gravel deposits in about 850 linear feet of stream channel at various locations in an unnamed tributary to the Juniata River (HQ-CWF) for the purpose of repairing damage to stream bank protection structures caused by the January 19, 1996 flood event located in a 1,800 foot reach of stream channel in Sugar Valley at Beacon Lodge (Aughwick, PA Quadrangle N: 22.5 inches; W: 9.63 inches) in Wayne Township, **Mifflin County**.

E67-684. Encroachment. **Richard Poole**, Markey Brickyard Ind. Dev., 150 Farm Lane Drive, York, PA 17402. To fill 0.06 acre of wetlands adjacent to a tributary channel to the Codorus Creek (WWF) for development of the Markey Brickyard Industrial Park (York Haven, PA Quadrangle N: 6.4 inches; W: 13.9 inches) in East Manchester Township, **York County**. The permittee is required to provide 0.06 acre of replacement wetlands.

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

E08-357. Encroachment. **Consumer Pa. Water Co.**, P. O. Box 160, Sayre, PA 18840. To maintain an emergency outfall pipe discharge from a water supply tank in an unnamed tributary located 1.5 miles northwest of the intersection of SR 3040 and SR 4022 (Sayre, Pa Quadrangle N: 20.62 inches; W: 11.52 inches) in Athens Township, **Bradford County**. This project has already been constructed.

E14-373. Encroachment. **John and Kathy Eckley**, 561 Rattlesnake Pike, Julian, PA 16844. To maintain a bank-to-bank wooden bridge with a 40-foot clear span and a 4-foot underclearance across Dewitt Run located 0.8 mile north on Rattlesnake Pike from its intersection with SR322 (Bear Knob, PA Quadrangle N: 7.03 inches; W: 1.96 inches) in Union Township, **Centre County**. The project has already been constructed and impacts 10 linear feet of Dewitt Run, which is classified as a Cold Water Fishery.

E14-374. Encroachment. **Borough of Bellefonte**, 236 W. Lamb St., Bellefonte, PA 16823. To remove a portion of an existing stream bank wall and to construct and maintain a 40-foot long by 12-foot concrete retaining wall on the right bank of Spring Creek located 50 feet upstream of the High Street Bridge (Bellefonte, PA Quadrangle N: 6.60 inches; W: 4.43 inches) in the Borough of Bellefonte, **Centre County**. This project proposes to impact 40 linear feet of Spring Creek, which is classified as a Cold Water Fishery.

E53-342. Encroachment. **Adelphia Communications Corporation**, Main at Water Street, Coudersport, PA 16915-1141. To place fill into a 0.45 acre isolated palustrine emergent wetland for the purpose of constructing a data center electric substation. The applicant proposes to meet the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project. The project site is located near the southwestern terminus of Bank Street (Coudersport, PA Quadrangle N: 2.9 inches; W: 3.8 inches) in the Borough of Coudersport, **Potter County**.

E60-142. Encroachment. **Pennsylvania Department of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a single span concrete spread box beam bridge with a normal span of 38 feet and underclearance of 6.5 feet across an unnamed tributary to Buffalo Creek located on S. R. 3003 approximately 0.5 mile east of S. R. 3005 (Hartleton, PA Quadrangle N: 8.9 inches; W: 0.33 inch) in Lewis Township, **Union County**. Estimated stream disturbance is 70 feet. Estimated permanent wetland impact is 0.003 acre; stream classification is CWF.

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.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does

not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

Permits Issued:

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Permit No. PA-0008524. Industrial waste. **Intersil Corporation**, 125 Crestwood Road, Mountaintop, PA 18707-2189 is authorized to discharge from a facility located in Wright Township, **Luzerne County**, to Bow Creek.

NPDES Permit PA-0061042. Mapleway, Inc., 1149 Old Trail Road, Clarks Summit, PA 18411 is authorized to discharge from a facility located in Glenburn Township, **Lackawanna County**, to wet weather channel to Ackerly Creek.

NPDES Permit PA-0064025. KBM Regional Authority, P. O. Box 55, McAdoo, PA 18237 is authorized to discharge from a facility located in Kline Township, **Schuylkill County**, to Catawissa Creek.

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

NPDES Permit No. PA0025917. Amendment No. 2. Sewage. **Chalfont-New Britain Township Joint Sewage Authority**, 1645 Upper State Road, Doylestown, PA 18901. The permit has been amended to include a maximum monthly flow of 6.0 mgd located in Doylestown Township, **Bucks County** into the Neshaminy Creek.

NPDES Permit No. PA0026816. Sewerage. **East Norriton-Plymouth Whitpain Joint Sewer Authority**, 200 Ross Street, Norristown, PA 19401 is authorized to discharge from a facility located in Plymouth Township, **Montgomery County**, into the Schuylkill River.

WQM Permit No. 0999427. Sewerage. **Chalfont-New Britain Township Joint Sewage Authority**, 1645 Upper State Road, Doylestown, PA 18901. Applicant is granted approval for the construction and operation to rerate sewage treatment plan for a maximum monthly flow to 6 mgd located in Doylestown Township, **Bucks County**.

WQM Permit No. 4600401. Sewage. **Upper Perkiomen School District**, 201 West Fifth Street, East Greenville, PA 18041. Applicant is granted approval for the construction and operation to upgrade and expand the sewage treatment plant located in Marlborough Township, **Montgomery County**

WQM Permit No. 0900401. Sewerage. **Warwick Township Water and Sewer Authority**, 1733 Township Greene, Jamison, PA 18929. Applicant is granted approval for the construction and operation of a pump station to serve Estate at Dark Hollow residential development located in Warwick Township, **Bucks County**.

NPDES Permit No. PA026166. Sewage, **Warminster Municipal Authority**, 415 Gibson Avenue, Warminster, PA 18974-4163, Warminster Township, **Bucks County**.

The following notice reflects changes to the notice published in the October 16, 1999, *Pennsylvania Bulletin*: Based on additional sample results the monitoring requirements for lead; 4-6 Dinitro-O-Cresol; pentachlorophenol; and benzidine are removed.

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

NPDES Permit No. PA0098922. Sewage. **Freedom Area School District**, 1701 Eighth Avenue, Freedom, PA 15042 is authorized to discharge from a facility located at Big Knob Elementary School STP, New Sewickley Township, **Beaver County** to receiving waters named Unnamed Tributary of Pine Run.

Permit No. 8204-S-A1. Sewerage. **Elizabeth Borough Municipal Authority**, P. O. Box 268, Elizabeth, PA 15037. Construction of Interceptor Sewer, Combined Sewer Overflow Regulator and CSO Outfall Reconstruction Relocation located in Elizabeth Borough, **Allegheny County** to serve Elizabeth Borough.

Permit No. 6399407. Sewerage. **Peters Township Sanitary Authority**, 3244 Washington Road, Suite 105, McMurray, PA 15317-3153. Construction of pump station and Phase I sanitary sewers and receiving interceptor section replacement located in Peters Township, **Washington County** to serve Hidden Valley Manor.

Permit No. 6599406. Sewerage. **Rostraver Township Sewage Authority**, 202 Port Royal Road, Rostraver, PA 15012. Construction of sewers and pump stations located in Rostraver Township, **Westmoreland County** to serve Collinsburg and West Fellsburg Villages.

Permit No. 6599407. Sewage. **Rostraver Township Sewage Authority**, 202 Port Royal Road, Rostraver, PA 15012. Construction of collector sewers located in Rostraver Township, **Westmoreland County** to serve West Fellsburg.

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

Permit No. PA 0085219. Industrial waste. **Department of Conservation & Natural Resources**, Bureau of State Parks, Gifford Pinchot State Park, (Water Treatment Facility), 2200 Rosstown Road, Lewisberry, PA 17339 is authorized to discharge from a facility located in Warrington Township, **York County** to the receiving waters named Beaver Creek (Conewago Lake).

Permit No. PAG043526. Sewerage—Single Family Residence. **Debra E. Weimert**, 575 Carberry Road, Saxton, PA 16678 is authorized to discharge from a facility located in Liberty Township, **Bedford County** to the receiving waters named unnamed tributary to Ravers Run.

Permit No. PA 0082601. Sewerage. **James Decker, Jr.**, Hartslog Court, R. R. 7, Box 919, Altoona, PA 16601 is authorized to discharge from a facility located in Porter Township, **Huntingdon County** to the receiving waters named Crooked Creek.

Permit No. PA 0044741. Industrial waste. **Hanover Foods Corporation**, P. O. Box 334, Hanover, PA 17331 is authorized to discharge from a facility located in Penn Township, **York County** to the receiving waters named Oil Creek.

Permit No. PA 0086924. Industrial waste. **FCI USA, Inc.**, Lenape Drive, R. R. 1, Box 212, Mount Union, PA 17066 is authorized to discharge from a facility located in Shirley Township, **Huntingdon County** to the receiving waters named Juniata River.

Permit No. PA 0086223. Sewerage. **Barton E. Short**, 5451 Division Highway, Narvon, PA 17555 is authorized

to discharge from a facility located in East Earl Township, **Lancaster County** to the receiving waters named Conestoga River.

Permit No. PA 0086550. Sewerage. **Michael and Linda Conrad**, 18 Michael Lane, Alburdis, PA 18011 is authorized to discharge from a facility located in Longswamp Township, **Berks County** to the receiving waters named Swabia Creek.

Permit No. PA 0086185. Sewerage. **Washington Township Sewer Authority**, (Loyalton Area STP), R. R. 1, Box 440A, Elizabethville, PA 17023 is authorized to discharge from a facility located in Washington Township, **Dauphin County** to the receiving waters named Wiconisco Creek (via wetland).

Permit No. PAG043631. Sewerage—Single Family Residence. **Jaime L. Kirlin**, 5454 Oley Turnpike Road, Reading, PA 19606 is authorized to discharge from a facility located in Exeter Township, **Berks County** to the receiving waters named unnamed tributary to Monocacy Creek.

Permit No. 6700401. Sewerage. **Windsor Township**, 1480 Windsor Road, P. O. Box 458, Red Lion, PA 17356. This permit approves the construction of Pump Station in Windsor Township, **York County**.

Permit No. 068604-1 Amendment 00-1. Sewerage. **City of Reading**, 815 Washington Street, Reading, PA 19601. This permit amendment approves the modification/construction of Pump Station in City of Reading, **Berks County**.

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

NPDES Permit No. PA0221791. Sewerage. **Cranberry Township (Alcorne Point Subdivision)**, P. O. Box 378, Seneca, PA 16346 is authorized to discharge from a facility located in Cranberry Township, **Venango County** to the Allegheny River.

NPDES Permit No. PA0024392. Sewerage. **Borough of Rouseville**, 8 Main Street, P. O. Box 317, Rouseville, PA 16344-0317 is authorized to discharge from a facility located in Rouseville Borough, **Venango County** to Oil Creek.

NPDES Permit No. PA0102482. Sewerage. **Green Acres Mobile Home Court**, 797 Pittsburgh Road, Butler, PA 16002 is authorized to discharge from a facility located in Penn Township, **Butler County** to an unnamed tributary to Glade Run.

NPDES Permit No. PA0033383. Sewerage. **Cherry Run Camp Meeting Association**, 2855 Cherry Run Road, Rimersburg, PA 16428-5609 is authorized to discharge from a facility located in Toby Township, **Clarion County** to Cherry Run.

NPDES Permit No. PA0221317. Sewerage. **Allegheny-Clarion Valley Development Corporation**, P. O. Box 48, R. D. 3, Parker, PA 16049 is authorized to discharge from a facility located in Allegheny Township, **Butler County** to an unnamed tributary to Little Scrubgrass Creek.

INDIVIDUAL PERMITS

(PAR)

Approvals to Use NPDES and/or Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permits to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, 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 (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8, and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

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 General Permit Types

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

*List of
General Permit Types*

- PAG-9 General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site
- PAG-10 General Permit For Discharges Resulting From Hydrostatic Testing of Tanks and Pipelines

General Permit Type—PAG-2

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Bradford County Athens Township	PAR100820	Queen Esters Estates Mary T. Sullivan 632 Stevenson St. Sayre, PA 18840	Unt. to Chemung River	Bradford County CD R. R. 5, Box 5030C Stoll Natural Resource Ctr. Towanda, PA 18848 (570) 265-5539
Luzerne County Butler/Hazle Townships	PAR10R192	Faith United Church of Christ P. O. Box 369 Hazleton, PA 18201	Black Creek	Luzerne CD (570) 674-7991
Luzerne County Hanover Township	PAR10R200	The Greater Wilkes-Barre Ind. Fund., Inc. 2 Public Square P. O. Box 5340 Wilkes-Barre, PA 18710-5340	Unnamed Trib. to Warrior Creek	Luzerne CD (570) 674-7991
Schuylkill County Foster Township	PAR105800	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square, 5th Floor Wilkes-Barre, PA 18711-0790	W. Branch of Schuylkill River	Schuylkill CD (570) 622-3742
Germany Township Adams County	PAR-10-0080	Mummert Enterprises, Inc. 1945 Hanover Pike Littlestown, PA 17340	Piney Creek	Adams County CD 57 North Fifth Street Gettysburg, PA 17325 (717) 334-0636
Oxford Township Adams County	PAR-10-0096	Oxford Township Supervisors 7801 Hanover Road New Oxford, PA 17350	South Branch Conewago Creek	Adams County CD 57 North Fifth Street Gettysburg, PA 17325 (717) 334-0636
Napier Township Bedford County	PAR-10-0447	Henry W. Sholtzfus 187 Marteeny Road Somerset, PA 15501	Tributary to the Raystown Branch	Bedford County CD 702 West Pitt Street, Suite 4 Bedford, PA 15009 (814) 623-6706
Robeson Township Berks County	PAR-10-C041	Quaker Ridge Subdivision Greg Eshelman R. D. 1, Box 1325 Mohnton, PA 19540	Beaver Run	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Robeson Township Berks County	PAR-10-C042	Ponds at Buck Hollow Phase 2 John Smith/Forino Dev. Company 555 Mt. Home Road Sinking Spring, PA 19608	Beaver Run	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Longswamp Township Berks County	PAR-10-C232	Mountain Village Linda Beiler, VP Audubon Land Dev. Corp. 2620 Egypt Road Norristown, PA 17403	Schuylkill River	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Greene Township Franklin County	PAR-10-M199	Harry Fox, Jr. East Midnight Meadows 15 Mintego Court Dillsburg, PA 17019	Phillaman Run	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Bristol Borough/Bristol Township Bucks County	PAR10-D161-R	PA Department of Transportation 7000 Geerdes Road, King of Prussia, PA	Neshaminy and Otter Creeks (WWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Rockhill Township Bucks County	PAR10-D360	Heritage Building Group 3326 Old York Road Furlong, PA	East Branch Perkiomen Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Falls Township Bucks County	PAR10-D458	Robert T. and William J. Healey c/o Viking 1 Makefield Road Morrisville, PA	Rock Run (WWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Solebury Township Bucks County	PAR10-D492	Quentin Dancer 2188 Detwiler Court Harleysville, PA	Pidcock Creek (WWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Newtown Township Bucks County	PAR10-D499	The Elliott Building Group, Ltd. 406 Glen Eagles Drive	Newtown Creek (NC)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Merion Township Montgomery County	PAR10-T553	Upper Merion Twp. Transportation Auth. 175 West Valley Forge Road King of Prussia, PA	Crow Creek (WWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Dublin Township Montgomery County	PAR10-T599	PA Department of Transportation 7000 Geerdes Road King of Prussia, PA	Sandy Run (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Horsham Township Montgomery County	PAR10-T603	Horsham Township 1025 Horsham Road Horsham, PA	Pennypack Creek (WWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lancaster County East Hempfield Township	PAR123517	Conti Group Companies 222 South Riverside Plaza Suite 900 Chicago, IL 60606	West Branch Little Conestoga Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-4

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Berks County Alsace Township	PAG043635	Lee R. Bierly 1879 Friedensburg Road Reading, PA 19606	Antietam Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Broad Top Township	PAG043636	Broad Top Township 187 Municipal Road P. O. Box 87 Defiance, PA 16633-0057	UNT to Six Mile Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-5

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Westmoreland County Unity Township	PAG056140	BP Exploration & Oil, Inc. 4850 East 49th Street Cuyahoga Heights, OH 44125	UNT of Loyalhanna Creek	Southwest Regional Office: Water Manage- ment Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Mount Joy Township Adams County	PAG-08-3537	White Run Regional Mun. Auth. 2001 Baltimore Pike Gettysburg, PA 17325	Bruce Stein Farm Mount Joy Twp. Adams County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Annville Township South Annville Township North Annville Township Lebanon County	PAG-08-3504	Annville Township P. O. Box 320 Annville, PA 17003	MFS Inc. Farm Annville, North Annville and South Annville Twps. Lebanon County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-9

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Spring Township Perry County	PAG-09-3528	Advanced Septic Services R. R. 1, Box 577 Landisburg, PA 17040	N/A	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Spring Brook Township, Lackawanna County. The Department completed review of Spring Brook Township's Act 537 Plan Update Revision/Special Study dated September, 1999. The Department finds that the Plan Update Revision for the Pump Station DP-3 project is acceptable and hereby grants planning approval.

Spring Brook Township proposes this Special Study to avoid a potential overload condition at the Authority's DP-2 wastewater pumping station. The selected alternative involves construction of an intermediate pump station (DP-3) to be located next to the Township Municipal Building along S. R. 307. This will alleviate potential problems at the existing DP-2 Pump Station. Pump Station DP-3 will have a rated hydraulic capacity of 163 gpm (@ 75 ft. TDH) or 230,400 gpd. All wastewater from the project area will continue to be treated at the existing Spring Brook Township Sewer Authority wastewater treatment plant.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20(a)) (Act 537), and Chapter 71 of the Department's Regulations (25 Pa. Code Ch. 71), the Department will hold Spring Brook Township responsible for the complete and timely implementation of this Plan Update.

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Special Study and this correspondence must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

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

Foxburg Borough, Clarion County.

Foxburg Borough, P. O. Box 236, Foxburg, PA 16036. This approved plan documents capacity and agrees to accept flows from St. Petersburg Borough and Richland Township.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

St. Petersburg Borough and Richland Township, Clarion County.

St. Petersburg Borough Council, P. O. Box 115, Chestnut Street Ext., St. Petersburg, PA 16054, and Richland Township, R. R. 3, Box 220A, Emlenton, PA 16373. This approved project proposes construction of a sewage collection and conveyance system for St. Petersburg Borough and the Route 58 corridor in Richland Township. The new sewer system will be connected to the Foxburg Area Sewer and Water Authority with treatment of sewage at the Foxburg Sewage Treatment Plant.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

SAFE DRINKING WATER

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

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

Permit No. 2399501. Public water supply. **Chester Authority**, P. O. Box 467, Chester, PA 19016-0467. A permit has been issued to Chester Water Authority for the construction of the Broadmeadows Booster Pump Station in Thornbury Township, **Delaware County**. *Type of Facility:* Public Water Supply System *Consulting Engineer:* Catania Engineering Associates, Inc., 520 West MacDade Boulevard, Milmont Park, PA 19033-3311. *Permit to Construct Issued:* March 2, 2000

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

Permit No. 2675501-A1. Public water supply. **Mountain Water Association**, Box 297, Fairchance, PA 15436-0297. *Type of Facility:* Brownfield Hollow Storage Tank *Permit issued for Operation:* March 8, 2000.

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

Permit No. 6799506. Public water supply. **James Dorwart**, 1375 Old Quaker Road, Etters, PA 17319, Fairview Township, **York County**. *Responsible Official:* James Dorwart. *Type of Facility:* Issuance of a Construction Permit authorizing completion of construction needed to utilize Well No. 2, at a rate of up to 90 gallons per minute, as a source of supply for the Dorwart Apartments. Treatment will be provided utilizing existing, previously permitted facilities. *Consulting Engineer:* Jerry Stahlman, P.E., Stallman & Stahlman, Inc., 139 E. Market St., York, PA 17401. *Permit to Construct Issued:* February 29, 2000.

Permit No. 6799504. Public water supply. **Sharps Village North MHP**, 5800 Susquehanna Trail, Manchester, PA 17345, Conewago Township, **York County**. *Responsible Official:* Richard E. Sharp. *Type of Facility:* Issuance of a Construction Permit authorizing completion of construction needed to use Well No. 5 at a rate of 25 gpm. Treatment will be provided by existing, previously permitted, chlorine disinfection facilities. *Consulting Engineer:* Charles A. Kehew, II, P.E., James R. Holley & Assoc., Inc., 18 S. George Street, York, PA 17401. *Permit to Construct Issued:* February 23, 2000.

Permit No. 6799501. Public water supply. **West Manchester Township Authority**. West Manchester Township, **York County**. *Responsible Official:* Samuel Null, Chairperson. *Type of Facility:* Issuance of a permit authorizing use of Well No. 8 at a rate of 160 GPM. Treatment will consist of disinfection with chlorine gas. *Consulting Engineer:* Thomas S. Ladue, P.E., Goodkind & O'dea, Inc., 101 Noble Boulevard, P. O. Box 340, Carlisle, PA 17013. *Permit to Operate Issued:* February 4, 2000.

Permit No. 5098503. Public water supply. **Robert L. Brunner**, Carroll Township, **Perry County**. *Responsible Official:* Robert L. Brunner, P. O. Box 310, Shermans Dale, PA 17090. *Type of Facility:* Issuance of an Operation Permit authorizing utilization of the newly constructed Village Square Apartments community water system. The system consists of two wells, hypochlorite disinfection, finished water storage, finished water pumps

and a distribution system. *Consulting Engineer:* Walter N. Heine, P.E., Walter N. Heine Associates, Inc., Boiling Springs, PA 17007. Permit to Operate Issued: February 23, 2000.

Permit No. 2999501. Public water supply. **McConnellsburg Borough Municipal Authority**, McConnellsburg Borough, **Fulton County**. *Responsible Official:* Max Stenger. *Type of Facility:* A Construction Permit was issued authorizing completion of construction needed to use the Secrist Well as a source of supply at a rate of 125 gpm. Treatment will be limited to disinfection at previously permitted facilities. *Consulting Engineer:* Jose Toledo, P.E., Morris Knowles & Assoc., 103 Smithfield St., Pittsburgh, PA 15222-2203. Permit to Construct Issued: March 1, 2000.

Permit No. 2899504. Public water supply. **Scott Water Company**, Greene Township, **Franklin County**. *Responsible Official:* Clyde A. Scott, 2915 Johnson Drive, Chambersburg, PA 17201. *Type of Facility:* A Construction Permit was issued authorizing completion of construction needed to use Well No. 2 as a source of supply at a rate of 27 gallons per minute. Treatment will be provided via existing, previously permitted facilities. *Consulting Engineer:* Max E. Stoner, P.E., Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011-4334. Permit to Construct Issued: February 29, 2000.

Permit No. 0199505. Public water supply. **Castle Hill MHP**, Straban, **Adams County**. *Responsible Official:* Castle Hill MHP, 2500 Block Old Harrisburg Rd., Gettysburg, PA 17325. *Type of Facility:* Issuance of a Construction Permit authorizing installation of a buried 15,000 gallon finished water storage tank and two finished water pumps. *Consulting Engineer:* Janet R. McNally, P.E., Wm. F. Hill & Associates, Inc., 207 Baltimore St., Gettysburg, PA 17325. Permit to Construct Issued: March 16, 2000.

Permit issued for construction under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

Permit No. 1799501. The Department issued a construction permit to **Country Place Mobile Home Park**, R. R. 2, Box 71, DuBois, PA 15801-9710, Sandy Township, **Clearfield County**. The permit is for construction of a new well and disinfection.

Permit No. 5500501. The Department issued a construction permit to **Shamokin Dam Borough**, 144 West Eighth Avenue, P. O. Box 273, Shamokin Dam, PA 17876, **Snyder County**. The permit is for construction of a new 250,000 gallon elevated finished water storage tank with booster gas chlorination facilities and demolition of the existing tank.

Permit No. 5998501 (Amended). Issued to **Wellsboro Municipal Authority**, 28 Crafton Street, Wellsboro, PA 16901, Wellsboro Borough, **Tioga County** has been amended. This permit with Amended Special Conditions addresses the construction of drinking water supply sources and related appurtenances known as the Wooden Shanty Well, World's End Well and Rock Run Surface Water Intake.

Permit No. Minor Amendment. The Department issued a construction permit to **Consumers Pennsylvania Water Company**, Roaring Creek Division, 204 East

Sunbury Street, Shamokin, PA 17872, City of Shamokin, **Northumberland County**. The permit is for construction of bypass lines at the company's Natalie and Aristes finished water storage tank sites. The tanks currently cannot be taken out of service for maintenance or repair without disruption of service to some of the company's customers. These storage tanks are located in Coal Township, Northumberland County (Natalie tank) and Conyngham Township, Columbia County (Aristes tank) and Conyngham Township, Columbia County (Aristes tank) and are part of the Roaring Creek Division water system.

Permit No. Minor Amendment. The Department issued a construction permit to **Consumers Pennsylvania Water Company**, Roaring Creek Division, 204 East Sunbury Street, Shamokin, PA 17872, City of Shamokin, **Northumberland County**. The permit is for construction of bypass lines at the company's Natalie and Aristes finished water storage tank sites. Consumers Pennsylvania Water Company has proposed installation of a pump priming system at the Bear Gap raw water pumping station and replacement of the three high service pump discharge check valves with cone valves that are appropriate for high pressure use conditions. These pump modifications will be installed in the Roaring Creek Division water system, which provides service to portions of Northumberland, Columbia and Schuylkill Counties.

Permit No. 5797501 Operation Amendment. The Department issued an operation permit amendment to **Laporte Borough**, P. O. Box 171, Laporte, PA 18626, Laporte Borough, **Sullivan County**. The permit amendment is for optimal corrosion control treatment under the lead and copper rule.

HAZARDOUS SITES CLEAN-UP

Under the Act of October 18, 1988

Notice of Prompt Interim Response Under the Hazardous Sites Cleanup Act

Perluke Cooperage Site

Nanticoke City, Luzerne County

The Commonwealth of Pennsylvania, Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), has initiated a prompt interim response at the Perluke Cooperage Site (site). This response has been undertaken under section 505(b) of HSCA (35 P. S. § 6020.505(b)). The site is located at 200 Mosier Street, Nanticoke City, Luzerne County, PA.

The site consisted of an abandoned beer keg wash/repair facility with drums, containers and cylinders of chemicals used at the facility. The Department has removed the following hazardous substances and/or contaminants at the site: caustic soda, nitric acid, various oils and sodium cyanide. The Department also removed cylinders of oxygen and acetylene and 60 linear feet of asbestos. Improper storage and disposal of such materials posed an ongoing threat to public health and safety and the environment.

The objective of the prompt interim response was to remove the hazardous substances and/or contaminants from the site and to safely dispose of them at offsite facilities that have regulatory approvals for the treatment and disposal of such hazardous substances and/or contaminants.

Given the specific circumstances at the site, the Department determined that offsite removal of the hazardous

substances and/or contaminants was the only viable alternative to implement at this site. This response action was needed in a prompt manner to protect public health and safety and the environment.

On February 6, 2000, the Department mobilized at the site to conduct an emergency response to address drums in the building which were exposed after the roof and walls of the building collapsed. The response included characterizing, stabilizing, removing, and disposing of the drums, containers and cylinders in the building. During the emergency response, the building was totally demolished to provide safe access to the drums. The response was completed on February 8, 2000.

This notice is being provided under sections 505(b) and 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of the response action, is available for public review and comment. The administrative record is located at the DEP Northeast Regional Office at 2 Public Square, Wilkes-Barre, Luzerne County and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will be open for comment from April 1, 2000 until June 30, 2000. Persons may submit written comments into the record during this time only, by sending them to Leonard Zelinka, Department Project Officer, at the Department's Northeast Regional Office at 2 Public Square, Wilkes-Barre, PA 18711, in Luzerne County or by delivering them to this office in person.

In addition, persons may present oral comments, for inclusions in the administrative record, at a public hearing. The Department has scheduled the hearing on May 16, 2000 at 10 a.m., at the Department's Northeast Regional Office, Fourth Floor, Lehigh Room. Persons wishing to present comments should register with Leonard Zelinka before May 2, 2000 by telephone at (570) 826-5441 or in writing to Leonard Zelinka at the Department's Northeast Regional Office.

If no person register to present oral comments, by May 2, 2000, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should contact Leonard Zelinka.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should contact Leonard Zelinka or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediations Act (35 P. S. §§ 6026.101—6027.908) and Chapter 250 Administration of Land Recycling Program.

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling

and Environmental Remediations Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has acted upon the following plans and reports.

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

Hyde Park Foundry, Borough of Hyde Park, **Westmoreland County**. National Roll Company, Railroad Avenue, Avonmore, PA 15618 and Daniel J. Barton, Crouse and Company, 400 Penn Center Boulevard, Suite 600, Pittsburgh, PA 15235 have submitted a final report concerning remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX, PHCs and PAHs. The final report did not demonstrate attainment of the site specific standard and was disapproved by the Department on February 26, 2000.

Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

Caterpillar Inc., Area A, Springettsbury Township, **York County**. Earth Tech, Two Market Plaza Way, Mechanicsburg, PA 17055 has submitted a combined remedial investigation/final report concerning the remediation of site soils contaminated with lead and heavy metals. The final report demonstrated attainment of the site-specific standard, and was approved by the Department on March 16, 2000.

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

Proposed Home Depot Facility, Warrington Township, **Bucks County**. Gregory P. Smoot, NTH Consultants Ltd., 860 Springdale Road, Exton, PA 19341, has submitted a Final Report concerning remediation of site

soil contaminated with heavy metals, solvents and BTEX; and groundwater contaminated with solvents. The report demonstrated attainment of Statewide health and site-specific standards was approved by the Department on March 14, 2000.

Norquay Technology, Inc., City of Chester, **Delaware County**. John Van Wagenen, Coventry Environmental Associates, Inc., 991 Ridge Road, Bucktown, PA 19465, has submitted a revised Baseline Remedial Report concerning remediation of site soil contaminated with heavy metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report was approved by the Department on March 7, 2000.

Transit America, Inc., City of Philadelphia, **Philadelphia County** and Lower Moreland Township, **Montgomery County**. Robert S. Hyams, Transit America, Inc., One Red Lion Road, Philadelphia, PA 19115, has submitted a Groundwater Final Report concerning remediation of site groundwater contaminated with BTEX and solvents. The report demonstrated attainment of site-specific standards and was approved by the Department on March 10, 2000.

2900 Samuel Drive Site, Bensalem Township, **Bucks County**. Darryl Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a Site Characterization/Risk Assessment/Cleanup Plan Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report was approved by the Department on March 10, 2000.

Christopher Baxter Residence, City of Philadelphia, **Philadelphia County**. Brian R. Evans, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a Final Report concerning remediation of site soil contaminated with polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard was approved by the Department on March 10, 2000.

Heritage Nissan, Newtown Township, **Delaware County**. Eric S. Poulson, Poulson & Associates, 5 Camby Chase, Media, PA 19063, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard and was approved by the Department on March 7, 2000.

SOLID AND HAZARDOUS WASTE

LICENSE TO TRANSPORT HAZARDOUS WASTE

Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and 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.

Vernon Milling Company, P. O. Box 1617, Vernon, AL 35592; License No. **PA-AH 0348**; license terminated February 9, 2000.

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.

Baltimore Tank Lines, Inc., P. O. Box 1028, Glen Burnie, MD 21060-1028; License No. **PA-AH 0458**; renewal license issued March 16, 2000.

Gemchem, Inc., P. O. Box 384, Lititz, PA 17543; License No. **PA-AH 0259**; renewal license issued March 15, 2000.

R&R Trucking, Incorporated, P. O. Box 545, Duenweg, MO 64841; License No. **PA-AH 0592**; renewal license issued March 16, 2000.

S&D Environmental Services, Inc., 11 Elkins Road, East Brunswick, NJ 08816; License No. **PA-AH 0464**; renewal license issued March 8, 2000.

Schneider National Bulk Carriers, Inc., P. O. Box 2700, Green Bay, WI 54306; License No. **PA-AH 0524**; renewal license issued March 6, 2000.

U.S.A. Environmental Management, Inc., 8600 West Chester Pike, Suite 103, Upper Darby, PA 19082; License No. **PA-AH 0525**; renewal license issued March 15, 2000.

RESIDUAL WASTE PROCESSING FACILITIES

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

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

General Permit Application No. WMGR066. S & M Waste Oil (PA), Inc., P. O. Box 1429, Routes 6 and 209, Milford, PA 18337-2429. General Permit Number WMGR066 for the operation of a transfer facility for waste oil, oil/water mixtures, fuel oil and fuel oil tank bottoms prior to beneficial use as waste oil fuel. The Department accepted the application as administratively complete on March 14, 2000.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

General permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Muni-

pal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and the municipal waste regulations for a general permit to operate infectious waste processing facilities.

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

General Permit Application No. WMGI012. Centocor, Inc., 200 Great Valley Pkwy, Malvern, PA 19355-1307. A general permit for the processing of infectious waste through the use of sodium hydroxide for chemical inactivation of hybridoma cells was issued by Central Office on March 17, 2000.

PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

Infectious and chemotherapeutic waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and 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.

BFI Waste Systems of New Jersey, Inc., 111 Domorah Drive, Montgomeryville, PA 18936; License No. **PA-HC 0093** license terminated November 16, 1999.

Renewal Licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and 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 16, 2000.

**AIR QUALITY
OPERATING PERMITS**

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

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

OP-46-0012: Philadelphia Newspaper, Inc. (800 River Road, Conshohocken, PA 19428) on March 15, 2000, for operation of a Backup Generator and Fuel Pump in Upper Merion Township, **Montgomery County**.

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

22-03029: Chemetron Railway Products, Inc. (5600 Stillwell, Kansas City, MO 64120-1239) on March 13, 2000, for operation of a rail welding unit controlled by a

dust collector at the Steelton Rail Welding Plant at 2115 South Front Street, Gate No. 8 in Steelton Borough, **Dauphin County**.

28-309-003: Tarco Roofing Materials, Inc. (8650 Molly Pitcher Highway North, Greencastle, PA 17225) on March 13, 2000, for operation of an asphalt saturated felt facility controlled by a high efficiency air filter and a regenerative thermal oxidizer in Antrim Township, **Franklin County**. These sources are subject to 40 CFR Part 60, Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture.

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

PA-25-464A: Klein Plating Works, Inc. (2020 Greengarden Road, Erie, PA 16502) on March 31, 2000, for operation of automated plating and stripping lines in Erie, **Erie County**.

PA-10-047C: Mine Safety Appliances, Co. (1420 Mars Evans City Road, Evans City, PA 16033) on February 29, 2000, for operation of bonding rooms in Forward Township, **Butler County**.

PA-33-145A: Huntington Foam Corp. (11 Industrial Park Drive, Brockway, PA 15824) on February 29, 2000, for operation of an expandable resin molding plant in Brockway, **Jefferson County**.

General Plan Approval and Operating Permit usage authorized 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.

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

GP-10-325: VA Medical Center Butler (325 New Castle Road, Butler, PA 16001) on February 8, 2000, for installation and operation of a natural gas fired boiler in Butler Township, **Butler County**.

PLAN APPROVALS

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

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

PA-46-0020: Superior Tube Co. (3900 Germantown Pike, Collegeville, PA 19426) on March 7, 2000, for operation of three fabric filters and one rotoclove in Lower Providence Township, **Montgomery County**.

46-327-018: Superior Tube Co. (3900 Germantown Pike, Collegeville, PA 19426) on March 7, 2000, for operation of a new vapor degreaser in Lower Providence Township, **Montgomery County**.

PA-46-0176: A. Talone, Inc. (318 West Lancaster Avenue, Ardmore, PA 19003) on March 10, 2000, for operation of a solvent recovery dryer in Lower Merion Township, **Montgomery County**.

PA-23-0067: Alloy Surfaces Co., Inc. (121 North Commerce Drive, Aston, PA 19014) on March 10, 2000, for

operation of a caustic metal treatment process in Chester Township, **Delaware County**.

PA-09-0024A: Waste Management of PA, Inc. (200 Bordentown Road, Tullytown, PA 19007) on March 10, 2000, for operation of a permitted landfill in Tullytown Borough, **Bucks County**.

09-313-074B: Air Products & Chemicals, Inc. (351 Philadelphia Avenue, Morrisville, PA 19067) on March 15, 2000, for operation of a specialty gas plant in Falls Township, **Bucks County**.

PA-15-0015A: Sartomer Co., Inc. (610 South Bolmar Street, West Chester, PA 19382) on March 16, 2000, for operation of an emergency generator in West Chester Borough, **Chester County**.

09-399-032: Liquid Transporters, Inc. (2910 River Road, Croydon, PA 19021) on March 17, 2000 for operation of a cargo tank washing process in Bristol Township, **Bucks County**.

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

36-05093: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506-0550) on March 16, 2000, for temporary operation of a drum mix asphalt plant controlled by a fabric collector covered under this Plan Approval until July 13, 2000, in East Cocalico Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-310-023D: Compass Quarries, Inc. (47 McIlvaine Road, Paradise, PA 17562) on March 10, 2000, for temporary operation of two link belt screens and a fabric filter covered under this Plan Approval until June 27, 2000, in Paradise Township, **Lancaster County**. These sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

38-309-049: Carmeuse Pennsylvania, Inc. (P. O. Box 160, Annville, PA 17003) on March 1, 2000, for temporary operation of the No. 5 rotary lime kiln controlled by a fabric filter covered under this Plan Approval until June 29, 2000, in North Londonderry Township, **Lebanon County**.

67-02004: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on March 18, 2000, for temporary operation of three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a Venturi Scrubber and a softwood fiber line and causticizing area covered under this Plan Approval until July 17, 2000, in Spring Grove Borough, **York County**.

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

PA-25-267A: American Meter Co. (920 Payne Avenue, Erie, PA 16512) on March 30, 2000, for two rubber curing ovens in Erie, **Erie County**.

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

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

PA-15-0055: Highway Materials, Inc. (850 Quarry Road, Downingtown, PA 19335) on March 6, 2000, for operation of a baghouse in East Caln Township, **Chester County**.

PA-09-0063A: New Hope Crushed Stone Co. (6970 Phillips Mill Road, New Hope, PA 18938) on March 10, 2000, for operation of a stone crushing plant in Solebury Township, **Bucks County**.

PA-23-0001N: Sunoco, Inc. (R&M) (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on March 15, 2000, for operation of Boiler #9 in Marcus Hook Borough, **Delaware County**.

PA-23-0006C: Foamex L.P. (1500 East Second Street, Eddystone, PA 19022) on March 15, 2000, for operation of a thermal reticulation unit in Eddystone Borough, **Delaware County**.

PA-46-0081B: Markel Corp. (416 School Lane, Norristown, PA 19404) on March 15, 2000, for operation of two horizontal extruders in Plymouth Township, **Montgomery County**.

PA-46-0041: Jefferson Smurfit Corp. (US) (1035 Longford Road, Phoenixville, PA 19460) on March 15, 2000, for operation of a non-heatset lithographic press in Upper Providence Township, **Montgomery County**.

PA-15-0101: Kendal-Crosslands Communities (4109 East Baltimore Pike, Kennett Square, PA 19348) on March 15, 2000, for operation of a diesel generator in Kennett Township, **Chester County**.

PA-15-0100: Kendal-Crosslands Communities (1660 East Street Road, Kennett Square, PA 19348) on March 15, 2000, for operation of a diesel generator in Pennsbury Township, **Chester County**.

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

06-01069H: East Penn Mfg. Co., Inc. (P. O. Box 147, Lyon Station, PA 19536-0147) on March 20, 2000, for construction of a lead/acid storage battery line controlled by a fabric collector and filter at Plant A-2 and four grid casters and an associated lead pot at Plant S-1 in Richmond Township, **Berks County**. These sources are subject to 40 CFR Part 60, Subpart KK of the Standards of Performance for New Stationary Sources.

07-05033: Grannas Bros. Stone & Asphalt Co., Inc. (P. O. Box 488, Hollidaysburg, PA 16648) on March 15, 2000, for construction of a drum mix asphalt plant controlled by a cyclone in series with a fabric collector at the Ganister Quarry in Catharine Township, **Blair County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

38-05003A: Pennsylvania Lime, Inc. (P. O. Box 160, Anneville, PA 17003) on March 13, 2000, for installation of two fabric filters at the Millard Lime Plant in North Londonderry Township, **Lebanon County**.

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

PA-10-267B: Three Rivers Aluminum Co. (1 Progress Avenue, Cranberry, PA 16066) on March 7, 2000, for a two-tone coating process in Cranberry Township, **Butler County**.

PA-33-002B: Owens Brockway Glass Container—Plant 19 (Route 219 North, Brockway, PA 15824) on

March 1, 2000, for modification to Glass Melting Furnace C (formerly A furnace) in Snyder Township, **Elk County**.

PA-43-319A: Sharon Tube Co.—Wheatland (20 Church Street, Wheatland, PA 16161) on March 8, 2000, for construction of a cold draw facility in Wheatland Township, **Mercer County**.

PA-16-130A: Eden, Inc. (Route 338, Knox, PA 16232) on March 14, 2000, for construction of two paint booths and drying ovens in Knox, **Clarion County**.

PA-10-037A: Witco Corp.—Petrolia (100 Witco Lane, Petrolia, PA 16050) on March 6, 2000, for modification to the hydrogenation plant (Source 123) in Fairfield Township, **Butler County**.

PA-10-037B: Witco Corp.—Petrolia (100 Witco Lane, Petrolia, PA 16050) on March 6, 2000, for modification to the Fractionator Vent (Source 131) in Fairfield Township, **Butler County**.

PA-10-037C: Witco Corp.—Petrolia (100 Witco Lane, Petrolia, PA 16050) on March 6, 2000, for modification to the lower pressure spray chamber to the second stage flare (Source 124) in Fairfield Township, **Butler County**.

PA-10-037D: Witco Corp.—Petrolia (100 Witco Lane, Petrolia, PA 16050) on March 6, 2000, for modification to the lo-cat hydrogen recovery unit (Source 125) in Fairfield Township, **Butler County**.

PA-10-037E: Witco Corp.—Petrolia (100 Witco Lane, Petrolia, PA 16050) on March 6, 2000, for installation of a heater to the hydrogenation plant (Source 116) in Fairfield Township, **Butler County**.

10-312-013A: Witco Corp.—Petrolia (100 Witco Lane, Petrolia, PA 16050) on March 6, 2000, for installation of a heater to the hydrogenation plant (Source 117) in Fairfield Township, **Butler County**.

10-307-040A: AK Steel Corp.—Butler Operations (Route 8 South, Butler, PA 16003) on March 15, 2000, for revision of the opacity limitation for the #3 tandem mill in Butler, **Butler 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 such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Applications Issued:

32733067. Permit Renewal for reclamation only, **M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15757-7960), for continued restoration of a bituminous surface mine in Grant Township, **Indiana County**, affecting

383.6 acres, receiving stream Barrett Run; to unnamed tributaries of Little Mahoning Creek; and to Little Mahoning Creek, application received February 18, 2000, issued March 13, 2000.

32900105. Permit Renewal for reclamation only, **M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7960), for continued restoration of a bituminous auger mine in Buffington Township, **Indiana County**, affecting 59.5 acres, receiving stream an unnamed tributary to Mardis Run and Mardis Run, application received February 18, 2000, issued March 13, 2000.

11803044. Permit Renewal for reclamation only, **Raymond Westrick** (1078 Sunset Road, Patton, PA 16668), for continued restoration of a bituminous surface mine in East and West Carroll Townships, **Cambria County**, affecting 131.4 acres, receiving stream to unnamed tributaries of Fox Run, application received February 22, 2000, issued March 13, 2000.

11673041. Permit Renewal for reclamation only, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for continued restoration of a bituminous surface mine in Summerhill Township, **Cambria County**, affecting 102.3 acres, receiving stream to South Fork Little Conemaugh River, application received February 24, 2000, issued March 13, 2000.

11693042. Permit Renewal for reclamation only, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for continued restoration of a bituminous surface mine in Summerhill and Portage Townships, **Cambria County** affecting 289.7 acres, receiving stream unnamed tributaries to Laurel Run and to Beaverdam Reservoir/Beaverdam Run (previously unnamed tributary to Big Cedar Run), application received February 24, 2000, issued March 13, 2000.

11773037. Permit Renewal for reclamation only, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630) for continued restoration of a bituminous surface and auger mine in Conemaugh Township, **Cambria County**, affecting 358.7 acres, receiving stream unnamed tributaries to the Little Conemaugh River and to the Little Conemaugh River, application received February 24, 2000, issued March 13, 2000.

11743043. Permit Renewal for reclamation only, **Cooney Brothers Coal Company**, (P. O. Box 246, Cresson, PA 16630), for continued restoration of a bituminous surface mine in Portage Township, **Cambria County**, affecting 50.4 acres, receiving stream unnamed tributary to Bens Creek and to Bens Creek, application received February 24, 2000, issued March 13, 2000.

32823070. Permit Revision, **John R. Yenzi, Jr.** (P. O. Box 287, Anita, PA 15711) for a land use change from forestland to pastureland on the lands of H. Ray Pifer in Canoe and Banks Townships, **Indiana County**, affecting 470.7 acres, receiving stream two unnamed tributaries to Canoe Creek, application received January 18, 2000, issued March 14, 2000.

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

37840102. **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous strip, auger and tippel refuse operation in Shenango and Wayne Townships, **Lancaster County** affecting 487.0 acres. Receiving streams: Unnamed tributary to Snake Run and two unnamed tributaries to Beaver Run. This renewal is issued for reclamation only. Application received February 2, 2000. Permit Issued: March 13, 2000.

61783001. C & K Coal Company (P. O. Box 69, Clarion, PA 16214) Renewal of an existing bituminous strip and auger operation in Scrubgrass and Allegheny Townships, **Venango and Butler Counties** affecting 125.0 acres. Receiving streams: Unnamed tributary to Little Scrubgrass Creek. This renewal is issued for reclamation only. Application received: January 14, 2000. Permit Issued: March 13, 2000.

16713004. C & K Coal Company (P. O. Box 69, Clarion, PA 16214) Renewal of an existing bituminous strip and tippel refuse disposal operation in Limestone Township, **Clarion County** affecting 304.0 acres. Receiving streams: Four unnamed tributaries to Piney Creek. This renewal is issued for reclamation only. Application received: January 18, 2000. Permit Issued: March 13, 2000.

16803030. C & K Coal Company (P. O. Box 69, Clarion, PA 16214) Renewal of an existing bituminous strip operation in Toby Township, **Clarion County** affecting 105.0 acres. Receiving streams: Unnamed tributaries to Wildcat Run. This renewal is issued for reclamation only. Application received: January 14, 2000. Permit Issued: March 13, 2000.

16803004. Milestone Crushed, Inc. (521 South Street, Clarion, PA 16214) Renewal of an existing bituminous strip, auger and tippel refuse disposal operation in Perry and Toby Townships, **Clarion County** affecting 165.0 acres. Receiving streams: Unnamed tributary to Fiddlers Run. Application received: January 21, 2000. Permit Issued: March 15, 2000.

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

40940205C3. Northampton Fuel Supply Company, Inc. (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814), correction to an existing coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 124.0 acres, receiving stream—Nanticoke Creek. Correction issued March 17, 2000.

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

33901602. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824), to transfer the permit for the Brockway Tippel in Snyder Township, **Jefferson County** to transfer of permit from Hepburnia Coal Co. to Energy Resources, Inc., no additional discharges. Permit issued March 13, 2000.

04971301. M. J. Mining Company (1021 Whitestown Road, Butler, PA 16001), to revise the permit for the M. J. Mine No. 1 in Greene Township, **Beaver County** to revise the subsidence control boundary and add 578.2 acres, no additional discharges. Permit issued March 13, 2000.

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

63950101R. Robinson Coal Company (200 Neville Road, Neville Island, PA 15225). Permit renewed for reclamation only of a bituminous surface mine located in Robinson Township, **Washington County**, affecting 13 acres. Receiving streams: unnamed tributary to Robinson Run. Application received: December 6, 1999. Reclamation only renewal issued: March 21, 2000.

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

10930310. Atlantic States Materials of PA, Inc. (P. O. Box 269, Mercer, PA 16137) Renewal of N.P.D.E.S.

Permit No. PA0211826, Worth Township, **Butler County**. Receiving streams: Slippery Rock Creek and unnamed tributaries to Slippery Rock Creek. Application received: January 12, 2000. Permit Issued: March 13, 2000.

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

40870301T. Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105), transfer and correction of an existing quarry operation in Dorrance Township, **Luzerne County** affecting 85.8 acres, receiving stream—Balliet Run and Wapwallopen Creek. Transfer and correction issued March 17, 2000.

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

Small Noncoal (Industrial Mineral) Permits Issued

58990846. William M. Arnold (Box 212, Montrose Terrace Park, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Dimock Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued March 16, 2000.

58000801. Steven C. Roe (R. R. 1, Box 1441, Hallstead, PA 18822), commencement, operation and restoration of a bluestone quarry operation in Liberty Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued March 16, 2000.

Under section 224-A of the Pennsylvania Bituminous Coal Mine Act (52 P.S. 701—224-A), the Department has approved the following:

Section 201-A(c)—Inby and outby diesel-powered equipment may be used in underground mines if the inby or outby diesel-powered equipment uses an engine approved or certified by MSHA as applicable, for inby or outby use that, when tested at the maximum fuel-air ratio, does not require an MSHA Part 7 approval plate ventilation rate exceeding 75 cfm per rated horsepower.

Section 203-A(1)—Underground diesel-powered equipment shall include an exhaust emissions control and conditioning system that has been laboratory tested with the diesel engine, except as provided in paragraph (3), using the ISO 8178-1 test and has resulted in DPM emissions that do not exceed an average concentration of 0.12 mg over M to the third power when diluted by MSHA Part 7 approval plate ventilation rate for that diesel engine.

Section 204-A(d)—Section 204-A of the State law is unaffected by the MSHA Part 7 changes. However, since under Part 7, 203-A(1) now requires 100% of the MSHA Part 7 ventilating plate quantities relative to DPM emission levels, the minimum of 100% of the MSHA Part 7 approval plate quantity will be required for each unit operating in that split.

Air quantity measurements to determine compliance with this requirement shall be made at the most downwind unit of diesel-powered equipment that is being operated in that air split.

As of November 25, 1999, the Department will apply the methods noted above relative to Sections 201-A(c), 203-A(1), and 204-A(d) of the Act for all previously approved *Diesel-Powered Equipment Packages* and all future *Diesel-Powered Equipment Packages* in order to insure that the same level of health and safety protection afforded by the Act remains in place with the implemen-

tation of MSHA Part 7 Ventilation Quantity Requirements on November 25, 1999.

For further information either contact Allison Gaida at (724) 439-7469 or visit the Department of Environmental Protection, Bureau of Deep Mine Safety web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

Under section 224-A of the Pennsylvania Bituminous Coal Mine Act (52 P. S. 701—224-A), the Department has approved the following requests from Brookville Mining Equipment Corporation.

1. Brookville's request dated October 25, 1999, relative to a Deutz MWMD916-6 engine and DST exhaust after-treatment system.

2. Brookville's request dated October 5, 1999, relative to a Caterpillar 3304 PCNA engine and DST exhaust after-treatment system.

The above listed engines (Deutz MWM D916-6 and Caterpillar 3304 PCNA) with the DST after-treatment system are approved, provided the *General Specifications of the Diesel-Powered Equipment Package* of each engine is strictly adhered to at all times including the new exhaust gas shut down temperature of 285°F.

For further information either contact Allison Gaida at (724) 439-7469 or visit the Department of Environmental Protection, Bureau of Deep Mine Safety web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

Under section 224-A of the Pennsylvania Bituminous Coal Mine Act (52 P. S. § 701-224-A), the Department has approved the alternate test procedure for carbon monoxide (CO) sampling submitted by Brookville Mining Equipment Corporation dated December 1, 1999. This alternate test is approved only for the Caterpillar 3304 PCNA diesel engine that is used to power the Brookville Model 18M100D personnel carrier/locomotive.

For further information either contact Allison Gaida at (724) 439-7469 or visit the Department of Environmental Protection, Bureau of Deep Mine Safety web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

Under section 224-A of the Pennsylvania Bituminous Coal Mine Act (52 P. S. § 701-224-A), the Department has approved the following request from Rohmac, Inc.

The Lister Petter LPU 2 MSHA-approved engine equipped with a Rohmac Dry Exhaust Condition (D.E.C.) system is approved with the following conditions:

—The altitude or "G" setting be checked and verified at east 100-hour test. Verification of this setting insures that the engine is operating as tested at 16.2 hp.

—The specifications for the Diesel-Powered Equipment Package dated October 20, 1999, are complied with at all times.

For further information either contact Allison Gaida at (724) 439-7469 or visit the Department of Environmental Protection, Bureau of Deep Mine Safety web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

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

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Health Board within 30 days of receipt of the written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 697.302) 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(s)). (*Note:* Permits issued for Small Projects do not include 401 certification, unless specifically stated in the description.)

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

Permits Issued

E02-1282. Encroachment. **Robert W. Siebert, Jr., President**, Lincoln Warehouses, Inc., P. O. Box 34, Cheswick, PA 15024-0034. To construct and maintain a 81-inch × 59-inch elliptical stream enclosure approximately 120.0 feet in length in an unnamed tributary to the Allegheny River (WWF) for the purpose of providing additional parking at the site of the existing marina. The project is located on the right bank of the Allegheny River approximately 3,000 feet southeast from the intersection of Route 28 and the PA Turnpike, (New Kensington West, PA Quadrangle N: 7.4 inches; W: 9.9 inches) in Harmar Township, **Allegheny County**.

E04-269. Encroachment. **Dennis and Kathleen Costa**, 1501 Tevebaugh Road, Baden, PA 15005-1512. To construct and maintain a 5 foot diameter CMP culvert in Tevebaugh Run (WWF) to provide access to a private residence. The project is located on the northwest side of Tevebaugh Hollow Road approximately 1 mile northeast of its intersection with SR 0065 (Baden, PA Quadrangle N: 4.9 inches; W: 13.3 inches) in Baden Borough, **Beaver County**.

E32-414. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To remove the existing structure and to construct and maintain a 32-foot long, 14.0-foot ×

8.0-foot precast reinforced concrete box culvert (invert depressed 1.0 foot), in Sugarcamp Run (CWF). Also, to construct and maintain rock riprap at the culvert approaches. The project is located on S. R. 0954, Segment 0384/Offset 1929, approximately 500 feet east of its intersection with S. R. 4009 (Ernest, PA Quadrangle N: 18.7 inches; W: 12.8 inches; in Washington Township, **Indiana County**).

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

E42-267. Encroachment. **Anundson Forest Enterprises, Inc.**, P. O. Box 295, Sheffield, PA 16347. To construct and maintain a rock ford across Kendall Creek northeast of S. R. 46 approximately 2,300 feet northwest of its intersection with S. R. 246 at Corwins Corners to provide access for light duty vehicles associated with timber inspection, marking, boundary line maintenance and other inspections of property owned by Anundson Forest Enterprises, Inc. (Derrick City, PA-NY Quadrangle N: 11.3 inches; W: 11.9 inches) in Foster Township, **McKean County**.

Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E45-384. Encroachment. **Borough of Stroudsburg**, Seventh and Sarah Streets, Stroudsburg, PA 18360. To place and maintain fill in the 100-year floodplain of Pocono Creek for the purpose of constructing the Borough of Stroudsburg Pool Renovation Project. The project is located adjacent to Stroudsburg Area High School, north of Main Street and Dreher Avenue (Stroudsburg, PA-NJ Quadrangle N: 20.0 inches; W: 10.9 inches) in the Borough of Stroudsburg, **Monroe County**.

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

E19-198. Encroachment. **Rod Berlin and Fred Berlin**, R. R. 3, Box 3369, Berwick, PA 18603. To modify and maintain an existing residential dwelling in the floodway of Fishing Creek. The modification work shall consist of removing an existing mobile home in the floodway and placing a new dwelling on concrete tube or block piers. The low cord of the dwelling shall be established at a minimum elevation of 1.5-feet above the 100 year frequency flood elevation which is defined in the current National Flood Insurance Program Study for Orange Township. The project is located along the western right-of-way of SR 0487 approximately 1,000 feet-north of SR 4041 and SR 0487 intersection (Bloomsburg, PA Quadrangle N: 16.68 inches; W: 4.40 inches) in Orange Township, **Columbia County**. This permit does not authorize any disturbances in Fishing Creek or wetlands associated to Fishing Creek. This permit was issued under section 105.13(e) "Small Projects."

E59-386. Encroachment. **North Penn Gas Company**, 76—80 Mill Street, Port Allegany, PA 16743. To repair, operate and maintain a 14-inch diameter gas pipeline beneath Tan Creek; and to restore the channel of the same tributary. The channel restoration work shall consist of installing steel reinforcement rod doweled into the bedrock of the stream channel, grouting rock into the stream channel, and reconstructing the stream channel to carry low flow through the reach. All steel reinforcement rods shall not extend above the 14-inch diameter gas pipeline. The project is located along the western right-of-

way of SR 0015 approximately 1,645 feet south of SR 2025 and SR 0015 intersection (Blossburg, PA Quadrangle N: 15.1 inches; W: 11.55 inches) in Covington Township, **Tioga County**. The permittee shall complete the channel restoration of Tan Creek on or before August 30, 2000. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

DAM SAFETY

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

Any person aggrieved by this action may appeal, under Section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (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).

Permits Issued and Actions on 401 Certification

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D06-480A. DEP. E. Kuser, Inc. (150 Grings Hill Road, Sinking Spring, PA 19608). To modify, operate and maintain the Grings Hill Detention Basin Dam and conjunctive 6.0-foot high by 16-foot wide box culvert/stream enclosure on a tributary to Wyomissing Creek in Cumru Township, **Berks County**.

[Pa.B. Doc. No. 00-569. Filed for public inspection March 31, 2000, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (www.dep.state.pa.us) at the Public Participation Center. The "2000 Inventory" heading is the

Governor's List of Non-regulatory Documents. 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 2000.

Ordering Paper Copies of DEP Technical Guidance

The Department encourages the utilization of internet access to obtain guidance documents. If this option is not available, persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Please check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

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

Draft Guidance—Substantive Revision

DEP ID: 383-3120-101 Title: Surveillance Strategy and Implementation Guidance Description: The Surveillance Strategy and Implementation Guidelines has been revised to include a "Certification of Responsibility" statement on the PWS Inventory and Brief Description Form (3800-FM-WSM0033). The addition of the statement is necessary to comply with the capability enhancement requirements of the 1996 amendments to the federal Safe Drinking Water Act. The amendments require that states obtain the legal authority or other means to ensure that all new community and nontransient noncommunity water systems commencing operation after October 1, 1999, demonstrate technical, managerial, and financial capability or lose 20% of the State Revolving Loan Fund monies to which they are entitled. The EPA has approved Pennsylvania's capability enhancement program for new systems. Comment Period Ends: May 1, 2000 Anticipated Effective Date: June 1, 2000. Contact: Trudy Troutman at (717) 783-3795, or E-mail at: Troutman.Trudy@dep.state.pa.us.

Notice to Rescind

DEP ID: 254-2163-742 Title: Management of Waste Tires Description: In 1996, the Pennsylvania Legislature enacted Act 190, the Waste Tire Recycling Act. This Act and the subsequent regulations developed to implement this Act make the original policy No. 254-2163-742 (1990) redundant and no longer necessary. Effective Date: April 1, 2000 Contact: Bill Pounds at (717) 787-7381, or E-mail at Pounds.William@dep.state.pa.us.

Final Guidance

DEP ID: 361-0300-002 Title: Field Application of Manure Description: This document is the second supplement to the nine sections of the Manure Management Manual. It describes approved practices for the application of livestock and poultry manure in Pennsylvania. It also works in conjunction with requirements under the Nutrient Management Act and the Pennsylvania Strategy

for Concentrated Animal Feeding Operations. Effective Date: April 1, 2000 Contact: Mohammed Farooq at (717) 783-7577.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-570. Filed for public inspection March 31, 2000, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board; Notice of Meeting

The Cleanup Standards Scientific Advisory Board (CSSAB) has scheduled a special meeting to be held on April 12, 2000 at 9:30 a.m. The meeting will be held at 400 Market Street, Rachel Carson State Office Building, 14th Floor Conference Room.

Questions concerning this meeting can be directed to Marilyn Wooding at (717) 783-7509 or E-mail to Wooding.Marilyn@a1.dep.state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Marilyn Wooding directly at (717) 783-7509 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-571. Filed for public inspection March 31, 2000, 9:00 a.m.]

Public Notice of Proposed Revision to Pennsylvania General NPDES Permit for Wet Weather Discharges from Combined Sewer Systems (PAG-6)

In compliance with the provisions of the Federal Clean Water Act, The Clean Streams Law (35 P. S. §§ 691.1—691.1001), Sections 1905-A, 1917-A and 1920-A of the Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice seeks public comments on the proposed revisions to Pennsylvania General NPDES Permit for Wet Weather Discharges from Combined Sewer Systems (PAG-6), the Notice of Intent (NOI) and other related permit documents. The general permit being revised now was last issued June 17, 1995, and is scheduled to expire on June 16, 2000. The proposed revisions are necessary to reflect changes in State and Federal regulations and guidance affecting the discharges from CSO Systems. The revised documents set forth the effluent limitations and other terms and conditions of the permit and eligibility criteria to apply for coverage under the general permit. This general permit is not operative in waters designated for special protection and an individual permit will continue to be required for any discharges to waters designated for "Special Protection" in 25 Pa. Code Chapter 93.

The following paragraphs summarize proposed revisions to the current permit documents.

1. General update/edit of all permit documents (NOI, Instructions, Fact sheet, permit itself, Discharge Monitoring Reports (DMRs) and other reporting forms and the like) to reflect changes to Bureau organization, changes in regional names/addresses, and the like.

2. Addition of Compliance History Block on NOI and instructions; the NOI and Instructions have been revised to require submission of a compliance history with permits issued by the Department. This is a standard Department requirement for permits and is being added to permit documents as they are reviewed and revised.

3. General clarification that the CSO GP may be used by eligible small CSO systems (less than 75,000 population) as well as satellite CSO systems that do not own/operate a treatment plant. This is not a new requirement, it is only a clarification of how the permit is used now.

4. Revision of CSO Permit language. The proposed revision is necessary to address specific comments the Department received over time from the regulated communities and also to accurately reflect EPA's CSO Policy of 1994.

5. Addition of the GIF Form to the GP Package—This is a standard Department requirement for permits and is being added to permit documents as they are reviewed and revised.

6. Addition of a definition of "satellite CSO System" and updating other definitions—The addition of new and revision of existing definitions is intended to clarify the permit.

The draft permit document package has been completed and is on file in the Department's Central Office in the Division of Wastewater Management, Bureau of Water Quality Protection at the following location. The package can be obtained by writing to the following address or by calling: Department of Environmental Protection, Bureau of Water Quality Protection, Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774—11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184, E-mail address: Miller.Mary@DEP.STATE.PA.US., World Wide Web Address: http://www.dep.state.pa.us/dep/deputate/watermgmt/Wqp/Forms/Forms_Home.htm.

The Department invites public comments on the proposed revisions and any other recommended changes that should be made to the general permit and related documents. All comments must be submitted within 30 days from the date of the publication of this notice in the *Pennsylvania Bulletin*. If there is significant public interest in the general permit or if requested, the comment period may be extended at the discretion of the Department for an additional 15-day period. Only the comments received within the specified period will be considered in the formulation of the final documents for this general permit. Persons wishing to comment should include their name, address and telephone number and a concise comment statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. A public meeting or hearing may be held if the Department considers the public interest and/or comments significant.

Written comments should be submitted to the previously-noted address. The comments will also be accepted by electronic mail to be sent at Patel.Ratilal@DEP.STATE.PA.US. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Comments will not be accepted by facsimile or on voice mail. Following the specified comment period, the Department will review all submitted comments, prepare written comments and response document (CRD) and prepare final documents package for this permit. An availability of the final permit documents will be announced in the *Pennsylvania Bulletin*. Anyone wishing to also receive a copy of the final documents may request them by contacting the noted addresses or telephone numbers.

The Department will announce availability of the final permit in the *Pennsylvania Bulletin*. Once the availability of the final general permit is published for applicant's use, eligible CSO Systems that do not have a permit will be able to submit an NOI requesting coverage under the final general permit. The Department does not allow construction of a new combined sewer system and does not encourage existing individual NPDES permit holders with CSOs to apply for and obtain coverage under the revised general permit as terms and conditions of their individual permit should be identical to that of the CSO general permit. Any approval of permit coverage will be contingent upon the applicant's continued eligibility to apply for the general permit and a demonstrate compliance with prior permit terms and conditions. For CSO Systems with currently approved coverage, the Department may decide, individually, to revoke approval of existing coverage and re-issue the permittee the revised general permit.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-572. Filed for public inspection March 31, 2000, 9:00 a.m.]

Solid Waste Advisory Committee; Residual Waste Subcommittee

The Residual Waste Subcommittee of the Department of Environmental Protection's (Department) Solid Waste Advisory Committee will meet from 9 a.m. to 1 p.m. on Monday, April 3, 2000. The meeting will take place in the 14th floor Conference Room of the Rachel Carson State Office Building at 400 Market Street, Harrisburg. The purpose of the meeting is to discuss the Department's draft safe fill policy and related documents. Copies of these documents may be obtained through the Department's website at www.dep.state.pa.us or by calling Millie Smith at (717) 787-7381.

Contact Millie Smith or Bill Pounds, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA, 17105-8471, (717) 787-7381 or E-mail Pounds.William@dep.state.pa.us.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-573. Filed for public inspection March 31, 2000, 9:00 a.m.]

Water Resources Advisory Committee Cancellation of April 12, 2000 Meeting

Because of a lack of agenda items, the Water Resources Advisory Committee's April 12, 2000, meeting has been cancelled. The Committee's next meeting will be held on

May 10, 2000, at 9 a.m. in Room 105 of the Rachel Carson State Office Building in Harrisburg.

For further information, contact Carol Young at (717) 787-9637.

JAMES M. SEIF, Secretary

[Pa.B. Doc. No. 00-574. Filed for public inspection March 31, 2000, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Income Limits for the Categorically Needy Non-money 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, 2000.

The regulations at § 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, 2000, the Federal benefit rate was increased due to the Federal cost-of-living increase.

As required under § 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, 2000. 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.

FEATHER O. HOUSTOUN, Secretary

Appendix A

Categorically Needy Nonmoney Payment Monthly Income Limits for Aged, Blind and Disabled Categories

Effective January 1, 2000

Table with 2 columns: Number of Persons, Monthly Income Limit. 1 Person: \$539.40, 2 Persons: \$812.70

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, 2000

Table with 2 columns: Number of Persons, Monthly Income Limit. 1 Person: \$1,536

Appendix D

Monthly Federal Benefit Rate

Effective January 1, 2000

Table with 2 columns: Number of Persons, Monthly Federal Benefit Rate. 1 Person: \$512, 2 Persons: \$769

Percentages of Monthly Federal Benefit Rate

Effective January 1, 2000

- Item 1) 50% of Federal Benefit Rate for 1 Person = \$256
Item 2) 50% of Federal Benefit Rate for 2 Persons = \$384.50

Fiscal Note: 14-NOT-238. (1) General Fund;

Table with 2 columns: Description, Amount. MA-Capitation (2) Implementing Year 1999-00 is \$13,000, (3) 1st Succeeding Year 2000-01 is \$39,000, 2nd Succeeding Year 2001-02 is \$39,000, 3rd Succeeding Year 2002-03 is \$39,000, 4th Succeeding Year 2003-04 is \$39,000, 5th Succeeding Year 2004-05 is \$39,000

Table with 2 columns: Description, Amount. MA-Outpatient \$ 9,000, \$28,000, \$28,000, \$28,000, \$28,000, \$28,000

Table with 2 columns: Description, Amount. MA-Inpatient \$ 6,000; \$17,000; \$17,000; \$17,000; \$17,000; \$17,000;

Table with 2 columns: Description, Amount. (4) 1998-99 Program—\$1.026 Billion, 1997-98 Program—\$959.286 Million, 1996-97 Program—\$626.094 Million, (8) recommends adoption.

Table with 2 columns: Description, Amount. MA-Outpatient \$695.935 Million, \$662.740 Million, \$798.836 Million

Table with 2 columns: Description, Amount. MA-Inpatient \$453.594 Million; \$428.079 Million; \$436.941 Million;

[Pa.B. Doc. No. 00-575. Filed for public inspection March 31, 2000, 9:00 a.m.]

Payments to Nursing Facilities; January 1, 2000 Final Rates

The purpose of this notice is to announce final payment rates for nursing facilities beginning January 1, 2000, in accordance with section 1902(a)(13)(A) of the Social Security Act (42 U.S.C.A. § 1902(a)(13)(A)), as amended by section 4711 of the Balanced Budget Act of 1997 (P. L. No. 105-33). A January 1, 2000 Proposed Rates Notice was published at 30 Pa.B. 444 (January 22, 2000) and pro-

vided for a 30-day comment period. The Department did not receive any comments on the proposed January 1, 2000 rate notice.

Rates

The final January 1, 2000 rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout this Commonwealth, or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

Methodology

The methodology that the Department used to set the final rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

Justification

The justification for establishing the final rates is that the regulations at 55 Pa. Code Chapter 1187 and the Commonwealth's approved Title XIX State Plan require that rates be set on a quarterly basis.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 1999-2000 based on these final rates is \$9.156 million (\$4.230 million in State funds).

Interested persons are invited to submit written comments about the final rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to the Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD Users) or (800) 654-5968 (Voice Users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-237. (1) General Fund; (2) Implementing Year 1999-00 is \$4.230 Million; (3) 1st Succeeding Year 2000-01 is \$4.845 Million; 2nd Succeeding Year 2001-02 is \$5.088 Million; 3rd Succeeding Year 2002-03 is \$5.342 Million; 4th Succeeding Year 2003-04 is \$5.609 Million; 5th Succeeding Year 2004-05 is \$5.889 Million;

(4) 1998-99 Program—\$721.631 Million; 1997-98 Program—\$617.252 Million; 1996-97 Program—\$591.910 Million; (8) recommends adoption; Funds are available in the Department's budget to cover the cost of implementing the new nursing facility rates.

[Pa.B. Doc. No. 00-576. Filed for public inspection March 31, 2000, 9:00 a.m.]

FISH AND BOAT COMMISSION

Temporary Changes to Fishing Regulations at the Lake in Lackawanna State Park, Lackawanna County

Effective October 1, 1999, the Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), took immediate action to temporarily modify fishing regulations at Lackawanna Lake at Lackawanna State Park, Lackawanna County. Specifically, the Executive Director closed the lake to all fishing. This action was taken at the request of the Bureau of State Parks, Department of Conservation and Natural Resources.

Lackawanna Lake at Lackawanna State Park will be re-opened to fishing effective April 15, 2000 at 8 a.m.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 00-577. Filed for public inspection March 31, 2000, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Listing of Data Releases

The Health Care Cost Containment Council, (PHC4), according to its enabling legislation, is to publish a listing of all special reports and data that have been prepared during the previous calendar year. The following represents a summary of the reports and requests for data generated by the Council in calendar year 1999. For further information about PHC4's Special Requests process, please contact Tina Haines, Supervisor, Special Requests Unit, Health Care Cost Containment Council, 225 Market Street, Suite 4000, Harrisburg, PA 17101, (717) 234-6787, www.phc4.org.

1999 PA Bulletin Listing of Data Releases

<i>Req Num</i>	<i>Company Name</i>	<i>Description</i>
99-052	Agency for Health Care Policy and Research	The 1997 statewide inpatient discharge database will be used for the Healthcare Cost and Utilization Project (HCUP).
99-064	Albert Einstein Medical Center	A custom data set using 1997 inpatient discharge data for select ICD-9-CM codes will be used to perform analysis of the care and outcomes of geriatric trauma patients.
99-047	Allied Services	The custom 1996 through 1998 inpatient discharge data set of hip revision patients will be used to identify physicians who perform this procedure to determine if the hospital should develop a new program.
99-059	Allied Services	A custom data set using 1998 inpatient discharge data for rehabilitation patients in regions 4, 6, and 7 will be used for market share analysis and planning.
99-127	Altoona Hospital	A 1998 custom report of risk adjusted mortality, risk adjusted length of stay and average trimmed charges for Altoona Hospital that will be used to review quality and costs of services provided at this hospital.
99-085	Americhoice Health Services, Inc.	The standard 1997 inpatient discharge data for Regions 8 and 9 will be used to perform market share analysis.

<i>Req Num</i>	<i>Company Name</i>	<i>Description</i>
98-095	Arista Associates	A custom third and fourth quarter 1996 and first and second quarter 1997 inpatient discharge data set for select zip codes will be used for health care consulting.
99-042	Aspen Healthcare Metrics	The custom 1997 inpatient discharge data set for select DRGs and counties will be used for consulting purposes.
99-113	Capital Blue Cross	A custom report using 1996, 1997 and 1998 financial data will be used to inform Board members and customers of the financial status of hospitals in their region.
99-062	Cardinal Information Corporation	The first, second and third quarter 1998 inpatient discharge data will be used in a commercial software product.
98-102	Center for Health Policy Studies Consulting	A custom 1997 inpatient discharge data set for select counties will be used for migration analysis of inpatient services across the New York/Pennsylvania border under a consulting contract.
99-070	Children's Hospital of Philadelphia	A customized data set using 1996, 1997 and 1998 inpatient discharge data for patients 20 years old and younger who were admitted for inpatient care with readmission cases identified within that population will be used in a research study entitled "Conditional Length of Stay: An Outcome Measure for Pediatrics."
99-107	CompCare Group	A custom data set of 1998 inpatient discharge data for patients whose payor identification code indicates worker's compensation in Region 9 will be used to review hospital admissions for work related injuries for 2 employer groups considering a move to the Philadelphia area.
99-005	Conemaugh Valley Hospital	The standard market share report using preliminary first quarter 1998 inpatient discharge data will be used for market share analysis.
99-028	Cooper Hospital	The 1996 and 1997 inpatient discharge data for Regions 8 and 9 will be used for strategic planning purposes.
99-048	Department of Military & Veterans Affairs, Army National Guard	A custom report of drug and/or alcohol related inpatient hospitalizations in 1997 will be used by the Governor's State Support Plan as justification for funding.
99-074	Department of Public Welfare	A custom report of hospitalizations due to heat effects will be used for a government project.
98-075	Easton Hospital	A customized 1996 inpatient discharge data set for specific zip codes will be used for market share analysis and utilization specific services by geographic location.
99-020	Economic Development Council of Northeastern PA	The custom report of hospitalizations for an eight county area in northeastern PA will be used for a conference on health care.
99-122	Gill/Balsano Consulting	A standard 1998 inpatient discharge data set for four acute care facilities will be used to respond to a Request for Proposal from a Pennsylvania acute care facility.
99-045	Good Shepherd Rehab Hospital	The second, third and fourth quarter 1997 and first quarter 1998 inpatient discharge data and 1997 ambulatory data for select facilities will be used to estimate market demand.
99-088	Good Shepherd Rehabilitation Hospital	The standard 1996, 1997 and 1998 inpatient discharge data for Moss Rehab Hospital will be used to perform market share analysis.
99-076	Good Shepherd Rehabilitation Hospital	The standard 1996, 1997 and 1998 inpatient discharge data for several facilities will be used to perform market share analysis.
99-079	Governor's Office, Medical Cat Fund	A Custom 1997 report of Pennsylvania hospitalizations by County will be used for research purposes.
99-103	Grane Healthcare	A custom data set using 1998 inpatient discharge data for ventilator cases will be used to determine market feasibility for a potential ventilator program in their skilled nursing centers.
99-066	Greater Hazleton Area Health Alliance	A custom data set using 1998 inpatient discharge data for select zip codes & procedures will be used for billing purposes.
98-101	Guthrie Clinic LTD.	The 1997 inpatient discharge data and ambulatory data for Regions 4 and 6 will be used to analyze the demand for medical services within the requestors service area.
99-109	Guthrie Healthcare System	The standard 1998 inpatient discharge data for Regions 4 and 6 will be used to analyze the acute care demand for residents within Tioga, Bradford, Sullivan, Susquehanna and Wyoming counties.

<i>Req Num</i>	<i>Company Name</i>	<i>Description</i>
98-099	Hamot Medical Center	A custom 1995, 1996 and 1997 inpatient discharge data set and 1996 ambulatory data for patients residing in Region 2 and receiving care anywhere in Pennsylvania and all patients that obtained services from a Region 2 hospital, will be used for market share analysis.
99-017	Hanover Area Business Council on Healthcare	The custom report using 1997 inpatient discharge data will be used as a discussion topic in a business conference on health care.
99-092	Hay Health Care Consulting	The standard third and fourth quarter 1997 and first and second quarter 1998 inpatient and 1997 ambulatory data for several facilities will be used for clinical efficiency statistics among participating Canadian Teaching Hospitals.
98-026	HealthCentral, Inc.	A 1996 custom market share report will be used to research the HealthCentral Senior program.
99-087	Hospital Council of Western PA	Standard statewide 1996, 1997 and 1998 ambulatory data will be used in a commercial software product.
99-007	Hospital Council of Western PA	Standard statewide 1997 and 1998 inpatient revenue code detail file will be used in a commercial software product.
99-022	Hospital Council of Western PA	The 1998 standard statewide inpatient discharge data will be used in a commercial software product.
99-129	Hospital Council of Western PA	A standard 1999 first quarter inpatient discharge data will be used in a commercial software product.
99-133	Hospital Council of Western PA	A standard 1999 first quarter ambulatory data will be used in a commercial software product.
99-114	IMR Global-Orion	A custom inpatient discharge data set 1994 through 1998 for select DRGs and counties will be used for consulting purposes for a PA hospital.
98-042	Intellimed International, Inc.	The third and fourth quarter 1997 inpatient discharge data will be used in a commercial software product.
99-061	Jeff Robbins	A standard data set of 1998 inpatient discharge and 1998 ambulatory data for one facility will be used to build and test a web site that provides PA residents with access to medical information.
99-089	Jefferson Health Networks	The standard fourth quarter 1997 and first, second and third quarter 1998 standard statewide inpatient discharge data will be used to study alternative DRG payment systems for Medicare/Medicaid programs.
99-019	Johnstown Business Council on Health Care	The custom report using 1997 inpatient discharge data will be used as a discussion topic during a business conference on health care.
99-051	KePro	The custom report using 1997 statewide inpatient hospitalizations will be used in a health care conference.
99-016	Kessler Rehabilitation Corporation	The custom market share report using 1997 inpatient discharge data for select counties and DRGs will be used for market share analysis.
99-060	Kessler Rehabilitation Corporation	A custom report using 1998 inpatient discharge data will be used for market share analysis.
99-018	Lancaster County Busion Group on Healthcare	The custom report using 1997 inpatient discharge data will be used as a discussion topic at a business conference on health care.
98-098	Lancaster General Hospital	The third and fourth quarter 1996 and first and second quarter 1997 inpatient discharge data for Brandywine Hospital will be used for market share analysis.
99-115	Laurel Health System	A custom data set of 1997 and 1998 inpatient discharge data for select DRG's will be used to determine the need to offer orthopedic services to their patients.
98-104	Lehigh Valley Business Conference on Health Care	A custom report using 1995, 1996 and 1997 inpatient discharge data will be used to selectively purchase several scheduled inpatient surgical procedures based on quality.
94-078	Lehigh Valley Hospital	A replacement of the damaged 1992 inpatient discharge data.
99-012	Lehigh Valley Hospital	A statewide 1997 inpatient and ambulatory data will be used for market share analysis.
98-081	Lehigh Valley Hospital	The first, second and third quarter 1998 statewide inpatient discharge data will be used for market share information and internal research.

<i>Req Num</i>	<i>Company Name</i>	<i>Description</i>
98-019	Lynn Unruh	The statewide 1991 through 1997 inpatient discharge data will be used to research the relationship between nursing staff and patient outcomes.
99-124	Medical Group of Fort Wayne	A standard 1998 inpatient discharge data for six selected ambulatory surgery centers will be used to determine the feasibility of opening an ambulatory surgical center in their area.
99-105	Medical Professional Liability Catastrophe Loss Fund.	A custom report providing the bed counts for specified hospitals from 1995 through 1998 will be used for planning.
98-093	Mercy Health System of Southeastern PA	The first and second quarter 1997 inpatient discharge data for Regions 8 and 9 will be used for internal marketing purposes.
99-112	Merck & Co., Inc.	A standard 1996, 1997 and 1998 inpatient discharge and ambulatory data for regions 1, 5, 8 and 9 will be used in phases, to assess the quality of health care provided to their employees, to evaluate the health care plans offered to their employees and to educate their employees about health care choices.
98-094	Mercy Health System of Southeastern PA	The third and fourth quarter 1997 inpatient discharge data for Regions 8 and 9 will be used for internal marketing purposes.
97-080	Milliman & Robertson, Inc.	The 1997 statewide inpatient discharge data will be used for research into the level of efficiency for hospitals or payors, cost and utilization, length of stay and charges by DRG and patient migration patterns.
98-100	New Solutions, Inc.	The statewide 1997 inpatient discharge data for all patients from New Jersey receiving care in Pennsylvania will be used for consulting purposes.
99-072	New Solutions, Inc.	A custom data set using third and fourth quarter 1996 inpatient discharge data for New Jersey residents receiving care in Pennsylvania will be used for consulting purposes.
99-067	New York University Center for Health and Public Service Research	The standard 1992 and 1997 inpatient discharge data for Regions 1, 8 and 9 will be used in a Robert Wood Johnson funded research study of the health and safety of families in urban areas around Philadelphia & Pittsburgh.
98-090	North Philadelphia Health System	The third and fourth quarters 1997 and first and second quarters 1998 inpatient discharge data for Region 9 will be used for payor analysis as well as DRG and length of stay research.
99-001	Northeastern PA Women's Health Alliance	A custom report using 1997 inpatient discharge data for Region 6 will be used in a planning project with hospitals for coordination of women's health care services.
99-027	PA Commission on Crime and Delinquency	The statewide 1997 inpatient discharge and ambulatory data will be used to target violence, drug abuse and to aid in delinquency efforts.
99-090	PA Department of Health (Public Health Programs)	The standard 1997 and 1998 inpatient discharge data will be used to improve the ability of health officials and injury prevention practitioners in planning and evaluating programs and policies.
99-021	PA Department of Health, Bureau of Chronic Diseases and Injury Prevention	The custom report using 1997 inpatient discharge data and fourth quarter 1996 through third quarter 1997 ambulatory data for arthritis admissions will be used for internal analysis.
99-057	PA Department of Health, Bureau of Chronic Diseases and Injury Prevention Nutrition Program	The 1997 custom report of the costs of hospitalizations for cardiovascular admissions will be used in a report by the Department.
99-083	PA Department of Health, Bureau of Epidemiology	The statewide 1993 through 1997 inpatient discharge data will be used to study and evaluate the incidence and prevalence of "severe" diabetes, cardiovascular disease, stroke and hypertension.
99-068	PA Dept. of Health, Division of Communicable Disease	A custom report using 1995 through third quarter 1998 statewide inpatient discharge data of cases of intussusception following rotavirus vaccination in children under the age of 12 will be used as part of a multi-state case control study in participation with a Center for Disease Control (CDC) investigation.
99-086	Penn State Geisinger Health System	The standard 1998 inpatient discharge data and revenue code detail files for select hospitals will be used to determine and analyze the System's pricing policies.

<i>Req Num</i>	<i>Company Name</i>	<i>Description</i>
99-101	Penn State Geisinger Health System	A Standard 1996, 1997 and 1998 ambulatory data for Region 6 and several facilities will be used to perform market share analysis.
99-096	Penn State Geisinger Health System	The standard fourth quarter 1997 and first through third quarter 1998 inpatient discharge data for select facilities will be used for analysis of hospital trends.
99-033	Penn State Geisinger Health System, Hershey Medical Center	The standard market share report using second quarter 1998 inpatient discharge data will be used for market share analysis.
99-056	Penn State Geisinger, Hershey Medical Center	The third quarter 1998 inpatient market share report will be used for market share analysis.
99-106	PA Department of Health, Division of Immunizations	A custom report providing the hospitalization counts for pneumonia and influenza in Pennsylvania in 1998 will be used for planning purposes.
99-054	Pennsylvania Department of Health	The standard statewide 1997 inpatient discharge data will be used in their emergency medical services data linkage project.
99-098	Philadelphia Department of Health, Maternal and Child Health	The standard 1989 through 1998 inpatient data for Region 9 will be used to conduct statistical analysis of injuries in Philadelphia.
99-035	Rita Gallagher	The custom report using 1997 inpatient discharge data for carotid endarterectomy cases in Pennsylvania will be used to determine the frequency of this procedure.
99-102	Roxborough Memorial Hospital	A custom data set using 1997 and 1998 inpatient discharge data for select zip codes will be used for market share analysis.
99-073	Sachs Group	The standard third and fourth quarter 1998 inpatient discharge data will be used in a commercial software product.
99-029	Sachs Group	The 1998 statewide inpatient discharge data will be used in a commercial software product.
99-031	Sharon Regional Health System	The standard market share report using second quarter 1998 inpatient discharge data will be used for market share analysis.
99-093	South Hill Health Systems	The standard 1998 inpatient discharge and 1997 ambulatory data for Region 1 will be used to perform market share analysis.
99-119	South Hills Health System	A standard 1998 ambulatory data for Region 1 will be used for market share analysis.
99-065	South Hills Health System	The standard 1996 ambulatory data for Region 1 will be used for market share analysis.
99-036	Southern Chester County Medical Center	A customized 1996 and 1997 ambulatory data set for select zip codes will be used to survey the immediate and extended service area for opportunities for marketing and development of ambulatory services.
99-039	St. Joseph's Hospital of Parkersburg	The 1997 inpatient discharge data for Region 1 will be used for market share analysis to determine where West Virginia patients are being treated.
99-125	St. Luke's Hospital	A 1998 custom report of risk adjusted mortality, risk adjusted length of stay and average trimmed charges for St. Luke's Hospital/Allentown and St. Luke's Hospital/Bethlehem that will be used to review quality and costs of services provided at these two hospitals.
99-058	St. Luke's Hospital	A 1997 custom report of risk adjusted mortality, risk adjusted length of stay and average trimmed charges for St. Luke's Hospital/Allentown and St. Luke's Hospital/Bethlehem that will be used to review quality and costs of services provided at these two hospitals.
98-077	Sunbury Community Hospital and Outpatient Center	A custom report using third and fourth quarter 1996 and first and second quarter 1997 inpatient discharge data for select zip codes and hospitals will be used for planning purposes.
99-002	The Lewin Group, Inc.	A custom 1997 inpatient discharge data for select zip codes for Ohio residents receiving health care in Pennsylvania will be used for consulting purposes under contract with General Motors, Ford, Chrysler, Co., United Auto Workers and the International Union of Electrical Workers to support community level health assessments for Warren/Youngstown, Ohio.
99-095	The MEDSTAT Group, Inc.	The standard statewide 1998 ambulatory data will be used in a commercial software product.

<i>Req Num</i>	<i>Company Name</i>	<i>Description</i>
99-044	The MEDSTAT Group, Inc.	The standard statewide 1998 inpatient discharge data will be used in a commercial software product.
99-111	The Philadelphia Inquirer	The standard 1997 and 1998 inpatient discharge data for Regions 8 and 9 and revenue code detail data for 1998 will be used to perform research in order to create a series of newspaper stories.
99-053	The Segal Company	A custom report of hospital utilization statistics, excluding Medicaid and Medicare patients, using first and second quarter 1998 statewide inpatient discharge data will be used for consulting purposes.
99-013	Tiber Group	A custom 1997 inpatient discharge data set for all patients from Warren County admitted with a cardiology diagnosis will be used for consulting purposes.
99-014	Tiber Group	The custom 1997 inpatient discharge data for all patients from Warren County admitted with a cancer/oncology diagnosis will be used for consulting purposes.
99-069	Tiber Group	A custom data set using fourth quarter 1997 and first, second and third quarter 1998 inpatient discharge data for selected zip codes of New York residents receiving care at Pennsylvania Hospitals will be used for consulting.
99-038	U.S. Department of Justice	A custom data set using 1996, 1997 and January through September 1998 inpatient discharge data for circulatory and respiratory patients will be used for a clean air enforcement action.
98-103	University Hospital and Health System/Cleveland	The standard 1996 and 1997 inpatient discharge data for Region 2 will be used for market share analysis.
99-120	University Hospital Health System	A standard 1998 inpatient discharge data for Regions 1 and 2 will be used to assist the hospital in planning facility configuration.
99-030	University of Colorado Health Sciences Center	The custom 1995 through 1997 inpatient discharge data for patients with ischemic heart disease will be used to assess the incidence and disposition of patients suffering from acute myocardial infarction in rural Pennsylvania.
99-099	University of Pennsylvania	A custom data set of 1993 through 1998 PHC4 data matched with a 392 case study sample supplied by the client for the identification of admissions to PA hospitals will be used in a National Institutes of Health funded study entitled "Outcomes of a Nurse-Managed Geriatric Day Hospital."
97-028	University of Pittsburgh	The 1994 inpatient discharge data will be used in an Environmental Epidemiology class.
99-003	University of Pittsburgh Cancer Institute	A custom data set using 1990 through 1995 statewide inpatient discharge data for prostate cancer and prostatectomy patients will be used for research.
99-037	UPMC Health System	The second quarter 1998 standard market share report will be used for market share analysis.
98-106	UPMC Health System/Presbyterian	A custom data set of AMI patients who returned to the hospital in 1995 and 1997 will be used for research.
99-075	Washington County Hospital	A standard first, second and third quarter 1998 inpatient market share report will be used for market share analysis.
99-032	Wayne Memorial Hospital	The standard market share report using second quarter 1998 inpatient discharge data will be used for market share analysis.
99-049	Wayne Memorial Hospital	The standard third quarter 1998 inpatient market share report will be used for market share analysis.
98-052	Wellness Concepts	A customized 1997 inpatient discharge data set for Region 8 will be used for internal marketing material and contract negotiations with health maintenance organizations.
99-006	WMB Corporation	A custom 1996 and 1997 inpatient discharge data set for select lung cancer patients will be used to attempt to understand the disease.

MARC VOLAVKA,
Executive Director

INSURANCE DEPARTMENT

Gus R. Grant; Doc. No. AG00-03-005

A prehearing telephone conference is scheduled for April 20, 2000 at 1 p.m. Each part shall provide to the Acting Docket Clerk on or before April 13, 2000 a telephone number to be used for future contact. The hearing is scheduled for April 27, 2000 at 1 p.m. Both the prehearing conference and the hearing will be held in the Capitol Associates Building, Administrative Hearings Office, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 701—704 (relating to the Administrative Agency Law) and the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 31.1 et seq. and the Insurance Department's Special Rules of Administrative Practice and Procedure, 31 Pa. Code Chapter 56.

No prehearing memoranda or other written submissions are required for the prehearing/settlement telephone conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference. Except as established at the prehearing conference, both parties shall appear at the scheduled hearing, if necessary, prepared to offer all relevant testimony or other evidence. Each party must bring documents, photographs, drawings, claims, files, witnesses, and the like, to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party. Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 13, 2000 with the Acting Docket Clerk, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before April 13, 2000.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-579. Filed for public inspection March 31, 2000, 9:00 a.m.]

Health Central, Inc.; Rate Filing

On March 6, 2000, Health Central, Inc. submitted a filing for prescription drug riders, requesting a rate increase of 28%. This filing will affect approximately 35,275 contracts. The proposed increase will generate additional annual revenue of \$5,199,585. An effective date of July 1, 2000 is requested.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg,

PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-580. Filed for public inspection March 31, 2000, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). These administrative hearings will be held in the Insurance Department's Office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Lynn Jones; file no. 00-181-00865; Newark Insurance Company; doc. no. P00-03-016; April 18, 2000, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-581. Filed for public inspection March 31, 2000, 9:00 a.m.]

The Medical Protective Company; Physicians and Surgeons Professional Liability Rate and Rule Revision Occurrence, Standard and Enhanced Claims Made and MGMA PG East, Inc. Programs

On March 14, 2000, the Insurance Department (Department) received from The Medical Protective Company a filing for a rate level change for physicians and surgeons professional liability insurance.

The Medical Protective Company requests an overall 12.0% increase to be effective July 1, 2000 for new and renewal business.

Unless formal administrative action is taken prior to April 28, 2000 the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (E-mail at cromberg@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-582. Filed for public inspection March 31, 2000, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Allegheny County, Wine & Spirits Shoppe #9209, 308 Mall Boulevard, Monroeville, PA 15146-2227.

Lease Expiration Date: September 30, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 10,000 net useable square feet of new or existing retail commercial space for use as a Wine & Spirits Superstore. Location must be located in a shopping center environment serving the Monroeville area near the Monroeville Mall.

Proposals due: April 21, 2000 at 12 Noon

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Joseph J. Molhoek, (412) 565-5130

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 00-583. Filed for public inspection March 31, 2000, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Ratification and Adoption of Amendments to Part 192 of Title 49 of the *Code of Federal Regulations*; Doc. No. M-00001347

Commissioners Present: Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance Fitzpatrick

Public Meeting held
March 16, 2000

Order

By the Commission:

At 52 Pa. Code § 59.33(b) the Commission has adopted, excepted as otherwise indicated, the federal safety standards for gas transmission and distribution facilities. The federal standards are established by the United States Department of Transportation (DOT) at 49 U.S.C. §§ 60101, et seq., and are set forth in Parts 191, 192, 193 and 199 of Title 49 of the *Code of Federal Regulations*. Section 59.33(b) provides, in pertinent part, that amendments to Title 49 will become effective in Pennsylvania upon the date of entry of a Commission ratification order where that order is served upon all jurisdictional gas companies or, alternatively, upon the date of such order's publication in the *Pennsylvania Bulletin*.

A. On August 27, 1999 at 64 Fed. Reg. 46853, Amendment 192-86 was adopted and codified by the Federal Department of Transportation at 49 CFR 192.801, 192.803, 192.805, 192.807 and 192.809. The purpose of this amendment is to ensure a qualified work force and to reduce the possibility and consequence of incidents caused by human error. It requires pipeline operators to develop and maintain a written qualification program for individuals performing covered tasks on pipeline facilities.

B. On October 22, 1999 at 64 Fed. Reg. 56978, Amendment 192-87 was adopted and codified by the Federal Department of Transportation at 49 CFR 192.459. This amendment requires that when gas pipeline operators find harmful external corrosion on buried metallic pipelines that have been exposed, they must investigate further to determine if additional harmful corrosion exists in the vicinity of the original exposure. This new requirement may prevent accidents due to corrosion that might otherwise go undetected near an exposed portion of pipeline.

C. On December 14, 1999 at 64 Fed. Reg. 69660, Amendment 192-88 was adopted and codified by the Federal Department of Transportation at 49 CFR 192.309, 192.485, 192.487, 192.711, 192.713 and 192.717. The purpose of this amendment is to adopt safety performance standards for the repair of corroded or damaged steel pipe in gas pipelines and to encourage technological innovations and reduce repair costs without reducing safety.

Copies of the aforementioned *Federal Register* publications are attached hereto and are hereby made part of this order.

Keeping in mind the safety of the public, we have reviewed the above-referenced amendments in accordance with the provisions of 52 Pa. Code § 59.33. Based upon this review, we find the Department of Transportation amendments to be in the public interest and adopt them

as our own. The effective date of our adoption of the aforementioned amendments shall be the date upon which this order is entered.

Therefore It Is Ordered That:

1. The following amendments adopted by the United States Department of Transportation are hereby ratified and adopted in accordance with the provisions of 52 Pa. Code § 59.33(b):

(a) On August 27, 1999 at 64 Fed. Reg. 46853, Amendment 192-86 to 49 CFR 192.801, 192.803, 192.805, 192.807 and 192.809.

(b) On October 27, 1999 at 64 Fed. Reg. 56978, Amendment 192-87 to 49 CFR 192.459.

(c) On December 14, 1999 at 64 Fed. Reg. 69660, Amendment 192-88 to 49 CFR 192.309, 192.485, 192.487, 192.711, 192.713 and 192.717.

2. The Secretary shall serve copies of this order together with its attachments upon all jurisdictional gas utilities. Accordingly, the effective date shall be the entry date of this order. Concurrently, the Secretary shall cause this order, without attachments, to be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-584. Filed for public inspection March 31, 2000, 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 24, 2000, 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 approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00116691. Assured Claimant Transport Service Inc. (259 Acorn Court, Mechanicsburg, Cumberland County, PA 17055), a corporation of the Commonwealth of Pennsylvania—persons, in paratransit service, between points in the counties of Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, Schuylkill and York, and from points in said territory, to points in Pennsylvania, and return; subject to the following condition: That service shall be limited to the transportation of insurance claimants where compensation is remitted by the claimant or a third party entity. *Attorney:* Kenneth Zielonis, 208 North Third Street, Suite 310, P. O. Box 12090, Harrisburg, PA 17108-2090.

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-00114509, Folder 1, Am-A. Elite Coach Limousine, Inc. (3797 Old William Penn Highway, Murrysville, Westmoreland County, PA 15668), a corporation of the Commonwealth of Pennsylvania—persons, in limousine service, between points in the counties of Cambria, Indiana and Westmoreland, and from points in said counties, to points in Pennsylvania, and return; subject to the following conditions: (1) transportation to points in the county of Washington shall be limited to transportation to the facilities of the Coca Cola Star Lake Amphitheater; That no right, power or privilege: (2) is granted to provide service to or from the Westmoreland County Airport in Unity Township, Westmoreland County; (3) is granted to provide service to or from the Laurel Valley Country Club or the Rolling Rock Country Club located in Westmoreland County, except for weddings; (4) is granted to transport persons from that portion of Westmoreland County located on or east of U. S. Route 119, or from the city of Greensburg to the Pittsburgh International Airport in the township of Findlay, Allegheny County; and (5) is granted to provide service from funeral homes or service to or from funeral homes for persons attending funerals: *So as to permit* the transportation of persons, in limousine service, between points in the counties of Armstrong, Beaver, Butler, Fayette and Washington, and from points in said counties, to points in Pennsylvania, and return. *Attorney:* Francis M. Moore, 220 Grant Street, Pittsburgh, PA 15219.

Applications of the following for amendment to the contract carrier permit approving the operation of motor vehicles as contract carriers for transportation of persons as described under each application.

A-00116251. Folder 1, Am-A. L & S Transportation, Incorporated (104 Hoffman Road, Wingap, Northampton County, PA 18091)—persons attending bingo games, for Astor Bingo Hall, from points in the city of Allentown, Lehigh County, to its facilities located in the city of Allentown, Lehigh County; subject to the following condition: That service will be provided in vehicles with seating capacity of 15 passengers or less, excluding the driver: *So as to permit* the transportation of persons attending bingo games: (1) for Astor Bingo Hall, from the counties of Lehigh and Northampton, to its facilities located in the city of Allentown, Lehigh County; and (2) for St. Francis Church, from the counties of Lehigh and Northampton, to its facilities located in the city of Allentown, Lehigh County; subject to the following condition: That service will be provided in vehicles with seating capacity of 15 passengers or less, excluding the driver.

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 as described under each application.

A-00116710. Pennysaver Direct, Inc., t/d/b/a Two Guys & A Truck (1218 West 38th Street, Erie, Erie County, PA 16508), a corporation of the Commonwealth of Pennsylvania—household goods in use, between points in the counties of Erie and Crawford, and from points in

said counties, to points in Pennsylvania, and vice versa. *Attorney:* Ronald C. Fernandes, 2418 Peach Street, Erie, PA 16502.

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 as described under each application.

A-00116706. Arcade Moving & Storage Co., Inc. (956 Rye Valley Drive, Meadowbrook, Montgomery County, PA 19046), a corporation of the Commonwealth of Pennsylvania—household goods in use: (1) between points in the city and county of Philadelphia; and (2) from points in the city and county of Philadelphia, to other points in Pennsylvania within an airline radius of 150 statute miles of the City Hall in the said city, provided that no more than 12 trips per year shall be made to or from points farther than 25 statute miles by airline distance from said City Hall, and provided further that reports of such trips shall be filed with the Commission immediately after they are made; and (3) property, excluding household goods in use, between points in Pennsylvania; which is to be a transfer of all of the rights authorized under the certificate issued at A-00096905 to Emanuel Rasper, t/d/b/a Arcade Storage Company, subject to the same limitations and conditions. *Attorney:* Richard A. Franklin, 1700 Sansom Street, 12th Floor, Philadelphia, PA 19103.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-585. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310923 F0002 AMA. Adelpia Business Solutions Operations, Inc. Application of Adelpia Business Solutions Operations, Inc., for approval to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier in the service territories of Alltel Pennsylvania, Inc.

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 17, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: Adelpia Business Solutions Operations, Inc.

Through and By Counsel: Dana Frix, Esquire, Michael P. Donahue, Esquire, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, NW, Suite 300, Washington, DC 20007-5116.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-586. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310923 F0002 AMB. Adelpia Business Solutions Operations, Inc. Application of Adelpia Business Solu-

tions Operations, Inc., for approval to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier in the service territories of Commonwealth Telephone Company, Denver and Ephrata Telephone and Telegraph Company, Frontier Communications of Pennsylvania, Inc., Frontier Communications of Breezewood, Inc., Frontier Communications of Canton, Inc., Frontier Communications of Lakewood, Inc., Frontier Communications of Oswayo River, Inc. and North Pittsburgh Telephone 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 17, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: Adelpia Business Solutions Operations, Inc.

Through and By Counsel: Dana Frix, Esquire, Michael P. Donahue, Esquire, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, NW, Suite 300, Washington, DC 20007-5116

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-587. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310923 F0002 AMC. Adelpia Business Solutions Operations, Inc. Application of Adelpia Business Solutions Operations, Inc., for approval to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier in the service territories of Armstrong Telephone Company North, Armstrong Telephone Company Pennsylvania, Bentleyville Telephone Company, Buffalo Valley Telephone Company, Citizens Telephone Company of Kecksburg, Citizens Telecommunications Company of New York, Conestoga Telephone and Telegraph Company, Deposit Telephone Company, Hancock Telephone Company, Hickory Telephone Company, Ironton Telephone Company, Lackawaxen Telephone Company, Laurel Highland Telephone Company, Mahanoy and Mahantango Telephone Company, Marianna and Scenery Hill Telephone Company, North Penn Telephone Company, North-Eastern Pennsylvania Telephone Company, Palmerton Telephone Company, Pennsylvania Independent Telephone Association, Pennsylvania Telephone Company, South Canaan Telephone Company, TDS Telecom/Mahanoy and Mahantango, TDS Telecom/Sugar Valley Telephone, Venus Telephone Corporation, West Side Telephone Company and Yukon Waltz Telephone 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 17, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: Adelpia Business Solutions Operations, Inc.

Through and By Counsel: Dana Frix, Esquire, Michael P. Donahue, Esquire, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, NW, Suite 300, Washington, DC 20007-5116.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-588. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310677 F0002 AMA. Allegheny Hyperion Telecommunications, LLC. Application of Allegheny Hyperion Telecommunications, LLC., for approval to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier in the service territories of Alltel Pennsylvania, Inc.

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 17, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: Allegheny Hyperion Telecommunications, LLC.

Through and By Counsel: Dana Frix, Esquire, Michael P. Donahue, Esquire, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, NW, Suite 300, Washington, DC 20007-5116.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-589. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310677 F0002 AMB. Allegheny Hyperion Telecommunications, LLC. Application of Allegheny Hyperion Telecommunications, LLC., for approval to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier in the service territories of United Telephone Company of Pennsylvania, Inc.

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 17, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: Allegheny Hyperion Telecommunications, LLC.

Through and By Counsel: Dana Frix, Esquire, Michael P. Donahue, Esquire, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, NW, Suite 300, Washington, DC 20007-5116.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-590. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310258F0002. GTE North Incorporated and TCG Delaware Valley, Inc. Adoption by TCG Delaware Valley, Inc. of an interconnection agreement between GTE North Incorporated and AT&T Communications under section 252(i) of the Telecommunications Act of 1996.

GTE North Incorporated and TCG Delaware Valley, Inc., by its counsel, filed on March 14, 2000, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and TCG Delaware Valley, Inc. Joint Petition are on file with the 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. 00-591. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310213F0002. GTE North Incorporated and TCG Pittsburgh. Adoption by TCG Pittsburgh of an interconnection agreement between GTE North Incorporated and AT&T Communications under section 252(i) of the Telecommunications Act of 1996.

GTE North Incorporated and TCG Pittsburgh, by its counsel, filed on March 14, 2000, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and TCG Pittsburgh Joint Petition are on file with the 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. 00-592. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310378 F0002 AMA. PECO Hyperion Telecommunications. Application of PECO Hyperion Telecommunications for approval to offer, render, furnish or supply telecommunications services as a Competitive Local Exchange Carrier in the service territories of Common-

wealth Telephone Company, Frontier Communications of Pennsylvania, Inc., Frontier Communications of Breezewood, Inc., Frontier Communications of Canton, Inc., Frontier Communications of Lakewood, Inc., Frontier Communications of Oswayo River, Inc., and Palmerton Telephone 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 17, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: PECO Hyperion Telecommunications.

Through and By Counsel: Dana Frix, Esquire, Michael P. Donahue, Esquire, Swidler Berlin Shereff Friedman, LLP, 3000 K Street, NW, Suite 300, Washington, DC 20007-5116.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-593. Filed for public inspection March 31, 2000, 9:00 a.m.]

Telecommunications

A-310084F0002. United Telephone Company of Pennsylvania d/b/a Sprint and Capital Telecommunications, Inc. Joint Application of the United Telephone Company of Pennsylvania d/b/a Sprint and Capital Telecommunications, Inc. for approval of a replacement master resale agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

The United Telephone Company d/b/a Sprint and Capital Telecommunications, Inc., by its counsel, filed on March 15, 2000, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a replacement master resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone of Pennsylvania d/b/a Sprint and Capital Telecommunications, Inc. Joint Petition are on file with the 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. 00-594. Filed for public inspection March 31, 2000, 9:00 a.m.]

**PHILADELPHIA REGIONAL
PORT AUTHORITY**

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 0005.1, Paving Repairs

(Spray Patch Paving) at PAMT, P98SA, P96S, P84S, P82S, P80S, P80SA, P78S, P78SA, P38-40S, TMT and AOC Bldg, until 2 p.m. on Thursday, April 20, 2000. The bid documents can be obtained from the Director of Procurement, PRPA, 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available April 4, 2000. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held April 13, 2000, 10 a.m. at the Tioga Administrative Building, 3460 N. Delaware Ave., Suite 107, Philadelphia, PA 19134.

JAMES. T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 00-595. Filed for public inspection March 31, 2000, 9:00 a.m.]

**STATE EMPLOYEES'
RETIREMENT BOARD**

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

Mar. 27, 2000	Constance Salidis (Contested Death Benefit)	9:30 a.m.
Mar. 29, 2000	Douglas Lare (SERS to PSERS Membership)	1 p.m.
Apr. 5, 2000	Dora Martini (Purchase Student Service)	1 p.m.
Apr. 17, 2000	Cheryl Franklin (Continue Disability Retirement Benefits)	1:30 p.m.
Apr. 19, 2000	Daniel J. Kelleher and AOPC (Senior Judge Membership)	
Apr. 20, 2000	Roslyn Harris (Continue Disability Retirement Benefits)	1 p.m.
May 10, 2000	Henry M. Liss (Purchase of Non- Intervening Military Service)	1 p.m.
May 15, 2000	Nayda Segarra (Eligibility for Disability Benefits)	1 p.m.
June 9, 2000	Louis Peffenbach (Revoke Conditional Retirement Application executed in 1984)	9 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with

the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01, (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of

Administrative Practice and Procedure) unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 00-596. Filed for public inspection March 31, 2000, 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". The 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.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development
374 Forum Building
Harrisburg, PA 17120
800-280-3801 or (717) 783-5700

Reader's Guide

Legal Services & Consultation—26

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

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

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division
787-0000

③ Contract Information

④ Department

⑦

⑤ Location

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

⑥ Duration

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

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

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Commodities

E4929 Pulaski tool (axe) must meet U.S. Forest Service standards. 4 lb. head constructed from carbon or alloy tool steel. Handle must be constructed of clear, straight grain hickory 36" in length. 300 each.

Department: Conservation and Natural Resources
Location: Forest Fire Protection Warehouse, Halifax, PA
Duration: Indeterminate 1999-2000
Contact: Deborah J. Kauffman, (717) 783-1896

E4965 Fire rake complete with ash handle, Council Model LW12. 530 each.

Department: Conservation and Natural Resources
Location: Forest Fire Protection Warehouse, Halifax, PA
Duration: Indeterminate 1999-2000
Contact: Deborah Kauffman, (717) 783-1896

6114-99-01 Provide three premanufactured wood log cabin cottage kits—13'W x 15'L with a 6' covered front porch, ready for field assembly by others. Each kit to be packaged as a separate unit for ease of shipping and assembly and to provide all components required for erection of cottage.

Department: Conservation and Natural Resources
Location: Little Pine State Park, 4205 Little Pine Creek Road, Waterville, PA 17776
Duration: Six weeks from receipt of purchase order
Contact: John Ferrara, (814) 486-3365

6109-99-01 Provide three premanufactured wood log cabin cottage kits—13'W x 15'L with a 6' covered front porch, ready for field assembly by others. Each kit to be packaged as a separate unit for ease of shipping and assembly and to provide all components required for proper erection of cottage.

Department: Conservation and Natural Resources
Location: Hills Creek State Park, R. R. 2, Box 328, Wellsboro, PA 16901
Duration: Six weeks from receipt of purchase order
Contact: Robert Cross, Park Manager, (570) 724-4246

FD4160 To provide assorted protective equipment such as boots, helmets with light, raincoats, gloves, and reflective vests manufactured by a variety of vendors. To receive a bid package, call Fiscal Management at (717) 651-2189 or send an E-mail to azimmerman@state.pa.us indicating the following: contact person, company name, company address, telephone number, fax number and company Federal identification number. Also, reference inquiry number FD4160.

Department: PA Emergency Management Agency
Location: PA Emergency Management Agency, 2605 Interstate Drive, Harrisburg, PA 17110-9364
Duration: Until June 30, 2000
Contact: Christopher Nolan, (717) 651-2189

LBLA 1266 Hot water heater, instantaneous.

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: Indeterminate 1999-2000
Contact: Arletta K. Ney, Purch. Agt., (570) 372-5070

LBLA 1267 Air Conditioners (6,000 BTU; 17,000-18,000 BTU; 24,000 BTU).

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870.
Duration: Indeterminate 1999-2000
Contact: Arletta K. Ney, Purch. Agt., (570) 372-5070

00098R01-9 SU00098R01-9: Roofing Membrane and related material. Shippensburg University of the State System of Higher Education invites vendors to request bid documents for these items. Prospective bidders may obtain bid packages by contacting Zora Frank at the University Purchasing Office at (717) 477-1386 or fax (717) 477-1350. Bids due: April 12, 2000 by 4 p.m. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg Township, Shippensburg, Cumberland County, PA
Duration: N/A
Contact: Zora Frank, (717) 477-1386

1465119 Furnish security data and fire alarm building panels, services and labor to perform the work stated in the bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Frackville, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1427119 Stainless steel seats per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Pittsburgh, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1404219 Truck with 22' van body per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Harrisburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

8223010 Electronic dodging contact printer. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Middletown, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1437359 High pressure pipe cleaner, Harben Model 4016DTH600ETP. For a copy of the bid package fax request to (717) 787-0725.

Department: Environmental Protection
Location: Ebensburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

SU50003-48 Shippensburg University is seeking vendors interested in bidding Sharp No. XG-NV5XB XGA Data/Video Projectors, data and audio cables, AMP/Splitters, and Wallplates. Bid opening scheduled for April 20, 2000 at 2 p.m. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 477-1350, or E-mail jlneid@ship.edu. Questions may be addressed to (717) 477-1123, Ext. 3139. The University encourages responses from small and disadvantaged, minority, and women-owned firms.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg Township, Shippensburg, Cumberland County, PA
Duration: N/A
Contact: Janet Neidigh, (717) 477-1386

1461119 Stainless steel sheets per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Pittsburgh, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1412219 Van body truck per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Harrisburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1483389 Five premanufactured cabin kits per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Conservation and Natural Resources
Location: Penn Run, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1494209 Standard crayons, four per pack, per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: State Police
Location: Hershey, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

Project 010 Replace existing shop air compressor with new duplex 15hp with accessories.

Department: Military Affairs
Location: Flight Facility (AASF1), Fort Indiantown Gap, Annville, PA
Duration: 30 Sep 2000
Contact: Brenda/Aimnee, (717) 861-8519, 2118

1218139 Omnibus per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Pittsburgh, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

0034-08 Fish and Boat Commission "Play" Newsletter. For a copy of the bid package fax request to (717) 787-0725.

Department: Fish and Boat Commission
Location: Various
Duration: July 1, 2000—June 30, 2001
Contact: Vendor Services, (717) 787-2199

0400mb One 48" x 96" full matrix LED message board to be delivered to Lackawanna County Maintenance Office, West Grove Street and Morgan Highway, Clarks Summit, PA within 30 days after receipt of order.

Department: Transportation
Location: PA Department of Transportation, Maintenance District 4-2, West Grove Street and Morgan Highway, Clarks Summit, PA 18411
Duration: Indeterminate 1999-2000
Contact: Gerald R. Pronko, (570) 963-4039

1442219 Instantaneous compact hot water heaters. For a copy of the bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Clarks Summit, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1326119 Semi-instantaneous hot water heater. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Muncy, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

7509-99-0075 Fabric, quilted lining, various colors.

Department: Corrections
Location: Correctional Industries SCI, Smithfield, 1120 Pike Street, Huntingdon, PA 16652.
Duration: 1 year
Contact: MaryAnn Ulrich, (717) 731-7134

1453139 Bus per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Pittsburgh, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

7314390 Carpet tile. For a copy of the bid package fax request to (717) 787-0725.

Department: Liquor Control Board
Location: Various
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1441239 2000 stake body dump truck per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Harrisburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1487209 Duty bags, with strap. For a copy of the bid package fax request to (717) 787-0725.

Department: State Police
Location: Harrisburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1410049 Latest Model conventional truck tractor per bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Harrisburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

SERVICES

Advertising—01

PDA446 Bin Wrap 2500 rolls, 6 mil polyethylene 16 feet, four color process. Simply Delicious logo every three to four feet. All quotes must include set-up cost and freight.

Department: Agriculture
Location: Harrisburg, PA
Duration: 3 months
Contact: Mike Varner, (717) 787-2376

Audio/Video—04

90981033 Vendor is to furnish and install video equipment to upgrade the closed circuit TV system at the South West Secure Treatment Unit, Wiseman Building, Torrance, PA. Call the YDC New Castle purchasing department for specifications, (724) 656-7310.

Department: Public Welfare
Location: South West Secure Treatment Unit Wisemen Building, TSH State Route 1014, Torrance, PA 15779
Duration: Unspecified
Contact: T. E. Mateja, PA, (724) 656-7310

FD5937 The PA Emergency Management Agency is soliciting bids to a contractor that can provide and install an onsite automated dialing and message system that calls a designated group of individuals and relays a particular message to them and can also receive information from the contacted individuals. The system must be Year 2000 compliant, meet FCC standards and capable of delivering messages to TTY/TDD devices, system must operate in a Windows NT 4.0, 32-bit Voice Sub System, 32-bit Data Management Application Software, Dialogic DNA System Architecture. To receive a bid package, call Fiscal Management at (717) 651-2189 or send an E-mail to azimmerman@state.pa.us indicating the following: contact person, company name, company address, telephone number, fax number and company Federal Identification number. Also, reference inquiry number FD5937.

Department: PA Emergency Management Agency
Location: PA Emergency Management Agency, 2605 Interstate Drive, Harrisburg, PA 17110-9364
Duration: Until June 30, 2000
Contact: Christopher Nolan, (717) 651-2189

Computer-Related Services—08

DSPM-MU1 Millersville University is seeking qualified bidders who can provide the University with a Distributed Systems Performance Monitor. The product must meet all of required specifications including the ability to collect, monitor, and report real time and historical performance monitoring data for Sun Solaris 7, HP-UX 10.20 and Windows NT 4.0. Additional specs will be provided in the bid packet. Interested bidders should fax their request to be placed on a bidders list to Anna Stauffer (Fax: (717) 871-2000) no later than 2 p.m. Friday, April 7, 2000.

Department: State System of Higher Education
Location: Millersville University, Millersville, PA 17551
Duration: April 2000—July 2000
Contact: Anna Stauffer, (717) 872-3041

Construction—09

ME-90879009 Repair foam roof.

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870.
Duration: Indeterminate 1999-2000
Contact: Arletta K. Ney, Purch. Agt., (570) 372-5070

FDC-406-644 Modifications to existing facilities (boat dock, fishing pier, comfort stations, boat rental area and swimming pool area) to improve ADA Accessibility at French Creek State Park in Berks County. Work includes building modifications, paving, landscaping, concrete, masonry, miscellaneous metal, doors and windows, painting, mechanical and electrical work. Note: Bid documents will be available on or after April 3, 2000.

Department: Conservation and Natural Resources
Location: Union Township
Duration: 240 days
Contact: Construction Management Section, (717) 787-5055

FDC-401-673 Modification to restrooms, swimming pool area and shower building to improve ADA Accessibility at Frances Slocum State Park in Luzerne County. Work includes removal of existing wood porch, rails, ramp and toilet partitions, new masonry, roofing, concrete sidewalks and landscaping. Note: Bid documents will be available on or after April 5, 2000.

Department: Conservation and Natural Resources
Location: Kingston Township
Duration: 120 days
Contact: Construction Management Section, (717) 787-5055

FDC-317-721 Modifications to two existing comfort stations to improve ADA Accessibility at Little Buffalo State Park in Perry County. Work includes removal of existing facilities, excavation, drainage, backfilling, sitework, carpentry, masonry, mechanical and electrical work. Note: Bid documents will be available on or after April 3, 2000.

Department: Conservation and Natural Resources
Location: Centre Township
Duration: 150 days
Contact: Construction Management Section, (717) 787-5055

FDC-310-625 Replace porch on Hostel at Pine Grove Furnace State Park in Cumberland County. Work includes removing and replacing wood columns, decking, soffit and fascia boards and selective replacement of structural framing members. Note: Bid documents will be available on or after April 3, 2000.

Department: Conservation and Natural Resources
Location: Cooke Township
Duration: 60 days
Contact: Construction Management Section, (717) 787-5055

1200-00-200 Pave south parking lot at PennDOT District 12 Engineering Office, drainage, line painting for parking spaces, inlaid tape items.

Department: Transportation
Location: PennDOT—Uniontown
Duration: Proposed Bid Opening April 25, 120 Calendar days
Contact: Craig Bolinger, (724) 439-7382

FDC-226-622.1 Modifications to Beach Bathhouse, playground and swimming access to improve ADA accessibility at Linesville Beach in Pymatuning State Park, Crawford County. Work includes demolition of existing facilities, excavation, trenching, backfilling, carpentry, concrete, door, windows, roofing, bituminous paving, landscaping. Note: Bid documents will be available on or after April 5, 2000.

Department: Conservation and Natural Resources
Location: North Shenango Township
Duration: 180 days
Contact: Construction Management Section, (717) 787-5055

FDC-007-659 Rehabilitate Synagogue Gap Road in Forest District No. 7, Centre County. Work includes 4,100 tons of 2RC, 115 tons riprap, 620 L. F. of 21 inch x 15 inch C. M. pipe and 52 headwalls. Note: Bid documents will be available on or after April 5, 2000.

Department: Conservation and Natural Resources
Location: Gregg Township
Duration: 90 days
Contact: Construction Management Section, (717) 787-5055

015DGS163-29 Project Title: Rehabilitation of Water Mains serving the park. Brief Description: New main service lines, spurs, associated valving, and the like, for the water distribution system serving the park, cleaning of the existing waterline and incidental construction of sidewalks and road crossings. Estimated range: \$2,000,000 to \$5,000,000. General Construction. Plans Deposit: \$75 per set payable to: Department of Conservation and Natural Resources. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. 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 a separate check for \$10 or provide an express mail account number to the office listed. Mail requests to Department of Conservation and Natural Resources, Contract Management Section, P. O. Box 8451, 8th Floor, RCSOB, Harrisburg, PA 17101. Tel: (717) 787-5055. Bid Date: Wednesday, April 19, 2000 at 11 a.m.

Department: General Services
Location: Presque Isle State Park, Erie, Erie County, PA
Duration: 315 Calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS229-20REBID Project Title: Roof Replacement. Brief Description: Remove asbestos containing flashing and all gravel from roof area. Install new thermoplastic single ply membrane roofing system. Estimated Range: \$100,000 to \$500,000. General Construction. Plans Deposit: \$25 per set payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. 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 a separate check for \$5 per set or provide an express mail account number to the office listed. Mail requests to Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: Wednesday, April 5, 2000 at 2 p.m.

Department: General Services
Location: PA State Police Department Headquarters, Harrisburg, Dauphin County, PA
Duration: 100 Calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS251-564REBID Project Title: Replace Building Roof. Brief Description: Remove existing built up roof, insulations, gravel stop, fascia sumps, spillouts, roof drains, parapet caps, wood fascia and soffit. Install new membrane roofing, insulation and features above. Estimated Range: \$100,000 to \$500,000. General Construction. Plans Deposit: \$25 per set payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. 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 a separate check for \$5 per set or provide an express mail account number to the office listed. Mail requests to Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: Wednesday, April 5, 2000 at 1 p.m.

Department: General Services
Location: PennDOT District Office Building Annex, Allentown, Lehigh County, PA
Duration: 120 Calendar days from date of initial job conference.
Contact: Contract and Bidding Unit, (717) 787-6556

063793 Demolition and removal of buildings and any site improvements along West 2nd Street, City of Chester, Delaware County, for S. R. 291 Section A09.

Department: General Services
Location: Chester City, Delaware County, PA
Duration: Open
Contact: Roger Joseph, (610) 205-6505

015DGS1103-48ST3REVISEDREBID Project Title: Excavation, Foundations and Caissons. Brief Description: All work necessary to complete excavation and furnish and install all caissons and foundations. Estimated Range: \$5,000,000 to \$10,000,000. Excavation, Foundations and Caissons Construction. Plans Deposit: \$200 per set payable to: Pitt-Center Partners. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. 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 a separate check for \$50 per set or provide an express mail account number to the office listed. Mail requests to: Pitt-Center Partners, 3803 University Drive, Pittsburgh, PA 15213, Attn: Nancy Vicheck. Tel: (412) 621-4222. Bid Date: Wednesday, April 19, 2000 at 11 a.m. A prebid conference has been scheduled for Monday, April 3, 2000 at 2 p.m. at the Pitt-Center Partners Field Office Trailer located at 3803 University Drive (Adjacent to the Old Stadium Location), Pittsburgh, PA. All Contractors who have secured Contract Documents are invited and urged to attend this Prebid conference.

Department: General Services

Location: University of Pittsburgh Campus, Pittsburgh, Allegheny County, PA
Duration: 171 Calendar days from date of initial job conference for completion of the entire project.

Contact: Contract and Bidding Unit, (717) 787-6556

015DGS1103-48ST2REVISEDREBID Project Title: Structural Steel. Brief Description: All work necessary to furnish and install structural steel. Estimated Range: Over \$10,000,000. Structural Steel Construction. Plans Deposit: \$200 per set payable to: Pitt-Center Partners. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. 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 a separate check for \$50 or provide an express mail account number to the office listed. Mail requests to: Pitt-Center Partners, 3803 University Drive, Pittsburgh, PA 15213, Attn: Nancy Vicheck. Tel: (412) 621-4222. Bid Date: Wednesday, April 19, 2000 at 11 a.m. A Prebid Conference has been scheduled for Monday, April 3, 2000 at 9 a.m. at the Pitt-Center Partners Field Office Trailer located at 3803 University Drive (Adjacent to the Old Stadium Location) Pittsburgh, PA. All Contractors who have secured Contract Documents are invited and urged to attend this Prebid Conference.

Department: General Services

Location: University of Pittsburgh Campus, Pittsburgh, Allegheny County, PA
Duration: 325 Calendar days from date of initial job conference for completion of the entire project

Contact: Contract and Bidding Unit, (717) 787-6556

015DGS1103-38/46ME2 and 015DGS1103-38/48ME2 Project Title: Chilled Water, Steam Line, Plumbing Piping and Site Electric—Phase 2. Brief Description: All work necessary to complete the furnishing and installation of chilled water, steam and plumbing work. In addition, all work necessary to complete the furnishing and installation of underground electrical conduit and miscellaneous interior heat trace wiring. Estimated Range: \$1,000,000 to \$2,000,000. Mechanical and Electrical Construction. Plans Deposit: \$150 per set payable to Pitt-Center Partners. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$50 or provide an express mail account number to the office listed. Mail requests to: Pitt-Center Partners, 3803 University Drive, Pittsburgh, PA 15213, Attn: Nancy Vicheck. Tel: (412) 621-4222. Bid Date: Wednesday, April 19, 2000 at 11 a.m. A Prebid Conference has been scheduled for Monday, April 3, 2000 at 11 a.m. at the Pitt-Center Partners Field Office Trailer located at 3803 University Drive (Adjacent to the Old Stadium Location.) All Contractors who have secured Contract Documents are invited and urged to attend this Prebid Conference.

Department: General Services

Location: University of Pittsburgh Campus, Pittsburgh, Allegheny County, PA
Duration: 116 Calendar days from date of initial job conference for completion of the entire project.

Contact: Contract and Bidding Unit, (717) 787-6556

015DGS1103-502-78 Project Title: Roof Replacement. Brief Description: Remove existing ballasted EPDM roof system, insulation, and the like. Note: roof flashing debris containing Asbestos has been found behind the EPDM flashing at roof perimeter. Install a new EPDM ballasted roof system, including insulation, accessories, and the like. Repair/replace part of brick parapet, clean out and recaulk existing coping stone joints. Estimated Range: Under \$100,000. General Construction. Plans Deposit: \$25 per set payable to Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. 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 a separate check for \$5 per set or provide an express mail account number to the office listed. Mail requests to Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: Wednesday, April 19, 2000 at 1 p.m.

Department: General Services

Location: Clarks Summit State Hospital, Clarks Summit, Lackawanna County, PA

Duration: 100 Calendar days from date of initial job conference

Contact: Contract and Bidding Unit, (717) 787-6556

CL-514 Modify stadium practice fields. Removal of existing baseball field, including dug outs, back stops, fencing, electrical/plumbing lines to this field. Construction of new baseball field with dugouts, softball field with dugouts, soccer field and football practice field. Includes installation of underground drainage system, expansion of water and electrical systems, soil treatment, fencing and modification of entrance/service road. Contracts: general, plumbing and electrical. Nonrefundable fee for bid package: \$15 by check payable to Clarion University Prebid Conference: 10 a.m., March 31, 2000. Bids Due and Open: 2 p.m., April 11, 2000.

Department: State System of Higher Education

Location: Clarion University, Clarion, Clarion County, PA

Duration: 90 days from Notice to Proceed

Contact: Judy McAninch, Contract Specialist, (814) 393-2240

015DGS700-33 Project Title: Renovations and Construct New Headhouse and Greenhouse. Brief Description: Construct new brick headhouse, enclosed corridor, new greenhouse, new lab and renovations to existing greenhouses. Estimated Range: \$100,000 to \$500,000. General, Mechanical and Electrical Construction. Plans Deposit: \$25 per set payable to Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. 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 a separate check for \$5 per set or provide an express mail account number to the office listed. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: Wednesday, April 19, 2000 at 2 p.m.

Department: General Services

Location: Department of Agriculture Headquarters, Susquehanna Township, Dauphin County, PA

Duration: 210 Calendar days from date of initial job conference

Contact: Contract and Bidding Unit, (717) 787-6556

IN-804.1 Roof Replacement Zink and Stright Halls. Removing of existing built-up roofing, gravel ballast, stainless steel coping, security lights, roof drains, ventilators, and the like, to furnish and install new E.P.D.M. roofing, tapered and flat ISO insulation, roof drains, curb caps, joint sealants, wood nailers bronze colored fascia, etc. Notice to Contractors may be requested from IUP, (724) 357-2289, Fax: (724) 357-6480, Internet: <http://www.iup.edu/engcons>.

Department: State System of Higher Education

Location: Indiana University of Pennsylvania, Indiana, PA 15705-1087

Duration: Six months

Contact: Ronald E. Wolf, Procurement Specialist, (724) 357-4851

Environmental Maintenance Services—15

OSM 54(3649)101.1 Abandoned Mine Reclamation, Newtown South 2 involves approximately 120,080 c.y. grading, and seeding 26.1 acres. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection

Location: Reilly and Tremont Townships, Schuylkill County

Duration: 290 Calendar days after notice to proceed

Contact: Construction Contracts Section, (717) 783-7994

OSM 49(3205)102.1 Abandoned Mine Reclamation, Shamokin South involves approximately 483,000 c.y. grading, and seeding 66.4 acres. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection

Location: Mount Carmel Township, Northumberland County.

Duration: 350 Calendar days after notice to proceed

Contact: Construction Contracts Section, (717) 783-7994

OSM 54(3633)101.1 Abandoned Mine Reclamation, Mount Pleasant involves approximately 506,440 c.y. grading, seeding 43 acres and 520 s.y. rock lining. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection

Location: Foster Township, Schuylkill County

Duration: 340 Calendar days after notice to proceed

Contact: Construction Contracts Section, (717) 783-7994

OSM 16(6715)101.1 Abandoned Mine Reclamation, Elk City South involves approximately 70,000 c.y. grading, seeding 10 acres and planting 1,360 trees. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection

Location: Beaver Township, Clarion County

Duration: 100 calendar days after notice to proceed

Contact: Construction Contracts Section, (717) 783-7994

OSM 05(2069)101.1 Abandoned Mine Reclamation, Defiance North involves approximately 433,000 c.y. grading, and seeding 39 acres. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection

Location: Broad Top Township, Bedford County

Duration: 280 Calendar days after notice to proceed

Contact: Construction Contracts Section, (717) 783-7994

OSM 54(3024)101.1 Abandoned Mine Reclamation, Tremont North involves approximately 414,300 c.y. grading, 400 c.y. backfilling opening, and seeding 67.5 acres. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection
Location: Frailey Township, Schuylkill County
Duration: 400 calendar days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994

OSM 54(3703)103.1 Abandoned Mine Reclamation, North Donaldson involves approximately 2,960 c.y. backfilling mine openings, 1,347,810 c.y. grading, 9,730 s.y. rock lining, and seeding 87.6 acres. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection
Location: Frailey Township, Schuylkill County
Duration: 690 Calendar days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994

OSM 17(4535)101.1 Mine Subsidence Control, Troy (Hawk Run) involves an estimated drilling 12 boreholes, 300 tons flushing material and sealing 13 boreholes. This project issues March 31, 2000; payment in the amount of \$10 must be received before bid documents will be sent. Federal funds are available for this project from the \$21.7 million 1999 Pennsylvania AML grant.

Department: Environmental Protection
Location: Morris Township, Clearfield County
Duration: 70 Calendar days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994

Financial Services—17

KUBB-0017 Kutztown University is seeking proposals from qualified consultants able to assist the University and its Financial Aid Office with an indepth analysis of the Financial Aid Office to assess its operational efficiency. The assistance of the consultant is desired in formulating recommendations for improved operational efficiencies while maintaining qualitative outcomes. Interested firms must submit their request for a Request for Proposal package in writing and direct it to: Barbara Reitz, Director of Purchasing, Kutztown University, Purchasing Dept., Admin. Bldg., Rm. 224, Kutztown, PA 19530, (610) 683-4132, Fax: (610) 683-4674 or E-mail: reitz@kutztown.edu. RFP packages will be available from 8 a.m. on Monday, April 4th through noon on Thursday, April 13, 2000. Questions requiring clarification prior to proposal submission need to be submitted in writing prior to noon on Thursday, April 13, 2000. Proposals are due by noon on Thursday, April 27, 2000. Late submissions will not be accepted.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: 6 months after NTP
Contact: Barbara Reitz, (610) 683-4132

A-11 The Pennsylvania Higher Education Assistance Agency is seeking a qualified financial institution to provide a comprehensive plan of financial strategies and services to better control and manage PHEAA's assets, maximize returns on our investment, and provide superior customer service. A Financial Services RFP will be issued the week of April 24th. Vendors wishing to be added to the mailing of the RFP should contact the Purchasing Office, (717) 720-2702, no later than 3 p.m., Thursday, April 6th, 2000. Purchasing Office hours are 8 a.m. to 4:30 p.m., Monday through Friday.

Department: PHEAA
Location: PA Higher Education Assistance Agency, 1200 North Seventh Street, Harrisburg, PA 17102-1444
Duration: Indeterminate 1999-2000
Contact: Donna Orris, (717) 720-2702

Food—19

Inq. No. 237 Bread and rolls (fresh)—white bread, rye bread, cracked wheat bread, raisin bread, low sodium bread, hamburger rolls, frankfurter rolls, dinner rolls and english muffins. Delivery schedule, dates, quantities and complete specifications can be obtained from the Hospital.

Department: Public Welfare
Location: Wernersville State Hospital, P. O. Box 300, Route 422, West Wernersville, PA 19565
Duration: July through December (6 months)
Contact: Renee Stachow, Facility Fin. Mgr., (610) 670-4127

Hazardous Materials—21

201000004 Pick-up, transporting, storage and disposal of tear gas and Class A, B and C explosives. Bidders must have all applicable Federal and State licenses. Detailed bid specifications may be obtained by interested bidders from the Procurement and Supply Division, (717) 705-5923.

Department: State Police
Location: Statewide, Commonwealth of Pennsylvania
Duration: Two years
Contact: Diane Bolden, Procurement and Supply Division, (717) 705-5923

HVAC—22

03074 Furnish and install Dukane ProCare 1000 Nurse Call System in Dom/PCU Unit of the PA Soldiers and Sailors Home as specified by facility personnel.

Department: Military Affairs
Location: PA Soldiers and Sailors Home, 560 East 3rd Street, P. O. Box 6239, Erie, PA 16512-6239
Duration: July 1, 2000 to December 31, 2000
Contact: Jeanette Gualtieri, (814) 878-4930

FDC-226-622.4 All electrical work associated with modifications to existing buildings at Linesville Beach, Pymatuning State Park, Crawford County. Note: Bid documents will be available on or after April 5, 2000.

Department: Conservation and Natural Resources
Location: North Shenango Township
Duration: 180 days
Contact: Construction Management Section, (717) 787-5055

FDC-226-622.3 All plumbing work associated with modifications to existing buildings at Linesville Beach in Pymatuning State Park, Crawford County. Note: Bid documents will be available on or after April 5, 2000.

Department: Conservation and Natural Resources
Location: North Shenango Township
Duration: 180 days
Contact: Constuction Management Section, (717) 787-5055

SP8101410041 Provide preventative, remedial and emergency maintenance service for all electrical, environmental, and HVAC equipment located within the Commonwealth Technology Center facilities and building maintenance service to include facility roof inspection/repairs, installation of electrical outlets, etc., at 1 and 5 Technology Park, Harrisburg, PA for 3 years, with option for two additional 1 year periods. Contractor to respond within 2 hours of receiving a call either directly or by a message on a recording device. Interested vendors should fax request to be placed on bidders list to Lionel Vasquez, Sr. (Fax: (717) 787-0776) no later than 2 p.m., Friday, March 31, 2000. Questions regarding the proposed contract should be addressed to the contact person listed below.

Department: Office of the Budget/Executive Offices
Location: Office of Administration, Commonwealth Technology Center 1 and 5, Technology Park, Harrisburg, PA 17120
Duration: Three year contract with two 1 year renewal (options) Beginning July 1, 2000 through June 30, 2005
Contact: Lionel Vasquez, Sr., (717) 787-8767

FL-S-001 Provide lighting and accessories for the new office/classroom building.

Department: Conservation and Natural Resources
Location: Kings Gap EEC, 500 Kings Gap Road, Carlisle, PA 17013
Duration: Indeterminate 1999–2000
Contact: James L. Ross, (814) 733-9123

1200-00-100 Complete maintenance service for HVAC systems at District 12 office Uniontown, Fayette County Maintenance Facility, Uniontown, Greene County Maintenance Facility, Washington County Maintenance Facility, Washington, Westmoreland Maintenance Facility, Greensburg. Contract for 2 years with one 2-year renewal.

Department: Transportation
Location: PennDot—Uniontown, Waynesburg, Washington and Greensburg
Duration: Proposed Bid opening April 25; July 1, 2000 to June 30, 2002 with a 2-year renewal option; July 1, 2002 to June 30, 2004
Contact: Craig Bolinger, (724) 439-7382

HUN 345 Technical services for the repair and routine maintenance, and upgrading of combustion control systems for upgrading. Boiler controls for three boilers are to be replaced and maintenance repair of same for 1 year. Current controls are Bailey type to be replaced with Honeywell type and interfaced with current system. Details of work requirements and component specifications are available at the Agency.

Department: Corrections
Location: State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654
Duration: July 1, 2000 to June 30, 2001
Contact: Robert Jessell, Pur. Agt., (814) 643-2400, Ext. 304

20012 Heating, ventilating and air conditioning—Contract would involve the calibration, adjustment and maintenance of heating and air condition equipment at SCI-Chester. The contract would provide for scheduled maintenance service, equipment and labor required for the repair of the system and for emergency support.

Department: Corrections
Location: SCI-Chester, 500 E. 4th Street, Chester, PA 19013
Duration: July 1, 2000 to June 30, 2001
Contact: Jacqueline Newson, Purchasing, (610) 490-4370

00873024 The contractor is to perform window cleaning on all hospital building doors and windows and on nonhospital buildings doors and windows as specified. A site visit is required.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: Approx. starting date is August 1, 2000 to November 30, 2002, 4 months annually.
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

Laboratory Services—24

PG-003 The State Correctional Institution at Pine Grove will be soliciting bids for dental lab services. The anticipated period of service will be September 1, 2000 thru to June 30, 2003.

Department: Corrections
Location: State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, PA 15701
Duration: September 1, 2000—June 30, 2003
Contact: Sherre Benninghoff, Purchasing Agent, (724) 357-2585

Lodging Facilities—27

99-0321 Conference to be held in Baltimore, Maryland (Inner Harbor area), June 25–30, 2000. Sleeping rooms are a combination of single and double rooms; approximate figures; Sunday June 25, 2000—50 rooms; Monday June 26, 2000—350 rooms; Tuesday June 27, 2000—350 rooms; Wednesday June 28, 2000—350 rooms; Thursday June 29, 2000—350 rooms; Friday June 30, 2000—5 rooms. Meeting room requirements: June 29, 2000 four small meeting rooms for approx. 100 people; June 26–30, 2000—one large meeting room for approx. 700 people.

Department: Attorney General
Location: Baltimore, Maryland (Inner Harbor area)
Duration: June 25–30, 2000
Contact: Jay Friske, Maglocen, (800) 345-1322, Ext. 570

Medical Services—29

00780023 Autopsy Services—Complete autopsies will be performed on deceased individuals of White Haven Center.

Department: Public Welfare
Location: White Haven Center, R. R. 2, Box 2195, White Haven, PA 18661
Duration: September 1, 2000—August 31, 2005
Contact: Sandra A. Repak, PA, (570) 443-4232

YFC No. 2 Contractor will provide on-grounds psychological testing and individual psychotherapy for residents at Youth Forestry Camp No. 2 in accordance with the following schedules: Psychological Testing—132 sessions per year Individual Testing—128 sessions per year.

Department: Public Welfare
Location: Youth Forestry Camp No. 2, White Haven, PA 18661 (Carbon County)
Duration: July 1, 2000 to June 30, 2003
Contact: Susan E. Wilkinson, (570) 446-9524

YFC No. 2 To provide individual and Group Drug and Alcohol Sessions on-grounds for residents of the agency, 15 to 18 year old males.

Department: Public Welfare
Location: Youth Forestry Camp No. 2, White Haven, PA 18661 (Carbon County)
Duration: July 1, 2000 to June 30, 2003
Contact: Susan E. Wilkinson, (570) 446-9524

SP 00781009 Trainer for American Sign Language to assist consumers and staff in communication skills.

Department: Public Welfare
Location: Wernersville State Hospital, Route 422, P. O. Box 300, Wernersville, PA 19565
Duration: Anticipated Start Date: July 1, 2000
Contact: Nancy Deininger, Purchasing Agent, (610) 670-4129

Moving Services—30

SP350009758 Provide moving services on an as-needed basis for the Department of Environmental Protection (DEP) and the Department of Conservation and Natural Resources (DCNR), including movers and related moving equipment. The moves will be primarily between DEP and DCNR, within the Rachel Carson State Office Building as well as within and between DEP/DCNR occupied facilities within a 50-mile radius of the Harrisburg area.

Department: Environmental Protection
Location: Primarily within a 50-mile radius of the Harrisburg area
Duration: Through June 30, 2002, with option to renew
Contact: Sherry Morrow, (717) 772-1216

Personnel—31

03-O-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 112 S. Claude A. Lord Blvd., Side Entrance, 2nd Floor, Pottsville, PA 17901
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-Q-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 319 Washington Street, Suite 102, Johnstown, PA 15901
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-P-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 29th Street Office Complex, Bldg. A, Suite 203, 1201 North Church Street, Hazleton, PA 18201
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-G-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 101 South Mercer Street, New Castle, PA 16101
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-D-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 933 Penn Avenue, Suite 300, Pittsburgh, PA 15222-3813
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-C-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 1171 S. Cameron Street, Rm 324 Harrisburg, PA 17102-2501
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-E-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, Millcraft Center, 90 W. Chestnut Street, Washington, PA 15301
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-L-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 615 Howard Avenue, Altoona, PA 16601
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-F-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 253 South Mt. Vernon Avenue, Uniontown, PA 15401
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-N-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 105 North Main Street, Wilkes-Barre, PA 18701
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-H-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 208 West Third Street, Rear, Suite 202, Williamsport, PA 17701
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-I-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 3400 Lovell Place, 13th and Holland Streets, Erie, PA 16503
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-J-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 115 W. Otterman Street, Greensburg, PA 15601
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-K-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 395 Main Street, Brookville, PA 15825
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

03-M-00 Temporary Typing/Clerical Assistance: To be provided on an as-needed basis, to prepare and process Workers' Compensation cases for hearings and decisions during peak workload periods and/or absence of permanent staff.

Department: Labor and Industry
Location: Department of Labor and Industry, Bureau of Workers' Compensation, 62 Lancaster Avenue, 2nd Floor, Malvern, PA 19355
Duration: July 1, 2000—December 31, 2002
Contact: Cherianita Thomas/BF, (717) 787-2877

Property Maintenance—33

FM-0059 Install a new fence and gates. To obtain a copy of this bid package, fax the following information to Vikki Mahoney at (717) 783-7971: Contract No. FM-0059, Company Name, Company Contact Name, Company Address, Telephone Number and Fax Number. Please reference FM-0059 on the fax request.

Department: Transportation
Location: PennDOT Stockpile No. 05, Route 219, Beechdale, Somerset County, PA
Duration: 90 Calendar days
Contact: Vikki Mahoney, (717) 787-7001

M 99-18 Contractor shall supply material and labor for skylights in our dietary building at SCI Cambridge Springs.

Department: Corrections
Location: S.C.I. Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403
Duration: On or about June 2000
Contact: Quentin Hargenrater, Jr., (814) 398-5400

FD19/1 Replace well pump, pull out existing and replace with 1-1.2 HP, 3 phase pump, install new pressure storage tanks. Install new control valving and switches for pressure and surge control. Install two ultra-violet disinfection units with 15 gpm each with prefilters ahead of each. Install water meter on inlet line. Closure of existing system.

Department: Conservation and Natural Resources
Location: Department of Conservation and Natural Resources, Bureau of Forestry, HC1 Box 95A, Route 611, Swiftwater, PA 18370
Duration: June 30, 2000
Contact: David Miller, (570) 895-4000

00714-000-99-AS-1 Exterior Painting of Main House, at Joseph Priestley House, Northumberland, PA. Scope includes: preparation and finishing of exterior surfaces; miscellaneous carpentry repairs. For directions to site call (570) 473-9474. All interested bidders should submit a \$25 nonrefundable check and a request for a bid package in writing to: Pennsylvania Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Streets, Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401. All proposals are due on Friday, April 10, 2000 at 11:45 a.m. Bid opening will be held in Room 526, 5th Floor of the State Museum Building, corner of 3rd and North Streets, Harrisburg, PA 17120.

Department: Historical and Museum Commission
Location: Joseph Priestley House, 472 Priestley Avenue, Northumberland, PA 17857.
Duration: May 1, 2000 to June 30, 2001
Contact: Judi Yingling, (717) 772-2401

2000-RFCS-ROOF2 Provide all labor, equipment, and materials to remove and replace existing gravel built-up roofing with new EPDM membrane roofing, new flashing, flange edging (fascia) and cleats, and new wood decking at Reynoldsdale Fish Culture Station, Bedford County, New Paris, PA. Prevailing wage rates shall apply.

Department: Fish and Boat Commission
Location: Fish and Boat Commission, Reynoldsdale Fish Culture Station, 162 Fish Hatchery Rd., New Paris, PA 15554-8213
Duration: Work must be completed within 90 days after receipt of notice to proceed.
Contact: Kathi Tibbott, (814) 359-5131

00706-000-99-AS-1 Exterior Painting and Repairs at the McCoy House, Lewistown, PA. Scope: Preparation and finishing of exterior surfaces; miscellaneous carpentry repairs. For directions to site contact Kent Steinbrunner at (717) 783-9931 or Robert Sieber at (717) 705-0559. All interested bidders should submit a \$25 (nonrefundable) check and a request for a bid package in writing to: Pennsylvania Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Streets, Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401. All proposals are due on Friday, April 10, 2000 at 11:45 a.m. Bid opening will be held in Room 526, 5th Floor of the State Museum Building, corner of 3rd and North Streets, Harrisburg, PA 17120.

Department: Historical and Museum Commission
Location: McCoy House, 17 North Main Street, Lewistown, PA
Duration: May 1, 2000 to June 30, 2001
Contact: Judi Yingling, (717) 772-2401

00680-000-99-AS-1 Chimney Repairs—Mansion and Furnace at Curtin Village, Box 312, Bellefonte, PA. Scope includes: Rebuild and repair existing brick chimneys on the Curtin Mansion and Furnace building. For directions to site contact Kent Steinbrunner at (717) 783-9931 or Robert Sieber at (717) 705-0559. All interested bidders should submit a \$25 (nonrefundable) check and a request for a bid package in writing to: Pennsylvania Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Streets, Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401. All proposals are due on Friday, April 10, 2000 at 11:45 a.m. Bid opening will be held in Room 526, 5th Floor of the State Museum Building, corner of 3rd and North Streets, Harrisburg, PA 17120.

Department: Historical and Museum Commission
Location: Curtin Village, Box 312, Bellefonte, PA 16823
Duration: May 1, 2000 to June 30, 2001
Contact: Judi Yingling, (717) 772-2401

00702-000-98-AS-2 Repairs to Restroom Building at Cornwall Iron Furnace, Cornwall, PA. The scope includes: demolition of interior plumbing fixtures; structural repairs to existing chimney and roof; carpentry repairs. For directions to site call (717) 272-9711. All interested bidders should request a bid package in writing to: Pennsylvania Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Streets, Harrisburg, PA 17120—Attention: Judi Yingling, (717) 772-2401. All proposals are due on Monday, April 10, 2000 at 11:45 a.m. Bid opening will be held in Room 526, 5th Floor of the State Museum Building, corner of 3rd and North Streets, Harrisburg, PA 17120.

Department: Historical and Museum Commission
Location: Cornwall Iron Furnace, P. O. Box 251, Cornwall, PA 17016
Duration: May 1, 2000 to June 30, 2001
Contact: Judi Yingling, (717) 772-2401

Bid No. 8140 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Clearfield Station, three cuttings per month, or as required by the Station Commander. Fertilization once a year. Detailed Work Schedule and Bid must be obtained from Facility Management Division, (717) 783-5484

Department: State Police
Location: Clearfield Station, R. R. 2, Box 314, Woodland, PA 16881-9781
Duration: July 1, 2000 to June 30, 2003
Contact: Donna Enders, (717) 783-5484

2000-BNRSP-MOWING Lawn mowing service is to be provided at Benner Spring Fish Culture Station. Contract will consist of mowing main lawn area once a week, area along Shiloh Road every other week, sickle bar mowing along earthen ponds and upper end of hatchery and effluent race once a month. Also included will be spraying of weeds with weed killer along fence lines, bird enclosures, building perimeters, along concrete walls, guard posts, mailbox, gate area and removal of sprayed vegetation.

Department: Fish and Boat Commission
Location: Fish and Boat Commission, Benner Spring Fish Culture Station, 1225 Shiloh Road, State College, PA 16801
Duration: May 1, 2000 to October 13, 2000 and April 9, 2001 to October 12, 2001
Contact: Kathi Tibbott, (814) 359-5131

Real Estate Services—35

373883 Lease office space to the Commonwealth of Pennsylvania. 3,479 sq. ft. of office space with 10 parking spaces, situated in Schuylkill County, within a 10-mile radius of the downtown Pottsville Post Office, the space must be contiguous and on 1 floor. Proposals Due: April 24, 2000. Solicitation No. 92996.

Department: Labor and Industry
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: Jennings Ward, (717) 787-7412

373883 Lease office space to the Commonwealth of Pennsylvania. 3,586 sq. ft. of office space with 11 parking spaces, in Lancaster County, within the city limits of Lancaster in the area North of King Street and Route 999, the space must be contiguous and on 1 floor. Proposals due: May 22, 2000. Solicitation No. 92991.

Department: Revenue
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: Jennings Ward, (717) 787-7412

Sanitation—36

SP386216001 Sealed bids will be received at Dept. of Conservation and Natural Resources, Yellow Creek State Park, 170 Route 259 Hwy., Penn Run, PA 15765-5941 and then publicly opened and read. A bid opening date has not yet been set. For Rental of Portable Toilets at Yellow Creek State Park. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, Yellow Creek State Park.

Department: Conservation and Natural Resources
Location: Department of Conservation and Natural Resources, Yellow Creek State Park, 170 Route 259 Hwy., Penn Run, PA 15765-5941
Duration: July 1, 2000 to June 30, 2005
Contact: Yellow Creek State Park, (724) 357-7913

SCR1 Monitoring well purge water treatment trailer utilizing liquid phase granular activated carbon treatment.

Department: Environmental Protection
Location: Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200
Duration: Indeterminate 1999—2000
Contact: Mary Ann Fischer, (717) 705-4754

PG-002 The State Correctional Institution at Pine Grove will be soliciting bids for garbage removal. The anticipated period of service will be September 1, 2000 thru June 30, 2003.

Department: Corrections
Location: State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, PA 15701
Duration: September 1, 2000—June 30, 2003
Contact: Sherre Benninghoff, Purchasing Agent, (724) 357-2585

Security Services—37

48108 Vendor will provide two low profile security consoles that will house security/electronic equipment at the State Correctional Institution at Pittsburgh.

Department: Corrections
Location: State Correctional Institution at Pittsburgh, 3001 Beaver Ave., P. O. Box 99901, Pittsburgh, PA 15233
Duration: Thirty days after bid awarded
Contact: Carol Schaeffer/Purchasing Agent, (412) 761-1955, Ext. 291

DSFM-118-99 Outdoor Warning Siren, Speaker Assembly, Directional Speaker with four 400 watt speaker drivers, rotor and 50' of speaker and rotor wiring cables, six warning tones and public address, electronics cabinet with two compartments, natural finish aluminum case assembly, four power amplifiers, tone generator, local control and timer, oscillation module and temperature compensated battery charger.

Department: Corrections
Location: State Correctional Institution at Coal Township, 1 Kelley Drive, Coal Township, PA 17866
Duration: Indeterminate 1999—2000
Contact: Faith Gilger, (570) 644-7890

Miscellaneous—39

1101000088 Translation of written documents from English to Spanish. Approximately 400 pages of material will require translation each year.

Department: Corrections
Location: Department of Correction, 2520 Lisburn Road, Camp Hill, PA 17011
Duration: One year
Contact: Beth Procopio, (717) 975-4960

RFA Application guidelines for the Education Mentoring Initiative, a component of the Governor's Project for Community Building, are available to interested parties who call the Bureau of Community and Student Services at (717) 787-4605. The Educational Mentoring Initiative provides funding for nonprofit, community-based organizations working in partnership with schools to link responsible, caring adults with at-risk children and youth. The mentors provide role models to help ensure students stay in school and become positive role models themselves to others in their community. Guidelines for this initiative are also available through the Commonwealth of Pennsylvania, Department of Education Internet web site at www.pde.psu.edu.

Department: Education
Location: Bureau of Community and Student Services, 333 Market Street, 5th Floor, Harrisburg, PA 17126-0333
Duration: N/A
Contact: Shirley Gould, (717) 787-4605

03075 Hill-Rom Long Term Care Electric Resident Bed, Model 870C or approved equal.

Department: Military Affairs
Location: PA Soldiers and Sailors Home, 560 East 3rd Street, P. O. Box 6239, Erie, PA 16512-6239
Duration: April 14, 2000 to June 30, 2000
Contact: Jeanette Gualtieri, (814) 878-4930

20013 Centrifugal Chillers—Contractor will provide for maintenance and emergency service to the centrifugal chillers at SCI-Chester. This contract would provide for annual winter maintenance, inspection, scheduled prevention maintenance and emergency service to the centrifugal chillers. Contractor will provide all major labor to diagnose, repair and/or replace failed components of the equipment. More detailed information can be obtained from the Institution.

Department: Corrections
Location: SCI-Chester, 500 E. 4th St., Chester, PA 19013
Duration: July 1, 2000 to June 30, 2002
Contact: Jacqueline Newson, Purchasing, (610) 490-4370

6500-088 Contractor shall provide Protestant Chaplaincy services to both the English speaking and Spanish speaking inmate population at the State Correctional Institution at Retreat, Hunlock Creek, PA. Contact Purchasing Office for specifics.

Department: Corrections
Location: State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621
Duration: July 1, 2000 to June 30, 2001
Contact: Barbara Swiatek, (570) 735-8754

00-R-003 The Department of State is interested in securing the services of a qualified professional testing organization to develop, prepare, administer and grade theory (via a computerized testing system) and performance examinations for applicants for licensure as manicurists, cosmeticians, cosmetologists, cosmetology teachers, cosmetology managers, barbers, barber managers, barber teachers and barbers licensed by endorsement and perform other related services for the Bureau of Professional and Occupational Affairs and its candidates.

Department: State
Location: 116 Pine Street, 2nd Floor, Harrisburg, PA 17101
Duration: Five years
Contact: Kathy Bilyeu, (717) 783-7220

00-R-002 The Department of State is interested in securing the services of a qualified professional testing organization that is experienced in professional licensure examination development, preparation, administration and scoring and possesses the adequate background, experienced personnel, qualifications and resources to develop, prepare, administer and score Commonwealth examinations and perform other related services for the Bureau of Professional and Occupational Affairs and its candidates. Services will be required for the following boards: State Board of Accountancy, State Board of Auctioneers, State Board of Funeral Directors, State Board of Landscape Architects; State Board of Professional Engineers, Land Surveyors and Geologists, State Board of Osteopathic Medicine, State Board of Podiatry, State Board of Psychology and State Board of Veterinary Medicine.

Department: State
Location: 116 Pine Street, 2nd Floor, Harrisburg, PA 17101
Duration: Five years
Contact: Kathy Bilyeu, (717) 783-7220

00-R-001 The Department of State is interested in securing the services of a qualified professional testing organization that can develop, prepare, administer, grade theory (via a computerized testing system) and performance examinations for expanded function dental assistants and perform other related services for the Bureau of Professional and Occupational Affairs and its candidates.

Department: State
Location: 116 Pine Street, 2nd Floor, Harrisburg, PA 17101
Duration: Five years
Contact: Kathy Bilyeu, (717) 783-7220

PG-004 The State Correctional Institution at Pine Grove will be soliciting bids for miscellaneous cooking utensils for the Food Service Department.

Department: Corrections
Location: State Correctional Institution at Pine Grove, 189 Fyock Road, Indiana, PA 15701
Duration: Six months
Contact: Sherre Benninghoff, Purchasing Agent, (724) 357-2585

PG-001 The State Correctional Institution at Pine Grove will be soliciting bids for miscellaneous hand tools for the maintenance department.

Department: Corrections
Location: SCI-Pine Grove, 189 Fyock Road, Indiana, PA 15701
Duration: Six months
Contact: Sherre Benninghoff, Purchasing Agent, (724) 357-2585

[Pa.B. Doc. No. 00-597. Filed for public inspection March 31, 2000, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
7920-06	03/29/00	Buckeye International Inc.	20,000.00
7920-06	03/29/00	The Butcher Co.	20,000.00
7920-06	03/29/00	Ecolab Inc.	100,000.00
7920-06	03/29/00	Dedeavors Corp d/b/a Desanitis Janitor Supply	10,000.00
7920-06	03/29/00	Graham Distributing Co. Inc. d/b/a Airwick Professional Products of Harrisburg	10,000.00
7920-06	03/29/00	Customized Environmental Systems Inc.	30,000.00
7920-06	03/29/00	PA Industries for the Blind and Handicapped	10,000.00
7920-06	03/29/00	Sanolite Corp.	20,000.00
7920-06	03/29/00	Allegheny Supply and Maintenance Co.	10,000.00
7920-06	03/29/00	Rochester Midland Corp.	10,000.00
7920-06	03/29/00	U. S. Polychemical Corp.	10,000.00
7920-06	03/29/00	Feesers Inc.	10,000.00

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
8540-01 RIP # 1	03/23/00	Xpedx	239,141.00
1267119-01	03/21/00	Westgate Chevy/dba Apple Chevrolet	35,991.00
1273159-01	03/21/00	Mettler Toledo Inc.	20,978.00
1274159-01	03/21/00	Calorimetry Sciences Corp.	54,500.00
1304229-01	03/21/00	Hertrich Fleet Services Inc.	50,443.00
1315239-01	03/21/00	Hardwicke Associates Inc.	20,669.00
1344119-01	03/21/00	M. Glosser and Sons Inc.	39,500.00
1349389-01	03/21/00	Environmental Dynamics Inc.	23,895.00
1354159-01	03/21/00	Von Hoffman Graphics	25,905.00
1355119-01	03/21/00	Barbour Corp.	102,720.00
1368119-01	03/21/00	Curbell Inc.	15,656.00
1400239-01	03/21/00	The Marion Steel Co.	16,955.25
8129640-01	03/21/00	Calcium Chloride Sales Inc.	43,957.00
8505160-01	03/21/00	Florig Equipment Co. Inc.	113,559.30
8505180-01	03/21/00	Terre Hill Silo/dba Terre Hill Concrete	32,134.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 00-598. Filed for public inspection March 31, 2000, 9:00 a.m.]